



2018 CANDIDATE'S GUIDE TO SCHOOL BOARD ELECTIONS

A GUIDE BY THE MICHIGAN ASSOCIATION OF SCHOOL BOARDS

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INTRODUCTION

The MASB Candidate's Guide to School Board Elections provides an overview of the legal qualifications and procedures related to electing a board of education seat. Additionally, the guide gives candidates an introduction to the roles and responsibilities of school board members. This edition has been prepared for the Nov. 6, 2018 election.

The following information is intended to inform candidates on:

- Qualifications for nomination
- Nomination procedures
- Relevant election procedures
- Michigan's Campaign Finance Act
- The role of an effective school board member
- Where you can get more information

Additionally, MASB will be hosting candidate forums around the state to answer any questions. Visit the MASB website at www.masb.org/calendar for dates, times and locations.

We encourage you to become an active MASB member if you're elected to a school board. In the meantime, please don't hesitate to contact the MASB office if you have any questions regarding school board elections.

KEY DATES

July 24, 2018 • 4 p.m.

Filing deadline for the Nov. 6 school board election

Nov. 6, 2018

Regular election for school boards

Jan. 1, 2019

Term of office begins for board members elected Nov. 6

SO, YOU WANT TO BE A SCHOOL BOARD MEMBER?

QUESTION:

What group of Michigan public officials annually oversees expenditures of \$14.58 billion, sets policies affecting the futures of 1.48 million students, and makes decisions that impact cultural and economic life in more than 600 communities?

ANSWER:

Michigan's 4,000 locally elected school board members.

- Are you willing to take the time to study current education issues with the same effort and interest you exert in your own business or personal affairs?
- Are you willing to pursue the skills, the knowledge and the training necessary to become a fully engaged and effective board member?
- Are you able to work as a governance team member, putting personal agendas aside and working cooperatively for the best interest of students in your school district?
- Are you ready to champion an effective public school system to serve our youth despite diminishing resources and increasing demands of the global economy?
- Are you prepared to speak up and serve as an advocate for public education in your community?
- As a duly elected state officer, are you willing to uphold state laws when you exercise the authority of your office at legally called school board meetings? And, when voting on the issues, are you always willing to put learning first and give priority to what's best for children?

If you answered YES to these questions, then you are ready to seek the trust of your community through active school board service.

WHAT MAKES AN EFFECTIVE SCHOOL BOARD MEMBER?

Effective school board members share a number of common characteristics. But it's important to realize you won't become fully effective the instant you're elected. These qualities are gained through experience on the board, training provided by MASB and personal, ongoing efforts to become informed, skillful and collaborative.

For reference, the Board of Education Governance Standards were developed by school board members for school board members to provide a shared framework for effective school district governance.

The Individual Guiding Principles are:

- Advocacy
- Civility
- Courage
- Empathy
- Inquiry
- Integrity
- Regard for Authority of the Board
- Selflessness

The Individual Standards are:

1. The individual school board member is motivated by and focuses on what is in the best interest of all students.

Questions to evaluate or prompt successful adoption of this standard include:

1.a. Does the board member primarily concern him/herself with the goals that have been identified in the district plan?

1.b. Does the board member demonstrate concern for all students in action, deed and decisions?

1.c. Is the board member able to set aside personal issues and participate as a member of a board?

1.d. Does the board member maintain confidentiality when expected to do so?

1.e. Does the board member advocate for viable and effective PK-12 public education? (Such as by contacting legislators about PK-12 issues, legislation, state education funding, etc.; talking with parents and community members about how they can positively advocate for and participate in their district, etc.)

2. The individual school board member believes in the importance of and actively engages in lifelong learning.

Questions to evaluate or prompt successful adoption of this standard include:

2.a. Is the board member actively engaged in learning new concepts, skills or best practices?

2.b. Is the board member willing and able to develop competency in matters related to school governance such as school finance and policy, as well as school and labor law?

2.c. Does the board member seek out and engage in learning opportunities to improve his/her ability to serve effectively on a Board of Education?

3. The individual school board member understands and respects both the authority and responsibilities of the Board of Education.

Questions to evaluate or prompt successful adoption of this standard include:

3.a. Does the board member act in accordance with Michigan law, which does not vest individual board members with any type of independent legal authority?

3.b. Does the board member demonstrate a clear grasp of the roles and responsibilities of the Board of Education and the superintendent?

3.c. Does the board member follow established policies and procedures?

3.d. Does the board member support decisions of the Board of Education after a vote is taken regardless of his/her individual position prior to the vote?

3.e. Is the board member able to identify, discuss and resolve conflict with respect and civility?

3.f. Does the board member come to meetings having read the background materials and adequately prepared to address items on the agenda?

3.g. Does the board member demonstrate understanding of and respect for school district structure and protocols?

3.h. Does the board member declare and avoid engaging in conflicts of interest?

4. The individual school board member approaches school governance work with a spirit of inquiry.

Questions to evaluate or prompt successful adoption of this standard include:

4.a. Is the board member open to discussion without prejudging issues?

4.b. Does the school board member seek clarity and understanding before forming an opinion?

4.c. Does the board member actively seek common ground and work to foster productive relationships with all other members of the Board of Education as well as the superintendent?

4.d. Does the board member seek out and respect perspectives that are different than his/her own?

To view the Guiding Principles and Standards for the full Board of Education, please visit www.masb.org/standards.

WHAT DO SCHOOL BOARD MEMBERS DO?

A school board, working with its community, has five major leadership responsibilities:

1. To envision the district's education future and then set goals and define strategies to guide the district toward that vision.
 2. To ensure district resources (financial, personnel, facilities, etc.) and policies are aligned in a manner that supports goal attainment and actualization of the district's vision.
 3. To hire, work closely with and evaluate a superintendent who'll effectively implement the board's policies and manage the district to accomplish its goals.
 4. To monitor and assess the district's performance, and to keep the public informed and engaged.
 5. To advocate for students and public schools within the community and at state and national levels.
- All board of education decisions should logically follow goals and objectives for education in the district.
 - While a board member must be an informed decisionmaker, he or she must also remember that decisions can be made only by the board acting as a whole in a public meeting.
 - Typically, a school board member is expected to make decisions on a wide range of issues including:
 - Approving plans for facilities and technology.

- **Setting priorities for school district expenditures.**
 - **Overseeing the district’s educational programs.**
 - **Monitoring and ensuring the efficacy of school improvement efforts.**
 - **Approving contracts, including collective bargaining agreements and administrator contracts.**
- **Not the least of a school board member’s responsibilities is establishing a good working relationship with the superintendent. The superintendent is accountable to the school board for managing the district according to board bylaws and policies.**
- **Carefully observing the fine line between policymaking and administration is one of the keys to successful board-superintendent relationships. Board members must refrain from getting involved in day-to-day operations of the schools.**
- **Community relations is another key element of board members’ work. School boards help build community understanding of and support for public education. The board is the vital link between the school system and the public.**
- **Finally, school board members serve an important political role in the improvement of public education in our state. In this proactive role, individual board members lobby their state legislators and U.S. congressional representatives for passage of laws and adoption of funding programs to enhance education.**

BOARDS OF EDUCATION DETERMINE THE WHAT

SUPERINTENDENTS DETERMINE THE HOW

ROLES AND RESPONSIBILITIES

The Role of the Superintendent:

- Manages operations in central office and coordinates and oversees efforts of all schools within the district. Works toward meeting district and superintendent goals established by the board.
- Advises board on policy development, need and impact and is responsible for creating and implementing administrative procedures to carry out the requirements of each policy.
- Assists and advises board in creating the long- and short-term goals. Based on the goals, establishes strategies for implementation at each school.
- Works with school administrators to develop a draft budget, recommends the budget to the board, makes revisions as requested by the board and administers the budget adopted by the board.
- Recommends courses of study and texts aligned with district vision, goals and objectives; provides student assessment data for board analysis.
- Recommends all personnel to be hired; is responsible either directly or indirectly for performance evaluations. Analyzes, interprets and communicates the needs of the school system to the board and supervises facility renovations and new construction projects.
- Recommends and implements a program of school-community relations and keeps all stakeholder groups informed about district policies, programs and procedures.
- Provides administrative assistance and facilitation of the board's self-assessment process.

The Role of the Board of Education:

- Recruits, hires and evaluates the performance of the superintendent.
- Establishes policy for the district and shares in policy development.
- The district vision is translated into long- and short-term goals. The board establishes the structure to accomplish the vision, and periodically evaluates the results.
- Reviews and adopts the budget submitted by the superintendent and aligns the funding priorities with the district goals.

- Approves recommended curriculum and texts based on standards, goals and policies established by the board. Review and evaluate curriculum as it relates to student assessment results.
- Adopts policies governing salaries and salary schedules, terms and conditions of employment, fringe benefits, leave and professional development and employee evaluations.
- Determines school facility needs and communicates proposed construction plans to the community.
- Adopts policies governing school-community relations, advocates for the public school system and remains responsive to community ideas and needs.
- Evaluates the performance of the board and provides feedback for personal leadership development.

SUPERINTENDENT ROLE	BOARD ROLE
<p>GOAL SETTING Assists and advises board in creating the long- and short-term goals. Based on the goals, establishes strategies for implementation at each school.</p>	<p>GOAL SETTING The district vision is translated into long- and short-term goals. The board establishes the structure to accomplish the vision, and periodically evaluates the results.</p>
<p>POLICY Advises board on policy development, need and impact and is responsible for creating and implementing administrative procedures to carry out the requirements of each policy.</p>	<p>POLICY Establishes policy for the district and shares in policy development.</p>
<p>SUPERINTENDENT'S RESPONSIBILITIES Manages operations in central office and coordinates and oversees efforts of all schools within the district. Works toward meeting district and superintendent goals established by Board.</p>	<p>DESIGNATING & EVALUATING SUPERINTENDENT Recruits, hires and evaluates the performance of the superintendent.</p>
<p>BUDGET Works with school administrators to develop a draft budget, recommends the budget to the board, makes revisions as requested by the board and administers the budget adopted by the board.</p>	<p>BUDGET Reviews the budget submitted by the superintendent and aligns the funding priorities with the district goals.</p>
<p>CURRICULUM Recommends courses of study and texts aligned with district vision, goals and objectives. Provide student assessment data for board analysis.</p>	<p>CURRICULUM Approves recommended curriculum and texts based on standards, goals and policies established by board. Review and evaluate curriculum as it relates to student assessment results.</p>
<p>STAFFING AND APPRAISAL Recommends all personnel to be hired; is responsible either directly or indirectly for performance evaluations.</p>	<p>STAFFING AND APPRAISAL Adopts policies governing salaries and salary schedules, terms and conditions of employment, fringe benefits, leave and professional development and employee evaluations.</p>
<p>FACILITIES Analyzes, interprets and communicates the needs of the school system to the board and supervises facility renovations and new construction projects.</p>	<p>FACILITIES Determines school facility needs and communicates proposed construction plans to the community.</p>

HOW TO BECOME A CANDIDATE

Local school board elections are held at the even-year November election. In 2018, the election will be held on Nov. 6.

ELIGIBILITY

To be eligible, a person must be a qualified school elector. This means that the candidate must be a registered voter in the school district where he or she is a candidate.

A candidate must be at least 18 years of age; a citizen of the United States; a resident of the state of Michigan for at least 30 days; and a resident of the school district on or before the 30th day prior to the date of the election. Property ownership is not a requirement for candidacy.

Under the Michigan Constitution, a person is ineligible for election or appointment to any state or local elective office if the person was convicted of a felony involving dishonesty, deceit, fraud or a breach of the public trust within the preceding 20 years, and the conviction was related to the person's official capacity while holding any elective office or position of employment in local, state or federal government.

FILING FEES

Board of education candidates have the option of paying a nonrefundable filing fee of \$100 to the school district filing official instead of filing a nominating petition. If paid by the appropriate due date, the fee has the same effect as filing a nominating petition.

NOMINATING PETITIONS

1. Filing

The Michigan Election Law requires nominating petitions (or the \$100 fee) and the Affidavit of Identity to be filed with the "school district filing official." Upon request, the school district filing official will provide a reasonable number of petition sheets at no charge. For a school district whose entire territory lies within a single city or township, the city or township clerk will be the school district filing official. For a school district that has territory in more than one city or township,

the county clerk of the county in which the largest number of registered school district voters reside will be the school district filing official. However, a county clerk may delegate this duty to a city or township clerk with the agreement of the city or township clerk. Such arrangements are made at the meeting of the school district's election coordinating committee and are binding for two years. Therefore, candidates should check with their local board of education office for information on who's been designated as the school district filing official in their district.

2. Signatures

In all local school districts, nominating petitions must meet the following signature requirements:

- If the population of the school district is less than 10,000 according to the most recent federal census, a petition must be signed by a minimum of six electors (registered voters) of the school district and a maximum of 20.
- If the population of the school district is 10,000 or more according to the most recent federal census, a petition must be signed by a minimum of 40 electors (registered voters) of the school district and a maximum of 100.
- If nominating petitions contain more than the necessary number of signatures, the excess signatures aren't counted.

Note: An elector may only sign multiple petitions equal to the number of board members who will be elected in the school district. Thus, if two positions are up for election to the board of education, an elector in the school district could sign two petitions.

3. Term of Office

If a candidate is running for a partial term, which resulted from a previous vacancy on the board, the candidate must specify that term and its expiration in the heading of his or her petition. Likewise, candidates running for a regular term would specify four or six years and the respective expiration date in the heading.

4. Circulator

A petition sheet must be circulated by a single person.

A petition sheet can't be circulated in nor signed by electors residing in more than one township or city. Only those electors residing in the township or city identified in the petition heading are eligible to sign that petition sheet.

All signatures on a petition sheet must be affixed in a face-to-face exchange with the petition circulator. A circulator isn't permitted to leave a petition unattended.

The circulator must complete and date the certificate at the bottom of the petition

after gathering the last signature he or she intends to collect on the petition. Signatures on a petition sheet that are dated after the date on the circulator's certificate are invalid.

Individuals who circulate nominating petitions are no longer required to reside or be registered to vote in Michigan. However, petition circulators who are not residents of Michigan must mark the nonresident box in the certificate of circulator and provide their county of registration (if registered to vote in their home state).

FILING DEADLINE

Nominating petitions or filing fees for local school board candidates must be filed no later than 4 p.m. on the 15th Tuesday preceding the date of the election. For the Nov. 6, 2018 election, the filing deadline is July 24, 2018.

AFFIDAVIT OF IDENTITY

A candidate for election to a local school board must file two copies of an Affidavit of Identity. The affidavit is filed together with the candidate's filing fee or nominating petitions at the same office where the fees or nominating petitions are filed. Candidates who fail to file an Affidavit of Identity are ineligible to appear on the ballot.

The affidavit must be a written document, signed and sworn before a person having authority to administer an oath, such as a notary public.

Candidates should ensure that they are filing the most up-to-date Affidavit of Identity form, which will include the date "(12/2017)" at the very bottom of the page. The Affidavit of Identity form is available on the Department of State's website at www.michigan.gov/sos. (Click on "Elections in Michigan;" on the "Elections in Michigan" page, click on "Publications and Forms.")

The Affidavit of Identity must contain:

1. The candidate's name.
2. The candidate's address.
3. The title and term of office that the candidate is seeking.
4. The candidate's ward and precinct where he or she is registered as a voter.
5. A statement that the candidate is a citizen of the United States.
6. The number of years the candidate has resided in the state and county.
7. The manner in which the candidate wishes to have his or her name appear on the ballot.
8. A statement that the candidate either is or isn't using a name that he or she was given at birth. If a candidate is using a name that he or she was not given at birth, the candidate is required to include a full former name on the

Affidavit of Identity (please see the exceptions to this requirement below).

9. A statement that, as of the date of the affidavit, all statements, reports, late filing fees and fines required of the candidate or any candidate committee organized to support the candidate's election under the Michigan Campaign Finance Act have been filed or paid. (Note: This statement doesn't apply to candidates who are exempt from the filing requirements of Michigan's Campaign Finance Act.)
10. A statement that the candidate acknowledges that making a false statement in the affidavit is perjury, punishable by a fine of up to \$1,000 or imprisonment for up to five years, or both.

The requirement to indicate a name change on the Affidavit of Identity doesn't apply to name changes that occurred under the following circumstances:

- Changing your name because of marriage.
- Changing your name as a result of divorce, but only if to a legal name by which the candidate was previously known.
- The change occurred at least 10 years before filing as a candidate.
- A name that was changed in a certificate of naturalization issued by a federal district court at the time the individual became a naturalized citizen at least 10 years before filing as candidate.

WITHDRAWAL OF NOMINATION

Withdrawal of a nomination must be done in writing, signed by the candidate and served on the school district filing official not later than 4 p.m. of the third day after the last day for filing, unless the third day falls on Saturday, Sunday or a legal holiday, in which case it must be filed by 4 p.m. on the next secular day.

For the 2018 election, candidates who wish to be removed from the ballot must file a written withdrawal by 4 p.m. on July 27.

WRITE-IN CANDIDATES

Public Act 87 of 2006 amended the deadline for filing Declaration of Intent forms for write-in candidates. Under the amendment, votes cast for a write-in candidate can't be counted unless the candidate has filed a Declaration of Intent form no later than 4 p.m. on the second Friday immediately before the election, which is Oct. 26 for the 2018 November election.

CAMPAIGN ACTIVITIES

The major laws regulating political campaigns in Michigan are the Election Law and Campaign Finance Act.

Public Act 225 of 1996 requires that printed campaign material (other than small

items like campaign buttons) and media advertisements must identify the person paying for the ad. This requirement doesn't apply to an individual who's not a candidate and who isn't acting as an agent of a candidate or committee. Details are available from the county clerk.

CERTIFICATION OF THE ELECTION

A board of canvassers is responsible for examining the votes cast for each candidate and then certifying the election to the secretary of the school board, the county clerk, and, if other than the county clerk, the school district election coordinator. Within five days after the certification of the election, the election coordinator is required to issue a Certificate of Election to each elected candidate.

ACCEPTANCE OF OFFICE

Within 10 days after the issuance of the Certificate of Election, a school board member-elect must file an Acceptance of Office with the secretary of the board. A copy of the Acceptance of Office must then be forwarded to the school district election coordinator. A school board member-elect who fails to file an Acceptance of Office before the 10-day deadline expires may lose his or her position on the board.

The Acceptance of Office/Oath—School Board form is available on the Department of State's website at www.michigan.gov/sos. (Click on "Elections in Michigan;" on the "Elections in Michigan" page, click on "Publications and Forms.")

POST-ELECTION CAMPAIGN STATEMENT

For any elected candidate subject to the filing requirements of Michigan's Campaign Finance Act (see page 24), Public Act 119 of 2003 requires the candidate to file a Post-Election Statement prior to assuming office that certifies that, as of the date of the statement, all statements, reports, late filing fees and fines required of the candidate or any candidate committee organized to support the candidate's election under the act have been filed or paid. An elected candidate who's required to file the statement and fails to submit the form is guilty of a misdemeanor.

The affidavit isn't required of an elected candidate who 1) is exempt from the filing requirements of Michigan's Campaign Finance Act or 2) didn't receive or expend more than \$1,000 during the election cycle.

Elected school board candidates who are subject to this requirement must submit the required post-election sworn statement to the same official with whom the candidate's committee campaign statements were filed. For board members, this

official would generally be the clerk of their county of residence. However, if the school district extends into more than one county, the Post-Election Statement would be filed with the clerk of the county in which the greatest number of registered voters of the school district resides.

The most recent version of the Post-Election Campaign Finance Statement form can be accessed through the Department of State's website at www.michigan.gov/sos. (Click on "Elections in Michigan;" on the "Elections in Michigan" page, click on "Campaign Finance Disclosure;" on the "Campaign Finance Disclosure" page, click on "Forms and Filing Materials.")

OATH OF OFFICE

Each person elected to the school board must also take the prescribed Oath of Office (see page 34). The oath may be given at any time after the Certification of Election. Because a school board member-elect must file an Acceptance of Office with the secretary of the board within 10 days after receiving a Certificate of Election, many school districts administer the official oath at the board's administrative office when the Acceptance of Office is filed. A second "ceremonial oath" can then be reenacted at the organizational meeting.

The Oath of Office for a newly elected or re-elected member of a local school board must be administered by a notary public, judge, clerk of a court or member of the state Legislature. In the case of an intermediate board member-elect, the oath may be administered by any of these officers or a member of the intermediate school board. The oath is filed with the secretary of the school board.

TERM OF OFFICE

Board of education members for a local school district are elected for terms of either four or six years, as provided by the school district's bylaws. A school board member's term of office begins on Jan. 1 immediately following the election. Thus, incumbent members serve until Dec. 31 and the current board may conduct business during the "lame-duck" period.

ORGANIZATIONAL MEETINGS

The Revised School Code no longer requires organizational meetings for local school boards. While not required by law, a local school board, for practical purposes, still needs to have an annual meeting to organize the board by electing officers and establishing committees, and to act on matters that require adoption or authorization on an annual basis. It's not necessary, however, to close an organizational meeting and then open a regular meeting immediately thereafter. The organizational meeting and the regular monthly meeting can be combined into one meeting.

The timing of an organizational meeting should be established in a board's bylaws. Because school boards are now required to hold elections in November, boards should have an organizational meeting in January to elect officers, establish the membership of committees and cover other business relating to the effective and efficient functioning of the board. However, other matters that correspond with the school district's fiscal year on an annual basis, such as approving retainer contracts and memberships, will still likely need to be addressed at a meeting in June or July.

ISD ELECTIONS— POPULAR ELECTIONS

ISD boards of education that adopt Sections 615-617 of the Revised School Code are authorized to hold popular elections. The term of office for ISD board members elected by popular election is six years.

ELECTION DATE

ISD school boards holding popular elections conduct elections at the even-year November election. In 2018, the election will be held on Nov. 6.

NOMINATING PETITIONS

Nominating petitions or a nonrefundable fee of \$100 must be filed with the school district filing official (county clerk), along with the Affidavit of Identity, before 4 p.m. on the 15th Tuesday before the election. The 2018 deadline is July 24 for the Nov. 6 election.

If a candidate chooses to file a nominating petition, the petition must meet the following signature requirements:

- If the population of the ISD is less than 10,000 according to the most recent federal census, the petition must be signed by a minimum of six electors (registered voters) of the ISD and a maximum of 20.
- If the population of the ISD is 10,000 or more according to the most recent federal census, a petition must be signed by a minimum of 40 electors (registered voters) of the ISD and a maximum of 100.

County clerks are obligated to maintain a supply of Intermediate School District Nominating Petition forms and to distribute them to interested candidates. The petition must be circulated on a city/township basis.

Any registered voter who resides within the ISD can sign a candidate's petition. An ISD candidate isn't required to limit the circulation of his or her petition to his or her constituent school district of residence.

ISD ELECTIONS— BOARD MEMBERS ELECTED BY CONSTITUENT DISTRICTS

ISD boards of education that hold elections under Section 614 of the Revised School Code are elected at a meeting of representatives from constituent boards of education.

TERM OF OFFICE

The term of office for ISD boards of education elected by constituent school boards is six years.

ELECTION DATE

Section 614 elections for ISD school boards are held biennially on the first Monday in June by an electoral body composed of one member of the board of each constituent district. For 2018, June 4 is the first Monday in June.

RESOLUTION DESIGNATING REPRESENTATIVE

A constituent school board must designate its representative for the electoral body by adopting a resolution not earlier than 21 days prior to the date of the election. The board must consider the resolution at not less than one public meeting before adopting the resolution. For 2018, the resolution cannot be adopted before Monday, May 14.

The resolution must also identify the candidate the constituent board supports for each position to be filled on the ISD board, as well as direct the representative to vote for the candidate(s) at least on the first ballot taken at the meeting.

ELECTION MEETING

The meeting of the representatives must be an open meeting conducted in a manner prescribed under the Open Meetings Act.

The ISD secretary is required to notify the secretary of each constituent school district of the location and time of the meeting at least 10 days before the meeting. The notice must be sent by certified mail.

The county clerk serving as the ISD's filing official is responsible for preparing the ballots needed for the meeting.

The chairperson of the meeting may accept nominations for an available position "from the floor" if no candidates filed for the position.

NOMINATING PETITIONS

Nominating petitions or a nonrefundable fee of \$100 must be filed by candidates with the school district filing official (county clerk) 30 days prior to the election, except if that day falls on a Saturday, Sunday or holiday. Regardless if the candidate files a nominating petition or a \$100 fee, the candidate must also submit an Affidavit of Identity at this time. This year's deadline is May 7, 2018.

If a candidate chooses to file a nominating petition, the petition must meet the following signature requirements:

- If the population of the ISD is less than 10,000 according to the most recent federal census, the petition must be signed by a minimum of six electors (registered voters) of the ISD and a maximum of 20.
- If the population of the ISD is 10,000 or more according to the most recent federal census, a petition must be signed by a minimum of 40 electors (registered voters) of the ISD and a maximum of 100.

County clerks are obligated to maintain a supply of Intermediate School District Nominating Petition forms and to distribute them to interested candidates. The petition must be circulated on a city/township basis.

Any registered voter who resides within the ISD can sign a candidate's petition. An ISD candidate isn't required to limit the circulation of his or her petition to his or her constituent school district of residence.

MICHIGAN'S CAMPAIGN FINANCE ACT AND SCHOOL BOARD ELECTIONS

Candidates seeking election to a school board must determine their obligations under the Campaign Finance Act.

Two general rules are overriding:

1. A candidate for election to the board of a district having 2,401 or more students must comply with all Campaign Finance Act filing requirements.
2. Candidates in districts with 2,400 or fewer pupils aren't subject to all the filing requirements so long as the candidate doesn't receive or spend more than \$1,000 for his or her election.

Please read the following pages carefully to understand the details of the exemptions.

EXEMPTIONS

Candidates seeking election to the board of education of any school district with a pupil membership of less than 2,401 students and board members serving in these districts are exempt, so long as they don't receive or expend more than \$1,000 for the election.

Candidates and board members who are exempt need not file any of the statements or reports described in this chapter.

However, all candidates are required to keep records of their campaign expenses and identify the name and address of the person paying for candidate advertising, except where the item is so small in size that election rules don't require identification. In addition, all candidates are prohibited from accepting corporate contributions or contributions from a labor organization.

PERSONS SUBJECT TO THE ACT

The requirements of the Campaign Finance Act apply to candidates and board members of school districts having a pupil membership of more than 2,400 students, as well as candidates and board members in ISDs where the boards of education are elected by popular vote. Candidates and board members in districts having fewer than 2,401 pupils must comply if they receive or expend more than \$1,000.

A person who seeks election to the school board through the write-in method becomes a candidate for purposes of the Campaign Finance Act when he or she receives a contribution, makes an expenditure or permits another person to do so in order to receive write-in votes. If the write-in candidate doesn't receive or spend money, but is elected to the board of education, he or she must comply with the Campaign Finance Act on the date the election is certified.

INITIAL REQUIREMENTS

A person who files a nominating petition or who makes an expenditure or receives a contribution in an election to the board of education of a school district with a pupil membership exceeding 2,400—or an ISD having popular elections—is considered a candidate for purposes of the Campaign Finance Act. Candidates in smaller districts are included if they receive or expend more than \$1,000 to get elected.

When you become a candidate, you must meet the Act's filing requirements even though you don't expend or receive funds, or only use your own personal funds for the campaign.

You must take four actions immediately upon becoming a candidate:

1. Form a Candidate Committee

The candidate committee may consist only of yourself or may include others. You must organize your candidate committee within 10 days of your declaration of candidacy. Under Public Act 237 of 1999, the name of the candidate committee must include both your first and last names.

2. *File a Statement of Organization*

Within 10 days after forming your candidate committee, you must register the committee by filing a Statement of Organization form in duplicate with the county clerk's office. The proper forms and filing information may be obtained from the county clerk.

3. *Designate a Financial Institution*

Even if no funds are used for campaigning, the law requires you to indicate the financial institution that will serve as your official campaign depository. All contributions received by a committee must be deposited into the committee's "official depository" as identified on the committee's statement of organization.

4. *Appoint a Treasurer*

The appointment must be made within 10 days after your declaration of candidacy. You may serve as treasurer of your committee. If someone else is appointed as treasurer, that person must be a qualified elector/registered to vote in Michigan.

STATEMENT OF ORGANIZATION REQUIREMENTS

A Statement of Organization must be filed with the county clerk within 10 days after formation of the candidate committee. Forms will be provided by the county clerk for all filings. Candidates should be prepared to provide the following information:

1. The name, street address, zip code and telephone number, where available, of the committee. A committee address may be the home address of the candidate or treasurer of the committee.
2. The name, street address, zip code and telephone number, where available, of the treasurer or other individual responsible for the committee's records and reports. The treasurer must be a qualified elector of Michigan.
3. The name and address of the financial institution where the official committee depository is located. The official depository must be located in Michigan.
4. The full name of, and office sought by, the candidate. Identification of the committee as a candidate committee.

When any of the required information in a Statement of Organization is changed, an amendment must be filed. The amendment is reported when the next campaign statement is required to be filed.

CAMPAIGN STATEMENT REQUIREMENTS

A candidate committee discloses its financial records through the filing of

campaign statements. A candidate committee for school elections must file a campaign statement, reporting all contributions received and expenditures made. Campaign statement forms, instructions and due dates can be obtained from the county clerk. The campaign statement forms can also be printed from the Department of State website at www.michigan.gov/sos. (Click on "Elections in Michigan;" on the "Elections in Michigan page, select "Campaign Finance Disclosure;" on the "Campaign Finance Disclosure" page, select "Forms and Filing Materials.")

REPORTING WAIVERS

Many school board members of local districts subject to the Campaign Finance Act and ISDs having popular elections and candidates for these boards will qualify for a reporting waiver, which simplifies the reporting process. Candidates in these districts must file the statement of organization but need not file campaign statements if they qualify for the reporting waiver.

The reporting waiver is available if the candidate doesn't expect to receive or expend more than \$1,000 for the election. To become eligible for a Reporting Waiver, the candidate committee must check the "YES, I/WE WANT TO APPLY FOR THE REPORTING WAIVER" box on its Statement of Organization. This tells the filing official that the committee does not expect to spend or receive more than \$1,000 for any election. The committee can check the "YES" box on its original Statement of Organization or on an amendment to its Statement of Organization. If the \$1,000 level is exceeded, the committee no longer qualifies for the waiver and the next campaign statement coming due must be filed.

A candidate must form a candidate committee and file a statement of organization even if no funds are used for campaigning. The reporting waiver applies only to campaign statements.

It's essential that detailed records be kept including the names, addresses, dates and amounts of all contributions and expenditures. All receipts and expenditures must be itemized.

CONTRIBUTION LIMITS

The Campaign Finance Act limits contributions to candidates running in school board elections. The maximum amount a person, other than a member of the candidate's immediate family, can contribute to a school board candidate is limited as follows:

- If the population of the school district is less than 85,000, the maximum contribution is \$1,000.
- If the school district population is 85,001 to 250,000, the maximum contribution is \$2,000.

- If the district's population is 250,001 or more, the maximum contribution is \$6,800.

DISSOLUTION

Committees that no longer participate in Michigan elections are encouraged to dissolve. A dissolved committee has no further filing obligations.

PENALTIES

Candidates and board members who don't comply precisely with the requirements of the Campaign Finance Act are subject to various penalties, which can't be waived.

A \$10 late fee is assessed each business day a Statement of Organization is late, up to a maximum penalty of \$300.

A late filing fee is assessed each business day a Campaign Statement is late. The maximum fee assessed for a late Campaign Statement is \$1,000 if the committee raised more than \$10,000 in the past two years. If the committee did not raise more than \$10,000 in the past two years, the maximum fee assessed is \$500.

WHERE TO FILE

Forms for filing all reports required by the Campaign Finance Act, as well as filing dates, are available from the county clerk. School board members and candidates generally file their statements with the clerk of their county of residence. However, if the school district extends into more than one county, the statements are filed with the clerk of the county in which the greatest number of registered voters of the school district resides.

MASB: YOUR STATE ASSOCIATION— THE PLACE TO GO FOR HELP

The Michigan Association of School Boards exists to serve your needs as an elected school leader, for board training, up-to-date information and representation in Lansing and Washington, D.C. Virtually every public school board in Michigan belongs to MASB—strong proof that MASB delivers what school boards need.

In the state Legislature, in legislative committee hearings and in the State Department of Education, as well as in Congress, MASB addresses school boards' concerns and interests.

Boards of education who share membership in MASB believe that their strength rests in a united force consisting of well-informed members whose coordinated effort gives them a strong voice at the state level of decisionmaking affecting schools.

Whether you are hiring a superintendent or evaluating one, negotiating a new school employees' contract or developing a community relations program, MASB is your resource for information, advice and specialized services.

LOCAL AND STATE LEARNING OPPORTUNITIES FOR BOARDS

Annual Leadership Conference—This outstanding two-day educational program features nationally known speakers/ Board member certification classes, clinic sessions, exhibits, networking with other school board members and decisionmaking opportunities. A 'must' event for board members who want to be in the know.

Legislative Conference—Political clout is the name of the game when MASB's local board members gather in Lansing with their legislators to voice support or opposition to pending education bills and to learn grassroots lobbying skills that will help their area schools.

Workshops—Board self-assessment, district goal-setting, evaluating your superintendent, governance training—these are just a few of the workshops MASB offers to boards.

MASB SERVICES FOR YOU AND YOUR DISTRICT

Board Development and Recognition Programs—How successful you are as a board member depends on your commitment to professional self-development. MASB annually recognizes individual board member’s efforts to gain new skills, information and effectiveness through its Certified Board Member Award (CBA) program. There are seven levels of recognition.

Labor Relations—Experienced negotiators and labor relations consultants will guide your board through contract negotiations, grievance administration and arbitration.

Legal Trust Fund/Legal Information—MASB provides legal information to your school board by way of one-on-one communications, group presentations and publications. Member boards may also join MASB’s Legal Trust Fund and all boards may request financial help from the fund when faced with litigation.

Bylaw and Policy Services—MASB has partnered with NEOLA to offer uniform school policies and guidelines to better serve all Michigan school districts. Under the partnership, NEOLA provides comprehensive bylaw and policy services for MASB members on our behalf. As always, MASB is ready and eager to serve all members and answer any questions you have about school policy.

Superintendent Evaluation—Positioned to help as little or as much as a board of education may need, MASB offers a superintendent evaluation tool, comprehensive training in the tool and facilitated evaluation services.

Executive Search Services—When a district faces its most important task—selecting a new superintendent—MASB is there to help boards develop an effective and legal recruiting and selection process.

Publications—As an MASB member you will receive these important sources of information and ideas for effective board service:

- **News Updates**—DashBoard weekly e-newsletter, MI SoundBoard biweekly podcast, StoryBoard monthly video newscast and LeaderBoard magazine three times a year.
- **Comprehensive Website**—Instant access to resources through MASB’s website. Visit us at www.masb.org.
- **Legislative Update**—Included in DashBoard and News From the Capitol e-communications.
- **Summary of School-Related Public Acts, Guide to the Open Meetings Act and Becoming a Better Board Member**—These are a few of the publications available from MASB to member boards.

ABOUT YOUR CAMPAIGN

Informed candidates contribute to a district's overall health. Free discussion and debate bring issues into sharper focus and help resolve existing problems.

Uninformed or misinformed candidates can cause problems both for themselves and for the district they wish to serve. When campaigning, follow these suggestions:

- **Seek Information**
Attend school board meetings. Be familiar with procedures for conducting meetings. Know the current issues, including funding, student achievement, hiring practices, contract negotiations and technology.
- **Study Board Policies**
Most districts keep a manual of established policies. Your awareness of guidelines the board has developed will prevent you from making misleading statements publicly during your campaign.
- **Know Your Community's Concerns**
Study those issues that particularly arouse community interest. Know what's already been done and considered. Don't make promises unless you are sure of what is involved in keeping them. Board members elected on promises often find themselves in the awkward position of having to back down when they learn all of the facts.
- **Keep Your Faith and Commitment**
Win or lose, your school district needs people like you who care about children and who are willing to get involved in the democratic decisionmaking processes to improve public education.

OATH

I do solemnly swear (or affirm) that I will support the Constitution of the United States and the constitution of this state, and that I will faithfully discharge the duties of the office of member of the board of education according to the best of my ability.

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Join your local school board and make a change in your district!



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