

SCHOOL DISTRICT ORGANIZATION**School Board Elections**

School board elections are non-partisan elections governed by the general election laws of the State of Montana and include election of board members, various public policy propositions, and advisory questions.

Board elections shall be held on the first Tuesday after the first Monday in May of each year. In years when the legislature meets in regular session or in a special session that affects school funding, the trustees may order the election on a date other than the regular school election day in order for the electors to consider a proposition requesting additional funding under § 20-9-353, MCA.

Any person who is a qualified voter of the District is legally qualified to become a trustee. Some persons may be ineligible for board membership by reason of other public offices held or certain types of state or federal employment. A declaration of intent to be a candidate shall be submitted to the election administrator at least forty (40) days before the regular school election day. If there are different terms to be filled, the term, the position for which each candidate is filing must also be indicated.

Any person seeking to become a write-in candidate must file a declaration of intent on the 26th day before the election. If the number of candidates filing for vacant positions or filing a declaration of intent to be a write-in candidate is equal to or less than the number of positions to be elected, the Trustees may give notice that a Trustee election will not be held. Notice of the cancellation must be given no later than 30 days before the election date. If the election is not held, the trustees shall declare the candidates elected by acclamation and issue of “certificate of election” to each candidate.

A candidate intending to withdraw from the election shall send a statement of withdrawal to the clerk of the district containing all information necessary to identify the candidate and the office for which the candidate filed. The statement of withdrawal must be acknowledged by the clerk of the district. A candidate may not withdraw after 5:00 p.m. the day before the election ballot certification deadline in 20-20-401. MCA.

Except in the event of an unforeseen emergency occurring on the date scheduled for the election, a proposition requesting additional funding pursuant to § 20-9-353, MCA, may be submitted to the electors only once each calendar year – on the regular school election day.

Legal References:

- § 20-3-304, MCA Annual election
- § 20-3-305, MCA Candidate qualification and nomination
- § 20-3-344, MCA Nomination of candidates by position in first class elementary district
- § 20-20-301, MCA Qualifications of elector
- § 20-3-313, MCA Election by acclamation – notice

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§ 20-9-353, MCA Additional financing for general fund-election for authorization to impose

§ 20-20-105, MCA Regular school election and special school elections

Cross References:

Policy History:

Adopted on:	2.8.2011
Revised on:	7.12.2016
Revised on:	3.2.2021