

Book	Policy Manual
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0142 - ELECTION AND ELIGIBILITY TO SERVE

Plan

Members of the School Board will be qualified and elected in accordance with the School Corporation's organization plan on file with the State Board of Education. (I.C. 20-23-8-22).

Before August 1st of each school year (July 1st to June 30th), the Superintendent shall file with the Secretary of Education a listing of the:

- A. names and addresses of members of the Board;
- B. names and addresses of the Board's officers;
- C. expiration dates of the terms of the ~~Board members and~~ **Board's** officers.

Should a change occur in Board membership during the term of one or more members of the Board, the School Corporation shall file the change with the Secretary of Education within thirty (30) days after the change occurs. (I.C. 20-23-8-22)

Eligibility

- A. A person is not qualified to run for a school board office unless the person is registered to vote in the election district the person seeks to represent not later than the deadline for filing the declaration or petition of candidacy or certificate of nomination. (I.C. 3-8-1-1)
- B. A candidate for a school board office must have resided in the ~~school corporation~~ **Corporation** for at least one (1) year before the election. A candidate for school board office seeking to represent an election district that consists of less than the entire ~~school corporation~~ **Corporation** must have resided in the election district for at least one (1) year before the election. (I.C. 3-8-1-34)
- C. A person may not hold more than one (1) lucrative office at a time, as provided in Article 2, Section 9 of the Constitution of the State of Indiana. (I.C. 3-8-1-3)
- D. A person is disqualified from assuming or being a candidate for school board office if:
 - 1. the person gave or offered a bribe, threat, or reward to procure the person's election, as provided in Article 2, Section 6 of the Constitution of the State of Indiana;
 - 2. the person does not comply with I.C. 5-8-3 because of a conviction for a violation of the Federal laws listed in that statute;
 - 3. In a
 - 1. jury trial, a jury publicly announces a verdict against the person for a felony;
 - 2. bench trial, the court publicly announces a verdict against the person for a felony; or

3. guilty plea hearing, the person pleads guilty or nolo contendere to a felony;
 4. the person has been removed from the office the candidate seeks under Article 7, Section 11 or Article 7, Section 13 of the Constitution of the State of Indiana;
 5. the person is a member of the United States armed forces on active duty and prohibited by the United States Department of Defense from being a candidate;
 6. the person is subject to 5 U.S.C. 1502 (the Little Hatch Act) or 5 U.S.C. 7321-7326 (the Hatch Act) and would violate either Federal statute by becoming or remaining the candidate of a political party for nomination or election to an elected office or a political party office; or
 7. the person is a nonjudicial court employee who would violate Rule 4.6 of the Indiana Code of Judicial Conduct by being the candidate of a political party for nomination or election to an elected office or a political party office. (I.C. 3-8-1-5)
- E. An individual who is at least ~~twenty one (21)~~ **eighteen (18)** years of age and is otherwise eligible to assume office as a member of a governing body may not be disqualified on the basis of age (I.C. 20-26-4-9)
- F. Ownership of property shall not be a qualification to serve as a Board member (I.C. 20-26-4-10).
- G. An individual who is employed **by the Corporation** as a teacher or as a noncertificated employee (as defined in I.C. 20-29-2-11) ~~of the school corporation~~ may not be a member of the ~~governing body of the school corporation~~ **Board**. If a teacher or a noncertificated employee (as defined in I.C. 20-29-2-11) ~~of the Board~~ **employed by the Corporation** is elected or appointed to the Board, the employee must resign from employment by the ~~Board~~ **Corporation** before serving on the Board (I.C. 20-26-4-11).

The petition of nomination for a School Board office must state all of the following:

- A. **The name of each candidate as:**
 1. **the candidate wants the candidate's name to appear on the ballot; and**
 2. **the candidate's name is permitted to appear on the ballot under I.C. 3-5-7.**
- B. **The address of each candidate, including the mailing address, if different from the residence address of the candidate.**
- C. **The School Board office that each candidate seeks.**
- D. **Each petitioner is a qualified registered voter and desires to be able to vote for the candidates listed on the petition.**
- E. **One (1) of the following:**
 1. **The candidate's political party affiliation.**
 2. **The candidate is an independent candidate.**
 3. **That the candidate elects not to disclose any affiliation with a political party or that the candidate:**
 - a. **is not affiliated with a political party; and**
 - b. **does not identify as an independent candidate.**

Unless a candidate who states a political party affiliation under E.1. above is challenged the candidate's statement must be indicated on the ballot in the manner determined by the county election board.

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T.C. 6/20/23

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Legal
I.C. 3-8-1-1
I.C. 3-8-1-3

I.C. 3-8-1-5

I.C. 3-8-1-34

I.C. 5-8-3

I.C. 20-23-8-22

I.C. 20-25-3-4

I.C. 20-26-4-9

I.C. 20-26-4-10

I.C. 20-26-4-11

I.C. 20-29-2-11

Article 7, Section 11 of the Constitution of the State of Indiana

Article 7, Section 13 of the Constitution of the State of Indiana

5 U.S.C. 1502

5 U.S.C. 7321-7326