

2024 SCHOOL BOARD ELECTION RESOURCES GUIDE



KSBA

KENTUCKY SCHOOL BOARDS
ASSOCIATION



Each election year the Kentucky School Boards Association assembles updated information regarding the election process and related issues for school leaders and board members. For more than a decade, KSBA has conveniently offered these resources as a benefit to members, school districts and the public. Once again, these materials are available for viewing/downloading at [KSBA.org](https://ksba.org). If you have questions, please contact KSBA Staff Attorney John Powell at john.powell@ksba.org or 1-800-372-2962 ext. 1112.

The 2024 School Board Election Resources Guide provides general information. For legal advice, a county clerk or prospective school board candidate should contact his or her own legal counsel.

2024 School Board Election Resources Guide

prepared by the
Kentucky School Boards Association
260 Democrat Drive
Frankfort, KY 40601
Phone: 800-372-2962 | ksba.org

Note: Legislation passed during the 2024 Regular Session of the Kentucky General Assembly will impact several items included in this resource guide, but most of those changes will not go into effect until July 15, 2024 (after the June 4, 2024 school board election filing deadline).

© 2021 by the Kentucky School Boards Association
Revised: May 2024

Table of Contents

4	Election filing checklist
---	---------------------------

About school board service

6	What candidates should know about board service
11	Major roles of school boards and school councils
13	Summary of board member qualifications and conflicts rules

Election filing, finance and transcript requirements

15	Filing for candidacy for school board – Regular election on Nov. 5, 2024
16	Independent school district elections
17	Summary of election finance law requirements for school board candidates
18	Responsibilities of school board candidates to comply with campaign finance laws
20	Electronic submission of election finance reports
21	Guidance regarding confidentiality of transcripts/academic records
23	Frequently asked questions about transcript requirements
28	The dos and don'ts of school board campaigning

Sample forms and election information

34	Office of the Secretary of State letter to potential candidates
35	Nonpartisan Board of Education (School Board Member) Candidates General Election
36	Nominating petition (sample)
37	Kentucky Registry of Election Finance – Notice and Instructions to All Candidates
38	Affidavit for School Board Candidacy and Membership (sample)
39	2022 Kentucky election calendar

Oaths of office

49	Information regarding the required oaths of office
51	Statutory Oath for Board of Education Member
52	Constitutional Oath for Board of Education Member
53	Certification of Administering of Official Oath



2024 School Board Election Filing Checklist

☐

Review KSBA's online school board election resources:

ksba.org/RunningforSchoolBoardinKentucky.aspx

Obtain/complete the documents needed to file:

☐

Copy of high school transcript, obtained from school district or other educational institution, showing completion of 12th grade or 12th grade equivalency results.

Beginning July 15, 2024, those wishing to file for school board elections may submit a signed affidavit affirming completion of the 12th grade as an alternative to a transcript. Until then, official high school transcripts are still required of school board candidates.

☐

Appointment of Campaign Treasurer & Optional Request for Reporting Exemption, obtained from Kentucky Registry of Election Finance at kref.ky.gov. Complete and submit to the registry electronically. Print out completed copy and file with county clerk along with other filing materials.

☐

Affidavit for School Board Candidacy & Membership obtained from county clerk.

☐

Nominating Petition obtained from county clerk.

☐

\$20 filing fee.

Filing deadline: June 4, 2024 at 4 p.m.



ABOUT SCHOOL BOARD SERVICE

**20
24** | SCHOOL
BOARD
ELECTION
RESOURCES
GUIDE



KSBA

KENTUCKY SCHOOL BOARDS
ASSOCIATION

What candidates should know about board service

In Kentucky, school board members work as a team to govern the activities of their school district by setting policy and providing resources to help every student learn. The focus of every decision or action of the board should reflect commitment to improving student achievement in the district. Local boards of education represent their communities in overseeing local schools as part of the state system of public elementary and secondary education. School boards are governmental bodies and subject to both federal and state constitutions, laws and regulations.

This document outlines the topics that anyone considering board service should consider. Topics include:

1. Structure of school boards in Kentucky
2. Knowledge, skills and traits of school board members
3. Responsibilities of a school board member
4. Code of ethics
5. Board training requirements
6. Compensation
7. Frequently Asked Questions

Structure of school boards in Kentucky

- In general (but with a few exceptions) boards of education in Kentucky consist of five members.
- Members are elected on a nonpartisan ballot in even-numbered years.
- Members serve four-year terms – staggered so that the terms of not more than three members of a local board expire at the same time.
- Independent school districts elect board members at large; county school districts elect board members from divisions.

Knowledge, skills and traits of school board members

A Kentucky school board member should:

- Be knowledgeable or willing to learn more about public education, the local district, student achievement, and board member roles and responsibilities.
- Have the skills to analyze, collaborate, communicate and think critically.
- Know how to work as a team: listen, agreeably disagree, manage change and solve problems.
- Be creative, dependable, honest, humble, respectful, supportive, understanding and visionary.
- Understand how to deal with the media and be willing to work with them.
- Set clear expectations.
- Provide support for the work.

- Hold the system accountable.
- Engage the community.
- Learn as a team.

Responsibilities of a school board member

- District leadership, fiscal management, district policies, community engagement
- Adopt the school calendar – Kentucky Revised Statutes 158.070
- Set graduation requirements – KRS 158.140
- Adopt a discipline code for all students – KRS 158.148
- Expel students – KRS 158.150
- Exercise “corporate” powers – KRS 160.160 and KRS 160.290
- Appoint the superintendent – KRS 160.290 and KRS 160.350
- Set qualifications, duties and compensation of positions – KRS 160.290
- Generate various reports and adopt various policies – KRS 160.340
- Adopt a policy for implementing school-based decision making – KRS 160.345
- Allocate adequate resources to each school – KRS 160.345
- Levy taxes – KRS 160.460
- Hold demotion hearings for administrators – KRS 161.765
- Grant leaves of absence to employees – KRS 161.770
- Annually evaluate the superintendent - KRS 156.557

Code of ethics

KSBA’s board of directors adopted a school board member “Code of Ethical Conduct” in 2013, which reads:

As a member of the local board of education, acknowledging that my actions must be centered on the educational welfare of all students, I shall adhere to the following ethical standards:

- Be fair, just and impartial in all of the decisions as a school board member.
- Come to every meeting prepared for the work to be undertaken at that session.
- Accord other members, parents and the community with respect.
- Seek involvement in my decision making by those I have been elected to represent.
- Uphold all laws, regulations and final court orders pertaining to schools and related processes.
- Be honest with my colleagues, district personnel, my constituents and other interested parties.
- Respect the professional expertise of district staff in the management of our schools.
- Ensure the prudent and accountable use of the district’s resources and finances.
- Listen to other points of view with an open mind.
- Pursue opportunities to improve my knowledge of educational issues and board skills.

- Refuse to surrender my judgment to any individual or group at the expense of the district.
- Keep confidential any information that is privileged under Kentucky law or board policy.
- Recognize the scope of my role as a board member and that of the board as a whole.
- Work collaboratively with fellow board members to adopt and apply board policies.
- Refer issues requiring administrative action to the appropriate school or district authority.
- Refrain from actions which would encroach on the assigned responsibilities of school personnel.
- Avoid conflicts of interest as well as any public appearances of conflicts with my office.
- Express my personal opinion but upon final board action accept the will of the majority.
- Make no promise or take individual steps that may impede the ethical performance of my duties.

Note: Most school boards in Kentucky have also adopted a code of ethics policy (Policy 1.53).

Board training requirements

School board members in Kentucky are required to earn training hours each year.

Please note that legislation passed during the 2024 Regular Session of the Kentucky General Assembly will result in some changes to the topical training requirements for school board members (in effect beginning July 15, 2024), however the total number of training hours required of board members will not change.

For board members serving prior to Jan. 1, 2015, based on years of service:

- 0-3 years | 12 hours of annual training
- 4-7 years | 8 hours of annual training
- 8-plus years | 4 hours of annual training

For members seated on or after Jan. 1, 2015:

- 0-7 years | 12 hours of annual training
- 8-plus years | 8 hours of annual training

The Kentucky Board of Education also requires board members to meet annual mandated training hours:

- 0-3 years | 3 hours of school finance; 1 hour of ethics; 1 hour of superintendent evaluation
- 4-7 years | 2 hours of school finance; 1 hour of ethics; 1 hour of superintendent evaluation
- 8-plus years | 1 hour of school finance; 1 hour of ethics; 1 hour of superintendent evaluation every other year

A local school board may also be subject to charter school authorizer training, should the district receive a charter application. All Kentucky school boards are charter school authorizers by law, and are required under KRS 160.1594 to “solicit, invite, and evaluate applications from applicants.” If a board receives a charter application, it should be prepared to review and act on it.

Pursuant to Senate Bill 158 (2020), board members must receive charter authorizer training only after a charter application has been submitted. Once a board receives an application, any member who has not completed this training within the prior 12 months must receive six hours of charter training at that time.

Therefore, upon receipt of a charter application, a school board should immediately contact the KSBA Office of Board Team Development to initiate charter authorizer training. Call 800-372-2962.

Compensation

- Board members may receive a per diem of \$150 and actual expenses for each regular or special meeting attended.
- Board members may also receive this same per diem for training that is required by law.
- Expenses incurred within the district may not exceed more than \$6,000 in any one calendar year and per diems may not exceed more than \$6,000 in any one calendar year.

Frequently asked questions

Q: “If I am elected to the school board, how do I ensure that we hire the best new math teachers at the middle school and new basketball coach at the high school?”

A: While the school board does create general job descriptions, you shall not be involved in hiring teachers or other staff. Kentucky law (KRS 160.170, KRS 160.180) strictly prohibits school board members from any role in such hiring decisions. If a board member attempts to influence an employment decision, he or she may be removed from office. By law, the board can only hire or appoint the superintendent, board attorney, board secretary and board treasurer.

Q: “When in the local grocery store, I tell my constituents that the district will build a new football field if I am elected. What authority do I have as an individual board member to get things like this done in my district?”

A: In a word, none. Board members have no authority as an individual board member. Their only authority comes as a member of the board team and acting in a legally called board meeting.

Q: “Who is responsible for paying for the state-mandated board member training?”

A: The district. The local school district generally budgets and pays for the expenses incurred as board members obtain their required board training hours.

Q: “My experience is in education; if elected, should I spend a lot of time in the schools managing the day-to-day teaching and learning?”

A: No, the local school board is a policy making body responsible for governance of the district. The superintendent is the administrator responsible for the day-to-day management of the district. The board governs and the administrators – superintendent, principals, staff – administer. However, board members may visit schools provided they follow established district guidelines.

Q: “Can the board discuss issues that may become controversial behind closed doors?”

A: No, board members are required by law to hold most all discussions of board business in an open session at an announced meeting. The few exceptions to the open meetings law may be found in KRS 61.805-61.850.

Q: “All five board members show up at a high school baseball game. Is it acceptable to sit together?”

A: Yes, board members may gather in the same location as long as board business is not being discussed or board action being taken. All board business must be discussed at a legally called board meeting.

Q: “Several teachers have offered to help in my campaign. May I send an email to a teacher list requesting their help in my election?”

A: No. School board candidates may not solicit political support from district employees.

Q: “How much time does it take to be a good school board member?”

A: It’s hard to give an exact time requirement but it is more than just one board meeting a month. Research shows that effective board members not only prepare for and attend meetings, they seek opportunities to grow as an individual board member and as a team member through workshops, seminars and conferences. School board members also maintain an appropriate level of visibility in the schools, the district and the community.

Quality education is a team effort

Kentucky's constitution requires that “**the General Assembly shall, by appropriate legislation, provide for an efficient system of common schools throughout the State.**” Under that authority, the legislature created a state board of education, local school boards and school councils. Each have unique roles in the governance and operations of public schools. All work closely with their communities to serve the educational needs of students.

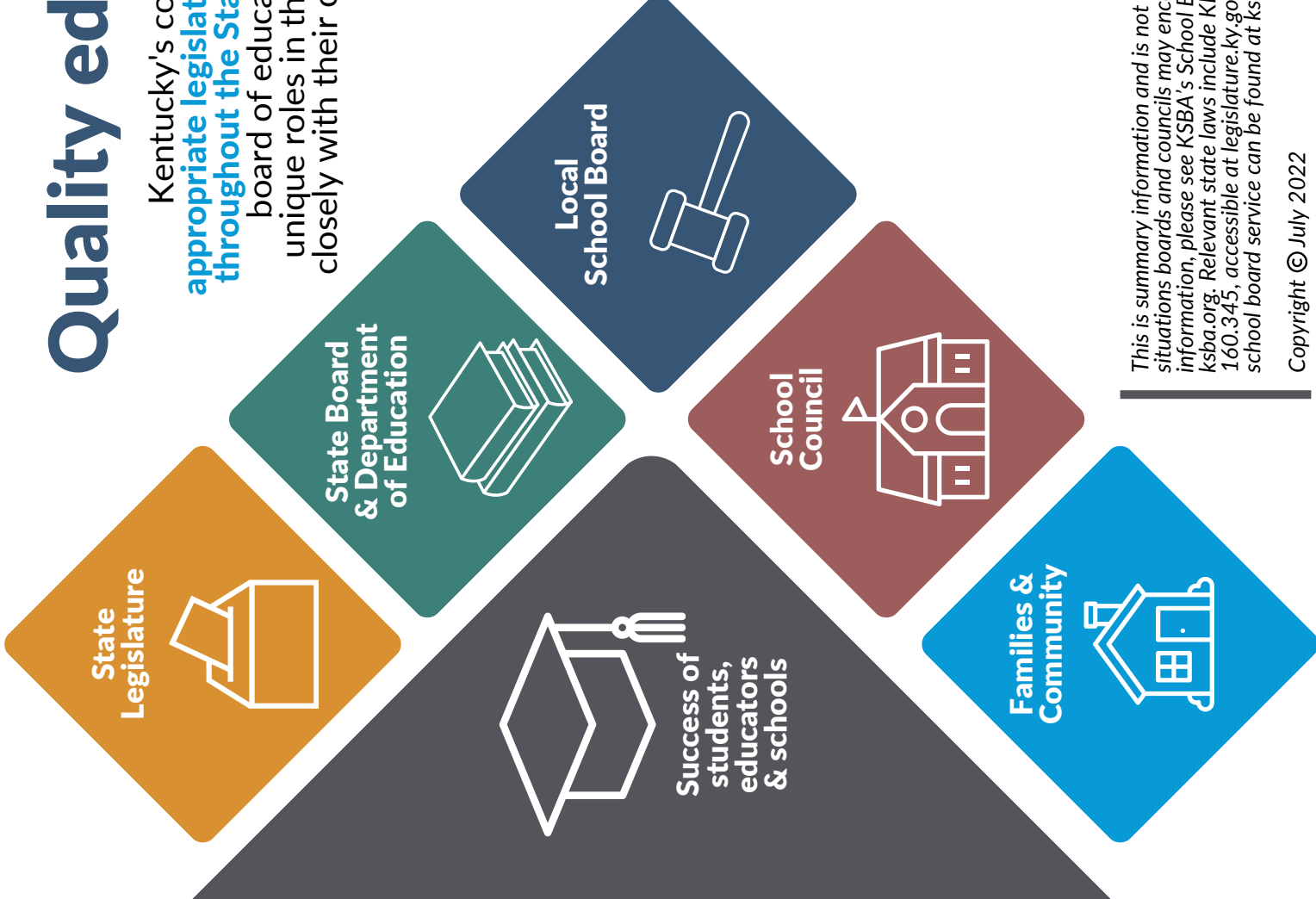
The **state legislature** is tasked with providing for an “efficient system of common schools;” providing funding and enacting laws.

The **state board of education** sets rules for schools and the **department of education** provides assistance to districts.

Locally elected **school boards** are charged, in part, with approving district policies, approving the budget and hiring the superintendent.

School councils, comprised of elected parents and educators, set school policy and make decisions that enhance student achievement.

Local **communities** support schools through local tax dollars and public input. **Families** and caregivers directly support students' education.



This is summary information and is not meant to reflect all situations boards and councils may encounter. For more detailed information, please see KSBA's School Board Leadership Guide at ksba.org. Relevant state laws include KRS 158, KRS 160 and KRS 160.345, accessible at legislature.ky.gov. More information on school board service can be found at ksba.org.



KSBA
KENTUCKY SCHOOL BOARDS
ASSOCIATION

Understanding the roles of boards and councils

Academics

- School Board
 - Adopt annual calendar, including professional development and holidays
 - Monitor district performance
 - Develop district improvement plan

- School Council
 - Consult with superintendent on his/her final selection of curriculum, instructional materials and practices
 - Develop school improvement plan

Students

- School Board
 - Set graduation requirements
 - Adopt discipline code for the district
 - Adopt nonresident enrollment policies
 - Set attendance boundaries for schools

- School Council
 - Set and implement discipline practices for the school
 - Determine student classroom assignments
 - Determine schedule of school day

Staff

- School Board
 - Hire and evaluate the superintendent
 - Hire/contract with board attorney
 - Establish job descriptions for all staff
 - Adopt leave policies for staff

- School Council
 - Consult with superintendent on his/her hiring of the school principal
 - Decide number of people in each position in the school
 - Assign staff time

Funding

- School Board
 - Adopt local tax rates
 - Set district budget
 - Set salary schedule for all district staff
 - Allocate resources to each school

- School Council
 - Set the school budget
 - Consult with superintendent on use of funding from school board to purchase materials and other student support needs

Activities

- School Board
 - Approve out-of-state and overnight field trips
 - Approve school-wide fundraisers
 - Approve new extracurricular activities

- School Council
 - Approve regularly scheduled field trips
 - Select extracurricular activities offered at school
 - Set participation requirements for extracurricular activities

Facilities

- School Board
 - Maintain and insure district property
 - Approve construction projects
 - Decide how school buildings are used after hours by community groups

- School Council
 - Determination of use of school space during the school day related to improving classroom teaching and learning

Summary of board member qualifications and conflicts rules

Board member qualifications and conflicts are established by the Kentucky Constitution and Kentucky statutes. These specific provisions prevail over the following general descriptions. Residency, incompatible offices and conflicts issues can be complex and should be fully explored by the candidate. This is only a basic overview.

To be eligible for membership on a local school board, a person must meet these qualifications:

1. Has attained the age of 24 years.
2. Has been a citizen of Kentucky for at least three consecutive years preceding his/her election.
3. Is a legally qualified voter of the division or district (in the case of independent school districts) for which she/he is elected.
4. Has completed at least the 12th grade or has been issued a high school equivalency diploma.
5. Cannot hold any elective federal, state, county or city office; cannot serve as an officer or employee of a city or county; cannot hold a federal office of "trust or profit;" and cannot serve as an appointed officer of a special purpose governmental entity with taxation authority unless specifically authorized by statute. KRS 160.180 was amended in 2018 to eliminate the prohibition on school board service by state office holders where the state office requires the constitutional oath. The amended version of the statute now states that elective federal, state, county or city offices are incompatible with school board service. However, provisions of the Kentucky Constitution provide that persons may not hold a state office (school board service is considered a state office) and also serve as a county or city officer "or an employee thereof" (Kentucky Constitution, Section 165); and that persons may not hold a state office of "trust" (which has been interpreted to include school board members) while also serving in a federal office of "trust or profit." (Kentucky Constitution, Section 237)
6. As of the date of election, has no interest, direct or indirect, in the sale to the board of books, stationery or any other property, materials, supplies, equipment or services for which school funds are expended.
7. Has never been removed from membership on a board of education for cause.
8. Has no relative, as defined in KRS 160.180, employed by the district. Note that 2017 amendments to this statute eliminated "aunt, uncle, son-in-law, and daughter-in-law" from the definition of "relative," which now covers "father, mother, brother, sister, husband, wife, son, and daughter."

A board member shall be eligible for re-election unless she/he becomes disqualified.



ELECTION FILING, FINANCE & TRANSCRIPT REQUIREMENTS

**20
24** | SCHOOL
BOARD
ELECTION
RESOURCES
GUIDE



KSBA

KENTUCKY SCHOOL BOARDS
ASSOCIATION

Filing for candidacy for school board – Regular election on Nov. 5, 2024

If you intend to run for election (or re-election) to the school board in the November general election, please review the following information. If you are a board member who has been appointed by the school board or the education commissioner and now must run for election for the remainder of the term, or if you are running for an unexpired term this November, the following information also applies to your candidacy.

1. KRS 160.220 requires all candidates for the office of school board member (county or independent) to file a petition as provided in KRS 118.315. You must obtain the Nominating Petition from your county clerk's office. The Nominating Petition is form SBE-60A. In addition, the county clerk's office will have the necessary "Appointment of Campaign Treasurer and Optional Reporting Exemption" form. (KREF 001). KSBA does not have the forms, and they **MUST** be obtained from the county clerk's office. The affidavit in support of qualifications for board membership should also be obtained from the county clerk.
2. The following rules apply to nominating petitions:
 - Must contain the signatures of at least two (2) petitioners who are legally qualified to vote for the candidate.
 - Each petitioner must date his or her signature.
 - Each petitioner must list his or her address of residence.
 - Each petitioner must list his or her date of birth.
 - Candidate must sign the nomination form.
 - Failure of a petitioner to list his or her address, date of birth and signature affixation date will cause the petitioner not to be counted.

If any person joins in nominating, by petition, more than one nominee for a school board office, he or she shall be counted as a petitioner for the candidate whose petition is filed first.

Nominating petitions must be filed with the office of the county clerk **no later than 4 p.m. local time, on the first Tuesday after the first Monday in June preceding the regular election, June 4, 2024**. A filing fee is due at the time the Nominating Petition is filed. KRS 118.365; KRS 118.255; KRS 64.012.

When the Nominating Petition is filed with the office of the county clerk, the Appointment of Campaign Treasurer and Optional Request for Reporting Exemption and the completed, notarized affidavit must also be filed.

Under state law, all candidates for school boards must comply with the reporting provisions of the Kentucky election and campaign finance laws. A summary of the campaign finance law requirements can be found in this guide. Another helpful publication, prepared by the Registry of Election Finance, is the "Candidate Guide to Campaign Finance" (Revised 5/2022), available online along with other campaign finance materials at <http://kref.ky.gov>.

Independent school district elections

Because candidates for seats on an independent board of education run at-large, confusion may occur when an election for an unexpired term is held during a regular November election.

If your independent district has an unexpired term up for election on Nov. 5, 2024, then the district needs to communicate with the county clerk to make sure that the candidate(s) who are seeking election to the unexpired term are distinguished on the ballot from those candidates who are seeking election to full terms. Otherwise, with candidates running at-large, there would be no way to determine who ran for which seat. In the same vein, candidates for seats on independent boards of education need to indicate to the clerk when they file their papers whether they are running for a full term or whether they are seeking election to an unexpired term. A candidate who is running for an unexpired term may also note on the Nominating Petition, where the office sought is to be filled in, that the candidate is seeking election to an unexpired term.

Summary of election finance law requirements for school board candidates

1. Complete petition form and return to county clerk.
2. Name campaign treasurer; sign completed KREF 001 form and file it with the county clerk.
3. Open separate campaign bank account.
4. File all election finance statements with the Kentucky Registry of Election Finance on a timely basis.
5. Treasurer must keep exact account of contributions and amounts as required by the Registry of Election Finance.
6. Treasurer shall make or authorize all expenditures on behalf of a candidate.
7. No contributions may be accepted from any corporation, including public service corporations or professional service corporations. Under Kentucky's campaign finance law "corporation" means any corporation, company, partnership, joint stock company or association. KRS 446.010.
8. Observe limitations on the amount of contributions which can be accepted and prohibitions on accepting or soliciting school district employee contributions or services.
9. A candidate must register as a candidate prior to raising or spending funds on his or her campaign. See the Registry's "[Candidate Guide to Campaign Finance](#)." A "campaign fund" may register prior to the official candidate filing period by filing a letter of intent with the registry. During the official filing period, a candidate registers by filing an Appointment of Campaign Treasurer and Optional Request for Reporting Exemption form (KREF 001) with the county clerk, who in turn forwards a copy of the KREF 001 to the registry. Candidates who wish to register a "campaign committee" should contact the registry for more information.
10. Advertising disclaimers must meet requirements.
11. Campaign finance records must be retained for six years from the date you file your last campaign finance report.

Responsibilities of school board candidates to comply with Kentucky campaign finance laws

The 1984 General Assembly passed legislation making candidates for local school boards subject to the Kentucky campaign finance laws, KRS Chapter 121. Failure to comply with the laws may result in fines or forfeiture of office. KRS 121.990. This document is only a summary highlighting campaign finance laws and is not a substitute for the statutes themselves. Each candidate is urged to review the statutes to ensure compliance.

Responsibilities of the candidate:

1. Begin by filing form KREF 001 electronically with the Kentucky Registry of Election Finance (hereafter, registry). Then, a copy of that form (KREF 001) must also be filed in hardcopy with the county clerk along with all other candidacy papers.
You will be required to name your campaign treasurer, per KRS 121.160. The candidate may personally serve as campaign treasurer or name any other registered Kentucky voter as treasurer. The treasurer's duties are detailed in KRS 121.160. While the treasurer has specific duties detailed by statute, the ultimate responsibility for compliance with the election finance laws rests with the candidate. Therefore, care should be taken in choosing a campaign treasurer.
2. Kentucky law requires that election finance statements be filed with the registry on a timely basis. The "[Candidate Guide to Campaign Finance](#)" provides the information that each candidate needs concerning the campaign finance laws and what reports are due. Failure to file a report by a deadline may result in a fine to the candidate. A knowing violation is a Class D felony and may result in forfeiture of office. When the candidacy papers are filed, the candidate will be required to file a "Statement of Intent" which indicates to what level the candidate intends to receive and expend funds during the election. Read the form carefully. The level of receipts and expenditures selected will determine the level of reporting required to the registry. Kentucky law prohibits corporations from contributing to political campaigns in Kentucky, KRS 121.035; Kentucky Constitution, § 150. This prohibition includes public service corporations (PSCs). Candidates should take care not to accept monetary or in-kind contributions from corporations.
3. School board candidates may now accept individual and permanent committee (PAC) contributions of up to \$2,000 per contributor in any one election. KRS121.150.
4. A candidate for a school board is prohibited from soliciting or accepting any political assessment, subscription, contribution or service from an employee of the school district. KRS 161.164. Note: The Kentucky Registry of Election Finance does not enforce KRS 161.164. However, a violation of this statute may be grounds for disqualification from office.

5. If a committee is formed to support your candidacy, it must register with and provide to the registry the information required in KRS 121.170. It is the committee's responsibility to initiate contact with the registry.
6. If campaign advertising is paid for by the candidate or the candidate's campaign committee, it shall be identified only by the words "paid for by" followed by the name of the candidate or candidate's campaign committee, whichever is applicable. KRS 121.190.
7. Campaign records must be retained for a period of six years from the date the last report is filed with the registry, KRS 121.160.
8. The definition of "independent expenditure" includes money or other things of value spent for a communication which expressly advocates the election or defeat of a candidate which is made without any coordination, consultation or cooperation with and which is not made in concert or at the request or suggestion of the candidate or persons acting on his or her behalf. KRS 121.015. While there are no limits on independent expenditures, reporting requirements apply and the definition prohibits coordination with the candidate. Persons with questions regarding independent expenditures should consult the "[Candidate Guide to Election Finance](#)" and should contact the registry for further direction.
9. The Kentucky Registry of Election Finance has developed information for school board candidates to help them conform to the law. The primary source for campaign finance information is the [registry's website](#). Candidates and their treasurers should become familiar with Kentucky's campaign finance law and ensure themselves that they have complied with the requirements. Call the registry at 502-573-2226 if you have any questions regarding campaign finance compliance issues.
10. The registry has a [frequently asked questions document](#). Please note that not all of these items are relevant to school board races, and that this resource is for informational purposes only. The text of statutes and regulations control over these "FAQ" items.

Electronic submission of election finance reports

The Kentucky Registry of Election Finance is now required to process election finance reports electronically. This includes entry and processing of the KREF 001 that is to be included with the initial filings with the county clerk.

All candidates for office in 2024 must create an account in the Registry's new electronic filing system and submit their KREF 001 form electronically to the Registry. See KRS 121.120 and 121.180. Please reference and follow the registry's instructions and links to complete this process. Access to the registry's eFiling system, including instructions, can be found here:

<https://kref.ky.gov/efile/Pages/default.aspx>

Note that this requires creation of web-based accounts and filling out and submitting the KREF 001 form electronically to the registry. Per the registry's instructions, once the form is submitted and approved, the candidate should print it out and include it with other papers required to be filed (nominating petition and affidavit) with the county clerk. The candidate should print out an additional copy for his or her files. Because this process involves submission and approval of the KREF 001 form, we recommend that candidates should not wait until the last minute to file and should take care of this KREF 001 electronic reporting process well in advance of the filing deadline.

Guidance re: Confidentiality of transcripts/academic records filed with county clerks by school board candidates, and the applicability of the Open Records Act

All candidates for election or re-election to a local school board are required, pursuant to KRS 160.180(2), to file “a transcript evidencing completion of the 12th grade or results of a 12th-grade equivalency examination” with the county clerk along with their nominating petition. These academic records contain personal information generally protected by state and federal law, including specific provisions of the Kentucky Open Records Act exempting this information from disclosure by public agencies including county clerks, namely KRS 61.878.

The Kentucky Attorney General has interpreted the Open Records Act in several open records decisions upholding an individual’s privacy interest in a school transcript and the information contained therein. See: 09-ORD-027, 03-ORD-141, 00-ORD-137, and 00-ORD-126.

For candidates: In accordance with these decisions, KSBA suggests that candidates make a copy of their transcript/academic record and redact (blackout) the items of personal information listed below prior to filing it with their county clerk, in order to comply with the requirement while also protecting their privacy as allowed by law. Both the unredacted and redacted versions may be taken to the clerk, and the parties may discuss which one will be filed so as to comply with applicable laws while minimizing burdens on the clerk relating to possible future open records requests. The candidate should retain a copy of the unredacted version for possible future use.

For county clerks: If someone makes an open records request to a county clerk, seeking release of a candidate’s transcript/academic record, it is KSBA’s understanding that the clerk may either:

1. Refuse to release the entire transcript/academic record document (See: 03-ORD-141)
OR
2. Release the transcript/academic record document only if at least the following personal information is redacted (See: 09-ORD-027): Grades/scores earned, classes taken, Social Security number, date of birth, home and/or email address, phone number, race, gender.

Key findings from the open records decisions cited above:

In the 2009 decision, the attorney general held that a public agency was right to refuse to release a school transcript and quoted 00-ORD-126 to confirm the Open Records Act protects an individual’s privacy over the public’s right to know on this issue because “**the public’s right to know does not extend to such minutia as classes taken and grades received.**” The attorney general further stated that the law was well-established that the following information in any document should be redacted prior to public release: personal contact information, race, gender, Social Security numbers and dates of birth.

In 2003, the attorney general held that **a public agency may refuse to disclose the entire transcript** due to the individual's privacy interest therein, and that the **following personal information in other documents should be redacted before release: home address, telephone number, Social Security number, date of birth and race.**

This document provides general information. For legal advice, a county clerk or prospective school board candidate should contact his or her own legal counsel.

Frequently asked questions about transcripts

1. What is the transcript requirement?

Kentucky statute, KRS 160.180, requires a board candidate to file, in addition to the documentation already required for candidates, a copy of a transcript evidencing 12th grade completion or passing results from a high school equivalency test. The statute provides (in relevant part):

“No person shall be eligible for membership on a board of education:

... For a candidate who files a nominating petition as required by KRS 118.315 on or after the effective date of this Act, **unless a transcript evidencing completion of the twelfth grade or results of a twelfth grade equivalency examination has been filed with the nominating petition;...**”

Legislation passed during the 2024 Regular Session of the Kentucky General Assembly will soon allow candidates to sign an affidavit affirming completion of the 12th grade as an alternative to providing an official high school transcript. This change, however, will not go into effect until July 15, 2024 – after the 2024 school board filing deadline. Until then, high school transcripts are still required.

2. Who has to meet this requirement?

Any person filing to run for a board seat or seeking re-election to a board seat has to meet this requirement to be on the ballot or to be eligible as a write-in candidate.

3. What will satisfy this requirement?

A candidate will need to file, in addition to the documents already required to be a candidate, a copy of “a transcript evidencing” completion of the 12th grade. Alternatively, a board candidate can file a copy of the candidate’s 12th-grade equivalency test results (the most common type are GED test results so we will often refer to this as GED test results for the rest of the FAQ).

4. What kind of transcript will meet this requirement?

The statute requires “a transcript.” It does not explicitly require only a high school transcript. Therefore, KSBA understands that a transcript from the candidate’s high school, showing completion of the 12th grade will certainly meet this requirement.

Alternatively, a candidate may have a college transcript evidencing the candidate’s prior completion of the 12th grade or passage of a high school equivalency test. This type of transcript would also meet the statute’s requirement as it is “a transcript” which bears evidence of 12th grade completion or passage of a high school equivalency test.

In most cases, the best and easiest option will be to provide a high school transcript or GED test result to the county clerk, if it is available. A transcript from a postsecondary institution should only be provided to the clerk if the candidate is unable to get a copy of the high school transcript or GED test results.

5. Where can I go to get my transcript?

a. Kentucky public high school graduates:

Public school districts in Kentucky are required to keep student transcripts permanently.¹ A public school is required by federal law² to provide a person with a copy of his/her own education records, including his/her transcript. A public school cannot refuse to provide you a copy of your own education records, even if you still owe the school money for fees or fines. The district may choose to charge a fee for a copy (up to the district).

A candidate should **contact the central office of the school district where he/she graduated to request a copy of the transcript**. During the summer, there may be fewer staff at the central office so you should make your request as soon as possible.

2008 or earlier graduates:

If you graduated from a Kentucky public high school before 2009, you can only get a paper copy of your transcript from the school district central office directly.

2009 or later graduates:

If you graduated from a Kentucky public high school after 2009, you can request an electronic copy of your transcript. KDE has information on this at <https://education.ky.gov/districts/tech/eTrans/Pages/default.aspx>. If you want a paper copy of your transcript instead of the e-transcript, you must contact the central office of the school district where you graduated to request a copy.

b. Catholic school graduates:

Individual Catholic schools that are still in existence should have a transcript of former students' graduation and credit completion. You should contact the school where you graduated for a copy of your transcript showing 12th grade completion.

If your Catholic high school has closed, you can contact the archdiocese for that area to get a copy of your high school transcript. Each archdiocese has a separate website and contact information. Many archdiocese websites have information and direct links for requests for high school transcripts.

c. Other private school graduates:

If you graduated from a private, non-Catholic high school that is still in existence, you should contact that high school to request a copy of your transcript showing completion of the 12th grade. If the private high school is no longer in existence, you may consider contacting the Kentucky Non-Public School Commission to ask if they can help you locate an archived copy of your transcript from that private high school.

¹ Kentucky Department for Libraries and Archives, Public School District Records Retention Schedule, Series L2363

² Federal Family Educational Rights and Privacy Act (FERPA)

d. Home school graduates:

A home school graduate may provide a copy of the home school transcript evidencing completion of the 12th grade to the county clerk. There is no requirement in the statute for a public high school transcript or a formal private school's transcript.

e. Graduates from schools in other states or countries:

A candidate who graduated from a high school or secondary school outside Kentucky, either in another U.S. state or in a foreign country, should contact the school to get a copy of his/her transcript. The board candidate can present the transcript, along with information available on [KDE's minimum high school graduation requirements page](#) on its website, to the county clerk to demonstrate that the transcript shows completion of the 12th grade.

f. High school graduates who cannot get a copy of his or her high school transcript from their high school:

If a candidate cannot obtain a copy of the high school transcript from the high school where he/she graduated, the candidate may consider seeking a copy from other places where he/she previously submitted the transcript, such as an employer, a college or the armed forces.

g. Candidates who cannot get a copy of his or her high school transcript from anywhere:

A candidate who cannot get a copy of a high school transcript showing completion of the 12th grade, but who went on to college, can contact the college he/she attended and request a copy of the college transcript. This transcript will likely evidence that the person completed the 12th grade or passed a high school equivalency test (e.g., got a GED) prior to entering college. While there is no language in the statute stating explicitly that only a high school transcript, and not a college transcript, can be accepted by the county clerk to satisfy this requirement, the statute does not prohibit this, and again only requires "a transcript evidencing" that the board candidate completed the 12th grade. KSBA understands the filing requirement to be met by a college transcript that includes information showing the candidate completed the 12th grade or passed a high school equivalency test (e.g., got a GED).

College transcripts are available directly from the college you attended or can be requested from www.studentclearinghouse.org. Fees may apply. **Your request may take time to process so you should request a copy as early as possible to make sure you meet the filing deadline.**

6. What if a private high school won't give me a copy of my transcript because I still owe it money?

If a private high school is refusing to release a copy of your transcript to you because you have an unpaid balance at the school (e.g., tuition, fees, fines), then KSBA suggests that you contact the school administration to discuss how you may pay the balance in full or enter into an agreement to allow your transcript to be released.

7. If I obtained a GED instead of graduating from a high school, where can I go to get my GED test results?

a. If you passed the GED exam in Kentucky:

You may request your GED test results from the Kentucky Council on Postsecondary Education at its “Kentucky GED record request page” at <https://request.ged.ky.gov/> with links for requesting your “high school equivalency diploma” examination results. You can go to this page to request a copy of your GED test results if you took the exam in Kentucky.

b. If you passed the GED exam in another state:

You may request your GED test results from the GED company at:
https://ged.com/life_after_ged/.

c. If you passed a high school equivalency exam from a company other than GED:

You should contact that company and request a copy of your high school equivalency test results.

d. If you passed a high school equivalency exam and cannot get a copy of the test results from anywhere:

See KSBA’s answer to question 5.g. above, which recommends the candidate get a copy of the college transcript which will likely have information that the candidate passed a high school equivalency test. KSBA understands the filing requirement to be met by a college transcript that includes information showing the candidate completed the 12th grade or passed a high school equivalency test (e.g., got a GED).

8. If I obtained a GED and I graduated from high school, which document do I give to the clerk to be on the ballot?

If you have both a passing GED score and a high school diploma, then you have the option of either providing the equivalency test results *or* the transcript showing completion of the 12th grade.

9. When is this year’s filing deadline for board candidates?

Because board elections are nonpartisan, they are not included in the primary elections and are only included in the general elections in November. According to the Kentucky Secretary of State’s [website](#), **the filing deadline for board candidates this year is June 4, 2024.**

The filing deadline for write-in candidates (those who file a declaration of intent as a write-in candidate) is not later than the second Tuesday in August.

10. When should I obtain my transcript or GED test results?

NOW. There may be delays in getting a copy of your transcript or test results and the filing deadline will not be extended if you can't get a copy to the county clerk before the deadline.

KSBA strongly urges all board candidates to start working to obtain their transcript or test results immediately. Additionally, you should consult with your county clerk to identify any other documents that the clerk will accept to comply with this filing requirement.

The dos and don'ts of school board campaigning

Once the candidate filing papers are in and school board campaigns are in full swing, KSBA often receives questions about what candidates and district employees can and cannot do during a board candidate's campaign. The following information is designed to help both candidates and district employees navigate these waters.

- **What can a board candidate ask or allow that district's employees to do for the candidate's campaign?**

Not a lot. District employees can, of course, exercise their First Amendment free speech rights, outside their employment, and can vote in a board member election.

- **What can't a board candidate ask or accept from that district's employees for the candidate's campaign?**

Money or services. KRS 161.164 prohibits a board candidate running for election or re-election from soliciting or accepting any "political assessment, subscription, contribution, or services" from that district's employees. A 1992 attorney general opinion, OAG 92-145, provides specific examples:

Money – A school board candidate may not solicit or accept any money, goods or property from a school district employee.

Services – In determining what conduct constitutes a prohibited service the opinion defined services as work performed for another or a group; assistance given to someone; and goods or utilities that benefit the public. The school board candidate may not solicit or accept the following services from a school district employee:

1. Distributing campaign material, literature, or signs.
2. Working for the campaign by canvassing voters, stuffing campaign envelopes, working at a campaign phone bank, or driving the candidate.
3. Performing any fundraising services or contributing money, goods or property.
4. Being involved with the management of a school board campaign.

The opinion also said that candidates, their campaign manager, campaign staff or anyone else acting on behalf of the candidate cannot solicit or accept contributions and services from school district employees.

- **What can a board candidate accept or allow a district employee union to do for the candidate?**

That district's employee union can endorse a board candidate. From OAG 92-145:

May a board candidate accept the endorsement of a local education association or similar employee union?

A school board candidate need not either accept or decline an endorsement of a local education association or similar employee union. KRS 161.164 only prohibits a school board candidate from accepting "political assessment, subscription, contribution, or services of any employee of the school district." An endorsement of a political candidate is merely an opinion giving approval of or offering a statement in support of a candidate. Endorsing a school board candidate is not the same as contributing or providing a service to the campaign. Voluntary endorsement of a candidate is the same as an expression of personal opinion and therefore not prohibited by KRS 161.164.

We believe the right of a local education association or similar employee union to express their preference of a school board candidate by a statement of endorsement is a constitutionally protected First Amendment right. *State Board of Elementary and Secondary Education v. Howard, supra*.

KRS 161.164 should not be read broadly to prohibit a local education association or similar employee union from endorsing a school board candidate. Since KRS 161.164 does not mention the term endorsement or opinions, we do not believe that the General Assembly intended to stretch the realm of prohibited conduct to forbid school board candidates from accepting the voluntary endorsement of a local education association or employee union.

Though OAG 92-145 concluded a board candidate cannot accept money or services from a district employee union political action committee and a district employee union cannot contribute goods or services for the campaign even independent of the board candidate, these legal conclusions were issued prior to the U.S. Supreme Court's 2010 decision in *Citizens United v. Federal Election Commission*, 558 U.S. 310. For guidance on the limits of a district employee union and a board candidate's campaign, board candidates should seek legal advice from their private counsel and union members should seek legal advice from the union's legal counsel.

- **What is the consequence for a board candidate violating this statute?**

Under state law, any person who violates any provisions of KRS 161.164 is guilty of a Class A misdemeanor, the penalty for which is up to 12 months in jail and up to \$500 in fines. The law also states, "any school board candidate or school board member who willfully violates any provision of KRS 161.164 shall also be disqualified from holding the office of school board member." That means a violation by a board candidate would prevent the person from ever being a school board member in Kentucky.

- **Can the board attorney pursue litigation for a current board member, as a candidate running for re-election, against an opposing board candidate?**

No. The Kentucky attorney general issued an opinion in 1978, OAG 78-648, stating that school district funds could not be spent on an individual board member's personal litigation/defense, such as an election contest. Violating this would violate the Kentucky Constitution's "educational purposes" restriction on school funds.

- **What can a *current* board member do for another board candidate's campaign?**

While there are no legal restrictions on a current board member working for a board candidate's campaign for another seat on that school board, the practical outcome may be a very tense and difficult working relationship between the current board member and the successful candidate, if the board member supported the successful candidate's opponent.

- **What can district's employees do for a board candidate's campaign?**

State law prohibits a district employee from "taking part in the management or activities of any political campaign for school board." That being said, in 1992 the Kentucky Supreme Court struck down the "activities" language because it was unconstitutionally vague and overly broad: regular people couldn't accurately determine the legal boundaries on their activities and the enforcing authority would have too much discretion in interpreting and implementing consequences. For that reason, the attorney general in OAG 92-145 created the following list of activities/conduct permitted for school employees under KRS 161.164:

1. Registration and voting.
2. Nominating petitions. School district employees may voluntarily sign a school board nominating petition.
3. Expression of opinion. School district employees may privately and publicly express their personal opinions regarding a school board candidate, either in person, by telephone or in writing.
4. Political pictures and signs. School district employees may voluntarily display school board campaign signs and other signs on their property.
5. Badges, buttons, and bumper stickers. School district employees may voluntarily wear school board campaign badges or buttons. However, no school board candidate badges or buttons may be worn by a school district employee while such employee is on official duty.
6. Campaign literature for [the individual's] personal use [and consumption]. School board candidates may provide on request campaign literature for the personal use of a school district employee.

- **What can't a district employee do for a board candidate's campaign?**

District employees cannot participate in a board candidate's campaign "management". The Kentucky Supreme Court referred to the dictionary definition of this word and held: "the definition provided by Webster is the act of participating in the managing; and the directing or supervising of something.... While there certainly may be some confusion over what constitutes a political activity, a person exercising ordinary common sense can discern the difference between a political activity, such as placing a sign in the yard, and managing or directing a school board candidate's campaign. *State Bd. for Elementary and Secondary Educ. v. Howard*, 834 S.W.2d 657 (Ky. 1992)."

District employees also cannot give a board candidate "any money, goods or property" and cannot give the candidate "services." The prohibited services include:

1. Distributing campaign material, literature or signs.
2. Working for the campaign by canvassing voters, stuffing campaign envelopes, working at a campaign phone bank or driving the candidate.
3. Performing any fundraising services or contributing money, goods or property.
4. Being involved with the management of a school board campaign.

The opinion also applies these prohibitions to that district's employees doing any of these things for the candidate's campaign at the request of the campaign staff or anyone else on behalf of the candidate:

- **What can that district's employees do for any political cause or candidate?**

Again, district employees retain their right to exercise their First Amendment rights (speech, association, religion, voting) when in their personal capacity. This is neither at school or school events, in the role of district employee, when interacting with students as a district employee, or with the use of school resources or materials. See the answer to: **What can district's employees do for a board candidate's campaign?**

- **What can't that district's employees do for any political cause or candidate?**

Most district policies prohibit certified and classified district employees from promoting, organizing or engaging in political activities while performing work duties or during the workday. This includes but is not limited to:

1. Encouraging students to adopt or support a particular political position, party, or candidate.
2. Using school property or materials to advance the support of a particular political position, party, or candidate.

A good rule of thumb is for district employees to reserve their political support or opposition for their personal lives and roles. See Policies 03.1324 and 03.2324.

- **What are the consequences for a district employee who violates these restrictions?**

The law states “any teacher or employee of a district who willfully violates any provision of KRS 161.164 shall be ineligible for employment in the common schools for a period of five (5) years.” This means a district employee who “willfully” violates these prohibitions cannot be employed in a school district anywhere in Kentucky for five years. “Willfully” in these kinds of Kentucky statutes is interpreted to mean “in bad faith” such as when a person knows the legal requirement and violates that requirement on purpose.

- **Why are district employees’ rights restricted?**

As stated in OAG 92-145:

“Political service [for a candidate for office] may often invoke First Amendment principles yet also be the type of political involvement in our school system that the General Assembly seeks to prohibit. Thus, the specific service must be analyzed and the First Amendment right to voice one’s political opinion must be balanced against the state’s interest in ridding our schools of undue political influence. Sometimes a service to a school board candidate will be so intricately involved in the campaign that it is clearly prohibited by KRS 161.164. An example would be when a candidate solicits or accepts a school district employee distributing campaign material, working at a campaign phone bank or driving the candidate to political events. On the other hand, the state’s interest in neutral schools is outweighed by school district employees’ constitutional right to personally express their preference of a candidate, to read campaign literature, wear a campaign button, or place a sign on their property.”

This guidance does not include campaign finance law restrictions and requirements and only speaks to the prohibitions in KRS 161.164. For questions about campaign finance, consult private legal counsel and the [Kentucky Registry of Election Finance](#).



SAMPLE FORMS & ELECTION INFORMATION

The following section includes sample forms from the Office of the Secretary of State (SoS) and the Kentucky Registry of Election Finance (KREF). Candidates should always obtain official copies from their county clerks or directly from the SoS/KREF websites to ensure they are using the correct versions.





COMMONWEALTH OF KENTUCKY
OFFICE OF THE SECRETARY OF STATE
MICHAEL G. ADAMS

TO: POTENTIAL CANDIDATES

FROM: MICHAEL G. ADAMS, SECRETARY OF STATE

Candidates for the following offices shall file with the county clerk to attain ballot access and should contact the county clerk of their county of residence for filing procedures and requirements: Circuit Clerk, Commonwealth Attorney in single county circuits, County Judge Executive, County Clerk, County Attorney, Sheriff, Jailer, Coroner, Property Valuation Administrator, Surveyor, Magistrate/Justice of the Peace, County Commissioner, Constable, Soil and Water Conservation District Supervisor, Mayor, City Legislative Body, and Board of Education.

Candidates for the following offices shall file with the Office of the Secretary of State: President of the United States, Vice President of the United States, United States Senator, United States Representative in Congress, Governor, Lieutenant Governor, Secretary of State, Attorney General, Auditor of Public Accounts, State Treasurer, Commissioner of Agriculture, State Senator, State Representative, Supreme Court Justice, Judge of the Court of Appeals, Circuit Judge, District Judge, and Commonwealth Attorney in multi-county circuits.

Following are guidelines for candidates filing with the Office of the Secretary of State:

1. Complete all applicable blanks on the filing form. The Office of the Secretary of State will make the necessary copies for distribution.
2. If the filing form requires notarization, the candidates and signers must have their signatures acknowledged by a Notary Public and the expiration date of the notary's commission must be stated.
3. Checks should be made payable to the Kentucky State Treasurer.
4. Candidates may file in person or by mail at the following address:

Office of the Secretary of State
Office of Elections
700 Capital Avenue
Room 148, State Capitol
Frankfort, KY 40601

Questions relating to campaign finance procedures and requirements for state, judicial and local office should be directed to the Kentucky Registry of Election Finance at (502) 573-2226. In addition, KREF's website, <http://www.kref.ky.gov>, provides for the downloading of required reporting forms and a book titled Guide to Campaign Finance.

Questions relating to campaign finance matters for federal candidates should be directed to the Federal Election Commission at 1-800-424-9530.

If our Office may be of further assistance to you, please contact our election staff at (502) 564-3490 or by email at sos.elections@ky.gov.

OFFICE OF ELECTIONS
700 CAPITAL AVENUE
ROOM 148, STATE CAPITOL
FRANKFORT, KY 40601-3493



An Equal Opportunity Employer M/F/D

PHONE: (502) 564-3490
FAX: (502) 564-0282
WEBSITE: www.sos.ky.gov
EMAIL: sos.elections@ky.gov

NONPARTISAN BOARD OF EDUCATION (SCHOOL BOARD MEMBER) CANDIDATES GENERAL ELECTION

If applicable, the Nonpartisan Office of Board of Education (School Board Member) will appear on the 2024 general election ballot.

Signatures Required:	Candidate's signature and two (2) registered voters who reside in the school board district from which the candidate seeks nomination.
Earliest date to affix signatures and file Nominating Petition	November 8, 2023
Latest date to file Nominating Petition (4:00 p.m., local time)	June 4, 2024

Filing Form SBE 60A	Nominating Petition
Filing Form KREF-001	Appointment of Campaign Treasurer and Optional Request for Reporting Exemption
KRS 160.180 (e)	Transcript evidencing completion of the twelfth grade or results of a twelfth grade equivalency examination
SBE/SOS/06	Affidavit for School Board Candidacy and Membership
Filing Fee	\$20.00
Filing Official	County Clerk

Candidates for Board of Education (School Board Member) attain ballot access by filing a Nominating Petition with the county clerk. The Nominating Petition shall be signed by the candidate and by not less than **two (2)** registered voters **who reside in the school board district** from which the candidate seeks nomination. The petition shall be filed with the county clerk no later than the first Tuesday after the first Monday in June preceding the day fixed by law for the holding of general election for the office sought.

Candidates for Board of Education (School Board Member) are required to file an **affidavit** signed under penalty of perjury certifying completion of the twelfth grade or the equivalent as determined by passage of the twelfth grade equivalency examination held under regulations adopted by the Kentucky Board of Education. This affidavit is to be filed with the county clerk when filing the Nomination Petition.

Candidates for Board of Education (School Board Member) are required to file with the nominating petition a transcript evidencing completion of the twelfth grade or results of a twelfth grade equivalency examination.

Establishing Campaign Account: For information regarding campaign contribution and expenditure reporting requirements received or expended in the year before the year the candidate appears on the ballot, contact the **Registry of Election Finance** at (502) 573-2226.

Please Note: All information contained in this packet is subject to change per Kentucky Revised Statutes.



NOMINATING PETITION
(Certain Independent candidates or Non-Partisan
candidates required to file with County Clerk)

This Space for Filing Officer Only

To _____ Commonwealth of Kentucky, _____ County:
(County Clerk)

We, the undersigned petitioners, being voters of the same district or jurisdiction from which the candidate seeks nomination, and being at least _____ in number, hereby petition you to cause to be printed on the official ballot of said county/counties _____ of the Commonwealth of Kentucky at the primary/regular election to be held on _____ 20____ the name of _____ who
(Month) (Day)
resides at _____,
(Residential Address) (City, State, Zip)
that my mailing address, if different, is _____ KY _____,
(Post Office Address) (City) (Zip)
as a candidate for the office of _____ district _____.

I, _____, hereby declare that I
(Name of candidate in full as desired on ballot as provided in KRS 118.129)
possess all the constitutional and statutory requirements for the office for which I have filed.

(Signature of Candidate)

Petitioners shall include residential address, signature affixation date, and date of birth. Failure of a voter to include the signature affixation date, date of birth, and residential address shall result in the signature not being counted.

DATE	BIRTH DATE	SIGNATURE OF PETITIONER	RESIDENTIAL ADDRESS	CITY & ZIP



KENTUCKY REGISTRY OF ELECTION FINANCE

Thomas P. O'Brien, III, Chairman
Adrian M. Mendiondo, Vice-Chair
Richard Clayton Larkin, Member
H. David Wallace, Member
J. Bissell Roberts, Member
Laura Marie Bennett, Member
Jessica A. Burke, Member

140 Walnut Street
Frankfort, Kentucky 40601-3240
Phone: (502) 573-2226
Fax: (502) 573-5622
www.kref.ky.gov

John R. Steffen
Executive Director
Leslie M. Saunders
General Counsel

NOTICE AND INSTRUCTIONS TO ALL CANDIDATES

- **Mandatory electronic reporting** – All candidates are required to **electronically** submit all required campaign finance reports to the Registry of Election Finance.
- **Candidates MUST first submit a KREF 001 form electronically to the Registry** – In order to comply with the mandatory electronic filing requirements, **ALL** candidates for office in Kentucky must create an account in the Registry's electronic filing system and submit a KREF 001 form electronically to the Registry **before** starting their campaigns. Please note that candidates must complete a separate form for each election (candidates who filed for the Primary and move forward to the General must create a new intent for the General).
- **Rule 4.4 from the Kentucky Code of Judicial Conduct requires all candidates seeking judicial office who intend to raise campaign funds for that purpose establish a candidate campaign committee** – The Registry's electronic filing system provides judicial candidates with the opportunity to select this option when submitting their KREF 001 form.
- **Candidates are no longer required to submit a hard copy of their KREF 001 with the Secretary of State or County Clerk** – Recent legislation has eliminated the requirement that candidates print a hard copy of the KREF 001 form to accompany their ballot access form when the candidates file for office with the Secretary of State or County Clerk. Instead, the Secretary of State or County Clerk will forward a copy of candidates' ballot access forms to the Registry.
- **INSTRUCTIONS FOR ACCESSING THE REGISTRY'S ELECTRONIC FILING SYSTEM** – In order to initiate the filing process, candidates should go to <https://kref.ky.gov>, click on the "EFILE" button on the Registry's homepage, and follow the instructions found there for creating their account and submitting their KREF 001 form electronically. Candidates should not begin to raise or spend money until their forms are submitted to the Registry.
- **Please note that the County Clerks CANNOT file this form for you** – It is the responsibility of the candidates to create an account and electronically submit their KREF 001 form and their reports with the Registry.
- **ASSISTANCE** – Candidates needing assistance with the electronic filing process should call the Registry at 502-573-2226.

**AFFIDAVIT FOR
SCHOOL BOARD CANDIDACY
AND MEMBERSHIP**

County of _____
Commonwealth of Kentucky

I, _____, after being duly sworn, state as follows:
(Name of Candidate)

1. That I certify that I possess the eligibility requirements as set forth in KRS 160.180 for membership on a board of education. I understand that no person shall be eligible to membership on a board of education:

Unless he has attained the age of twenty-four (24) years; and unless he has been a citizen of Kentucky for at least three (3) years preceding his election and is a voter of the district for which he is elected; and who holds any federal, state, county or city office; or who, at the time of his election, is directly or indirectly interested in the sale to the board of books, stationery, or any other property, materials, supplies, equipment, or services for which school funds are expended; or who has been removed from membership on a board of education for cause; or who has a ***relative** employed by the school district and is elected after July 13, 1990. However, this shall not apply to a board member holding office on July 13, 1990, whose relative was not initially hired by the district during the tenure of the board member.

*** Relative means: father, mother, brother, sister, husband, wife, son and daughter.**

and, I do further state the following:

2. That I certify that I have completed the twelfth (12th) grade or the equivalent as determined by passage of the twelfth (12th) grade equivalency examination (GED).
3. That I am providing this certificate under penalty of perjury.

(Signature of Candidate)

Subscribed and sworn to before me on this date of _____
(Month Day Year)

(Signature of Notary Public)

(Commission Expiration Date)

SBE/SOS/06 (08/18)



White copy: County Clerk
Canary copy: Candidate

2024 KENTUCKY ELECTION CALENDAR

DATE	EVENT	AUTHORITY
NOVEMBER 2023		
Wednesday 11/8/23	Earliest date for the affixing of signatures on candidate filing forms for an office on the ballot in 2023 (not prior to the first Wednesday after the first Monday in November of the year preceding the year the office will appear on the ballot).	KRS 118.125 KRS 118.165 KRS 118.315 KRS 118A.060 KRS 83A.045
DECEMBER 2023		
Sunday 12/31/23	Last day to change political party affiliation and be eligible to vote in that political party's upcoming primary election	KRS 116.055
JANUARY		
Friday 1/5 4:00 PM	Candidate filing deadline: last day to file nomination papers for candidates who must run in primary to file a statement –of-candidacy form with the same office at which nomination papers are filed (first Friday following the first Monday in January). No person shall file a statement of candidacy form for more than one public office during an election cycle.	KRS 118.165 KRS 83A.045 KRS 118A.060
Monday 1/8	When city boundaries extend beyond single county, county clerk shall certify names as required by KRS 83A.047 (on the day following candidate filing deadline).	KRS 83A.047
Thursday 1/11 2:00 PM	Public drawing for ballot position in offices of Secretary of State and county clerks (the Thursday following the filing deadline for the primary).	KRS 118.225 KRS 118A.060
Tuesday 1/16	Secretary of State to certify candidates' names to county clerks (the second Monday after the filing deadline for the primary). [Monday, 1/15 is MLK Day Holiday]	KRS 118.215 KRS 118A.060
FEBRUARY		
Tuesday 2/27	Last day for county clerks to notify State Board of Elections if there are too many certified candidates to be accommodated on the voting machines (last Tuesday in February).	KRS 118.215
MARCH		
Friday 3/15	Last day for Republican and Democratic county executive committees to submit names for appointment of precinct officers to county boards of elections (March 15 each year).	KRS 117.045
Wednesday 3/20	Last day for county boards of elections to appoint precinct officers (March 20 each year).	KRS 117.045
APRIL		
Monday 4/1	Deadline for printing of regular and absentee ballots for primary (50 days before primary).	KRS 117.085 KRS 117.145 KRS 117A.150

2024 KENTUCKY ELECTION CALENDAR

DATE	EVENT	AUTHORITY
Saturday 4/1 4:00 PM **	<p>Last day for independent, political organization and political group candidates, except candidates for federal office and candidates for mayor or legislative body in cities of the home rule class participating in partisan elections, to file a statement – of-candidacy form with the same office at which nomination papers are filed (not later than April 1 preceding the day fixed by law for holding of regular elections for the offices sought).</p> <p>* No person shall file a statement of candidacy form for more than one public office during an election cycle.</p> <p>** If the office in which the statement-of-candidacy form is to be filed is closed on April 1, the form may be filed on the next business day.</p>	KRS 118.367
Friday 4/5*	<p>Last day for county clerks to transmit absentee ballots to voters who request absentee ballots prior to the printing of the ballots (within 4 days of the receipt of the printed ballots).</p> <p>*With the exception of absentee ballot requests by military and overseas voters that are received at least 45 days before the election, absentee ballots that are requested subsequent to the receipt of the ballots by the county clerks shall be transmitted to the voter within 4 days of the receipt of the application.</p>	KRS 117.085
Saturday 4/6	Last day for county clerks to transmit absentee ballots to military and overseas voters whose absentee ballot requests are received by that date (45 days before the election).	KRS 117A.080 52 USC §20302
Saturday 4/6	Online mail-in absentee request portal to open (45 days before the election).	KRS 117.085
Friday 4/19	Last day for candidates to submit lists of proposed challengers to the chair or secretary of county political party committee (not later than the third Friday in April).	KRS 117.315
Monday 4/22 - Thursday 5/15	<p>County clerks to test automatic tabulating equipment (not more than 30 nor less than 5 days prior to election day).</p> <p>[April 21, is a Sunday]</p>	KRS 117.389 KRS 446.060
Monday 4/22	Last day to register to vote for the primary.	KRS 116.045 KRS 116.0452
Tuesday 4/23 - Monday 5/27	Registration books are closed (fourth Tuesday preceding through first Monday following primary).	KRS 116.045
MAY		
Wednesday 5/1	Last day for lists of challengers to be submitted to county clerks (at least 20 days before primary).	KRS 117.315

2024 KENTUCKY ELECTION CALENDAR

DATE	EVENT	AUTHORITY
Tuesday 5/7 11:59 PM	Online mail-in absentee request portal to close (14 days before the election).	KRS 117.085
Tuesday 5/7 - Tuesday 5/21	Voter or their legally authorized agent may submit a notarized paper application for an absentee ballot because of a medical emergency (within 14 days or less of an election).	KRS 117.077
Tuesday 5/7 - Tuesday 5/21	County board of elections or central counting board may meet to review and process the mail-in absentee ballots cast in the county (may begin up to 14 days prior to the day of a primary).	KRS 117.087
Friday 5/10	Last day for county clerks to notify county boards of elections that machines are ready for use (not later than 4 business days preceding the date set to conduct in-person absentee voting). *in-person absentee voting to begin Thursday 5/16	KRS 117.165
Saturday 5/11	Last day for county boards of elections to give precinct officers written notice of appointment (not less than 10 days before primary).	KRS 117.045
Sunday 5/12	Last day for county boards of elections to publish notice of time when the absentee voting machines are to be examined by the board (not less than 24 hours before examination).	KRS 117.165 KRS 424.130
Monday 5/13	Last day for county boards of elections to examine machines (not later than 3 business days preceding the date set to conduct in-person absentee voting). *in-person absentee voting to begin Thursday 5/16	KRS 117.165
Tuesday 5/14	Last day to apply for a military-overseas ballot (not later than close of business 7 days before primary). Applications, including the declaration accompanying a federal write-in absentee ballot, must be received by this day. *An application for a military-overseas ballot for a primary, whether or not timely, is effective as an application for a military-overseas ballot for the regular election.	KRS 117A.060 KRS 117A.070 KRS 117.085
Tuesday 5/14	Last day for any voter who has received an absentee ballot by mail but who knows at least 7 days before election day that he or she will be in the county on election day and who has not voted the absentee ballot to cancel his or her absentee ballot and return it to the county clerk's office (no later than 7 days before the election). Such voter shall vote in person.	KRS 117.085 KRS 117.085

2024 KENTUCKY ELECTION CALENDAR

DATE	EVENT	AUTHORITY
Thursday 5/16 - Saturday 5/18	In-person absentee voting to be conducted in the county clerk's office or other place designated by the county board of elections and approved by the State Board of Elections.	KRS 117.085
Thursday 5/16	Last day for State Board of Elections to furnish county clerks with lists of registered voters (at least 5 days before primary).	KRS 117.025
Thursday 5/16	Last day for county clerks to notify county boards of elections that machines are ready for use (not later than Thursday before election).	KRS 117.165
Thursday 5/16	Last day for county boards of elections to publish notice of time when voting machines are to be examined by the board (not less than 24 hours before examination).	KRS 117.165 KRS 424.130
Thursday 5/16	Last day for county clerks to publish copy of ballot (not less than 3 days before primary).	KRS 424.290
Friday 5/17	Last day for county boards of elections to examine machines (not later than the Friday before primary).	KRS 117.165
Tuesday 5/21	<ul style="list-style-type: none"> • Primary Election Day (first Tuesday after third Monday in May) • Polls open 6 a.m. to 6 p.m., prevailing time. • County boards of elections to be in session all day. • County boards of elections to meet at county clerk's office at 8 a.m. to count absentee ballots, but the absentee ballot results shall not be made public until after 6 p.m., prevailing time. • Mail-in absentee ballots must be received by clerk before 6 p.m., prevailing time. • Information contained in an application for an absentee ballot shall not be made public until after the close of business hours on Election Day for which the application applies. There is no prohibition to disclose at any time, upon request, the total number of applications for absentee ballots that have been filed. 	KRS 118.025 KRS 118.035 KRS 117.086 KRS 117.087 KRS 117.085
Wednesday 5/22 – Friday 5/31	Voting machines and ballot boxes to be locked (10 days following primary).	KRS 117.295
Friday 5/24 12:00 PM	County boards of elections shall certify the total number of votes to the Secretary of State's office (not later than 12 p.m., prevailing time, on the Friday following the election).	KRS 118.425
Friday 5/24	Last day for precinct sheriffs to file report (within 3 days after primary).	KRS 117.355
Tuesday 5/28 4:00 PM	Deadline to request recanvass (before 4 p.m. on Tuesday after primary).	KRS 117.305

2024 KENTUCKY ELECTION CALENDAR

DATE	EVENT	AUTHORITY
Thursday 5/30 9:00 AM	County boards of elections shall conduct any requested recanvass (at 9 a.m. on Thursday after deadline to request a recanvass, and not sooner).	KRS 117.305
Friday 5/31	Last day for county boards of elections to file post-election reports with the State Board of Elections and county grand jury (within 10 days after primary).	KRS 117.355
JUNE		
Monday 6/3	Last day for county boards of elections to issue certificates of nomination (not later than the second Monday after election).	KRS 118.425
Tuesday 6/4 4:00 PM	Candidate filing deadline: last day to file any petition, certificate, statement, or nomination papers that must be filed by the first Tuesday after the first Monday in June preceding the election for the office sought.	KRS 118.365 KRS 83A.045
Wednesday 6/5	When city boundaries extend beyond single county, county clerk shall certify names as required by KRS 83A.047 (on the day following candidate filing deadline).	KRS 83A.047
Thursday 6/6 2:00PM	Public drawing for ballot position in offices of Secretary of State and county clerks (the Thursday following the first Tuesday after the first Monday in June preceding the regular election).	KRS 118.225 KRS 118A.090
Monday 6/10	Last day for state board of elections to meet to tabulate votes and make out certificates of nomination (not later than the third Monday after election).	KRS 118.425
Thursday 6/20	Last day for county clerks to send precinct rosters and recapitulation sheets to state board of elections (within 30 days after any primary or general election).	KRS 117.275 KRS 117.355
Monday 6/17	Secretary of State to certify candidates' names to county clerks (Not later than the second Monday following the filing deadline for the regular election).	KRS 118.215
Monday 6/17	Last day for Secretary of State to certify to county clerks the names of candidates for the office of Court of Justice pursuant to KRS 118A.060 (Not later than the date set forth in KRS 118.215(1)).	KRS 118A.090
AUGUST		
Tuesday 8/12	Candidate filing deadline: last day for independent, political organization, or political group candidates to file a petition due to a vacancy occurring after the June filing deadline but less than 3 months before the election (not later than the second Tuesday in August preceding the regular election for the office sought).	KRS 118.375
Tuesday 8/27	Last day for county clerks to notify state board of elections if there are too many certified candidates to be accommodated on the voting machine (last Tuesday in August).	KRS 118.215

2024 KENTUCKY ELECTION CALENDAR

DATE	EVENT	AUTHORITY
SEPTEMBER		
Monday 9/16	Deadline for printing of regular and absentee ballots (at least 50 days before election).	KRS 117.085 KRS 117.145 KRS 117A.150
Friday 9/20	Last day for county boards of elections to establish voting places (September 20 of each year).	KRS 117.065
Friday 9/20*	Last day for county clerks to transmit absentee ballots to voters who request absentee ballots prior to the printing of the ballots (within 4 days of the receipt of the printed ballots). * With the exception of absentee ballot requests by military and overseas voters that are received at least 45 days before the election, absentee ballots that are requested subsequent to the receipt of the ballots by the county clerk shall be mailed to the voter within 4 days of the receipt of the application.	KRS 117.085
Saturday 9/21	Last day for county clerks to transmit absentee ballots to military and overseas voters whose absentee ballot requests are received by that date (45 days before the election).	KRS 117A.080 52 USC §20302
Saturday 9/21	Online mail-in absentee request portal to open (45 days before the election).	KRS 117.085
OCTOBER		
Sunday 10/6 – Thursday 10/31	County clerks to test automatic tabulating equipment (not more than 30 nor less than 5 days prior to election day).	KRS 117.389
Monday 10/7	Last day to register to vote for the general election.	KRS 116.045 KRS 116.0452
Tuesday 10/8 - Monday 11/11	Registration books are closed (fourth Tuesday preceding through first Monday following election).	KRS 116.045
Wednesday 10/16	Last day for lists of challengers to be submitted to county clerks (at least 20 days before election).	KRS 117.315
Tuesday 10/22 11:59 PM	Online mail-in absentee request portal to close (14 days before the election).	KRS 117.085
Tuesday 10/22 - Tuesday 11/5	Voter or their legally authorized agent may submit a notarized paper application for an absentee ballot because of a medical emergency (within 14 days or less of an election).	KRS 117.077

2024 KENTUCKY ELECTION CALENDAR

DATE	EVENT	AUTHORITY
Friday 10/25 4:00 PM	Last day to file a declaration of intent to be a write-in candidate (on or before fourth Friday in October).	KRS 117.265
Friday 10/25	Last day for county clerks to notify county boards of elections that machines are ready for use (not later than 4 business days preceding the date set by the county board of elections to conduct absentee voting). *in-person absentee voting to begin Thursday 10/31	KRS 117.165
Saturday 10/26	Last day for county boards of elections to send election officers written notice of appointment (not less than 10 days before election).	KRS 117.045
Sunday 10/27	Last day for county boards of elections to publish notice of time when the absentee voting machines are to be examined by the board (not less than 24 hours before examination).	KRS 117.165
Monday 10/28	Last day for county boards of elections to examine machines (not later than 3 business days preceding the date set by the county board of elections to conduct absentee voting). *in-person absentee voting to begin Thursday 10/31	KRS 117.165
Tuesday 10/29	Last day to apply for a military-overseas ballot (not later than close of business 7 days before primary). Applications, including the declaration accompanying a federal write-in absentee ballot, must be received by this day. *An application for a military-overseas ballot for a primary, whether or not timely, is effective as an application for a military-overseas ballot for the regular election.	KRS 117A.060 KRS 117A.070 KRS 117.085
Tuesday 10/29	Last day for any voter who has received an absentee ballot by mail but who knows at least 7 days before election day that he or she will be in the county on election day and who has not voted the absentee ballot to cancel his or her absentee ballot and return it to the county clerk's office (no later than 7 days before the election). Such voter shall vote in person.	KRS 117.085 KRS 117.085
Thursday 10/31 - Saturday 11/2	In-person absentee voting to be conducted in the county clerk's office or other place designated by the county board of elections and approved by the State Board of Elections.	KRS 117.085
Thursday 10/31	Last day for state board of elections to furnish county clerks with lists of registered voters (at least 5 days before election).	KRS 117.025
Thursday 10/31	Last day for county clerks to notify county boards of elections that machines are ready for use (Thursday before election).	KRS 117.165
Thursday 10/31	Last day for county boards of elections to publish notice of time when voting machines are to be examined by the board (not less than 24 hours before examination).	KRS 117.165

2024 KENTUCKY ELECTION CALENDAR

DATE	EVENT	AUTHORITY
NOVEMBER		
Friday 11/1	Last day for county clerks to publish copy of ballot (not less than 3 days before election).	KRS 424.290
Friday 11/1	Last day for county clerks to equip machines with supplies for write-in votes (not later than Friday before election).	KRS 117.145
Friday 11/1	Last day for county boards of elections to examine machines (not later than Friday before election).	KRS 117.165
Tuesday 11/5	<ul style="list-style-type: none"> • General Election Day (first Tuesday after first Monday in November). • Polls open 6 a.m. to 6 p.m., prevailing time. • County boards of elections to be in session all day. • County boards of elections to meet at county clerk's office at 8 a.m. to count absentee ballots, but the absentee ballot results shall not be made public until after 6 p.m., prevailing time. • Mail-in absentee ballots must be received by clerk before 6 p.m., prevailing time. • Information contained in an application for an absentee ballot shall not be made public until after the close of business hours on Election Day for which the application applies. There is no prohibition to disclose at any time, upon request, the total number of applications for absentee ballots that have been filed. 	Ky. Const. §148 KRS 118.025 KRS 118.035 KRS 117.086 KRS 117.087 KRS 117.085
Wednesday 11/6	Earliest date for the affixing of signatures on candidate filing forms for an office on the ballot in 2024 (not prior to the first Wednesday after the first Monday in November of the year preceding the year the office will appear on the ballot).	KRS 118.125 KRS 118.165 KRS 118.315 KRS 118A.060 KRS 83A.045
Wednesday 11/6 – Thursday 12/5	Voting machines and ballot boxes to be locked 30 days following election.	KRS 117.295
Friday 11/8 12:00 PM	County boards of elections shall certify the total number of votes to the Secretary of State's office (not later than 12 p.m., prevailing time, on the Friday following the election).	KRS 118.425
Friday 11/8	Last day for precinct sheriffs to file report (within 3 days after election).	KRS 117.355
Tuesday 11/12 4:00 PM	Deadline to request recanvass (before 4 p.m. on Tuesday after election).	KRS 117.305
Thursday 11/14 9:00 AM	County boards of elections shall conduct any requested recanvass (9 a.m. on the Thursday following the filing deadline to request a recanvass).	KRS 117.305

2024 KENTUCKY ELECTION CALENDAR

DATE	EVENT	AUTHORITY
Friday 11/15	Last day for county boards of elections to file post-election reports with the State Board of Elections and county grand jury (within 10 days after election).	KRS 117.355
Monday 11/18	County boards of elections (except counties containing cities of the first class; see KRS 118.425(3)) shall issue certificates of election (not later than second Monday after the election).	KRS 118.425
Monday 11/25	Last day for State Board of Elections to meet to tabulate votes and make out certificates of election (not later than third Monday after election).	KRS 118.425
DECEMBER		
Thursday 12/5	Last day for county clerks to send precinct rosters and recapitulation sheets to State Board of Elections (within 30 days after any primary or general election).	KRS 117.275 KRS 117.355
Tuesday 12/31/24	Last day to change political party affiliation and be eligible to vote in that political party's upcoming primary election	KRS 116.055



OATHS OF OFFICE

**20
24** | SCHOOL
BOARD
ELECTION
RESOURCES
GUIDE



KSBA

KENTUCKY SCHOOL BOARDS
ASSOCIATION

Information regarding the required oaths of office

Q. What oath is required for new board members?

A: There actually are two oaths — one verbal and one written — that new board members must take. The verbal oath is found in Section 228 of the Kentucky Constitution. An official qualified under KRS 62.020 (see below) must administer this oath by having the board member repeat after the official. The official must then certify in writing that the oath was administered, and this certification must be filed with the office of the county clerk. A separate written oath is set out in KRS 160.170. This oath may be prepared as a document to be completed and signed by the board member and then notarized. The executed document must be maintained as an official board record.

Q. Who may administer the Constitutional oath to new board members?

A: KRS 62.020 requires that this verbal oath be administered by an active, retired or senior status state justice or judge; any active, retired or senior status federal judge with Kentucky jurisdiction; any member of the Kentucky General Assembly; any county judge executive; notary public; clerk of a court; or justice of the peace within the county of the board member.

Q. How does the official certify that she/he administered the Constitutional oath?

A: The official administering the oath must certify in writing that she/he administered the oath. This document should state the official's name and title, the name of the board member to whom the oath was administered and the date of administration of the oath and should be signed and dated by the official. This document should then be filed in the office of the county clerk, pursuant to KRS 62.020.

Q. Who must take these oaths?

A: Newly elected or appointed board members must take both oaths. This includes not only members that are new to the board itself, but also members who are re-elected for additional terms and members elected or appointed to fill an unexpired term.

Q. When is the earliest time an elected board member may take the Constitutional oath?

A: The oath may be administered at any time following issuance of certificates of election by the county board of elections. See KRS 118.425 and OAG 79-606.

Q. Where may the Constitutional oath be administered?

A: The law does not contain limitations on where the oath may be administered. OAG 78-707. Specifically, there is no requirement that a board member must be sworn in at a board meeting.

Q. When should an elected board of education member take the Constitutional oath and execute the written oath?

A: KRS 62.010 provides that the Constitutional oath is to be taken on or before the day an elected officer's term of office begins. KRS 160.170 says that the written oath should be signed before the board member assumes his or her duties. It is therefore recommended board members for the 2024 election cycle take the oaths on or before Wednesday, Jan. 1, 2025. See KRS 160.200. There are attorney general opinions and case authorities that say the Constitutional oath may be taken a reasonable time after a term commences where there is a reasonable excuse for the delay. OAG 78-50, OAG 90-139, *Lewin v. Town of Ft. Mitchell*, 147 S.W. 922(1912). The Kentucky attorney general reiterated this rule in OAG 13-003 (city council member was authorized to take oath two days after commencement of term due to illness). Consultation with board counsel is advisable in the event school leaders intend to rely on these authorities.

Persons elected to fill unexpired terms, such as board members previously appointed to fill a vacancy who successfully run to serve out the remainder of the subject term or other persons elected to an unexpired term, should take the oaths of office and assume office immediately upon certification of election results by the county board of elections. KRS 118.775; KRS 160.190.

Q: May the oaths of office be managed virtually?

A: Yes. With respect to the oral oath of office, the Kentucky attorney general opined in OAG 20-17 that “[b]ecause the text does not prohibit it, the oath of office required by KRS 62.010, may be administered by virtual means.”

Statutory Oath for Board of Education Member

(Pursuant to KRS 160.170)

This **written** oath should be completed and signed by the board member, notarized and **kept as a part of the official board record**. All members who are elected in a November election must take the required oaths, including those re-elected for an additional term of those elected to fill unexpired terms.

STATE OF KENTUCKY

COUNTY OF _____

_____, being duly sworn, says that she/he is eligible under the law to serve as a member of the board of education, and that she/he will not, while serving as a member of such board, become interested, directly or indirectly, in any contract with or claim against the board, and that she/he will not in any way influence the hiring or appointment of district employees, except the hiring of the superintendent of schools or school board attorney.

SIGNATURE OF BOARD MEMBER

Subscribed and sworn to before me this ____ day of _____, _____.

NOTARY PUBLIC, STATE AT LARGE

(My commission expires: _____)

Note: Legislation passed during the 2024 Regular Session of the Kentucky General Assembly will result in changes to the language in this oath for those taking office in January 2025.

Constitutional Oath for Board of Education Member

(Pursuant to KY Constitution sec. 228)

A person qualified under KRS 62.020 to administer official oaths should administer this verbal oath to board members. Qualified persons include state or federal judges with Kentucky jurisdiction (including retired or senior status state or federal judges), any member of the Kentucky General Assembly, any county judge executive, notary public, clerk of a court or justice of the peace within the county of the board member. All members who are elected in a November election must take the required oaths, including those re-elected for an additional term or those elected to fill unexpired terms.

Oaths of Officers:

"I do solemnly swear (or affirm as the case may be) that I will support the Constitution of the United States and the Constitution of this Commonwealth, and be faithful and true to the Commonwealth of Kentucky so long as I continue a citizen thereof, and that I will faithfully execute, to the best of my ability, the office of Member of the _____ Board of Education according to law; and I do further solemnly swear (or affirm) that since the adoption of the present Constitution, I, being a citizen of this State, have not fought a duel with deadly weapons within this State nor out of it, nor have I sent or accepted a challenge to fight a duel with deadly weapons, nor have I acted as a second in carrying a challenge, nor aided or assisted any person thus offending, so help me God."

Certification of Administration:

Pursuant to KRS 62.020 (1996 amendments), the official administering the oath of office must certify in writing that the oath was administered and state the date of administration. This certification is to be filed with the office of the county clerk. The certification should state the official's name and title, the name of the board member to whom the oath was administered, the date of the administration of the oath, and should be signed and dated by the official. See next page for a sample certification form.

Certification of Administering of Official Oath

I, _____,
(Name of official administering oath) (title of official, i.e., county judge executive, etc.)

being qualified under KRS 62.020 to administer official oaths, on the ____ day of

_____, _____, did administer the official oath contained in

Sec. 228 of the Kentucky Constitution to _____
(name of board member)

In his/her capacity as board member of the _____ Board of Education.

Attested this ____ day of _____, _____.

Signature of Official Administering Oath

****KRS 62.020:** This certification is to be filed with Office of the County Clerk.