

BOARD MEMBERS
ELECTIONS

BBB
(LEGAL)

This introductory page outlines the contents of the elections policy.
See the following sections for statutory provisions on:

SECTION I	Elections Generally	pages 2 – 5
	<ol style="list-style-type: none">1. Election dates2. Methods of election, membership, and terms3. Boundary change notice4. Preclearance5. Voting rights hotline	
SECTION II	Conducting An Election	pages 5 – 13
	<ol style="list-style-type: none">1. Election services2. Election order and notices3. Filing information4. Election of unopposed candidate5. Ballot6. Election judges and clerks7. Polling places8. Bilingual materials9. Voting systems10. Early voting11. Conducting elections	
SECTION III	Post-Election Procedures	pages 13 – 15
	<ol style="list-style-type: none">1. Determination of results2. Canvass returns3. Certificate of election4. Officer's statement5. Oath of office	

BOARD MEMBERS
ELECTIONS

BBB
(LEGAL)

SECTION I: ELECTIONS GENERALLY

GENERAL ELECTION
DATES

Election of board members of a college district shall be on one of the following dates:

1. The second Saturday in May.
2. The first Tuesday after the first Monday in November.

Election Code 41.001

CHANGING TO
NOVEMBER
ELECTION DATE

A college district board that holds its general election for officers in May is authorized to change its general election for officers to the November uniform election date. The board must take such action not later than December 31, 2012. A college district that changes its election date under this provision shall adjust the terms of office to conform to the new election date. *Election Code 41.0052(a)-(b)*

JOINT ELECTIONS
ADMINISTRATOR

The College District may seek to create the position of joint elections administrator under Election Code Chapter 31, Subchapter F. *Election Code 31.152*

MEMBERSHIP

The number of members of a college district board shall be either seven or nine, in accordance with the laws applicable to the college district on the effective date of the Education Code or on the date of the creation of a new college district or a new board.

INCREASE IN
MEMBERSHIP

Any seven-member board may be increased to nine, and the two additional members shall be appointed by resolution or order of the board for terms of office as prescribed in Education Code 130.082(e).

Education Code 130.082(d)

TERMS

The basic term of office of a member of the Board shall be six years. *Education Code 130.082(e)*

METHODS OF
ELECTION

Election of Board members shall be by at-large positions, except as otherwise provided. *Education Code 130.082(f), (h)*

AT-LARGE
POSITIONS

One-third of the members of the Board shall be elected at large in the College District at regular elections in accordance with Education Code 130.082(e)-(g), provided that with a seven-member board two members shall be elected in two consecutive even-numbered years and three members shall be elected in the following even-numbered year. *Education Code 130.082(e)-(g)*

SINGLE-MEMBER
DISTRICTS
GENERALLY

The Board may order that all or a majority of the board members of the college district be elected from single-member trustee districts. The order must be entered not later than the 120th day before the day of the first election of board members from single-member trustee districts.

BOARD ORDER

BOARD MEMBERS
ELECTIONS

BBB
(LEGAL)

TRUSTEE
DISTRICTS

If the Board orders that Board members shall be elected from single-member trustee districts, the Board shall divide the College District into the appropriate number of trustee districts, based on the number of members of the Board that are to be elected from single-member districts, and shall number each trustee district.

The trustee districts must be compact and contiguous and must be as nearly as practicable of equal population according to the last preceding federal census. Trustee districts must be drawn not later than the 90th day before the day of the first election of Board members from single-member districts.

The Board may provide for Board members holding office on the date of the initial election of Board members from single-member districts to serve the remainder of their terms and to represent a trustee district for that term without having residency in that trustee district.

Unless the Board has made provision for Board members to complete their term, as described above, residents of each trustee district are entitled to elect one Board member to the Board. A candidate for Board member must be a resident of the trustee district the candidate seeks to represent.

REDISTRICTING

Not later than the 90th day before the day of the first regular Board member election at which Board members may officially recognize and act on the last preceding federal census, the Board shall redivide the College District into the appropriate number of trustee districts if the census data indicates that the population of the most populous district exceeds the population of the least populous district by more than ten percent. Redivision of the College District shall be in the manner provided for the initial division of the College District.

After each redistricting, all positions on the Board shall be filled unless the Board determines that Board members shall be elected from the new trustee districts as provided by Education Code 130.0826. The Board members then elected shall draw lots for staggered terms as provided by Education Code 130.082.

The board of any college district that elects some or all of its members from single-member districts and in which the board members serve staggered terms may provide for the board members in office at the first election after the college district is redistricted to serve for the remainder of their terms in accordance with Education Code 130.0826.

If the Board provides for the Board members in office to serve for the remainder of their terms in accordance with Education Code

BOARD MEMBERS
ELECTIONS

BBB
(LEGAL)

130.0826, the trustee districts established by the redistricting plan shall be filled as the staggered terms of Board members in office expire. When the Board adopts a redistricting plan, the Board shall determine from which new trustee district the position of each Board member in office will be filled as it becomes vacant.

Education Code 130.0826 does not authorize a Board member of the college district to continue in office after a redistricting plan takes effect if the member no longer resides in the district from which the Board member was elected.

APPLICABILITY

This method of election does not apply to a college district to which Education Code 130.081, 130.083, 130.0821, or 130.088 applies, or to a college district required by other law to elect board members from single-member districts. This method of election does not apply to the election of board members in any college district in which the election of board members is governed by a court order so long as that order remains in effect. This method of election does apply to a college district governed by a separate board.

Education Code 130.0822, .0826

SINGLE-MEMBER
DISTRICTS IN
CERTAIN COUNTIES

The members of the governing board of a countywide college district that contains a city with a population of more than 384,500 residents shall be elected from single-member trustee districts in accordance with Education Code 130.0821. *Education Code 130.0821(a)*

ELECTION BY
POSITION

A college district that elects a governing board of seven members, with four members elected from respective commissioner precincts and three members elected at large, may order that the board members elected at large be elected instead by position. The order must be entered not later than the 120th day before the first election of a board member by position. The Board may provide for Board members holding office on the date of the initial election of Board members by position to serve the remainder of their terms and to represent a position for that term. *Education Code 130.0823*

The board of a college district with a population of greater than one million may require that a candidate's application be accompanied by a filing fee not to exceed \$200 or a petition signed by a number of registered voters of the college district not to exceed 200 as determined by the board. *Education Code 130.044(g)*

BOUNDARY CHANGE
NOTICE

A college district that changes its boundaries or the boundaries of districts used to elect members to the board shall not later than the 30th day after the date the change is adopted:

BOARD MEMBERS
ELECTIONS

BBB
(LEGAL)

1. Notify the voter registrar of the county in which the area subject to the boundary change is located of the adopted boundary change; and
2. Provide the voter registrar with a map of an adopted boundary change in a format that is compatible with the mapping format used by the registrar's office.

Election Code 42.0615

PRECLEARANCE

The Board, being subject to the provisions of the Voting Rights Act of 1965, shall submit any changes that affect elections to the U.S. Justice Department for preclearance and shall implement such changes unless the Justice Department interposes an objection within 60 days after the date of submission. *42 U.S.C. 1973c; 28 CFR 51.6; Garza v. Gates, 482 F. Supp. 1211 (W.D. Tex. 1980)*

NOTICE OF VOTING
RIGHTS HOTLINE

A notice of voters' rights, in the form prescribed by the secretary of state and including information required by the secretary of state, shall be publicized as provided by the secretary of state. The notice shall, in part, inform voters of the telephone number and purpose of the secretary of state's toll-free hotline for reporting existing or potential abuse of voting rights. *Election Code 31.0055, 62.0115*

SECTION II: CONDUCTING AN ELECTION

ELECTION SERVICES

If requested to do so by the College District, a county elections administrator shall enter into a contract to furnish election services, as set forth at Election Code Chapter 31, Subchapter D. A county elections administrator is not required to enter into a contract to furnish election services for an election held on the second Saturday in May in an even-numbered year. *Election Code 31.093(a), 41.001(d)*

ELECTION ORDER

The Board shall call the election not later than the 71st day before election day, except that for an election to be held on the date of the general election for state and county officers (the November uniform election date of even-numbered years), the election shall be called not later than the 78th day before the election day. The Board shall order an election. *Election Code 3.004-.005, 41.002*

Each election order must state the date of the election, the offices or measures to be voted on, the location of the main early voting polling place, the dates and hours for early voting, the dates and hours of any Saturday and Sunday early voting, and the early voting clerk's official mailing address. The Board shall retain the election order for at least 22 months after election day. *Election Code 3.006, .008, 66.058(a), 83.010, 85.004, .007*

BOARD MEMBERS
ELECTIONS

BBB
(LEGAL)

FAILURE TO ORDER AN ELECTION	Failure to order a general election does not affect the validity of the election. <i>Election Code 3.007</i>
ELECTION NOTICE CONTENTS	<p>The notice of the election shall state:</p> <ol style="list-style-type: none">1. The nature and date of the election;2. The location of each polling place;3. The hours the polls will be open;4. For early voting:<ol style="list-style-type: none">a. The location of the main early voting polling place, as determined under Election Code 85.002;b. The dates and hours for early voting, including the dates and hours of any Saturday and Sunday early voting; andc. The early voting clerk's official mailing address. <p><i>Election Code 4.004(a), 83.010, 85.004, .007</i></p>
NOTICE OF SPECIAL ELECTION	The notice of a special election must also state each office to be filled or the proposition stating each measure to be voted on. <i>Election Code 4.004(b)</i>
PUBLICATION	Notice of the election shall be posted in at least three public places in the College District and shall also be published at least once, not earlier than the 30th day or later than the tenth day before election day, in a newspaper published within the College District's boundaries or in a newspaper of general circulation in the College District if none is published within the College District's boundaries. A board shall retain a copy of the published notice that contains the name of the newspaper and the date of publication. The Board shall preserve that copy for at least six months after election day. <i>Election Code 4.003(a)(1), (c), .005(a), 66.058(a)(2); Education Code 130.082(f)</i>
POSTING	In addition to the notice described above, the College District shall, not later than the 21st day before election day, post a copy of the notice on the bulletin board used for posting notices of the meetings of the Board. The notice must remain posted continuously through election day. The notice must include the location of each polling place. The person posting the notice shall make a record at the time of posting stating the date and place of posting. The person shall sign the record and deliver it to the Board after the last posting is made. <i>Election Code 4.003(b), .005(b)</i>

BOARD MEMBERS
ELECTIONS

BBB
(LEGAL)

NOTICE TO COUNTY CLERK AND VOTER REGISTRAR The Board shall also deliver notice of the election to the county clerk and voter registrar of each county in which the College District is located not later than the 60th day before election day. *Election Code 4.008(a)*

NOTICE TO ELECTION JUDGE Not later than the 15th day before election day or the seventh day after the date the election is ordered, whichever is later, the Board shall deliver to the presiding judge of each election precinct in which the election is to be held in the College District a written notice of:

1. The nature and date of the election;
2. The location of the polling place for the precinct served by the judge;
3. The hours that the polls will be open;
4. The judge's duty to hold the election in the precinct specified by the notice; and
5. The maximum number of clerks that the judge may appoint for the election.

Election Code 4.007

FAILURE TO GIVE NOTICE OF ELECTION Failure to give notice of a general election does not affect the validity of the election. *Election Code 4.006*

FILING INFORMATION
NOTICE TO CANDIDATES The College District shall post notice of the dates of the filing period in a public place in a building where applications are filed not later than the 30th day before the last day on which a candidate may file an application for a place on the ballot. This requirement does not apply to an office to be filled at the general election for state and county officers (the November uniform election date of even-numbered years). *Election Code 41.002, 141.040*

GENERAL ELECTION An application for a place on the ballot may not be filed earlier than the 30th day before the date of the filing deadline. Any resident, qualified elector of the College District may have his or her name placed as a candidate on the official ballot for any position to be filled at each regular election by filing a written application, signed by the candidate, with the Secretary of the Board not later than 5:00 p.m. of:

1. The 78th day before election day, if the election is to be held on the date of the general election for state and county officers (the November uniform election date of even-numbered years); or

BOARD MEMBERS
ELECTIONS

BBB
(LEGAL)

2. The 71st day before election day, if the election is to be held on any other uniform election date.

Education Code 130.082(g); Election Code 41.002, 144.005

SPECIAL ELECTION

An application for a place on a special election ballot may not be filed before the election is ordered.

An application must be filed not later than:

1. 5:00 p.m. of the 62nd day before election day if election day is on or after the 70th day after the election is ordered;
2. 5:00 p.m. of the 31st day before election day if election day is on or after the 36th day and before the 70th day after the date the election is ordered; or
3. 5:00 p.m. of a day fixed by the College District, which day must not be earlier than the fifth day after the date the election is ordered and not later than the 20th day before election day if election day is before the 36th day after the date the election is ordered.

EXCEPTION

For a special election to be held on the date of the general election for state and county officers (the November uniform election date of even-numbered years), the day of the filing deadline is the 75th day before election day.

Election Code 41.002, 201.054(a), (d), (f)

WRITE-IN
CANDIDACY

A declaration of write-in candidacy must be filed not later than 5:00 p.m. of:

1. The 74th day before election day, if the election is to be held on the date of the general election for state and county officers (the November uniform election date of even-numbered years); or
2. The 71st day before election day, if the election is to be held on any other uniform election date.

Education Code 130.0825(b); Election Code 41.002, 146.054

APPLICATION

The application must state the number of the position for which the candidate is filing or the name of the incumbent member of the board holding the position sought. The application shall include all statutorily required information, including that found at Election Code 141.031 and 141.039, such as an oath and a statement that the candidate is aware of the nepotism law. [See BBBB] The candidate shall be eligible to run for only one position in each election.
Education Code 130.082(g); Election Code 31.0021, 141.031, .039

BOARD MEMBERS
ELECTIONS

BBB
(LEGAL)

ELECTION OF
UNOPPOSED
CANDIDATE

The Board may declare each unopposed candidate elected if each candidate for an office that is to appear on the ballot is unopposed.

For purposes of determining whether all offices on a ballot are unopposed, a special election of the College District is considered to be a separate election with a separate ballot from:

1. A general election for officers of the College District held at the same time as the special election; or
2. Another special election of the College District held at the same time as the special election.

SINGLE-MEMBER
DISTRICTS

If any members of the Board are elected from single-member districts, the unopposed candidate procedures apply to the election in a particular single-member district if each candidate for an office that is to appear on the ballot in that single-member college district is unopposed and no opposed at-large race is to appear on the ballot.

Election Code 2.051

PROCEDURE FOR
CANCELING
ELECTION

The Board may declare each unopposed candidate elected to the office upon receipt of certification from the authority responsible for having the official ballot prepared. The certification must state that if the election were held, only the votes cast for that candidate in the election for that office may be counted. If the Board makes such a declaration, the election is not held. *Election Code 2.052, .053(a)–(b)*

If no election is to be held by the College District on election day, a copy of the order shall be posted on election day at each polling place used or that would have been used in the election.

If a Board member election has been canceled but a separate election is to be held by the College District on election day, the ballots used at the separate election shall include the offices and names of the candidates declared elected. The offices and names of unopposed candidates shall be listed separately, after the measures or contested races in the separate election, under the heading “Unopposed Candidates Declared Elected.” The candidates shall be grouped in the same relative order prescribed for the ballot generally. No votes are cast in connection with the unopposed candidates.

Election Code 2.053(a), (c)

BALLOT

The ballot shall be printed in the form required by law. *Election Code 52.061–.064, .069, .093–.094*

BOARD MEMBERS
ELECTIONS

BBB
(LEGAL)

BALLOT POSITION	The location on the ballot of the names of the candidates for each position shall be chosen by lot by the Board. The candidate shall be eligible to run for only one position in each election. <i>Education Code 130.082(g)</i>
ELECTION JUDGES AND CLERKS	<p>The Board shall appoint election judges and set the maximum number of election clerks. The judges and clerks shall be selected and serve in accordance with Election Code Chapter 32. <i>Election Code Chapter 32</i></p> <p>The nepotism prohibitions [see DBE] do not apply to appointment of an election clerk under Election Code 32.031 if the clerk is not related in the first degree by consanguinity or affinity to an elected official of the College District. <i>Gov't Code 573.061(8)</i></p>
POLLING PLACES	<p>The Board shall designate polling places. Each polling place shall be accessible to and usable by the elderly and physically disabled. <i>Election Code 43.004, .034</i></p> <p>If the College District holds an election on the November uniform election date, the College District shall follow procedures from the secretary of state and designate as the polling places for the election the regular county polling places in the county election precincts that contain territory from the College District. <i>Election Code 42.002(a)(5), .0621, 43.004(b)</i></p>
POSTING SIGNS PROHIBITED	A person other than an election officer commits an offense if the person posts a sign, card, poster, or similar material at a polling place, including the area within 100 feet of an outside door through which a voter may enter the building in which the polling place is located. <i>Election Code 62.013(b)</i>
USE OF CERTAIN DEVICES PROHIBITED	A person may not use a wireless communication device or any mechanical or electronic means of recording images or sound within 100 feet of a voting station.
EXCEPTION	<p>The prohibition does not apply to:</p> <ol style="list-style-type: none">1. An election officer in conducting the officer's official duties;2. The use of election equipment necessary for the conduct of the election; or3. A person who is employed at the location in which a polling place is located, while the person is acting in the course of the person's employment. <p><i>Election Code 61.013</i></p>
BILINGUAL MATERIALS SPANISH	Bilingual election materials shall be used in each election precinct situated wholly or partly in a county in which five percent or more of

BOARD MEMBERS
ELECTIONS

BBB
(LEGAL)

the inhabitants are persons of Spanish origin or descent according to the most recent federal decennial census that may be officially recognized or acted upon by the state or political subdivisions.

Election Code 272.002

An election precinct may apply for an exemption from the requirement to provide election materials in Spanish if official census information or other information indicates that persons of Spanish origin or descent comprise less than five percent of the precinct's inhabitants. *Election Code 272.003*

OTHER
LANGUAGES

If the director of the census determines that the College District must provide election materials in a language other than English or Spanish, the College District shall provide election materials in that language in the same manner in which the College District would be required to provide materials in Spanish, to the extent practicable. *Election Code 272.011; 42 U.S.C. 1973aa-1a*

VOTING SYSTEMS

A voting system shall be selected and utilized in accordance with Election Code Title 8. *Election Code Title 8*

VOTING MACHINES
AND PUNCH-CARD
BALLOTS

A voting system may not be used in an election if the system uses mechanical voting machines or a punch-card ballot or similar form of tabulating card. *Election Code 122.001(d)*

VOTERS WITH
DISABILITIES

ACCESSIBLE
VOTING
STATIONS

Each polling place must provide at least one voting station that complies with Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Section 794) and its subsequent amendments, and the requirements for accessibility under 42 U.S.C. Section 15481(a)(3) and its subsequent amendments, and Title II of the federal Americans with Disabilities Act (42 U.S.C. Section 12131 et seq.) and its subsequent amendments and that provides a practical and effective means for voters with physical disabilities to cast a secret ballot. *Election Code 61.012(a)*

ELECTRONIC
VOTING SYSTEM
EXCEPTIONS

Upon providing the notice detailed in Election Code 61.013(d), a college district is not required to meet the requirements for accessibility under 42 U.S.C. Section 15481(a)(3) and its subsequent amendments if the college district's election is not held jointly with another election in which a federal office appears on the ballot and if the college district is located in a county:

1. With a population of less than 2,000;
2. With a population of 2,000 or more but less than 5,000, and the college district provides at least one voting station that meets the requirements for accessibility under 42 U.S.C. Section 15481(a)(3) on election day;

BOARD MEMBERS
ELECTIONS

BBB
(LEGAL)

3. With a population of 5,000 or more but less than 10,000, and the college district provides at least one voting station that meets the requirements for accessibility under 42 U.S.C. Section 15481(a)(3) on election day and during the period for early voting by personal appearance;
4. With a population of 10,000 or more but less than 20,000, and the college district:
 - a. Makes a showing in the manner provided by Election Code 61.103(c) that compliance with Section 61.012(a)(1)(C) constitutes an undue burden on the county;
 - b. Provides at least one voting station that meets the requirements for accessibility under 42 U.S.C. Section 15481(a)(3) on election day and during the period for early voting by personal appearance; and
 - c. Provides a mobile voting station that meets the requirements for accessibility under 42 U.S.C. Section 15481(a)(3) that during the period for early voting by personal appearance is deployed at least once at each polling place used for early voting by personal appearance.

For purposes of the above requirement, a college district located in more than one county may choose:

- a. To be considered located in the county that contains the greatest number of registered voters of the college district; or
- b. For each portion of the college district located in a different county, to be considered a separate political subdivision.

Election Code 61.013

MULTIPLE
VOTING
SYSTEMS
PERMITTED

The College District may use more than one type of voting system in a single polling place in order to provide a person with physical disabilities with a method of casting a secret ballot. *1 TAC 81.55* [See GL]

VOTING SYSTEM
MALFUNCTION

If no private vendor supports the College District's voting system, the College District must give notice to the secretary of state within 24 hours of a malfunction of the College District's voting system software or equipment in an election. The notice may be verbal or in writing. *1 TAC 81.64*

BOARD MEMBERS
ELECTIONS

BBB
(LEGAL)

EARLY VOTING

The Board shall provide for early voting in Board elections by personal appearance at an early voting polling place and by mail in accordance with Election Code Title 7. *Election Code 81.001*

CONDUCTING
ELECTIONS

Elections shall be conducted in accordance with Election Code Title 6. *Election Code Title 6*

SECTION III: POST-ELECTION PROCEDURES

DETERMINATION OF
RESULTS

MAJORITY

A candidate receiving a majority of the votes cast for all candidates for a Board member position shall be declared elected. If no candidate receives such a majority, then the two candidates receiving the highest number of votes shall run against each other for the position. *Education Code 130.082(g); Atty. Gen. Op. M-1101 (1972)*

RUNOFF
ELECTIONS

If no candidate receives a majority of the votes cast for all candidates for a position, then the two candidates receiving the highest number of votes shall run against each other for the position. The runoff election for all positions shall be held not earlier than the 20th day or later than the 45th day after the date the final canvass of the main election is completed. *Education Code 130.082(g); Election Code Chapter 2, Subchapter B*

WRITE-IN VOTING

Subchapter B, Chapter 146, Election Code, applies to write-in voting in an election for members of the governing body except to the extent of a conflict with this section. In a general or special election for members of the governing body of the college district, a write-in vote may not be counted for a person unless the person has filed a declaration of write-in candidacy with the Secretary of the Board in the manner provided for write-in candidates in the general election for state and county officers. *Education Code 130.0825(a), (c)*

TIE VOTES

In accordance with Election Code 2.002, if two or more candidates for the same office tie for the number of votes required to be elected, a second election to fill the office shall be held, unless the candidates agree to cast lots, one candidate withdraws, or an automatic recount resolves the tie. *Election Code 2.002*

CANVASS RETURNS

Except as provided below, the Board shall canvass the returns at the time set by the presiding officer not earlier than the eighth day or later than the 11th day after election day.

For an election held on the uniform election date in May, the local canvass must occur not later than the 11th day after election day and not earlier than the later of:

1. The third day after election day;

BOARD MEMBERS
ELECTIONS

BBB
(LEGAL)

2. The date on which the early voting ballot board has verified and counted all provisional ballots, if a provisional ballot has been cast in the election; or
3. The date on which all timely received ballots cast from addresses outside of the United States are counted, if a ballot to be voted by mail in the election was provided to a person outside of the United States.

Two members of the Board constitute a quorum for purposes of canvassing an election.

Election Code 67.003, .004(a)

CERTIFICATE OF
ELECTION

After the completion of a canvass, the presiding officer shall prepare a certificate of election for each candidate who is elected to an office for which the official result is determined by that authority's canvass. A certificate of election must contain:

1. The candidate's name;
2. The office to which the candidate is elected;
3. A statement of election to an unexpired term, if applicable;
4. The date of the election;
5. The signature of the officer preparing the certificate; and
6. Any seal used by the officer preparing the certificate to authenticate documents that the officer executes or certifies.

The authority preparing a certificate of election shall promptly deliver it to the person for whom it is prepared, subject to the submission of a recount petition.

A recount petition shall delay the issuance of a certificate of election and qualification for the office involved in the recount pending completion of the recount. A candidate may not qualify for an office involved in a recount before completion of the recount. A candidate who has received a certificate of election and qualified for an office before the submission of a recount petition shall not be affected by the recount petition.

A certificate of election may not be issued to a person who has been declared ineligible to be elected to the office.

The presiding officer of the canvass shall also prepare a report of the precinct results as contained in the election register and shall deliver the report to the secretary of state as required by law.

Election Code 67.016-.017, 212.0331

BOARD MEMBERS
ELECTIONS

BBB
(LEGAL)

CERTIFICATE OF
ELECTION FOR
UNOPPOSED
CANDIDATE

A certificate of election shall be issued to each unopposed candidate in the same manner and at the same time as provided for a candidate elected at the election. The candidate must qualify for the office in the same manner as provided for a candidate elected at the election. *Election Code 2.053(c)*

OFFICER'S
STATEMENT

Newly elected and appointed Board members, before taking the oath or affirmation of office and entering upon the duties of office, shall sign the required officer's statement. The statement shall be retained with the official records of the office. *Tex. Const. Art. XVI, Sec. 1(b)* [See BBB(EXHIBIT)]

OATH OF OFFICE

After the statement has been signed and certificates of election have been issued, but before entering upon the duties of the office, the Board member shall take the oath or affirmation of office and shall file it with the President of the Board. *Tex. Const. Art. XVI, Sec. 1(a); Education Code 11.061* [See BBB(EXHIBIT)]

The oath may be administered and a certificate of the fact given by the individuals listed at Government Code 602.002, including:

1. A judge, retired judge, or clerk of a municipal court.
2. A judge, retired judge, senior judge, clerk, or commissioner of a court of record.
3. A notary public.
4. A justice of the peace or clerk of a justice court.
5. An associate judge, magistrate, master, referee, or criminal law hearing officer.
6. The secretary of state or a former secretary of state.
7. The speaker of the house of representatives or a former speaker of the house of representatives.
8. The lieutenant governor or a former lieutenant governor.
9. The governor or a former governor.
10. A legislator or retired legislator.
11. The attorney general or a former attorney general.

Gov't Code 602.002