



Deadlines for November 5, 2019 School District Trustee Elections

Published online in [TASB School Law eSource](#)

This memo provides important dates and deadlines applicable to school districts preparing for the November 5, 2019 trustee election. Consult TASB Legal Services' [Guide to School District Elections](#) (pending post-legislative update), available in the TASB Store, for detailed information on all aspects of school district elections, including the process for filing and processing a candidate application; the role of the school board and district officials in ordering, conducting, and finalizing an election; campaign finance procedures and requirements; and political advertising. In addition, reference the attached [Helpful Resources](#) for [forms](#) and other election information. Specific information regarding a district's election procedures may be found in TASB Policy BBB series.

Most of the dates below pertain to a general trustee election. Deadlines for a special election to fill a trustee vacancy may vary from a general trustee election. Some special election dates are included, but a district holding a special election should contact the Elections Division, TASB Legal Services, or the district's school attorney for answers to more specific questions.

Deadlines and requirements for bond elections or elections to approve a tax rate also may be different. For information on bond elections, review TASB Policy CCA(LEGAL) or contact the Elections Division, TASB Legal Services, or the district's school attorney or bond counsel.

Campaign finance deadlines are not included below but may be obtained from the Texas Ethics Commission.

The Elections Division provides a comprehensive [election law calendar](#) for each uniform election date. The most important general election dates for school districts are as follows:

- **Thursday, June 20, 2019:** Deadline to post notice of application filing period.
- **Saturday, July 20, 2019:** First day to file an application for a place on the ballot or declaration of write-in candidacy.

Note: Filing may begin before the board orders a **general election. School districts are required to make applications available for potential candidates. The Elections Division offers a [sample application](#).*

- **Wednesday, August 7, 2019:** Deadline to file with the Secretary of State regarding an exemption from the use of accessible voting equipment. The Elections Division offers more information on exemptions from [voting system accessibility requirements](#) and [Electronic Voting System Procedures](#), including equipment testing.

- **Friday, August 16, 2019:** If a candidate dies on or before this date, the candidate’s name **shall be** omitted from the ballot.

Note: If a candidate dies on or before the deadline for filing an application for a place on the ballot, the authority responsible for preparing the ballot **may omit the candidate’s name from the ballot. If the authority does so, the deadline for filing an application for a place on the ballot for the office sought by the candidate is **extended** to the fifth day after the filing deadline, **August 24, 2019**. (House Bill 1067, 86th Texas Legislature) No other deadlines are specifically extended, but an extension of this deadline may affect the timing of other events, such as cancellation of the election.*

- **Monday, August 19, 2019:**

- Deadline to order the November general election. The Elections Division offers a sample [Order of Election \(Form AW1-3\)](#).
- Deadline to file an application for a place on the ballot (5:00 p.m.).

**Note: The Elections Division strongly recommends that someone be available to accept filings on the filing deadline, especially from 2:00-5:00 p.m.*

- **Friday, August 23, 2019:** Deadline to file declaration of write-in candidacy (5:00 p.m.).

- **Monday, August 26, 2019:**

- Recommended first day an unopposed election may be cancelled **if** requirements are satisfied. The Election Division’s [Cancellation of Election](#) outline provides more information about this process, and the Elections Division offers a sample [order of cancellation](#).
- Last day a candidate may submit a [Certificate of Withdrawal](#) from the election (5:00 p.m.). If a candidate withdraws or is declared ineligible by this date, his or her name is omitted from the ballot. Texas Election Code section 145.098 allows withdrawal after the deadline under limited circumstances.
- Recommended date to appoint presiding and alternate judges.

- **Tuesday, August 27, 2019:**

- Deadline to order a special election to fill a vacancy with a filing deadline on the 62nd day before election day.

**Note: A special election that is not held on the uniform date in November of even-numbered years must be ordered as soon as practicable after the vacancy occurs. Other deadlines may depend on when the election is ordered.*

- Recommended date to hold drawing to determine order of candidates’ names on the ballot. Notice of the date, time, and place of the ballot drawing must be posted continuously for 72 hours immediately preceding the scheduled time of the drawing and mailed to candidates not later than the fourth day before the drawing.

**Note: The Elections Division recommends that a district provide ballot proofs to candidates to verify accuracy of their names, positions sought, and order of names.*

- **Wednesday, September 4, 2019:** Deadline to file application for a place on the ballot or declaration of write-in candidacy in a special election ordered on or before the 70th day before election day.
- **Friday, September 6, 2019:** Deadline to deliver notice of the election including the location of each polling place, to the county election officer and voter registrar.
- **Monday, September 9, 2019:** Last day a candidate may submit a [Certificate of Withdrawal](#) from a special election ordered on or before the 70th day before election day.
- **Monday, September 16 - Sunday, December 15, 2019: Mandatory office hours**—A district must keep the office open for election duties for at least three hours each day, during regular office hours, on days on which the district’s main office is regularly open for business. Thus, a district may be closed during this period for a school holiday, even if it is not a state or national holiday.
- **Friday, September 20, 2019:**
 - Deadline to challenge an application for a place on the ballot as to form, content, and procedure if ballots are mailed on the 45th day before election day (**Saturday, September 21, 2019**). If ballots were mailed before that day, this deadline will change.
Note: An application may not be challenged as to form, content, or procedure after the day **before any ballot to be voted early by mail is mailed. For more information on reviewing applications and the process for declaring candidates ineligible, see the Elections Division’s guidance regarding [candidacy filing](#).*
 - Deadline to order a special election to fill a vacancy. If the election is ordered after the 70th day before the election (**Tuesday, August 27, 2019**), the filing deadline is the 40th day before election day (**Thursday, September 26, 2019**).
**Note: A special election that is not held on the uniform date in November of even-numbered years must be ordered as soon as practicable after the vacancy occurs. Other deadlines may depend on when the election is ordered.*
- **Thursday, September 26, 2019:** Deadline to file application for a place on the ballot or declaration of write-in candidacy in a special election ordered after the 70th day but on or before the 46th day before election day.
- **Tuesday, October 1, 2019:** Last day a candidate may submit a [Certificate of Withdrawal](#) from a special election ordered after the 70th day but on or before the 46th day before election day.
- **Sunday, October 6 - Saturday, October 26, 2019:** Period in which to publish notice of the election.

**Note: School districts are required to publish notice in a local newspaper in addition to giving notice by other methods. School districts also must publish notice of the election on the district's website, if the district maintains one. For more information on notice requirements, see Note 8 in the Elections Division's election law calendar. The Elections Division provides a sample [Notice of Election](#). In addition, the Elections Division strongly recommends that a district also post on its website the notice of voting priority for voters with mobility issues under Texas Election Code section 63.0013. For more information on voting order priority, see note 12 in the Elections Division's election law calendar, which includes a [sample notice](#).*

- **Monday, October 7, 2019:** Last day to register to vote or make a change of address effective for the November election.
- **Tuesday, October 15, 2019:** Deadline to post notice of election on bulletin board used for posting board meeting notices.

**Note: The county must post a copy of a notice of election provided by a district under Texas Election Code section 4.008(a) [see Friday, September 6, 2019] on the county's website. A district may post a copy of the notice on the bulletin board used for posting board meeting notices. (House Bill 933, 86th Texas Legislature)*

- **Monday, October 21, 2019:** First day to vote early in person.

Note: School districts are **required to be open during the entire early voting period, except on state or national holidays. This differs from the requirements for mandatory office hours.*

- **Friday, November 1, 2019:** Last day to vote early in person.
- **Tuesday, November 5, 2019: Election Day**—Polling places must be open from 7:00 a.m. to 7:00 p.m.

- **Friday, November 8 - Monday, November 18, 2019: Canvassing period**

**Note: The canvass may not be conducted until the early voting ballot board (EVBB) has verified and counted all provisional ballots, if any, AND all timely-received ballots by mail. For more information on the EVBB, see the Elections Division's [EVBB Handbook](#). If a district cancelled its election due to unopposed candidates, this is the first day the newly elected (unopposed) candidates may be issued a certificate of election and take the oath of office.*

For additional information on post-election procedures, see TASB Legal Services' [After the School Board Election](#). In addition, the Elections Division publishes a memo regarding post-election procedures and qualifying for office after each election.

- **Thursday, December 5, 2019:** Deadline to file electronic precinct-by-precinct returns with the Secretary of State.

HELPFUL RESOURCES

TASB

Legal Services

- [Guide to School District Elections](#)
- [An Overview of School Board Member Resignations](#)
- [Campaign Speech During Elections](#)
- [Dual Office Holding Issues for School Board Trustees](#)
- [Schools as Polling Places](#)
- [Use of Public Funds](#)
- TASB School Law eSource [Elections](#) page
- TASB School Law eSource [Nepotism/Conflicts of Interest](#) page

Leadership Team Services

- [Electing Board Officers](#)

Secretary of State [Elections Division](#)

- [Application for a Place on the General Election Ballot](#)
- [Cancellation of Election](#)
- [Certain Activities in Vicinity of Polling Places](#)
- [Exemptions to Voting System Accessibility Requirements](#)
- [Electronic Voting System Procedures](#)
- [Handbook for Election Judges and Clerks](#)
- [Handguns in Polling Places \(KP-0212\)](#)
- [Joint Elections and Polling Places FAQ](#)
- [Mandatory ISD Joint Elections FAQ](#)
- [Political Subdivisions Forms Index](#)
- [Procedures to Request and Conduct a Recount](#)
- [Required Oaths for Election Offices](#)
- [Student Election Clerk FAQ](#)
- [Voter Identification Procedures Under Senate Bill 5 \(2017\)](#)

- [Voter Registration Requirements for Candidates \(House Bill 484\) Frequently Asked Questions](#)
- Information on [voting systems](#) and [criminal background checks](#)

Texas Ethics Commission

- [A Short Guide to the Prohibition against Using School District Resources for Political Advertising](#)
- [Advocating Passage or Defeat of a Measure](#)
- [Campaign Finance Guide for Political Committees](#)
- [Campaign Finance Guide for Candidates and Officeholders Who File with Local Filing Authorities](#)
- [Enforcement and Compliance](#) website
- [Frequently Asked Questions for Candidates](#)
- [Filing a Treasurer Appointment](#)
- [First Steps for Candidates Running for School Board Trustee](#)
- [Forms & Instructions](#) for Local Filers
- [Guide to a Local Filing Authority's Duties under the Campaign Finance Law](#)
- [Notice to Local Filing Authorities](#)
- [Political Advertising Requirements](#)
- [Political Advertising: What You Need to Know](#)
- [Political Fundraisers: What You Need to Know](#)

Other

- Disability Rights Texas, [Basic Guide to Polling Place Accessibility](#) and [Election Workers Guide to Serving Voters with Disabilities](#)
- Texas School Safety Center, [School Safety Law Toolkit](#), including [Polling Place Safety Checklist](#)

This document is continually updated, and references to online resources are hyperlinked, at tasb.org/services/legal-services/tasb-school-law-esource/governance/documents/nov_trustee_election.pdf. For more information on this and other school law topics, visit TASB School Law eSource at schoollawesource.tasb.org.

This document is provided for educational purposes only and contains information to facilitate a general understanding of the law. It is not an exhaustive treatment of the law on this subject nor is it intended to substitute for the advice of an attorney. Consult with your own attorneys to apply these legal principles to specific fact situations.

Updated July 2019