

ORGANIZATION, PHILOSOPHY AND GOALS

**Policy 0320
(Regulation 0320)
(Form 0320)**

School Board Organization

School Board Elections

The qualified voters of the School District shall annually on the first Tuesday after the first Monday of April, elect two directors for terms of three years, except, effective for Board elections beginning in April of 1993, and each three years thereafter, when three directors shall be elected in compliance with regulations specified in state law.

An election shall not be held if the number of candidates who have filed for the Board is equal to the number of positions available. However, regardless of the number of Board vacancies and Board candidates, if a ballot proposition (i.e., tax levy, bond issue) is on the ballot, an election of Board members must be held. If no election would be held due to the number of candidates equaling the number of vacancies, the District will publish a notice containing the names of the candidates who will assume a Board directorship absent an election. This notice will be published in a newspaper of general circulation in the District on or by March 1 prior to the scheduled election.

Qualified Voters in the School District

An individual must be a registered voter in order to vote in a school election. In order to vote, a person must be eighteen (18) years of age or older, must be a citizen of the United States, and must reside in the School District thirty (30) days.

Candidate Qualification - Method of Filing

Qualified applicants for the Board may file for office beginning at 8:00 a.m. in the Superintendent's office commencing on the seventeenth (17th) Tuesday prior to the election and ending at 5:00 p.m. on the fourteenth (14th) Tuesday before the election. The candidate shall declare his/her intent to become a candidate, in person and in writing to the secretary of the Board of Education. The names of qualified candidates shall be placed on the ballot in the order of filing. The notice of election and certification of candidates must be submitted to the county clerk by the tenth Tuesday prior to the election. Candidates must comply with all of the prevailing laws concerning eligibility and campaign financing.

A candidate who files for one vacancy and later decides to run for another shall be positioned on the ballot according to the time when his/her change of declaration is received by the secretary of the Board, not on the basis of when the first petition was filed.

Candidates must be citizens of the United States and resident taxpayers of the District, reside in the District for one year next preceding their election or appointment, and be at least twenty-four (24) years of age. Candidates will be disqualified from participation in a Board election if, the candidate is delinquent in the payment of any state income taxes, personal property taxes, municipal taxes, real property taxes on the residence of the candidate. Candidates must also complete a notarized copy of Form 0320 - Candidate's Place of Residence attesting that the candidate is not currently aware of any delinquency in the filing or payment of state income taxes, personal property taxes, municipal taxes or real property taxes on the candidate's place of

residence. The candidate must further attest that they are not a past or present corporate officer of the office that owes any taxes to the state, which are not in dispute. Said affidavit (MCE Form 0320) must include a copy of the affidavit with the declaration of candidacy (MCE Form 0320.1). Failure to accurately complete and file Form 5120 with the Department of Revenue may disqualify a candidate from the ballot. Each newly elected or appointed director shall qualify and take his/her oath of office in the manner prescribed by law and according to Policy 0330 - Oath of Office.

No person may be a candidate for a position on the Board if such person is registered as a sex offender or is required to be registered as a sex offender under state law. Any Board member who is likewise required to register, or who is registered as a sex offender under state law will immediately be requested by the Board to resign from the Board. Should such Board member refuse to resign, the member will be ineligible to serve as a Board member at the end of his/her term.

In addition, no person shall qualify as a candidate for the Board of Education, who has been found guilty of, or has pled guilty to a felony or misdemeanor under federal law, or to a felony under Missouri law, or has been found guilty of an offense in another state, which would be considered to be a felony in the State of Missouri.

It is not the District's responsibility to investigate and determine a candidate's eligibility. That responsibility rests with the Department of Revenue and/or the County Election Authority.

Expenditure of District Funds

No contribution or expenditure of District funds will be made directly by any officer, employee, or agent of the District to advocate, support, or oppose the passage or defeat of any ballot measure, or the nomination or election of any candidate for public office, or to direct any public funds to, or pay any debts, or obligations of any committee supporting or opposing such ballot measure or candidates. This policy shall not be construed to prohibit any district official from making public appearances or from issuing press releases concerning such ballot issue.

Creation of Voting Sub-Districts

If the Board wishes to consider division of the District, the Board must first vote on the question of dividing the District. If the question receives four affirmative votes, the Board will develop a proposed plan for voting sub-districts. The plan will comply with the provisions of RSMo. §162.563. In addition, if 10% of the registered voters in the last school board election will submit a petition to subdivide the District into voting sub-districts, election of officials will be notified and an election held.

Newburg R-2 Schools

APPROVED: June 15, 2023