



STATE OF MICHIGAN  
RUTH JOHNSON, SECRETARY OF STATE  
DEPARTMENT OF STATE  
LANSING

MEMORANDUM

**TO:** School Board Candidates  
**FROM:** Michigan Department of State, Bureau of Elections  
**SUBJECT:** FILING REQUIREMENTS UNDER MICHIGAN'S CAMPAIGN  
FINANCE ACT

Printed from Bureau of Elections website on February 7, 2018

Please read this memo carefully as you may be required to file a Statement of Organization form and Campaign Statements with the county clerk's office.

- A candidate who seeks a school board position in a school district with a pupil enrollment count of 2,401 or more is subject to the filing requirements of Michigan's Campaign Finance Act.
- A candidate who seeks a school board position in a school district with a pupil enrollment count of 2,400 or less is not subject to the filing requirements of the Act as long as he or she does not spend or receive more than \$1,000.00 for the election.
- All candidates are required to keep records of their campaign expenses and provide an identifier on campaign material. In addition, all candidates are prohibited from accepting corporate contributions or contributions from a labor organization.

Given the above, you are required to file under Michigan's Campaign Finance Act if you meet one of the following conditions:

- 1) the school district in which you are seeking election has a pupil enrollment count of 2,401 or more; or
- 2) the school district in which you are seeking election has a pupil enrollment count of 2,400 or less and you spend or receive more than \$1,000.00 for the election.

If you determine that you are required to file, contact your local county clerk's office immediately for filing information and forms. A candidate whose school district crosses county boundaries should contact the clerk of the county in which the greatest number of voters eligible to vote in the school district's election reside.

**I. The Statement of Organization**

As soon as a person becomes a "candidate," he or she has 10 calendar days to form a Candidate Committee. After the committee's formation date, the candidate has 10 additional calendar days to register the committee. A candidate registers a Candidate Committee by filing a Statement of Organization form with his or her filing official. The candidate definition and other points of information related to the Statement of Organization filing are detailed below:

**"CANDIDATE" DEFINITION:** An individual who seeks a school board seat in a school district with a pupil enrollment count of 2,401 or more becomes a "candidate" as soon as he or she 1) files a nominating petition or \$100.00 filing fee for office or 2) receives a contribution or makes an expenditure (or gives consent to someone else to receive a contribution or make an expenditure) in order to be elected to office. A person elected to a school board seat through write-in votes who did not receive or spend any funds in order to be elected becomes a "candidate" on the date the election is certified.

An individual who seeks a school board seat in a school district with a pupil enrollment count of 2,400 or less becomes a "candidate" as soon as he or she spends or receives in excess of \$1,000.00 to further his or her election to office.

**STATEMENT OF ORGANIZATION FORMS:** Statement of Organization forms can be obtained from the county clerk. A candidate for a school board seat that will be voted on in a single county files the form with the clerk of the county. A candidate for a school board seat that will be voted on in more than one county files the form with the clerk of the county in which the greatest number of voters eligible to vote on the office resides. The Statement of Organization form must be filed in duplicate. The form can also be printed from the website maintained by the Michigan Department of State:

Go to: [www.Michigan.gov/elections](http://www.Michigan.gov/elections)  
Select: Campaign Finance Disclosure  
Select: Forms and Filing Materials  
Select: Candidate/Gubernatorial Committees

**REPORTING WAIVER:** A committee that does not expect to receive or spend more than \$1,000.00 for the election is eligible for a Reporting Waiver. (In-kind contributions, i.e., contributions of goods or services, count toward the \$1,000.00 Reporting Waiver threshold.) A committee that obtains a Reporting Waiver is exempt from filing campaign statements. The Reporting Waiver is requested by checking item 10 on the Statement of Organization form.

**LATE FILING FEES:** A \$10.00 late filing fee is assessed each business day a Statement of Organization is late. The maximum fee assessed for a late Statement of Organization is \$300.00.

## **II. Campaign Statements**

A committee that does not maintain a Reporting Waiver must disclose its campaign finances on Campaign Statements. Campaign Statement forms, instructions and due dates can be obtained from the county clerk. The Campaign Statement forms can also be printed from the Web site maintained by the Michigan Department of State. See "*Statement of Organization Forms*" section above for instructions on accessing the forms online.

A late filing fee is assessed each business day a Campaign Statement is late. The maximum fee assessed for a late Campaign Statement is \$1,000.00 if the committee raised more than \$10,000.00 in the past two (2) years. If the committee did not raise more than \$10,000.00 in the past two (2) years, the maximum fee assessed is \$500.00.

## **III. Identification Requirement**

All printed matter related to a campaign (yard signs, brochures, billboards, poll cards, stationery, etc.) must contain: "Paid for by (name and address of the committee)." All political advertisements broadcast by television or radio must contain: "Paid for by (name of the committee)." See Appendix J of the committee manual for additional information on the identification requirements.

## **IV. Contribution Limits for School Board Candidates**

Contribution limits apply to all local candidates including school board candidates. The contribution limits do not apply to the candidate's contributions to his or her Candidate Committee. A chart that details the contribution limits is available through your county clerk or the Michigan Department of State's Bureau of Elections. The chart can also be printed from the website maintained by the Michigan Department of State.

## **V. Additional Information**

For additional information, find the Candidate Committee Manual maintained online by the Michigan Department of State or visit the Campaign Finance Disclosure website.



## AFFIDAVIT OF IDENTITY

All candidates seeking elective office in Michigan must submit an Affidavit of Identity (two copies) when filing. A candidate who fails to file Affidavits of Identity as required is ineligible to appear on the ballot (MCL 168.558 as amended under PA 163 of 2002).

### A. CHANGE OF NAME

Michigan election law, MCL 168.558, stipulates that a candidate who is "not using a name, whether a given name, a surname, or otherwise, that is not a name that he or she was given at birth" must indicate his or her full former name on the Affidavit of Identity. The requirement to indicate a name change on the Affidavit of Identity does *not* apply if:

- The candidate's name was formally changed 10 or more years ago.
- The candidate's name was changed in a Certificate of Naturalization issued by a federal district court 10 or more years ago.
- The candidate's name was changed because of marriage.
- The candidate's name was changed through divorce to a "legal name by which the individual was previously known."

Michigan election law provides that a candidate required to indicate a name change on the Affidavit of Identity must be listed on the ballot "with his or her current name and former name as prescribed by the Secretary of State." (MCL 168.560b)

### B. APPEARANCE OF NAME ON BALLOT

Michigan election law provides the following stipulations regarding the manner in which a candidate can have his or her name printed on the ballot:

- A candidate "may specify that both his or her given name and middle name, or only a middle name, shall appear on the ballot."
- A candidate "may specify that either an initial or a recognized diminutive for the candidate's given name or middle name, or for both, shall appear on the ballot."
- A candidate may *not* use a "nickname that is not a recognized diminutive of the candidate's given name or middle name" on the ballot.
- A married person may *not* use his or her spouse's given name, middle name or a diminutive of his or her spouse's given name or middle name on the ballot.
- A candidate may specify a name that constitutes a common law name in accordance with Michigan Department of State Guidelines.

### C. MAILING ADDRESS

A candidate who wishes to receive communications from the Michigan Department of State's Bureau of Elections at an address other than his or her residential address should enter a "mailing address" where indicated. (Note: A candidate may list a P.O. Box for his or her "mailing address"; a candidate may *not* list a P.O. Box for his or her residential address.)

If a "mailing address" is listed, it will be shown on the candidate listings prepared and distributed by the Bureau. If a "mailing address" is *not* listed, the candidate's residential address will be shown on the candidate listings prepared and distributed by the Bureau. All candidate listings prepared by the Bureau are posted on the Bureau's website for public access.

### D. JUDICIAL CANDIDATES

Place a check in the box before "Incumbent Position" if the candidate is seeking a judicial office for which the incumbent is seeking reelection. Place a check in the box before "Non-Incumbent Position" if the candidate is seeking a judicial office for which the incumbent is *not* seeking reelection. Place a check in the box before "New Judgeship" if the candidate is seeking a newly created judicial seat.

### E. CAMPAIGN FINANCE ACT COMPLIANCE STATEMENT

**Do not sign or submit this affidavit unless you are able to agree with the facts set forth in the "Campaign Finance Compliance Statement" which appears under Section IV on the reverse side of this form. If you need information on your current compliance status under the Michigan Campaign Finance Act, contact the Michigan Department of State's Bureau of Elections and/or the appropriate county clerks as necessary.**

Candidates who are exempt from Michigan's Campaign Finance Act are limited to those individuals who seek 1) the office of U.S. Senator or U.S. Representative in Congress 2) a precinct delegate position and 3) a school board position in a district with a pupil count of 2,400 or less. (School board position exemption does not apply if candidate spends or receives over \$1,000.00 for election.)

For information concerning your campaign finance filing obligations, the following resources are provided:

- Candidates running for a federal position should contact the Federal Election Commission, 999 E Street, NW, Washington, DC 20463. Toll free line: 800.424.9530. Website: [www.fec.gov](http://www.fec.gov)
- Candidates running for a state or judicial position should contact the Michigan Department of State's Bureau of Elections, PO Box 20126, Lansing, Michigan 48901-0726. Phone (517)373-2540. Website: [www.michigan.gov/elections](http://www.michigan.gov/elections)
- Candidates running for a local position should contact their local County Clerk's office.

### F. WITHDRAWAL OF FILING

Candidates who wish to withdraw a filing submitted for an elective office must submit a written withdrawal statement to their filing official no later than the third day after the applicable filing deadline.

For more information regarding filing for office, visit the Michigan Department of State – Bureau of Elections website at [www.michigan.gov/elections](http://www.michigan.gov/elections) and click on Information for Candidates or use the QR code to the right.



## SCHOOL BOARD NOMINATING PETITION REQUIREMENTS

SCHOOL DISTRICT	PUPIL COUNT	POPULATION	SIGNATURE REQUIREMENTS	CAMPAIGN FINANCE?
ATHERTON*	922	7,132	6-20	NO
BEECHER	982	9,831	6-20	NO
BENDLE*	1,191	6,097	6-20	NO
BENTLEY*	858	6,540	6-20	NO
CARMAN-AINSWORTH	5,088	31,507	40-100	YES
CLIO	3,163	20,143	40-100	YES
DAVISON	5,679	31,996	40-100	YES
FENTON	3,378	20,552	40-100	YES
FLINT**	5,354	99,191	40-100	YES
FLUSHING	4,086	26,804	40-100	YES
GENESEE	695	3,076	6-20	NO
GOODRICH	2,145	9,919	6-20	NO
GRAND BLANC	8,314	49,771	40-100	YES
KEARSLEY	3,061	17,147	40-100	YES
LAKE FENTON	2,017	11,700	40-100	NO
LAKEVILLE	1,293	11,993	40-100	NO
LINDEN	2,829	18,114	40-100	YES
MONTROSE	1,451	7,610	6-20	NO
MT. MORRIS	2,066	14,393	40-100	NO
SWARTZ CREEK	3,870	24,762	40-100	YES
WESTWOOD HEIGHTS	1,351	5,769	6-20	NO
MOTT COMM. COLLEGE		439,929	40-100	YES

MCL 168.303(a) & (b)

Blank nominating petitions are available at the filing locations listed below.

Date of Election: November 6, 2018

Filing deadline: July 24, 2018 by 4:00 p.m., MCL 168.303(1)

Withdrawal deadline: July 27, 2018 by 4:00 p.m.

MCL 168.303(4) \$100 filing fee in lieu of nominating petitions, allowed for all districts.

Filing location- Genesee County Clerk's Office except the following:

\* Must file with the Burton City Clerk (Atherton, Bendle, & Bentley)

\*\* Must file with the Flint City Clerk (Flint)

Dated: February 7, 2018

G:/School Board Nominating Petition Requirements 2018

School District	# of Positions	Term Length
<b>Mott Community College</b>	3	Regular - 6 Years
<b>Atherton Community School District</b>	2	Regular - 6 Years
<b>Beecher Community School District</b>	3	Regular - 4 Years
<b>Bendle Public Schools</b>	2	Regular - 6 Years
<b>Bentley Community Schools</b>	3	Regular - 4 Years
<b>Carman-Alnsworth Community Schools</b>	2	Regular - 6 Years
	1	Partial Term Ending 12/31/2022
	1	Partial Term Ending 12/31/2020
<b>Clio Area Schools</b>	3	Regular - 4 Years
<b>Davison Community Schools</b>	2	Regular - 6 Years
	1	Partial Term Ending 12/31/2020
<b>Fenton Area Public Schools</b>	2	Regular - 6 Years
<b>Flint Community Schools</b>	1	Regular - 6 Years
<b>Flushing Community Schools</b>	2	Regular - 6 Years
	1	Partial Term Ending 12/31/2020
<b>Genesee School District</b>	2	Regular - 4 Years
<b>Goodrich Area Schools</b>	2	Regular - 6 Years
	1	Partial Term Ending 12/31/2020

<b>School District</b>	<b># of Positions</b>	<b>Term Length</b>
<b>Grand Blanc Community Schools</b>	2	Regular - 6 Years
<b>Kearsley Community Schools</b>	2	Regular - 6 Years
<b>Lake Fenton Community Schools</b>	3	Regular - 6 Years
<b>Lakeville Community School District</b>	2 1	Regular - 6 Years Partial Term Ending 12/31/2020
<b>Linden Community School District</b>	2 1	Regular - 6 Years Partial Term Ending 12/31/2020
<b>Montrose Community School District</b>	3	Regular - 4 Years
<b>Mt. Morris Consolidated Schools</b>	2	Regular - 6 Years
<b>Swartz Creek Community Schools</b>	3	Regular - 4 Years
<b>Westwood Heights Schools</b>	3 1	Regular - 6 Years Partial Term Ending 12/31/2020