



Ohio School Boards
Association

TO: Board Members, Superintendents and Treasurers

FROM: OSBA Division of Legal Services

RE: **BOARD OF EDUCATION VACANCY**

From time to time, a vacancy occurs on a board of education, requiring the rest of the board to act promptly to replace the departing board member. OSBA offers this Board Vacancy Toolkit to assist boards of education as they appoint a replacement board member who will make positive contributions to the school district.

The process for filling a board vacancy is not complicated, but there are some legal timelines and compliance details that must be followed. If this is the first vacancy your district has had recently, you may wish to review the enclosed materials to refresh your recollection of the process required by the Ohio Revised Code.

OSBA offers this complimentary member resource, which includes:

- A fact sheet explaining the process of filling vacancies;
- OSBA's sample board policy BBE, Unexpired Term Fulfillment;
- A form to send back to OSBA once the new board member is seated;
- A sample press release your board can use or customize;
- Sample questions for interviews with board candidates;
- A sample application for candidates;
- Ohio Revised Code provisions that discuss board vacancies; and
- OSBA's "Running for your local school board" brochure.

If you have any questions about the process or this toolkit, please contact the division of legal services at (855) 672-2529.

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Suite 100
Columbus, Ohio 43235-6481

(614) 540-4000
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www.ohioschoolboards.org

OSBA leads the way to educational excellence by serving Ohio's public school board members and the diverse districts they represent through superior service, unwavering advocacy and creative solutions.



Filling board of education vacancies

Ohio School Boards Association

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This fact sheet is designed to address the most frequently asked questions about filling vacancies on boards of education under Ohio Revised Code (RC) 3313.11. The information is of a general nature. Readers should seek the advice of legal counsel with specific legal problems or questions.

Reasons for a vacancy

What can cause a vacancy on a board of education?

There are seven specific events that can create a board vacancy. They are:

- death;
- nonresidence;
- resignation;
- removal from office;
- failure of a person elected or appointed to qualify;
- removal from the district;
- absence from board meetings for a period of 90 days if for reasons declared insufficient by a two-thirds vote of the remaining board members.

A board member also may forfeit his or her office if he or she is convicted of certain crimes, which include giving, soliciting or accepting a bribe; receiving improper compensation; and certain election offenses.

Issues concerning compatible or incompatible offices for board members, which could, in some circumstances, create a board vacancy, are beyond the scope of this fact sheet.

What constitutes 'nonresidence?'

Residence is a factual issue to be determined on a case-by-case basis. In deciding where an individual "resides," a court is likely to consider several factors, including where the individual sleeps, receives mail and is registered to vote. An individual's intent regarding his place of residence also may be a consideration (1927 Ohio Atty.Gen.Ops. No. 1057).

What is the effective date of a resignation?

The person resigning may provide a written resignation that states an effective date in the future or indicates that it is effective immediately. Oral resignations also are possible and can be effective either immediately or at a date specified in the future. If no effective date is stated, the resignation probably will be deemed effective immediately.

To whom must the resignation be delivered?

There are no statutory guidelines regarding to whom a resignation should or must be delivered. Some communication of the resignation is required, presumably to the board itself or to a board member, the superintendent or treasurer as a representative of the board.

Can a resignation be withdrawn?

No, if it is effective immediately. If it has an effective date in the future, it may be withdrawn prior to that date. However, if the board of education accepts the resignation, even before the effective date, the resignation may not be unilaterally withdrawn by the resigning board member thereafter.

This fact sheet is published as an OSBA membership service

For more information on this subject, please contact OSBA's Division of Legal Services

revised 8/17

Must a resignation be acted upon by the board of education?

No. However, a board may act to accept a resignation and the acceptance can be important if the individual later attempts to withdraw the resignation as indicated in the question above.

What constitutes 'insufficient reasons for missing board meetings for 90 days?'

This determination is left to the discretion of each board of education. The statute sets forth no standards.

How can an individual be removed from his or her position as a board member?

The Ohio Constitution authorizes laws to be passed to provide for removal from office for misconduct. Pursuant to this authorization, the General Assembly has enacted RC 3.07 through 3.10. These statutes provide a process for removing public officeholders, including school board members. An official can be removed if he or she willfully and flagrantly exercises authority or power not authorized by law; refuses or willfully neglects to enforce the law or to perform any official duty imposed upon him or her by law; or is guilty of gross neglect of duty, gross immorality, drunkenness, misfeasance, malfeasance or nonfeasance. The procedure that must be followed requires preparation of a complaint stating specific charges, which must be signed by a specified number of electors of the school district. The complaint then must be filed with the common pleas court, which conducts a hearing to determine whether the charges are true and if removal is warranted.

Procedural timelines

When does a vacancy occur?

The vacancy occurs on the date of any of the events indicated in the first question. In the case of a resignation, the vacancy occurs on the effective date of the resignation.

When may a board act to fill the vacancy?

The statute requires the board to act to fill the vacancy at its "next regular or special meeting," which is held at least 10 days after the vacancy occurs. The board must act to fill the vacancy within 30 days.

A few courts have held that the phrase "at its next regular or special meeting" is directory and not mandatory and does not require the board of education to appoint a member at the meeting immediately following the resignation. In *Stierwalt v. Hoppe* (2015), for example, the court held that an appointment occurring at the second meeting after the vacancy (but still within 30 days) was a valid appointment.

What happens if the board is unable or unwilling to name a replacement?

If the board fails to act within 30 days after a vacancy occurs, the vacancy is filled by the probate court of the county in which the school district is located (RC 3313.85).

Filling the vacancy

What procedure should a board use to select a person to fill the vacancy?

There are no procedural requirements other than the deadlines for board action. Many boards have adopted procedures in board policy that should be followed when a vacancy occurs. If the board's policies are silent, the board will need to determine the procedures it will follow in soliciting candidates and selecting the person to fill the vacancy.

Can the board accept applications?

Yes. Oral or written applications can be suggested or required by the board. Written applications are recommended to avoid later misunderstandings. Written applications also serve to document all information submitted for consideration by each candidate.

OSBA has a sample application boards may use to assess prospective board members. The board may customize the application for its own needs. OSBA also has a list of appropriate interview questions to ask prospective board members. Individual boards of education may wish to delete some questions and/or add additional areas of inquiry. Copies are made available in the Board Vacancy Toolkit and also are available from OSBA upon request.

Is a special majority required to appoint a board member?

Yes. A majority vote of the remaining members is required. For five-person boards, this means at least three affirmative votes of the remaining members. For seven-person boards, this requires at least four affirmative votes of the remaining members.

The Ohio attorney general has issued an opinion that if four vacancies occur on a five-member board of education, the remaining board member does not have authority to fill the vacancies (2004 Ohio Atty. Gen.Ops. No. 027). The same reasoning may apply if only two members of a five-person board attempt to fill three vacancies.

Can the board interview candidates in executive session?

OSBA's interpretation of the Sunshine Laws supports the authority of the board to review prospective board of education candidates in executive session. This activity would appear to fall within RC 121.22(G)(1). That section permits, among other things, executive sessions to be held to consider "... the appointment ... of a public ... official." This is precisely what a board is doing in appointing a person to fill a board vacancy. The formal board action to name a person to fill the vacancy must be taken in open session of the board (*Kauffman v. Tiffin City Council*, 3rd Dist. Seneca No. 13-84-9, 1985 Ohio App. LEXIS 8627 (Aug. 14, 1985)).

After losing an election for the board, could a current board member resign and be reappointed to an additional term on the board?

No. A board member's term cannot be lengthened by resignation and subsequent appointment by either the board, county board or probate court (RC 3313.11). A former board member may be appointed to the board after his term of office has expired.

Does the last board of education election have any influence on the person to be appointed?

No, unless the remaining board members want it to. Some believe the highest vote recipient among unsuccessful board candidates at the last election should or must be appointed to fill a vacancy. Although the remaining board members may appoint this person, they are under no obligation to do so.

Length of appointment

How long will an appointed person serve?

This depends on when the vacancy occurs. The person appointed serves the shorter of either the completion of the term of the original board member or until Jan. 1 following the next regular board of education election if the election occurs at least 90 days after the person is appointed. (*Regular board of education elections are held at the November general elections in each odd-numbered year. The 90-day cut-off therefore occurs in August.*)

What happens if a person appointed serves less than the full remaining term of the original board member?

Such an appointee serves until Jan. 1 following the completion of the first two years of the original board member's four-year term. At the November general election that occurs prior to that Jan. 1, there is a special election for the remaining two years of the original board member's term. Individuals wishing to run for this two-year position

do so separately from the candidates for the normal four-year board vacancies up for election that year. An individual then is elected to serve for only the two remaining years of the original board member's term.

When can special elections be held?

Only at the November general elections in odd-numbered years. This is when regular board of education elections are scheduled. The election is "special" in that there is an election for a two-year term to complete the original board member's four-year term.

Who is responsible for conducting such a special election?

The county board of elections. The board of education is required to give written notice to the board of elections immediately upon becoming aware of the need for a special election.

Note: Readers are advised to obtain legal advice regarding the application of the law addressing filling board of education vacancies in specific situations.

UNEXPIRED TERM FULFILLMENT
(Board Vacancy)

A vacancy on the Board may be caused by:

1. death;
2. nonresidence;
3. resignation;
4. removal from office;
5. failure of a person elected or appointed to qualify within 10 days after the organization of the Board or of his/her appointment or election;
6. relocation beyond District boundaries or
7. absence from Board meetings for a period of 90 days, if the reasons for the absence are declared insufficient by a two-thirds vote of the remaining Board members. (The vote must be taken not earlier than 30 days after the 90-day period of absence.)

Any such vacancy will be filled by the Board at its next regular or special meeting not earlier than 10 days nor later than 30 days after the vacancy occurs. A majority vote of all the remaining members of the Board is required to fill the vacancy.

Each person selected to fill a vacancy holds office:

1. until the completion of the unexpired term or
2. until the first day of January immediately following the next regular Board election taking place more than 90 days after a person is selected to fill the vacancy.
(At that election, a special election to fill the vacancy is held. No such special election is held if the unexpired term ends on or before the first day of January immediately following that regular Board election. The term of a person elected in this manner begins on the first day of January following the election and is for the remainder of the unexpired term.)

The shorter of the above options determines the length of office.

[Adoption date:]

LEGAL REFS.: ORC 3.01; 3.02; 3.07; 3.08
3313.11; 3313.85

CROSS REF.: BBBA, Board Member Qualifications

NOTE: The substance of most statements in this category is usually established by law. Any procedures that a board follows to select a person to fill a vacancy could be presented as a board-approved regulation, code BBE-R.

Under Ohio Revised Code Section 3313.85, the probate court of a county will fill any vacancy if the board of education of any city, exempted village or local district or educational service center governing board does not act within 30 days.



BOARD MEMBER INFORMATION UPDATE

Please fax to (614) 540-4100 or email to aherritt@ohioschoolboards.org

TO: Ann Herritt, OSBA Senior Mailroom Operations Manager

FROM: _____

DATE: _____

Please be advised that _____ has vacated his/her seat on the
_____ board of education effective _____

due to:

- ☐ Death;
- ☐ Nonresidence;
- ☐ Resignation;
- ☐ Removal from office;
- ☐ Failure of a person elected or appointed to qualify;
- ☐ Removal from the district; or
- ☐ Absence from board meetings for a period of 90 days if for reasons declared insufficient by a two-thirds vote of the remaining board members.

Additional information. Please complete if appropriate.

- ☐ The vacating board member was the board president/vice president. The new board president/vice-president is:

_____.

- ☐ The board has filled the vacancy and appointed:

Name: _____

Date of Appointment: _____

Occupation: _____

Home Address: _____

Email: _____

Home Phone: _____ Cell Phone: _____

Work Phone: _____ Fax: _____

SAMPLE NEWS RELEASE FOR BOARD VACANCIES

(Please retype on district letterhead and customize portions in CAPITAL LETTERS and italics)

FOR IMMEDIATE RELEASE

DATE

CONTACT NAME

TITLE

PHONE NUMBER

EMAIL

CITY – The *name of board of education* Board of Education seeks applicants to fill the unexpired term of board member *name of board member*, who resigned *date*.

The board will begin interviewing candidates soon and must name a replacement within 30 days of the resignation. The newly appointed member will serve until *date of end of term*. If the appointed member desires to continue serving, he or she must run in the next general election.

THIS PARAGRAPH SHOULD CONTAIN INFORMATION ON THE RESIGNING SCHOOL BOARD MEMBER, WHEN ELECTED, AND WHY HE OR SHE IS RESIGNING.

THIS PARAGRAPH SHOULD BE A QUOTE FROM THE BOARD PRESIDENT, ANOTHER BOARD MEMBER OR THE SUPERINTENDENT NOTING ACCOMPLISHMENTS OF THE BOARD DURING THE RESIGNING BOARD MEMBER'S TERM AND THANKING HIM OR HER FOR THEIR SERVICE TO THE DISTRICT.

Those interested in serving on the *name of board of education* Board of Education should contact *name of person collecting applications* for an application.

According to Ohio law, people serving on Ohio school boards must be at least 18 years old, district residents and registered voters.

Last name of board president said the board will review all applications and decide on the replacement at its *date* meeting.

YOU MAY INCLUDE SOME INFORMATION ON THE PROCESS HERE.

Name of school district serves *number of students* in *number of buildings* in *list cities, townships and villages served by the district*.

OSBA SAMPLE QUESTIONS FOR BOARD CANDIDATES/APPLICANTS

The following questions are meant to be thought-provoking and in no way represent a complete list of possible questions for interviewing potential school board members. Questions agreed to by your board best reflect the concerns of the board. Answers should be judged on the acceptability of responses according to your board's standards.

1. Why are you interested in becoming a board member?
2. Are you willing to spend the necessary time, to familiarize yourself with the school district's operations enabling you to function as a contributing member of this board, and to keep abreast of the ever-changing business of schools?
3. Are there aspects of your education and experience that you feel would be especially helpful in this position?
4. If appointed, would you be a candidate for re-election at the next election?
5. Are you willing to assume a leadership role in this community as a member of the body responsible for the management of public schools in this district?
6. What do you believe our schools should be accomplishing?
7. What is the single best thing you know about our schools?
8. What are your beliefs about the roles of the board and superintendent and the difference between policymaking and administration?
9. What are your beliefs regarding the role of management and employee organizations?
10. What criteria do you use in evaluating educational programs?
11. How do you respond to criticism?
12. Do you realize the need for confidentiality? Can you maintain confidentiality?
13. Can you be supportive of our schools?
14. If you disagree with others, can you separate this difference and proceed as a team member after a vote is taken?
15. Are you willing to let administrators administer the system while the board of education serves as policymaker?
16. Do you believe in service training for board members? Are you willing to participate in such meetings?
17. How much do you think a school board member earns?
18. Is there anyone in the school system you could not support or with whom you could not work?

RESOLUTION TO FILL BOARD OF EDUCATION VACANCY

(RC 3313.11)

Whereas a vacancy has been caused on the board of education by reason of _____*; and

Whereas this board of education has the legal authority to fill a vacancy for the unexpired term thereof;

Now, therefore, be it resolved by a majority vote of all the remaining members of the board of education of the _____ School District that _____ be and hereby is, appointed to serve as a member of the board of education of this school district for the unexpired term of _____, ending on _____, 20 ____.

***NOTE:** A vacancy may be caused by death, nonresidence, resignation, removal from office, failure of member to qualify, etc. (RC 3313.11).



APPLICATION FOR MEMBER BOARD OF EDUCATION

School District

Name (First, Middle, Last): _____

Address: _____

City/State/Zip Code: _____

Home Phone: _____

Work Phone: _____

Occupation: _____

Current Place of Employment: _____

Employment History: (List most recent position first)

Dates	Position	Organization

Education:

School Name	Major/Course	Dates	Degree

Civic or Professional Organization Memberships:

References:

Name	Address	Phone

Are you 18 years or older? ☐ Yes ☐ No

Are you a registered voter in the school district? ☐ Yes ☐ No

Have you ever been arrested for or convicted of a felony? ☐ Yes ☐ No

Do you have children of school age? ☐ Yes ☐ No

Do your children attend our schools? ☐ Yes ☐ No

Is any member of your immediate family an employee of the school system? ☐ Yes ☐ No

If yes, whom? _____ (name) _____ (position)

Signature of Applicant

Date

3313.11 Vacancy in board.

Notwithstanding division (D) of section [3311.19](#) and division (D) of section [3311.52](#) of the Revised Code, this section does not apply to any joint vocational or cooperative education school district. A vacancy in any board of education may be caused by death, nonresidence, resignation, removal from office, failure of a person elected or appointed to qualify within ten days after the organization of the board or of appointment or election, removal from the district, or absence from meetings of the board for a period of ninety days, if such absence is caused by reasons declared insufficient by a two-thirds vote of the remaining members of the board, which vote must be taken and entered upon the records of the board not less than thirty days after such absence. If the board members are selected by appointment pursuant to division (B) or (F) of section [3311.71](#) of the Revised Code, the appointing authority responsible for the appointment shall fill any such vacancy by appointment of an individual to serve the remainder of the unexpired term from a slate of at least three persons proposed by the municipal school district nominating panel established under that section. If the member creating the vacancy resides in a municipal school district but not in the municipal corporation containing the greatest portion of the district's territory, the individuals included on such slate shall also reside in the municipal school district but not in the municipal corporation containing the greatest portion of the district's territory. If the board members are selected by election, the board shall fill any such vacancy at its next regular or special meeting, not earlier than ten days after such vacancy occurs. A majority vote of all the remaining members of the board may fill any such vacancy. Immediately after such a vote, the treasurer of the board of education shall give written notice to the board of elections responsible for conducting elections for that school district that a vacancy has been filled, and the name of the person appointed to fill the vacancy. Each person selected by the board or probate court to fill a vacancy shall hold office for the shorter of the following periods: until the completion of the unexpired term, or until the first day of January immediately following the next regular board of education election taking place more than ninety days after a person is selected by the board or probate court to fill the vacancy. At that election, a special election to fill the vacancy shall be held in accordance with laws controlling regular elections for board of education members, except that no such special election shall be held if the unexpired term ends on or before the first day of January immediately following that regular board of education election. The term of a person chosen at a special election under this section shall begin on the first day of January immediately following the election, and the person shall serve for the remainder of the unexpired term. Whenever the need for a special election under this section becomes known, the board of education shall immediately give written notice of this fact to the board of elections responsible for conducting the regular board of education election for that school district. The term of a board of education member shall not be lengthened by the member's resignation and subsequent selection by the board or probate court under this section.

Effective Date: 11-12-1997.

3313.85 Failure of board of education or governing board to fill vacancy.

If the board of education of any city, exempted village, or local school district or the governing board of any educational service center fails to fill a vacancy in that board within a period of thirty days after the vacancy occurs, the probate court of the county in which the district or service center is located, upon being advised and satisfied of that failure, shall act as that board to fill any vacancy as promptly as possible.

Amended by 129th General Assembly File No. 52, SB 124, §1, eff. 1/13/2012.

Effective Date: 09-29-1995; 09-16-2004



Become a voice for Ohio students

A guide for 2019 school board candidates

Ohio's school board members, one of the largest groups of elected officials in the state, are charged with one of the major responsibilities in government — providing the best educational opportunities possible for Ohio's youth and managing and controlling the political subdivision of the school district.

What does a school board member do?

The broadest definition of a school board's role is that it acts as the governance team for the school district. It is important that the board serves as a positive and responsible liaison between the school district and community. School boards adopt policy and oversee the district's policy manual. The board's most important role is to employ the superintendent and treasurer and work closely with them to establish and set policy, vision and long-range goals and be accountable for the fiscal health and opportunities provided to the district's students and families.

School board members need to be strong district ambassadors to the community and work to build public support and understanding of public education. Remember, individual board members do not hold authority unless it has been delegated to them. The board's legal authority is held by the governing body as a whole and is exercised through voting in public meetings.

Board member responsibilities

The role and function of board members often are misinterpreted by the public. The board is a policymaking body and members are the chief advisers to the superintendent on community attitudes. Board members do not manage the day-to-day operations of a school district; they see to it that the system is managed well by professional administrators.

Board members do not evaluate staff, other than the superintendent and treasurer, nor do they typically become involved in employment interviews, other than those of the superintendent, business manager and treasurer. Board members may be consulted during the hiring process for other positions, such as assistant superintendent.

KEY DATES

Aug. 7 nominating petition must be filed with county board of elections by 4 p.m.

Nov. 5 Election Day

Jan. 1 Newly elected board members take office



Ohio School Boards Association

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(614) 540-4000 • (800) 589-OSBA • fax: (614) 540-4100

What is a good board member?

We often hear that one person is a good board member or another is a bad board member, yet we seldom hear a clear definition of what constitutes a “good” board member.

In reality, there are about as many philosophical theories about boardmanship as there are board members. However, there are some acceptable guidelines. Members must recognize that people usually don’t react to the same problem in an identical manner, so flexibility is necessary.

As a start, the following guidelines are offered. A good board member:

- Knows that he or she can legally act as a board member only when the board of education is in session. No single person, unless authorized, should speak on behalf of the board.
- Avoids administrative decisions or attempting to second-guess the administration. The superintendent is the chief administrator, and the board has no administrative function.
- Is well acquainted with school policies.
- Votes at all times in the best interests of the school district.
- Is flexible and realizes there are times when changes must be made, when tradition cannot be honored and when pressure must be ignored.
- Remembers that board business often requires confidentiality, especially in processes involving students, personnel, land acquisition, negotiations and security.

What makes a good school board member?

- public education advocate
- skilled decision-maker
- courage to stand up for your convictions
- willing to devote time and energy to your elected position
- a good team player

- Is interested in obtaining facts, but also remembers that the administration is responsible for operating the schools and cannot spend all its time making reports to an individual board member.
- Is a good listener at board meetings, in the community or anywhere else, but never commits himself or herself, the board or the administration.
- Knows that the reputation of the entire school district is reflected in his or her behavior and attitude.
- Is able to support a decision when it is made.

It’s a rewarding service. And you’ll have the satisfaction of watching students receive their diplomas, knowing that you helped shape tomorrow’s citizens and leaders.

Learn about being a board member at a free workshop

OSBA will be conducting a free, two-hour Pre-Board Candidate Workshop on Saturday, July 13, 2019, in Columbus. The session will run from 10 a.m.–noon at OSBA’s office (8050 N. High St., Columbus, OH, 43235), and will be led by veteran staff members.

This workshop is for people who are thinking about running for their school board and current board of education members who were appointed to office.

Space is limited, so register online at <http://links.ohioschoolboards.org/preboard-candidate-workshop> or call (614) 540-4000 or (800) 589-OSBA to register.

What is the Ohio School Boards Association?

The Ohio School Boards Association (OSBA) was founded in 1955 to serve the needs of the state’s local boards of education. The nonpartisan, not-for-profit association’s mission is to lead the way to educational excellence by serving Ohio’s public school board members and the diverse districts they represent through superior service, unwavering advocacy and creative solutions.

OSBA is an association of member boards of education. Members have a wide range of services available to them, including training, advocacy, legal assistance, administrator searches, negotiation assistance, transportation consulting and policy development, among others.

OSBA’s website (www.ohioschoolboards.org) is an excellent source for boardmanship information, including the latest in education-related legislation and issues.

Running for your local board of education

What you need to know

Eligibility requirements

To run for a school board seat you must be:

- a U.S. citizen;
- at least 18 years old;
- a resident of the school district for at least 30 days preceding the election;
- registered to vote in the school district for at least 30 days preceding the election.

Conflicts of interest

There are conflicts of interest of which all board members must be aware to prevent jeopardizing their reputation or that of the school district. In addition to actions and relationships prohibited by school statutes, other prohibitions are set out in criminal statutes and statutes enforced by the Ohio Ethics Commission. Please note that these statutes need to be read together. Even though under one statute there may not be a conflict, there could be a conflict under another.

Among the statutory prohibitions are:

- No member shall have, directly or indirectly, any pecuniary interest in any contract of the board or be employed for compensation by the board of which he or she is a member (*Ohio Revised Code Section (RC) 3313.33*).
- No member of a school board may knowingly authorize or employ the authority or influence of his or her office to secure authorization of any public contract in which he or she, a member of his or her family or any of his or her business associates have an interest (*RC 2921.42*).
- No board member may use or authorize the use of

School Board ELECTIONS

FILING DEADLINE 4 P.M. ON AUG. 7

the authority or influence of his or her office to secure anything of value, or the promise of anything of value, to himself or herself, or solicit or accept anything of value that is of such a character as to manifest a substantial and improper influence upon him or her with respect to his or her duties (*RC 102.03*).

The above listing is neither all-inclusive nor does it list the many exceptions to these rules. They also are subject to interpretation by the courts, Ohio Attorney General's Office and Ohio Ethics Commission. If you think you may have a potential conflict of interest, please check with your board counsel, county prosecutor or city law director, or contact the Ohio Ethics Commission at (614) 466-7090.

Compatibility of public offices and positions

If you already are a public employee or officeholder, a position on a board of education may be incompatible with your current position. Before seeking election, potential candidates should make certain they are eligible to serve. An index of compatibility of offices opinions is available on the Ohio attorney general's website (www.ohioattorneygeneral.gov). Contact the Ohio attorney general at (800) 282-0515 or OSBA at (614) 540-4000 or (800) 589-OSBA for more information.

Election

Members are elected on a nonpartisan ballot on the first Tuesday following the first Monday in November in odd-numbered years. The term of office is four years, although in certain instances, two-year terms must be filled to complete an unexpired term. When elected, your term begins on the first day of January after the election and expires on Dec. 31. Most boards of education have five members; however, some larger districts have seven. Two members (or four on a seven-member board) are elected at one general election and three members are elected at a general election two years later.

How to become a school board candidate?

- You must be at least 18 years old, a U.S. citizen and both a resident of your school district and registered to vote in your school district for at least 30 days prior to the election.
- You can obtain an election packet from your county board of elections office that includes the necessary forms and petitions required to become a candidate.

FOR MORE INFORMATION, VISIT GETONBOARDOHIO.ORG

Running for your local board of education

Getting started

Filing your petition

A candidate must file a petition to run for a seat on a board of education. This petition must be filed with his or her county board of elections by 4 p.m. on Aug. 7, 2019, the 90th day before the Nov. 5 general election (RC 3513.254, 3513.255). As of March 2019, the filing fees were \$30.

The number of registered voters' signatures needed varies:

Type of school district	Number of signatures required
Local and exempted village	25
City (population less than 20,000)	25
City (population 20,000 to 49,999)	75
City (population 50,000 to 99,999)	150
City (population greater than 100,000)	300
Educational service center (ESC)	50

Candidates may obtain the petition forms and discuss questions about filing with their county board of elections or the Ohio secretary of state.

Campaigning

After filing your petition, it's time to begin gathering support. Candidates for boards of education must comply with all requirements for political campaigns. For instance, you must periodically file an itemized statement of campaign contributions and expenditures. Also, most campaign advertising must include a disclaimer with the phrase "paid for by" followed by the name of the candidate's campaign committee (RC 3517.20). For further information on campaign laws, contact your county board of elections or the Ohio secretary of state (elections section) at (614) 466-2585 or visit www.sos.state.oh.us.

Every member of, or candidate for, a board of education of a school district or ESC having an average daily membership (enrollment) of 12,000 or more students (as most recently certified by the Ohio Department of Education) must file a financial disclosure statement with the Ohio Ethics Commission. Candidates for boards of education (including incumbents) must file such statements no later than Oct. 7, 2019. Write-in candidates must file no later than Oct. 15, 2019.

SCHOOL BOARD CANDIDATE TRAINING

Attend a Board Candidate Workshop or Webinar for insight on running your campaign

OSBA will be conducting five **Board Candidate Workshops** in September. Veteran staff will lead candidates through a concise and valuable program to help them better understand the everyday roles and responsibilities of school board members and the legal aspects of campaigning and of being a board member. The cost to attend is \$50.

The dates and locations are:

Sept. 4 — ESC of Northeast Ohio, Independence
Sept. 5 — Southern Ohio ESC, Wilmington
Sept. 11 — Wood County ESC, Bowling Green
Sept. 12 — Muskingum Valley ESC, Zanesville
Sept. 14 — OSBA office, Columbus

All sessions (except Sept. 14) run from 6 p.m.–9 p.m. The session on Sept. 14 runs from 9 a.m.–noon. Registration begins a half hour before the workshop.

On Monday, Sept. 16, from 1 p.m. to 2 p.m., OSBA will

hold an online version of a condensed board candidate workshop. The first half hour of the **Board Candidate Webinar** will focus on board roles and responsibilities and the second half hour will cover campaign finance and legal issues. The cost to attend the webinar is \$50.

After Sept. 16, the webinar will be available for purchase to watch at your convenience.

Workshop and webinar registrants will receive a Board Candidate Kit, which includes *Candidate: A practical guide to running for school board*; a subscription to the OSBA Journal, the premier bimonthly magazine for school board members; and a subscription to Briefcase, a semimonthly newsletter.

Registration information is available at www.getonboardohio.org/board-candidate-workshops. Visit that website to register online or contact **Laurie Miller**, OSBA senior events manager at (614) 540-4000 or (800) 589-OSBA.

FOR MORE INFORMATION, VISIT GETONBOARDOHIO.ORG