



# ELECTION

## School Director Election Information

### School Director Election Information

The regular biennial school board election for all school districts is the first Tuesday in November in each odd-numbered year. *Colo. Rev. Stat. § 1-1-104(39); § 22-31-104(1); § 22-31-131(1)*. The biennial school board election is conducted by the county clerk and recorder as part of a coordinated election. *Colo. Rev. Stat. § 22-31-103(2)*.

The Uniform Election Code of 1992 (“Code”) designates the county clerk and recorder as the chief designated election official for all coordinated elections. *Colo. Rev. Stat. § 1-1-110(3)*. A “coordinated election” occurs when more than one political subdivision is holding an election on the same day in November and the eligible electors for the election are the same or the boundaries overlap. *Colo. Rev. Stat. § 1-7-116(1)*. The primary purpose for the coordinated election is to allow voters to vote on all questions at one polling place.

### Division of Responsibilities

Deciding how election responsibilities will be divided between school officials and the county clerk is left to a large extent to the parties to work out in an intergovernmental agreement. School officials and the county clerk should discuss whether modifications are necessary to the previous agreement between the parties for the last biennial election. In districts whose boundaries cross county lines, an agreement will have to be negotiated with each county clerk of the counties in which the school district has territory.

In addition to specifying how election responsibilities will be allocated, the intergovernmental agreement is to provide for a reasonable sharing of the actual cost of the coordinated election among the county and the participating political subdivisions. *Colo. Rev. Stat. § 1-7-116(2)(b)*. The political subdivisions are not responsible for sharing any portion

of the usual costs of maintaining the office of the county clerk, including but not limited to overhead costs and personnel services costs of permanent employees, unless those costs are shown to be directly attributable to conducting the coordinated election on behalf of the political subdivision.

One of the school board’s first election responsibilities is to designate an election official. Under the Code, a “designated election official” is the member of a governing board, secretary of the board, or any other person designated by the governing body who is responsible for the running of the election. *Colo. Rev. Stat. § 1-1-104(8)*.

Because the term “designated election official” is used throughout the Code in reference to responsibilities that may *not* actually have to be conducted by a school official, we recommend that the intergovernmental agreement between the school district and

the county clerk clearly specify the responsibilities of the school district’s designated election official and the duties which will be performed by the county clerk. The county clerk will generally be referred to as the “coordinated election official.”

Even if the only entity with a question on the ballot in November is the school district, the district and the county clerk will still enter into an intergovernmental agreement setting out the respective responsibilities of the parties.

The school district must officially notify the county clerk that the school district will be participating in the November election by July 22, 2011. *Colo. Rev. Stat. § 1-7-116(5)*. See Appendix A for a sample notice.

### Term limits

With the approval of Amendment 17 in the November 1994 general election, voters imposed term

limitations on local officials, including school board members. *Colo. Const. Art. XVIII, § 11.*

The term limitations for school board members apply to terms beginning on or after January 1, 1995. School board members are eligible to serve two consecutive terms after January 1, 1995, regardless of the number of terms already served. Terms are considered consecutive unless they are at least four years apart.

The state constitution does allow local jurisdictions to “opt out” of the statewide term limitation by submitting a question to the voters to lengthen, shorten or eliminate term limitations for the governing board. See “Term Limitations for Local Officials,” which is available from CASB.

### Candidates for school director

A candidate for school director must be a registered elector of the district, as shown on the books of the county clerk and recorder, for at least twelve consecutive months before the election. *Colo. Rev. Stat. § 1-4-803(5); § 22-31-107(1).*

If the district has a director district plan of representation or a combined director district and at-large plan of representation, the candidate must be a resident of the director district that will be represented. *Colo. Rev. Stat. § 22-31-107(1).* No candidate may run representing a political party. *Colo. Rev. Stat. § 1-4-803(4).* School board elections are nonpartisan.

A person is ineligible to run for a school director position if he or she has been convicted of committing a sexual offense against a child.<sup>1</sup>

*C.R.S. 22-31-107(5)(a).* The statutes do not place an affirmative duty on school officials to fingerprint or conduct background checks of school board candidates. Candidates must affirm under oath that they meet the qualifications of the office if elected. *Colo. Rev. Stat. § 1-4-501(1).*

<sup>1</sup> A “sexual offense against a child” includes committing, attempting, soliciting, or conspiring to commit any of the following crimes (*Colo. Rev. Stat. § 22-31-107(5)(b)*): enticing or inviting a child into an area with the intention of committing a sexual assault upon the child (*Colo. Rev. Stat. § 18-3-305*); sexually assaulting a child (*Colo. Rev. Stat. § 18-3-402-404*); committing sexual assault upon a child (*Colo. Rev. Stat. § 18-3-405*); sexual assault on a child by someone who holds a position of trust over a child (*Colo. Rev. Stat. § 18-3-405.3*); trafficking children, e.g. selling or exchanging a child for money or something else of value, or receiving a child in the same way (*Colo. Rev. Stat. § 18-3-502*); incest (*Colo. Rev. Stat. § 18-6-301*); aggravated incest (*Colo. Rev. Stat. § 18-6-302*); sexually exploiting a child (*Colo. Rev. Stat. § 18-6-403*); procuring a child for purposes of sexual exploitation (*Colo. Rev. Stat. § 18-6-404*); indecent exposure where the victim is under 18 years of age (*Colo. Rev. Stat. § 18-7-302*); soliciting for child prostitution (*Colo. Rev. Stat. § 18-7-402*); pandering of a child for prostitution (*Colo. Rev. Stat. § 18-7-403*); making or offering to make a child available for prostitution (*Colo. Rev. Stat. § 18-7-403.5*); keeping a place of child prostitution (*Colo. Rev. Stat. § 18-7-404*); pimping of a child (*Colo. Rev. Stat. § 18-7-405*); inducement of child prostitution (*Colo. Rev. Stat. § 18-7-*

*405.5*); patronizing a prostituted child (*Colo. Rev. Stat. § 18-7-406*).

### Call for nominations

The designated election official shall provide notice by publication of a call for nominations for school director candidates in the upcoming election. The call shall state the school director offices to be voted upon at the election, where a nomination petition may be obtained, the number of signatures necessary for the nomination petition and the deadline for submitting the nomination petition. *Colo. Rev. Stat. § 22-31-107(1.5).* See the sample Call for Nominations (Appendix B). The call must be published not less than 75 days nor more than 90 days before the election. The first day for the designated election official to publish a call for nominations for the 2011 election is August 3, 2011; the last day to publish a call for nominations is August 18, 2011.

### Nomination petition

A person who desires to be a candidate for the school board may not circulate the nomination petition for signatures prior to August 3, 2011. *Colo. Rev. Stat. § 22-31-107(2).* A candidate for school director in a school district in which fewer than 1,000 students are enrolled shall file a nomination petition signed by at least 25 eligible electors from throughout the school district. *Colo. Rev. Stat. § 1-4-803(1).* Candidates from school districts with 1,000 or more enrolled students shall file a nomination petition signed by at least 50 eligible electors from throughout the school district.

In all districts except Denver Public Schools, school directors are voted on at large by the eligible electors of the entire school district whether or not the district has a director district plan of representation. *Colo. Rev. Stat. § 22-31-105(2)*. A registered elector who resides anywhere within the school district may sign as many petitions for school director as there are candidates for whom that elector may vote. *Colo. Rev. Stat. § 1-4-803(1)*. For example, if there are candidates circulating petitions from Districts B, D and E, an elector may sign one petition from each of those director districts.

School election law requires that the candidate also file a written notice of intention to be a candidate with the secretary of the board of education, together with the nomination petition. *Colo. Rev. Stat. § 22-31-107(2)*.

The nomination petition must be filed no later than August 26, 2011. *Colo. Rev. Stat. § 1-4-803(2)*. If the district has an at-large method of representation and if terms of different lengths are to be filled at a school district election, candidates must designate on the nomination petition the term for which they are running. *Colo. Rev. Stat. § 1-4-803(3)*.

The designated election official shall not certify the name of any candidate who fails to swear or affirm under oath that he or she will fully meet the qualifications of office if elected and who is unable to provide proof that he or she meets the requirements of office relating to registration and residence. *Colo. Rev. Stat. § 1-4-501*. Information on voter registration records is admissible as prima facie evidence of compliance.

An eligible elector of the school district may challenge the qualifications of any candidate within five days after the designated election official's statement is issued that certifies the candidate to the ballot. The challenge is made by filing a verified petition in district court. The court is required to expedite the review of this challenge.

### Circulating the petition

The specific requirements for the form of the nomination petition are found in *Colo. Rev. Stat. § 1-4-901-905*. The school supplies the nomination petitions for potential candidates. Unless physically unable, all electors are required to sign their own signature on the petition and print their names, their respective residence addresses (including the street number and name), the city or town, the county, and the date. Signatures are to be made, to the extent possible, in black ink. *Colo. Rev. Stat. § 1-4-904(3)*.

To circulate a petition, a person must be a resident of the state, a U.S. citizen and at least 18 years old. *Colo. Rev. Stat. § 1-4-905(1)*. A signed, notarized and dated affidavit from the person circulating the petition is to be attached to each section of the petition. Any signature added to a section of a petition after the affidavit has been executed is invalid.

Each nomination petition shall have a notarized acceptance of the nomination of the candidate attached to the petition. *C.R.S. § 1-4-906*. The acceptance of nomination shall contain the full name of the candidate as the name will appear on the ballot and the candidate's complete address.

### Verifying signatures/certifying names to ballot

The petition must be filed with the secretary of the board of education or the designated election official by August 26, 2011. *Colo. Rev. Stat. § 1-4-907; § 22-31-107(2)*. Upon filing, the designated election official for the district is to review all petition information and verify the information against the registration records. *Colo. Rev. Stat. § 1-4-908*. After review, the official shall notify the candidate of the number of valid signatures and whether the petition appears to be sufficient or insufficient.

A petition that has been verified and appears to be sufficient shall be deemed valid unless a protest is made in writing within five days after the election official's statement is issued. *Colo. Rev. Stat. § 1-4-909*. There is a procedure set forth in statute to deal with the protest. Petitions must contain the requisite number of names of eligible electors whose names do not appear on any other petition previously filed for the same office. *Colo. Rev. Stat. § 1-4-902(1)*. Again, remember that a registered elector may sign as many petitions for school director as candidates for whom that elector may vote. *Colo. Rev. Stat. § 1-4-803(1)*.

Arrangement of names on the ballot shall be established by lot at any time prior to certification of the ballot. *Colo. Rev. Stat. § 1-5-406*. The designated election official shall notify the candidates of the time and place of the lot drawing for the ballot and the drawing shall be performed by the designated election official.

Upon determining that the petition is sufficient and after the time for protest has passed, the designated election official shall notify the coordinated election official and certify the candidates to the ballot. *Colo. Rev. Stat. § 1-4-908(3)*. The school district has to certify the ballot content to the county clerk no later than September 2, 2011. *Colo. Rev. Stat. § 1-5-203(3)*.

The designated election official may want to suggest that each candidate take steps in advance to see that his or her petition will be validated. The candidate should, at a minimum, ask each person signing the petition if he/she is registered to vote and if he/she has signed any other petitions for the same office. The candidate should obtain extra signatures in case some of the signatures are invalidated and then check the county clerk's registration records to verify that persons signing the petition are registered electors. Note: these are suggestions, not requirements.

Timing is important. A candidate who files his/her petition on the deadline has no recourse if the petition is deemed insufficient. The only alternative at that point may be submitting an intent to be a write-in candidate.

### Establishing precincts and polling places

Polling places are to be established no later than 90 days prior to the election. If the election is to be coordinated with other entities, the county clerk, in consultation with other designated election officials, shall ensure that polling places are

chosen which will allow an individual elector to vote at one polling place for the ballot issues, ballot questions, and candidates from all jurisdictions that are to be voted on the same date. *Colo. Rev. Stat. § 1-5-102.5*.

### Write-in candidates and cancellation of election

A write-in candidate must file an affidavit of intent stating that he or she desires the office of school director and is qualified to assume the duties if elected. The affidavit must be filed with the designated election official for the school district. *Colo. Rev. Stat. § 1-4-1101*. No write-in votes for the office shall be counted unless the affidavit is filed by the close of business on August 29, 2011. *Colo. Rev. Stat. § 1-4-1102(2)*.

At the close of business on the 63rd day before the election, if there are not more candidates than offices to be filled, including candidates filing affidavits to be write-ins, the designated election official, if instructed by a resolution of the board of education, can officially cancel the election, and the board by resolution will declare the candidates elected. *Colo. Rev. Stat. § 1-5-208(1.5)*. See sample resolution to cancel election attached as Appendix C.

When an election is cancelled, the regular term of office begins at the next meeting of the board of education following the date of the election, which must be held within 30 days following the regular election. *Colo. Rev. Stat. § 1-1-202*.

The designated election official is required to publish notice of the

cancellation. A copy of the notice must also be posted at each polling place in the office of the designated election official and in the county clerk's office for each county in which the school district is located. The board of education shall also notify the candidates that the election was canceled and that they were elected by acclamation. If the election is canceled, the district has no further responsibilities in conducting the election. *Colo. Rev. Stat. § 1-5-208*.

### Fair Campaign Practices Act filing requirements

Candidates for school district director have to meet filing requirements under Colorado's Fair Campaign Practices Act (FCPA). *Colo. Rev. Stat. § 1-45-101 et seq.* A candidate must file by hand delivery or mail an affidavit with the secretary of state within 10 days of becoming a candidate, certifying that he or she is familiar with the provisions of the FCPA. *Colo. Rev. Stat. § 1-45-109(1)(c); § 1-45-110 (1)*; see candidate affidavit form at [http://www.sos.state.co.us/pubs/elections/CampaignFinance/forms/candidate\\_affidavit\\_form.pdf](http://www.sos.state.co.us/pubs/elections/CampaignFinance/forms/candidate_affidavit_form.pdf).

A person becomes a "candidate" for purposes of this law when he or she publicly announces an intention to seek election to public office and thereafter receives a contribution or makes an expenditure in support of the candidacy. *Colo. Rev. Stat. § 1-45-103 (2); Colo. Const. art. XXVIII, § 2(1)*. Also, a person is a candidate for election if the person is certified for inclusion on the ballot. It is important that all individuals who have submitted petitions comply with this provision, even though the individual

may not be an official candidate until his/her petition is deemed sufficient. While the designated election official is required to first provide non-compliant candidates with notice and an opportunity to cure the problem (i.e. file an affidavit), ongoing failure to file the affidavit will disqualify the person as a candidate for election. *Colo. Rev. Stat. § 1-45-110(3)*

In addition to the affidavit requirement, the FCPA imposes specific filing and disclosure requirements for candidates receiving OR expending money for campaign purposes. A candidate who does not accept contributions but who expends money (i.e. his or her own money) for campaign purposes is not required to form a candidate committee, but must file disclosure reports for the reporting periods during which expenditures are made. *8 CCR 1505-6, Rule 4.13*. It is important to understand the definition of "contribution" is very broad. *C.R.S. §1-45-103(6)*. It includes anything of value given, directly or indirectly, to a candidate for the purpose of promoting the candidate's election. *Colo. Const. art. XXVIII, §2(5)*.

Candidates who receive contributions must register a candidate committee and comply with additional filing obligations.

Any candidate (or candidate committee) who has received OR expended money for campaign purposes must electronically report through the Secretary of State's TRACER program. Based on information from the Secretary of State, it also appears that any active registered candidate committee must electronically report during

each reporting period even if the committee receives no contributions and makes no expenditures. Candidates often ask if they have to file a report if they do not receive any contributions or make any expenditures during the campaign. We recommend that candidates file a report so there is a record that the candidate did not receive any contributions. That will eliminate any confusion over whether the candidate did not receive any contributions or whether he had contributions but failed to file a report.

Reports must be filed on October 11, 2011 and on October 28, 2011, and after the election on December 1, 2011. *Colo. Rev. Stat. § 1-45-108 (2)(a)(II)*. We recommend that school officials refer school director candidates to the secretary of state when questions arise about the Fair Campaign Practices Act.

### Election notice

We recommend that the designated election official consult with the county clerk for information about the specific election notice requirements for the school biennial election. In general, the statutes provide the following:

By October 21, 2011, the designated election official or the coordinated election official, as provided by intergovernmental agreement, must publish notice of the election in at least one newspaper having general circulation in the county. The notice shall state, as applicable:

- the date of the election and the hours during which the polls will

be open on election day and for early voting;

- the address of the walk-in location and hours during which the walk-in location for the delivery of mail ballots and receipt of replacement ballots will be open;
- the address of the location for application and the return of absentee ballots and the hours during which the office will be open;
- the candidates to be elected;
- and the other ballot issues which will appear on the ballot. *Colo. Rev. Stat. § 1-5-205*.

Publication of the notice by the county clerk satisfies the publication requirement for the school district. *Colo. Rev. Stat. § 1-5-205(1.4)*. The notice shall also be posted at least 10 days prior to the election until two days after the election in a conspicuous place in the office of the designated election official. *Colo. Rev. Stat. § 1-5-205(1.3)*

In addition to the published notice, there is also a provision that allows for mailing of a voter information card. *C.R.S. § 1-5-206(2)(a)*. Again, this will be done by the county clerk.

Note: if the school district is placing any ballot issues on the ballot which are subject to the Taxpayer's Bill of Rights (TABOR) in the state constitution, i.e. bond or mill levy issues, there are additional notice requirements. The information on the voter information card can be included in the TABOR ballot issue mailing. CASB has information on ballot issue elections available upon request.

## Mail ballot elections

School elections may be conducted by mail ballot under the "Mail Ballot Election Act." *C.R.S. § 1-7.5-101 et seq.* Because the county clerk is the coordinated election official, the clerk will determine whether the election will be conducted by mail or as a polling place election.

A final decision on a mail ballot election must be made no later than September 7. *C.R.S. § 1-7.5-105.* There are some procedural differences when conducting the election by mail, particularly the notice requirement, which are not discussed in this memorandum.

## Early voting, mail-in ballots and provisional ballots

An application for a mail-in ballot may be made in writing or by fax by using the form furnished by the designated election official, which includes the applicant's printed name, signature, residence address, mailing address, and date of birth. *Colo. Rev. Stat. § 1-8-104.* Applications may be filed no later than the close of business on the Friday immediately preceding the election. If the applicant wishes to receive the mail-in ballot by mail, the application must be filed no later than the close of business on the seventh day before the election.

An eligible elector may apply for permanent mail-in voter status. *Colo. Rev. Stat. § 1-8-104.5.* These electors will receive a mail-in ballot each time there is a coordinated election. *Colo. Rev. Stat. § 1-8-108.* The mail-in ballots will be mailed to the elector within

72 hours after the printed ballots are delivered to the county clerk, but no sooner than October 11, 2011. *Colo. Rev. Stat. § 1-8-111.* All envelopes containing mail-in ballots shall be in the hands of the coordinated election official no later than 7 p.m. on the day of the election, except those of absent uniformed services electors serving outside the U.S., whose ballots shall be in the hands of the designated election official no later than the close of business on the eighth day following the election. *Colo. Rev. Stat. § 1-8-113(1).*

There are also provisions in statute for emergency mail-in voting if an eligible elector or a member of the elector's immediate family is confined in a hospital or at home on election day and the confinement occurred because of conditions arising after the last day to apply for a mail-in ballot. *C.R.S. § 1-8-115.* The coordinated election official, and not the school district, will be responsible for providing emergency mail-in ballots.

Each county clerk conducting a coordinated election shall provide one or more handicapped accessible early voters' polling places. *Colo. Rev. Stat. § 1-8-204.* The early voters' polling place shall be opened October 17, 2011 and remain open until after the close of business on the October 28, 2011, which is the Friday immediately preceding the election. *Colo. Rev. Stat. § 1-8-202; § 1-8-203(3).* A voter claiming to be properly registered but whose qualification or entitlement to vote cannot be immediately established upon examination of the registration list for the precinct or upon examination of the county clerk's records may vote

via a provisional ballot. *Colo. Rev. Stat. § 1-8.5-101.* The verification and counting of all provisional ballots will be completed by November 15, 2011. *C.R.S. § 1-8.5-105(5).* This deadline for counting provisional ballots may cause a delay in getting the official results of the election.

## Poll watchers

Candidates for school director and proponents and opponents of a ballot issue are each entitled to appoint one person to act as a watcher in every polling place in which they are a candidate or in which the issue is on the ballot. *Colo. Rev. Stat. § 1-7-107.* Candidates have to certify the names of persons who will serve as poll watchers to the designated election official.

Watchers shall take an oath administered by one of the election judges that they will not in any manner make known to anyone the result of counting votes until the polls have closed. *Colo. Rev. Stat. § 1-7-108(1).* Each watcher shall have the right to maintain a list of eligible electors who have voted, to witness and verify each step in the conduct of the election from prior to the opening of the polls through the completion of the count and announcement of results, to challenge ineligible electors, and to assist in the correction of discrepancies.

## Determining the results of the election/taking office

For any election coordinated by the county clerk and recorder, the canvass board shall be appointed in accordance with the

intergovernmental agreement between the governing bodies holding the election. *Colo. Rev. Stat. § 1-10-202*. The canvass board, no later than November 18, 2011, shall certify to the designated election official the official abstract of votes cast for all candidates, ballot issues and ballot questions in that election. *Colo. Rev. Stat. § 1-10-101.5; § 1-10-102*.

If the election is canceled, the designated election official shall note the cancellation and the declared winner on the certified statement of results and the abstract of votes cast, if one is prepared. *Colo. Rev. Stat. § 1-10-203(2)*.

Unless a recount is required, immediately after the abstract of votes for each office has been prepared and certified, the designated election official shall notify the candidates of their election to office. *Colo. Rev. Stat. § 1-11-103*. After the oath of office is taken, the designated election official shall make a formal certificate of election for each person who was elected and deliver the certificates of election.

The oath must be taken no later than 10 days after the candidate receives the certificate of election and be placed on file with the designated election official for the district. *Colo. Rev. Stat. § 22-31-125*. School law provides that the organizational meeting of the board is to be held within 15 days after a school district receives the official abstract of votes. *Colo. Rev. Stat. § 22-32-104*.

The incumbent president presides at the organizational meeting until the successor is elected and qualified. The board then proceeds to elect other officers to the board.

After the election, the designated election official should send a copy of its ballots marked "sample" and the number of votes cast for and against any ballot questions to the Colorado Department of Education (CDE). *Colorado State Bd. of Ed. Rule 2254-R-13.01*. In addition, the district must provide CDE with the names, addresses, positions and term expiration of all school board members. *Colo. Rev. Stat. § 22-32-109(1)(d)*.

## Conclusion

This overview of the school director election process only begins to highlight the election responsibilities of the school designated election official. For the most part, school officials will be working closely with the county clerk and recorder, as outlined in the intergovernmental agreement.

This memorandum is offered as a resource for information purposes only. It is not intended to replace legal advice the district should seek as specific election issues arise.

Feel free to call CASB with questions about any of this information.

**Appendix A - Sample Notice of Intent**

**Official Notice of Intent for the**  
\_\_\_\_\_ **School District**  
**to Participate in the Coordinated Election**  
**on November 1, 2011**

The Board of Education of \_\_\_\_\_ School District in the County of \_\_\_\_\_, State of Colorado (Board of Education) shall conduct its regular biennial school election on November 1, 2011 as provided by state law and participate in the election coordinated by the County Clerk and recorder of \_\_\_\_\_ County. The \_\_\_\_\_ School District shall contract with the County Clerk and Recorder of \_\_\_\_\_ County for the administration of the regular biennial school election and enter into an intergovernmental agreement with \_\_\_\_\_ County for this purpose. The County Clerk and Recorder shall serve as the coordinated election official for the November 1, 2011 coordinated election.

The Board of Education designates \_\_\_\_\_ to serve as the school-designated election official for the 2011 regular biennial school election. The school-designated election official shall perform election duties on behalf of the Board of Education, including but not limited to accepting and verifying candidate packets as well as rendering all interpretations and making all initial decisions as to controversies or other matters arising in the conduct of the regular biennial school election to the extent that each of these responsibilities is consistent with the intergovernmental agreement.

A call for nominations for school directors to be elected at the regular biennial school election shall be published by the School District between August 3, 2011 and August 18, 2011.

The Board of Education directs the school designated election official to forward this notice of intent to participate in the November 1, 2011 to the coordinated election official by July 22, 2011, the deadline established in state law.

*Note: State law requires the Board of Education to notify the county clerk and recorder in writing by at least 100 days before the election that it has taken formal action to participate in the coordinated election. Colo. Rev. Stat. § 1-7-116(5). State law also requires the Board to designate a school election official. Colo. Rev. Stat. § 22-31-103(1). A resolution such as this could accomplish both these purposes. If there is a possibility that the Board will be placing issues on the ballot in November, the Board should also notify the county clerk of this possibility. That notice may be informal at this point and does not need to be included in the resolution. Those school districts whose boundaries encompass more than one county will need to modify this resolution to refer to each county.*

## Appendix B - Sample Call for Nominations

### Call for Nominations for School Directors

\_\_\_\_\_ School District  
\_\_\_\_\_ County, Colorado

The Board of Education of \_\_\_\_\_ School District in the County of \_\_\_\_\_, State of Colorado, calls for nomination of candidates for school directors to be placed on the ballot for the regular biennial school election to be held on Tuesday, November 1, 2011.

At this election (number) directors will be elected [representing the following directors districts] for a term of office of four years. To be qualified, a candidate must have been a registered elector of the school district for at least 12 consecutive months before the election [and a resident of the director district which will be represented]. A person is ineligible to run for school director if he or she has been convicted of committing a sexual offense against a child.

A person who desires to be a candidate for school director shall file a written notice of intention to be a candidate and a nomination petition signed by at least [25 or 50] eligible electors who are registered to vote in the regular biennial school election.

Nomination petitions may be obtained at the \_\_\_\_\_. Office hours are \_\_\_\_\_. Completed petitions shall be submitted to \_\_\_\_\_ official no later than 4 p.m. on August 26, 2011.

IN WITNESS WHEREOF, the Board of Education of \_\_\_\_\_ School District, County of \_\_\_\_\_, State of Colorado has caused this call for nominations to be given this \_\_\_\_\_ [no earlier than the 3rd and no later than the 18th] day of August, 2011.

*Note: This call for nominations is to be published not more than 90 days nor less than 75 days before the election. Colo. Rev. Stat. § 22-31-107(1.5).*

## Appendix C - Cancellation of Election

### Cancellation of School Board Election

WHEREAS, the only matter before the electors at the regular biennial school election on November 1, 2011 is the election of \_\_\_\_\_ persons to fill \_\_\_\_\_ offices of school director; and

WHEREAS, \_\_\_\_\_ individuals have filed nomination petitions with sufficient signatures to qualify as candidates to fill open offices; and

WHEREAS, the deadline for filing an affidavit of intent to be a write-in candidate has passed with \_\_\_\_\_ individual(s) filing such an affidavit; and

WHEREAS, state law at *Colo. Rev. Stat. § 1-5-208(1.5)* authorizes the Board of Education by resolution to cancel the election and declare the candidates elected if, at the close of business on August 30, 2011 there are not more candidates than offices to be filled at the election, including candidates filing affidavits of intent to be write-in candidates.

NOW, THEREFORE, BE IT RESOLVED that the Board of Education of the \_\_\_\_\_ School District has determined that the prerequisites for canceling the election have been met so the 2011 regular school biennial election is canceled.

BE IT FURTHER RESOLVED that \_\_\_\_\_, the designated election official for the regular school biennial election, is authorized to take all necessary and appropriate steps to cancel the election, including providing notice of the cancellation by publication and by posting notice at each polling place, in the office of the designated election official and in the office of the clerk and recorder; and

BE IT FURTHER RESOLVED that the designated election official shall officially notify the county clerk and recorder of this action so that election expenses to date can be pro-rated accordingly; and

BE IT FURTHER RESOLVED that the following individuals shall be declared elected: \_\_\_\_\_,  
\_\_\_\_\_, \_\_\_\_\_; and

BE IT FURTHER RESOLVED that these candidates shall receive certificates of election after which they will be eligible to take the oath of office and will be qualified to participate in the organizational meeting of the Board of Education on \_\_\_\_\_ [by December 2, 2011].