

OFFICE OF THE SUPERINTENDENT

Millburn Public Schools

INFORMATION ITEM

May 3, 2010

To: Board of Education Members

From: Ellen E. Mauer, PhD

Subject: First Reading-School District Elections-2:30

This policy has been updated for two changes. The first is the addition of language regarding conflicting holiday dates for Passover and that the canvassing of votes must be done within 21 days after the election. The second is the deletion of the 7 day rule as listed in numbers 1-3.

We ask that you use this as your first reading period and then put this on the next BOE meeting agenda for a second reading and approval.

School Board

School District Elections ¹

School District elections are non-partisan, governed by the general election laws of the State, and include the election of School Board members, various public policy propositions, and advisory questions. ² Board members are elected at the consolidated election held on the first Tuesday in April in odd-numbered years. ³ If, however, that date conflicts with the celebration of Passover, the consolidated election is postponed to the first Tuesday following the last day of Passover. ⁴ The canvass of votes is conducted by the election authority within 21 days after the election. ⁵

The Board's election duties are:

1. The Board, by proper resolution, may place public policy propositions on the ballot. ⁶
2. The Board President, Secretary, and the member with the longest continuous service, whose nominating petition is not being challenged, compose the Education Officers Electoral Board to hear and rule on objections to candidate nominating petitions and voter petitions. ⁷
3. The Board Secretary or clerk serves as the local election official, assisted by designated representatives appointed by the Board. ⁸

LEGAL REF.: 10 ILCS 5/1-3, 5/2A-1.1 et seq., 5/10-9, 5/22-17, 5/22-18, and 5/28-1 et seq.
105 ILCS 5/9-1 et seq.

CROSS REF.: 2:40 (Board Member Qualifications), 2:50 (Board Member Term of Office),
2:210 (Organizational School Board Meeting)

The footnotes are not intended to be part of the adopted policy; they should be removed before the policy is adopted.

¹ State or federal law controls this policy's content.

² 105 ILCS 5/9-1 et seq., 10 ILCS 5/1-3, 5/2A-1.1 et seq., and 5/28-1 et seq.

³ 10 ILCS 5/2A-1.1.

⁴ 10 ILCS 5/2A-1.1a.

⁵ All local canvassing boards were abolished in 2006. The School Code provision (5/9-18) requiring school boards to canvass was repealed by P.A. 95-141. The appropriate "election authority" (county clerk or election commission) canvasses the vote for school district elections (10 ILCS 5/1-8). The election authority must canvass the vote within 21 days after the election (10 ILCS 5/22-17 and 5/22-18, as amended by P.A. 94-647). Within 28 days after the consolidated election, boards must hold an organizational meeting to elect electing officers and fix a time and place for the regular meetings (105 ILCS 5/10-16). See policy 2:210, *Organizational School Board Meeting*.

⁶ To place a proposition on the ballot at a referendum, a Board must adopt a resolution citing the specific authorizing statute (10 ILCS 5/28-1 et seq.).

⁷ 10 ILCS 5/10-9.

⁸ 10 ILCS 5/10-1 et seq. and 5/17-22; 105 ILCS 5/9-1 et seq.

Board of Education

Board of Education Elections

Elections conducted by the School District are non-partisan elections governed by the general election laws of the State and include the election of Board of Education members, various public policy propositions, and advisory questions. Board of Education members are elected at the consolidated election held on the first Tuesday in April in odd-numbered years.

The Board of Education's election duties are:

1. The Board, by proper resolution, may place public policy propositions on the ballot.
2. The Board President, Secretary, and the member with the longest continuous service whose nominating petition is not being challenged, compose the Education Officers Electoral Board to hear and rule on objections to candidate nominating petitions and voter petitions.
3. Within 7 days after any election held in the District, the Board must canvass the votes and declare the results.
4. The Board Secretary or clerk serves as the local election official, assisted by designated representatives appointed by the Board.

LEGAL REF.: 10 ILCS 5/1-3, 5/2A - 1.1 et seq., 5/10-9, 5/22-17, and 10 ILCS 5/28-1 et seq.

105 ILCS 5/9-1 et seq.

CROSS REF.: 2:40 (Board Member Qualifications)

ADOPTED: May 20, 2002