



Deadlines for November 2, 2021 School District Trustee Elections

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This memo provides important dates and deadlines applicable to school districts preparing for an election on November 2, 2021 trustee election. TASB Policy BBB series contains specific information regarding a district's election procedures. Additional election resources are available at TASB School Law eSource, [Governance—Elections](#), and on the [Secretary of State Elections Division](#) website.

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 more specific guidance.

Many of the deadlines and requirements below apply to voter-approval tax rate elections (VATREs) or bond elections, but different or additional requirements may also apply. Bond elections are addressed in TASB Policy CCA, and VATREs are addressed in TASB Policy CCG. For more information on VATREs, see eSource at [Business—Finance, Taxation, and Revenue—Taxation and Voter-Approval Tax Rate Elections](#); for information on bond issuances, see eSource at [Business—Finance, Taxation, and Revenue—Bonds, Other Revenue, and Investments](#).

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 17, 2021:** Deadline to post notice of candidate application filing period.
- **Saturday, July 17, 2021:** First day to file an application for a place on the ballot or declaration of write-in candidacy for the general election.

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](#).*

The candidate filing period may occur during a district's summer break or when the district observes different hours of operation. The Elections Division recommends that a district (1) have someone available for a few hours most days during the candidate filing period and (2) post a schedule on the district website and on the bulletin board where meeting notices are posted of the days and times when someone will be available to accept candidate filings.

- **Wednesday, August 4, 2021:** Deadline to file with the Secretary of State regarding an exemption from the use of accessible voting equipment. For more information, see the Elections Division Advisory [No. 2021-02, Exemptions to Voting System Accessibility Requirements](#).
- **Friday, August 13, 2021:** If a candidate dies on or before this date, the candidate's name **shall be** omitted from the ballot.

Monday, August 16, 2021:

- Deadline to order the November general election. The Elections Division offers a sample [Order of Election \(Form AW1-3\)](#).
- Deadline to order a special election on a measure to be held on November 2, 2021.
- Deadline to file an application for a place on the general election 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. An application by mail, fax, or email must be received by the deadline.*

*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. 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.*

- **Friday, August 20, 2021:** Deadline to file [declaration of write-in candidacy](#) in the general election (5:00 p.m.).
- **Monday, August 23, 2021:**
 - Recommended first day to cancel an unopposed election if requirements are satisfied. The Election Division's [Cancellation of Election](#) outline provides information about this process, and the Elections Division offers a [Certification of Unopposed Candidates](#) and sample [order of cancellation](#).
 - Last day a candidate may submit a [certificate of withdrawal](#) or notarized letter to withdraw from the general 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 24, 2021:**

- 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.*

The process for giving a candidate notice of the ballot drawing will change on September 1, 2021. (House Bill 3107, 87th Texas Legislature, Regular Session.) After this, the authority conducting the drawing shall provide notice of the date, hour, and place of the drawing to each candidate in writing by mail or when the candidate files an application for a place on the ballot, by telephone, or by email. The 72-hour posting requirement will remain unchanged.

- **Wednesday, September 1, 2021:** Deadline to file an 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.

**Note: Beginning September 1, 2021, the application for a place on the ballot must include an indication that the candidate has either not been finally convicted of a felony or, if so convicted, has been pardoned or otherwise released from the resulting disabilities. A person convicted of a felony must include in the application proof that the person has been pardoned or otherwise released from the resulting disabilities. (House Bill 4555, 87th Texas Legislature, Regular Session.) The Elections Division will update its application form.*

- **Friday, September 3, 2021:** Deadline to deliver notice of the election including the location of each polling place, to the county election officer and voter registrar of each county in which the district is located.

- **Monday, September 6, 2021:** Last day a candidate may submit a [certificate of withdrawal](#) or notarized letter of withdrawal from a special election ordered on or before the 70th day before election day.

- **Monday, September 13, 2021:** Deadline to challenge an application for a place on the ballot as to form, content, and procedure

- **Monday, September 13 - Sunday, December 12, 2021:** A district must keep the office open for **mandatory office hours** related to 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.

Note: An election services contract may not change this requirement. (House Bill 3107, 87th Texas Legislature, Regular Session)

Office hours for a special election begin the third day after the election is ordered.

- **Friday, September 17, 2021:** Deadline to order a special election to fill a vacancy. If the election is ordered after the 70th day before the election (**Tuesday, August 24, 2021**), the filing deadline is the 40th 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.*

- **Thursday, September 23, 2021:** Deadline to file an 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. (See **Wednesday, September 1, 2021** for information on new application requirements related to felony convictions.)

- **Tuesday, September 28, 2021:** Last day a candidate may submit a [certificate of withdrawal](#) or notarized letter to withdraw from a special election ordered after the 70th day but on or before the 46th day before election day.

- **Sunday, October 3 - Saturday, October 23, 2021:** 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, including new requirements under House Bill 3107, see Note 9 in the Elections Division’s election law calendar.*

Districts holding bond elections must satisfy additional notice requirements. A district should work closely with its attorneys to ensure compliance.

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 4, 2021:** Last day to register to vote or make a change of address effective for the November election.

– **Tuesday, October 12, 2021:**

- Deadline to post notice of election on bulletin board used for posting board meeting notices. A [Record of Posting Notice of Election](#) should be completed at the time of posting.

**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 3, 2021] on the county’s website. A district may post a copy of the notice on the bulletin board used for posting board meeting notices.*

- Deadline to post additional information on district website (Senate Bill 1116, 87th Texas Legislature, Regular Session):
 - Election date
 - Location of each polling place
 - Each candidate for an elected office on the ballot
 - Each measure on the ballot

– **Monday, October 18, 2021:** 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, October 29, 2021:** Last day to vote early in person.

– **Tuesday, November 2, 2021: Election Day**—Polling places must be open from 7:00 a.m. to 7:00 p.m.

– **Friday, November 5 - Monday, November 15, 2021: 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.

– **As soon as practicable after the election:** Post additional information on the district website (Senate Bill 1116, 87th Texas Legislature, Regular Session):

- Results of each election
- Total number of votes cast

- Total number of votes cast for each candidate or for or against each measure
 - Total number of votes cast by personal appearance on election day
 - Total number of votes cast by personal appearance or mail during the early voting period
 - Total number of counted and uncounted provisional ballots cast
- **Monday, November 8, 2021:** Deadline to post the requirements and deadline for filing for candidacy for school board trustee for the November 8, 2022 general election.

**Note: For more information, see TASB Legal Services' [Website Posting Requirements for Elections](#). The filing deadlines include the first day to file an application for a place on the ballot (Saturday, July 23, 2022), the last day to file an application for a place on the ballot (Monday, August 22, 2022), and the last day to file a declaration of write-in candidacy (Friday, August 26, 2022).*

This document is continually updated at tasb.org/services/legal-services/tasb-school-law-esource/governance/documents/school-district-elections-nov-deadlines.pdf. For more information on 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.

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