



FREQUENTLY ASKED QUESTIONS SCHOOL BOARD DIRECTOR ELECTIONS

CASB receives many calls from school district election officials throughout the election process—here are some of the most frequently asked questions. This FAQ assumes a basic knowledge of election law; more detailed materials on CASB's [Elections](#) webpage (login required).

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Call For Nominations

Q1: Does posting school board election information on a school district website constitute “publishing a call for nominations?”

No. Website posting doesn't meet the definition of the term “notice by publication.” See C.R.S. 1-1-104(34). As a result, the school district is not prohibited from posting information on the district's website regarding the number of board seats that will be on the ballot and other information about the school board prior to the first date that the district is permitted to publish the call for nominations (August 6, 2025).

The official “call for nominations” as required by state law, must be “published” no earlier than August 6, 2025 and no later than August 21, 2025. The call must state which director offices will be voted upon at the election, where to obtain nomination petitions, the number of signatures required, and the deadline for submitting the nominating petition. C.R.S. 22-31-107(1.5).

“Notice by publication” means printing one time, in one newspaper of general circulation in the school district if there is such a newspaper, and, if not, then in a newspaper in the county in which the school district is located. C.R.S. 1-1-104(34). For a school district with territory within more than one county, if publication cannot be made in one newspaper of general circulation in the school district, then one publication is required in a newspaper in each county in which the school district is located and in which the school district also has fifty or more eligible electors.



Petition Process

Q2: Do incumbent board members have to file a petition?

Yes, all candidates must file either a petition and notice of intent to be a candidate or a write-in affidavit. C.R.S. 22-31-107(2).

Q3: May candidates sign their own petitions?

Yes, there is nothing that prohibits a candidate from signing their own petition. *See* C.R.S. 1-4-904(1).

Q4: A petition circulator signed the circulator's affidavit after circulating the petition. Is that legal?

Yes. The circulator is required to execute the affidavit after the petition signatures have been obtained. Petition signatures made after the execution of the circulator's affidavit are void. The affidavit must be signed, notarized, dated, and attached to the petition. A petition cannot be accepted without the affidavit. C.R.S. 1-4-905.

Q5: A candidate has two petitions being circulated by two different persons. The candidate only signed the affidavit of intent to be a candidate on one petition. Is that okay?

Yes. The candidate only needs to sign and file one affidavit of intent to be a candidate but may circulate more than one petition. Each petition must have its own circulator's affidavit. C.R.S. 1-4-905.

Q6: Is the affidavit of intent to be a candidate valid if the signatures were obtained on the petition before the candidate signed the affidavit of intent?

Yes, although this is not specified in statute, the date of filing for the affidavit of intent does not disqualify the validity of the signatures obtained on the petition.

Q7: A potential candidate lives in our school district now, but her voter registration record reflects an earlier address that is outside of the district but in the same county as the district. What should she do?

CASB interprets the law to require the candidate to be a registered voter of the correct district, not county, for at least 12 months before the election. The candidate must also be a resident of the school district and a resident of the director district (if applicable) at the time of the election. So, the candidate is only eligible to run if they have resided in the correct district for at least 12 months and resides in the school district (and director district if applicable) on or before the election. *See* C.R.S. 22-31-107(1).

Q8: Is the Designated Election Official (DEO) responsible for determining a candidate's residency?

Yes. C.R.S. 1-4-501(1). This determination can best be made by checking the candidate's residency in SCORE, which is the statewide online voter registration system. However, as discussed above, the candidate's address in SCORE may not currently reflect the



candidate's residence. We recommend that the DEO contact the school district's attorney if this situation arises.

Q9: Is the DEO responsible for conducting background checks of candidates?

No. State law does not place an affirmative duty on school officials to fingerprint or conduct background checks of school board candidates, although some school districts may choose to do so. A candidate is required to affirm under oath that they meet the qualifications of the office if elected. A person is ineligible to run for the board if they have been convicted of committing a sexual offense against a child. C.R.S. 22-31-107(5)(a).

Q10: Can candidates collect signatures on school grounds?

It depends on the school board's policy. Candidates must comply with all school board policies regarding the collection of signatures and/or distribution of materials on school grounds. School districts must apply these policies equally to all candidates.

Q11: How many petitions may an eligible elector sign?

An eligible elector may sign as many petitions as they may cast votes. For example, if there are candidates circulating petitions from districts B, D, and E, an elector residing in district A may sign one petition from each of those director districts. If there are three candidates running for three at-large seats, then an elector residing in the school district may sign three petitions.

Q12: Who ensures that an eligible elector has not signed too many petitions?

The school district's designated election official (DEO), as part of the DEO's petition verification process. C.R.S. 1-4-908(1).

Q13: How does the DEO determine the sufficiency of signatures on the petition?

The DEO must check each individual petition entry against SCORE, which is the statewide online voter registration system. C.R.S. 1-4-908(1).

The following guidelines, based on the Secretary of State's election rules, found at 8 CCR 1505-1 (Rule 15) and the Election Code, as amended by HB 19-1278, may be used when there are inconsistencies between the name on the entry and the name in SCORE.

Names:

- The name on the petition and name on the master list must be similar in form. The name on the petition will be accepted if it is a common variation of the master list name. The entry is void if the name is not found on the master list.
- If the middle name or initial is on the master list but not on the petition, the entry cannot be rejected for that sole reason, as long as the first and last names are the same on both documents.
- The entry is void if the middle name or initial on the petition is different from the middle name or initial on the master list.



- Entries on the petition or master list, which include or omit designations such as Jr., Sr., II or the like will be accepted. If two individuals with the same name reside at the same residence, the entry is void unless it can be conclusively determined who made the entry.

Addresses:

- Omission of an address indicator, such as “N” for North, is acceptable.
- If the entry contains a mailing address (e.g. P.O. Box) instead of a residence address, the entry is acceptable IF the designated election official is able to locate the signer’s record in SCORE and determine that the signer was eligible to sign the petition. C.R.S. 1-4-908(2.5).

Signatures:

- If both the signature and printed name are illegible and unverifiable, the entry is void.
- If there are duplicate signatures, the first will be counted and the second is void.
- If an elector is unable to sign the petition, he may receive help in completing the task by anyone other than the petition circulator. The person assisting must sign their name and indicate the help given. If there is no statement as to the assistance given, the entry is void.

Date of Signing:

- The signer must be a registered elector; otherwise the entry is void.
- Any signatures entered after the date on the circulator’s affidavit are void.

Miscellaneous:

- If any information on the entry line is omitted, the entry is void.

Q14: When should petitions be verified by the DEO?

Ideally, the same day that the petition is filed with the DEO or as soon as possible – the DEO should keep track of the date when candidates file their petitions because the rule is “first in, first out.” That is, once a candidate files their nomination petition, those eligible electors that the DEO verifies on the filed petition cannot sign another petition for the same seat even if the elector signed the filed petition AFTER signing a petition for the same seat earlier, given the first in, first out rule.

Again, an eligible elector can sign as many petitions as they can cast votes. If an eligible elector signs two petitions for the same director district, then the elector’s signature is VOID on the petition that was filed AFTER the first petition was filed. The same is true for at-large seats. Once an elector has signed three petitions for the three at-large seats that will be on the ballot, the elector cannot sign a fourth petition.

Q15: Can a petition be rehabilitated/cured?

No, due to changes made to the Election Code by [HB 19-1278](#) (eff. 8/2/19), which repealed C.R.S. 1-4-912(1). However, it does not appear that there is any prohibition on a candidate



starting over by circulating a new petition. Accordingly, if time allows, a candidate who has had a petition deemed insufficient may circulate a new petition. Those who signed the first petition that was deemed insufficient may sign the candidate's new petition as long as they didn't sign for a different candidate for the same office.

Q16: When might the DEO suggest the candidate file a write-in affidavit?

When the DEO determines that the candidate has an insufficient number of signatures and that's the only way that the candidate is able to be placed on the ballot, given that the candidate is unable to "cure" the petition. See generally, C.R.S. 1-4-908; 1-4-1102. For this reason, DEOs should encourage candidates to obtain extra signatures on the petition. The CASB sample petitions include extra signature lines.

Q17: Is the district required to post information online about the candidates?

Yes, if the school district has at least 1,000 students enrolled, the district must post information about each board candidate on the district's website. C.R.S. 22-31-107(2.5)(a)(I). Candidate information must be posted "as soon as practicable," but no later than 60 days prior to the election. C.R.S. 22-31-107(2.5)(a)(II). The deadline for posting this year is September 5, 2025.

Information must be organized in alphabetical order by candidate surname and must include the following:

- candidate's name
- residential address
- mailing address, if different from residential address
- email address, if any
- website address, if any
- image of the candidate's written notice of intent to be a school board candidate

The district may provide hyperlinks to the Secretary of State's website, if any of the above information is posted there.

NOTE: CASB's sample form "[Notice of Intent to be a School Board Candidate](#)" includes all of the required information. As a result, a district may choose to simply post the candidate's written notice on its website to meet this statutory requirement. Be sure to white out or delete the candidate's signature on the "Notice of Intent" before posting it on the district's website, to help prevent identity theft.

Candidate Information under Colorado's Open Records Act

Q18: When must the district disclose the names of those who are running for the school board?

Most election forms containing the candidate's signature are confidential under CORA. C.R.S. 24-72-204(8)(a). Specifically, this statute provides: "A designated election official shall not allow a person, other than the person in interest, to inspect the election records of



any person that contain the original signature, social security number, month of birth, day of the month of birth, or identification of that person, including electronic, digital, or scanned images of a person's original signature, social security number, month of birth, day of the month of birth, or identification.

“Election records” includes “accounting forms, certificates of registration, pollbooks, certificates of election, signature cards, all affidavits, voter applications, other voter lists and records, mail ballot return envelopes, voted ballots, unused ballots, spoiled ballots, and replacement ballots.” C.R.S. 1-1-104(11).

State law also provides, “All certificates of designation, petitions, certificates of nomination, acceptances, declinations, and withdrawals are public records as soon as they are filed and are open to public inspection under proper regulation.” C.R.S. 1-4-504.

Based upon these statutory provisions, a newspaper reporter or any other person is not entitled to know who picked up a petition or who is running for a two-year term v. a four-year term. A person is also not entitled to inspect the signed affidavits and notice of intent to be a candidate because these records are confidential.

Once a school board candidate files the nomination petition and acceptance of nomination form with the district, the petition and acceptance of nomination form become public records that are subject to public inspection under C.R.S. 1-4-504.

Regardless, however, of when candidate documents are considered “public records” under CORA, for those districts with 1,000 or more students, the district must post the candidate’s notice of intent (with the candidate’s signature redacted) on the district’s website “as soon as practicable” but no later than September 5, 2025.

Eligible Candidates

Q19: An employee of the district wants to run for the school board. Is that legal?

Yes. Colorado law permits a district employee or a spouse of a district employee to run for the school board. *See Montrose County Sch. Dist. RE-1J v. Lambert*, 826 P.2d 349 (Colo. 1992). However, many school boards have adopted a policy that prevents district employees from serving on the board. In that case, if an employee wins the election, they must decide whether to resign from district employment and serve on the board or remain employed by the district and forego service on the board.

Q20: Can someone run for school board and another elected position at the same time?

It depends. Colorado law states that “no person is eligible to be a candidate for more than one office at one time,” C.R.S. 1-4-501(2). Therefore, a person cannot run for school board and another office, like city council or state representative, in the same election cycle. However, the law does have an exception for special district boards, which include library districts, fire districts, and metropolitan districts. A candidate may run for both a school



board seat and a special district board seat at the same time. For all other offices, running concurrently with a school board position is not allowed.

Post Petition – Before Election

Q21: A candidate that accepted a nomination wants to withdraw from candidacy. Can the candidate do so?

Yes. If a candidate wants to withdraw from the election, they must submit a letter of withdrawal, signed and notarized, to the DEO. C.R.S. 1-4-1001. If the letter is not received in time to take the candidate’s name off of the ballot, any votes cast for the candidate are deemed invalid and will not be counted.

Q22: What if someone wants to challenge the qualifications of a candidate after a petition has been declared sufficient by the DEO?

A petition that has been verified and appears to be sufficient by following the process in the election law shall be deemed valid unless a petition for a review of the validity of the petition is filed with the district court within five days after the DEO has determined that the petition is sufficient. C.R.S. 1-4-909.

Cancelling the Election

Q23: We have seats open in several director districts. In one district, no one is running. Can we cancel the election in one director district?

No. The law allows the cancellation of an election if there are no qualified candidates for ANY of the open seats. C.R.S. 1-5-208(1.5). There is nothing in statute that allows the district to cancel only part of the election. If there are any ballot issues, the candidate election must be held even if there is no contest.

Q24: No petitions were filed in our district for the open seats. However, we did have one write-in candidate. Can we cancel the election?

Yes. The board can cancel the election and declare the write-in candidate to be the winner. The write-in candidate will be “deemed” elected. If there are seats that are not filled at the election, the board will have to declare the seats vacant and go through the process to fill the vacancy after the election.

The Election

Q25: How does the DEO certify the ballot?

At least sixty days before the election, the DEO must certify the ballot order and content to the county clerk and recorder. The ballot will include the names of candidates who have filed a valid petition, the offices for which they are running, and any ballot issues. C.R.S. § 1-5-203(3)(a); 8 CCR 1505-1 Rule 4.5.

Q26: How does the DEO determine the arrangement of candidate’s names on the ballot?



The DEO must determine the order of names by a lot drawing. C.R.S. § 1-5-406. The candidates should be given notice as to when the lot drawing will be held and given the opportunity to attend.

Q27: We have four open seats on our board and eight candidates are running. Our board has an at-large plan of representation. One of the open seats is for a two-year term; the other three open seats are for four-year terms. All of the candidates are running for the four-year term openings. Can we give the fourth highest vote getter the two-year term seat?

No. Because no candidate is running for the two-year term seat, a vacancy is created and must be filled by board appointment. C.R.S. 22-31-129(1)(a). Any of the board candidates who are unsuccessful in the election may express an interest in filling the vacancy, but the board is not required to appoint any of them.

After the Election

Q28: How long does the district need to retain election materials that it has in its possession?

The answer to this question varies depending on the outcome of the election and the record at issue. See the [Colorado State Archives' Municipal Records Retention Schedule](#).

Q29: When should the oath of office be administered and who can do it?

The oath of office can be administered either by the board president, a notary public, or anyone authorized by law to administer oaths. C.R.S. 22-31-125. The oath must be administered no later than 10 days after the final abstract of votes has been prepared and certified which is when the candidate receives the certificate of election. The oath should be filed with the DEO.

Q30: Does the Board certify the election results?

The county canvass board will certify the abstract of the votes cast to the DEO. The DEO will forward the abstract to the board of education. The board accepts the abstract by so noting it in the board minutes.

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| <p>SAMPLE CANDIDATE FORMS</p> <p>Candidate Petition (40 signatures) (English) (Spanish)</p> <p>Candidate Petition (70 signatures) (English) (Spanish)</p> <p>Notice of Intent to be a Candidate</p> <p>Affidavit of School Director Candidate on Qualificice for Office</p> <p>Affidavit of Intent of Write-In Candidate</p> <p>Acceptance of Nomination to be a Candidate</p> | <p>COLORADO SECRETARY OF STATE ELECTION RESOURCES</p> <p>Link to Fair Campaign Practices Act on SoS website</p> <p>Comprehensive Election Calendar on SoS website</p> <p>Elections and Voting page on SoS website</p> |
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This document is a resource for informational purposes only and does not constitute legal advice. Specific questions should be referred to the school district's legal counsel.

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