



Region 10 ESC

Experience the Power of 10

DATE: January 6, 2025

TO: Region 10 Superintendents

FROM: Dr. Jana Melsheimer
Executive Director 

SUBJECT: 2025 Board Election

The process for election of Board Members to serve Regional Education Service Centers provides for a cooperative arrangement between local districts and the Education Service Center. It is, therefore, necessary for Region 10 Education Service Center to again request your able assistance in expediting the election process in the most effective manner possible. The 2025 Election will be held to elect one director for Place 6 representing Grayson County and one director for Place 7 representing Ellis and Kaufman Counties.

Enclosed please find a notice calling for the 2025 Election of Region 10 Board Members and a copy of applicable Region 10 policies. Region 10 policies included are: (1) Board Members: Eligibility/Qualifications (BBA), and (2) Board Members: Elections (BBB). In the event that all positions in the election are uncontested, the RESC Board of Directors may determine that no election will be held. Please assist in this election process by posting the notice and sharing related information with interested persons in your district.

Your attention is respectfully directed to several key points concerning the 2025 election:

1. The filing period is from 8:00 a.m. February 1, 2025 until 4:30 p.m. February 20, 2025.
2. The persons seeking election must reside in the county or counties to be represented.
3. Filing forms may be obtained from Region 10 headquarters by written or telephone request.
4. Persons filing will be notified of the date and time of drawing for ballot position. The drawing will take place at the Region 10 headquarters between the dates of February 20 and March 1, 2025.

Thank you for your assistance in the successful completion of this endeavor. If there are any questions relative to this election process, feel free to call my office, (972-348-1000), or Candace Baker, (972-348-1002).

JM:cb
Enclosures

NOTICE OF BOARD OF DIRECTORS ELECTION
REGION 10 EDUCATION SERVICE CENTER

Notice is hereby given that a **Board of Directors Election** will be held between the dates of March 1 and April 5, 2025 in the independent school districts in the following counties; Collin, Dallas, Ellis, Fannin, Grayson, Hunt, Kaufman, Rockwall, portions of Henderson, and portions of Van Zandt for the purpose of electing one director for Place 6 representing Grayson County and one director for Place 7 representing Ellis and Kaufman Counties.

Said election shall be held in school districts in each of the counties noted. The electorate shall be members of the Board of Trustees of public school districts in the counties noted. Any person meeting eligibility requirements for the Board of Directors of a regional education service center may file for the election at the Region 10 Education Service Center, 400 East Spring Valley Road, Richardson, Texas, or by certified mail. Filing forms may be obtained from Region 10. The time period for filing shall commence February 1 and end 4:30 p.m., February 20, 2025.

Dated this the 6th day of January 2025.



Dr. Jana Melsheimer
Executive Director
Region 10 Education Service Center

BOARD MEMBERS
ELIGIBILITY/QUALIFICATIONS

BBA
(LEGAL)

**General
Qualifications**

To hold the office of member of an ESC board of directors, one must:

1. Be a U.S. citizen.
2. Be at least 18 years of age.
3. Be a resident of that ESC region.

To hold the office of board member, one may not:

1. Be engaged professionally in prekindergarten–grade 12 education.
2. Be a member of a board of any educational agency or institution other than the State Board of Education.

The eligibility of a board member is determined by the requirements specified in 19 Administrative Code 53.1001(b)(1) as they existed on the date the board member was elected or appointed to office.

19 TAC 53.1001

**Charter School
Member**

A charter school member of an ESC board of directors must be a U.S. citizen, a resident of the state of Texas, and at least 18 years old. A person may be appointed to serve as a charter school member of more than one ESC board of directors. [See BBB] *19 TAC 53.1002(c)(1)*

Residence Defined

“Residence,” although its meaning may vary according to context, generally requires both physical presence and an intention to remain. *Martinez v. Bynum*, 461 U.S. 321 (1983); see also *Prince v. Inman*, 280 S.W.2d 779 (1955)

BOARD MEMBERS
ELECTION AND APPOINTMENT

BBB
(LEGAL)

Membership

An ESC board is composed of seven members elected by the boards of trustees of the school districts in the ESC region. *Education Code 8.003(a); 19 TAC 53.1001(b)*

The commissioner shall adopt rules to provide for the local selection, appointment, and continuity of membership of ESC boards of directors. *Education Code 8.003(b)*

Charter School
Member

The commissioner shall adopt rules that provide for the representation of open-enrollment charter schools on ESC boards of directors. *Education Code 12.104*

Notwithstanding 19 Administrative Code 53.1001, where an ESC region has at least one open-enrollment charter school, as defined by 19 Administrative Code 100.1011(3), approved to operate within its boundaries on or after June 1, the commissioner shall appoint a representative of the open-enrollment charter schools in the region to serve as a non-voting member of the boards of directors of the ESC. *19 TAC 53.1002(a)*

Not later than May 31, the commissioner shall notify the board of each qualifying ESC of the commissioner's appointee to serve as the charter school member of that ESC boards of directors effective June 1. *19 TAC 53.1002(c)(4)*

*Appointment
Process for
Charter School
Member*

Any eligible person wishing to seek appointment as a charter school member of an ESC board shall file an application between February 1 and February 20. The application shall be in the form of a letter seeking appointment to a specific ESC board. The letter must:

1. Include a description of the applicant's qualifications to serve as a charter member of the ESC board;
2. Enclose letters of support signed by representatives from at least one open-enrollment charter school in the ESC region; and
3. Supply contact information for the persons signing the letters of support.

The application for appointment as a charter school member of the ESC board may be filed by mail if sent by certified United States mail, return receipt requested, or by an overnight courier service. The envelope must be addressed to the Charter School Division, Texas Education Agency, 1701 N. Congress Avenue, Austin, TX 78701-1494.

If the commissioner does not select a representative from among the applicants, or if no applicant applies for such appointment, then

BOARD MEMBERS
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BBB
(LEGAL)

	there shall be a vacancy, which shall be filled by appointment by the commissioner. <i>19 TAC 53.1002(c), (d); 19 TAC 100.1011(3)</i>
Term	A board member elected by a school district in the ESC shall serve a three-year term, which begins on June 1. <i>19 TAC 53.1001(a)(1)</i>
Elected Board Member from a School District	
Charter School Member	A charter school member of an ESC board of directors shall be appointed for a one-year term. The term of office shall begin June 1, and may be extended for up to three years by the commissioner. <i>19 TAC 53.1002(b)</i>
Election Procedures	Election of board members is accomplished as follows.
Notice of Time and Place for Filing	By February 1, notice of the time and place for filing shall be posted in appropriate locations and submitted to appropriate newspapers in the ESC region for publication and to the superintendent of each school district in the ESC region.
Filing Requirements	Any eligible person [see BBA] wishing to seek election to an ESC board must file in accordance with policies adopted by the board.
<i>Place, Time, and Manner of Filing</i>	The eligible person shall file at the headquarters of the ESC region in person or by certified mail between February 1 and February 20. Each boards of directors shall adopt policies concerning filing procedures.
<i>No Filing Fee</i>	No filing fee shall be required.
Ballot Preparation and Distribution	A ballot must be developed and submitted to the board of trustees of each school district in the ESC region by March 1. Placement on the ballot shall be determined by drawing.
Voting	Each member of the board of trustees of each school district in the ESC region shall have one vote for each vacancy on the ESC boards of directors. Completed ballots shall be returned to the Chair of the ESC boards of directors by April 5.
Canvass Returns, Determine Results	The ESC boards of directors shall canvass the ballots at its next regularly scheduled or special meeting, but not later than May 31, and determine the winner by a plurality of the votes cast.
<i>Tie Votes</i>	In the event of a tie, the names of the candidates who have tied shall be resubmitted to the board of trustees of each school district in the ESC region.
Report Results	The executive director shall notify the commissioner of the results of an election, whether contested or uncontested.

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(LEGAL)

**Uncontested
Elections**

In the event all positions in the election are uncontested, the ESC boards of directors may determine that no election will be held. The board must make this determination prior to March 1. If, due to an uncontested election, the board determines that an election should not be held, the board shall declare the unopposed candidates elected to office.

19 TAC 53.1001(b)

Vacancy

A vacancy on the ESC board shall be filled by appointment by the remaining members of the board for the unexpired term. *Education Code 8.003(c); 19 TAC 53.1001(a)(4)*

**30-Day Period and
Notice**

If a vacancy occurs due to death or resignation of a member of the board, a 30-day period shall elapse after notice has been given to the board chair, before the vacancy is filled.

At the beginning of the 30-day period, notice of any vacancy shall be given to the president of the board of trustees and the superintendent of each school district in the ESC region and shall be posted in appropriate locations.

19 TAC 53.1001(a)

**Vacancy for Charter
School Member**

If a vacancy occurs due to death or resignation of a charter school member of the ESC board, a 30-day period shall elapse, after notice has been given to the board chair, before the vacancy is filled.

At the beginning of the 30-day period, notice of any vacancy shall be given to the president of the governing body and the chief executive officer of each open-enrollment charter school in the ESC region and shall be posted in appropriate locations.

A vacancy for the unexpired term of a charter school member of the ESC board shall be filled by appointment by the commissioner.

19 TAC 53.1002(b)

Officer's Statement

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

Oath of Office

All elected and appointed board members, before they enter upon the duties of the office, shall take the official oath or affirmation of office. *Tex. Const. Art. XVI, Sec. 1(a)*

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

1. A judge, retired judge, or clerk of a municipal court.

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(LEGAL)

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2. A judge, retired judge, senior judge, clerk, or commissioner of a court of record.
 3. A justice of the peace or clerk of a justice court.
 4. A notary public.

Gov't Code 602.002

Holdover Doctrine

All public officers shall continue to perform the duties of their offices until their successors shall be duly qualified, i.e., sworn in. Until the vacancy created by a board member's resignation is filled by a successor, the board member continues to serve and have the duties and powers of office, except that a board member may not vote on the appointment of the board member's successor. [See DBE] *Tex. Const., Art. XVI, Sec. 17; Atty. Gen. Ops. JM-636 (1987), DM-2 (1991), O-6259 (1945)*

Note: For restrictions regarding Political Advertising, see EE.

BOARD MEMBERS
ELECTION AND APPOINTMENT

BBB
(LOCAL)

**Board of Directors
Elections**

Members of the Board are elected on an at-large basis to represent specific counties or school districts within the ESC region; however, members shall be elected by votes from each school Board member of each school district and shall serve staggered terms. Following the filing deadline [see BBB(LEGAL)] the Chair of the Board or designee shall conduct a drawing of the names of candidates in order to determine placement on the ballot. Names of candidates shall be placed on the ballot in the order drawn.

Ballots shall then be developed and distributed to the boards of trustees of the school districts in the region.

The Board shall canvass the ballots by place, and the candidates receiving the greatest number of votes shall be declared elected.

The Board Chair shall name a designee to serve as elections administrator to open, tabulate, and prepare a written report for the Board's use in canvassing the election returns. The elections administrator shall prepare and post at the ESC a summary of the votes cast for each candidate within two hours following the Board's certification of the election. The elections administrator shall notify all candidates of the election results within twenty-four hours of the Board's certification of the election.

The term of newly elected Board members shall take effect following the administration of the oath of office. A Board member shall retain the position until a successor has been duly elected and has been administered the oath of office. [See BBB(LEGAL)]