

1 **Browning Public Schools**

2  
3 **Policy #1111**

4 **Policy Name: *School Board Election***

5 **Regulation: -----**

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7 Elections conducted by the District are nonpartisan and are governed by applicable election  
8 laws as found in Titles 13 & 20 of the Montana Code Annotated. The ballot at such  
9 elections may include candidates for trustee positions, various public policy propositions,  
10 and advisor questions.

11  
12 ~~Board elections shall take place on the first (1<sup>st</sup>) Tuesday after the first (1<sup>st</sup>) Monday in May of each~~  
13 ~~year. Any person who is a qualified voter of the District is legally qualified to become a trustee.~~  
14 ~~Any (5-second class and third class or H.S.; 20 – first class) qualified electors may nominate as~~  
15 ~~many trustee candidates as there are trustee positions subject to election at the ensuing election. The~~  
16 ~~name of each person nominated for candidacy shall be submitted to the Clerk of the District not less~~  
17 ~~than forty (40) days prior to the regular school election day at which he/she is to be a candidate. If~~  
18 ~~there are different terms to be filled, the term for which each candidate is nominated shall also be~~  
19 ~~indicated. Any person seeking to become a write-in candidate in a mail ballot election or for a~~  
20 ~~trustee position in a school board election shall file a declaration of intent no later than 5:00 p.m. on~~  
21 ~~the twenty-sixth (26<sup>th</sup>) day before the election. If the number of candidates filing for vacant positions~~  
22 ~~or filing a declaration of intent to be a write-in candidate is equal to or less than the number of~~  
23 ~~positions to be elected, the trustees may give notice no later than twenty five (25) days before the~~  
24 ~~election that a trustee election will not take place. If a trustee election is not held, the trustees shall~~  
25 ~~declare the candidates elected by acclamation and shall issue a “certificate of election” to each~~  
26 ~~candidate.~~

27  
28 Board elections shall take place on the first (1<sup>st</sup>) Tuesday after the first (1<sup>st</sup>) Monday in May  
29 of each year. Any person who is a qualified voter of the District is legally qualified to  
30 become a trustee. A declaration of intent to be a candidate must be submitted to the District  
31 Clerk at least forty (40) days before the regular school election day. If different terms are to  
32 be filled, the term for the position for which the candidate is filing must also be indicated.  
33 Any person seeking to become a write-in candidate for a trustee position shall file a  
34 declaration of intent no later than 5:00 p.m. on the day before the ballot certification  
35 deadline in 20-20-401. If the number of candidates filing for vacant positions or filing a  
36 declaration of intent to be a write-in candidate is equal to or less than the number of  
37 positions to be elected, the trustees may give notice no later than thirty (30) days before the  
38 election that a trustee election will not take place. If a trustee election is not held, the trustees  
39 shall declare the candidates elected by acclamation and shall issue a “certificate of election”  
40 to each candidate.

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42 ~~A candidate intending to withdraw from the election shall send a statement of withdrawal to the clerk~~  
43 ~~of the district containing all information necessary to identify the candidate and the office for which~~  
44 ~~the candidate was nominated. The statement of withdrawal must be acknowledged by the clerk of the~~  
45 ~~district. A candidate may not withdraw less than thirty-eight (38) days before the school election.~~

46  
47 A candidate intending to withdraw from the election shall send a statement of withdrawal to  
48 the clerk of the district containing all information necessary to identify the candidate and the  
49 office for which the candidate filed. The statement of withdrawal must be acknowledged by

1 the clerk of the district. A candidate may not withdraw after 5:00 p.m. the day before the  
2 ballot certification deadline in 20-20-401.

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4 In the event of an unforeseen emergency occurring on the date scheduled for the funding election,  
5 the district will be allowed to reschedule the election for a different day of the calendar year.

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7 In years when the Legislature meets in regular session or in a special session that affects school  
8 funding, the trustees may order the election on a date other than the regular school election day in  
9 order for the electors to consider a proposition requesting additional funding under § 20-9-353, MCA

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12 **Legal Reference:** §13-1-111 MCA

13 §13-10-211 MCA Declaration of intent for write-in candidates

14 §20-20 -204 MCA School Elections

15 §20-20-301 MCA Qualifications of Elector

16 §20-3-303 MCA Term of Vacated Position after Election

17 §20-3-304 MCA Annual election

18 §20-3-305 MCA Candidate qualification, nomination and withdrawal

19 §20-3-313 MCA Election by acclamation – notice

20 §20-3-322 MCA Meetings and quorum

21 §20-3-324(4) MCA Powers and duties

22 §20-3-344 MCA Nomination of candidates by petition in 1<sup>st</sup> class elementary district

23 §20-3-353 MCA Establishment and Purpose of Trustee Nominated Districts

24 §20-9-353 MCA Additional financing for general fund – election for authorization to  
25 impose

26 §20-3-322(5) MCA Meetings and quorum (unforeseen emergency definition)

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30 **Policy History:**

31 Adopted on: 4/30/93

32 Revised on: 6/30/97, 1/12/99, 9/13/05, 6/9/09, 11/8/11, 3/26/14, 3/9/21

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