Breaking News!!!– School Board Election for Unaffiliated Candidates Resolved!!! Research and Report by Robert A. Williams

If you have been confused by all the whooping and hollering by School Board Member Kathy Falls on TV, in the Star and on Facebook about the Republicans in Raleigh passing laws without reading them, about mistakes in the law, how she and all unaffiliated candidates are being picked on and who knows what else, Read on. Pulling up the law and calling the Cleveland County Board of Elections filled me in on the facts. Which I am sharing with you, Kathy Falls and the world.

First of all:
1. Any citizen duly registered to vote in North Carolina, no matter what party or unaffiliated, can run for office and have their name placed on the ballot in the General Election by a petition process that has been in effect for many, many years. This allows any of the over 60,000 registered voters in Cleveland County to run for any partisan office. For a countywide office such as the County Commissioners, and now the School Board it takes a petition signed by 4% of registered voters in Cleveland County (2,535 valid signatures) on a petition to run for these offices which places your name on the General Election ballot avoiding all party primary elections.

Political Parties such as the Republicans, Democrats and Libertarians have beforehand petitioned the State of North Carolina for their Party candidates to register and run for office without having to file petitions, but the candidates

have to submit to a Political Party Primary Election process that they have to win in order to have their name placed on the General Election Ballot. Any voter registered as Unaffiliated, as Kathy Falls is, who have decided, for their own reasons, that they do not want any political party affiliation, cannot simply decide at the last minute to run for a Partisan Election as Unaffiliated and expect to have her name placed on the General Election Ballot. No matter how unfair they think that is or how self important they think they are. That is the process. That is the law. That is the way it is.

2. The NC General Assembly passed a law (Sessions Law 2017-78) effective June 29, 2017 that makes School Board elections partisan, instead of non-partisan, in certain NC counties, including Cleveland County. The reason this law was passed was to make these counties, including Cleveland County, the same as all other counties in North Carolina. This process started way back in March and went through much debate in Raleigh between the NC House and NC Senate before becoming law. Any School Board incumbent, responsible for knowing the laws regarding schools, educating children, etc. as Kathy Falls is, should have been aware of the progress of Sessions Law 2017-78 and made their political decisions accordingly. For example, Cleveland County School Board member Danny Blanton was previously registered Unaffiliated, became aware of the change in law that was in progress, and changed his registration to Republican. Now there are five Republicans either signed up or going to sign up for the four seats open on the Cleveland County Board of Education. These five Republican candidates running for four offices will have a Primary Election to determine which four will have their names on the General Election Ballot. On the Democrat side, School Board Chairman Phillip “Bully” Glover is the only Democrat that has signed up (as of now that I know of) and at the end of the filing period if there are four or less Democrats signed up, there will be no Primary Election for them. If that is the case,

their names will be placed on the General Election Ballot.

3. Of the counties included in Sessions Law 2017-78 all the counties except Cleveland County have their School Board elections in even numbered years. That means the election schedules in those counties in the next election cycle will occur in their 2018 Election cycle. So any 2017 Election year issues regarding the Cleveland County School Board are in Cleveland County only.

4. Sessions Law 2017-78 as it applies to Cleveland County only affects the Cleveland County election cycle because the law came into effect June 29, 2017 and the well established election year filing schedule requires any candidate who plans to run as Unaffiliated has file their petitions by noon, the last Friday in June-Which is June 30, 2017 in the 2017 election cycle.

5. The State Board of Elections at the present does not exist because the terms of office for that Board have expires and Governor Roy Cooper has failed to appoint the New State Board members. Therefore, the State Board of Elections staff are operating without Board leadership. The State Board of Elections staff, by themselves, decided that they will not "officially" allow the Cleveland County Board of Elections to change their filing dates to dates different from all the other 99 counties. The State BOE lawyers decided they worked for the State BOE and not an aberrant county like Cleveland County in their local school board elections. So, the petition filers for the Cleveland County School Board were stuck with the June 30, 2017 date that Kathy Falls is squalling and bawling so much about.

6. The Cleveland County Board of Elections hired their own Election Law specialist Attorney, Brian King, to set this situation right and allow petition filers, such as Kathy Falls, to have sufficient time to file her petition, The petition filing date deadline for the school board elections

in Cleveland County has now been determined to be September 22, 2017. The State BOE staff have decided to allow (by not disallowing) this September 22, 2017 petition filing date for only Cleveland County for only the 2017 election cycle. This means that any Unaffiliated registered voter, like Kathy Falls, and any other voter in Cleveland County who wants to file as a candidate, under the petition process, for the school board can file their petition with at least 2,535 duly registered Cleveland County voter signatures and have their name placed directly on the 2017 General Election Ballot.

7. A draft Bill is being or has been drawn up by Cleveland County representatives to the General Assembly to further accommodate petition filing candidates to allow the number of duly registered petition signers to be reduced from 2,535 voters to 500 for only the 2017 General Election. This draft bill can only be submitted to the General Assembly on August 3, 2017 or later when the General Assembly goes back into session. Since this draft bill only applies to Cleveland County, 1 of 100 counties, who has worked their way into being different from everybody else, it is not certain this bill will pass. I am expecting the draft bill to pass because the other 99 county representatives could care less about what we do here in Cleveland County.

The bottom line for all of this is:
1. Kathy Falls, as an Unaffiliated voter by her own choice, can still legally file and run for the Cleveland County School Board by submitting 2,535 duly registered Cleveland County voters on a petition that must be filed by Noon-September 22, 2017.
2. Any duly registered voter (of the 60,000+ voters in Cleveland County) who wants to run for the school board, whether or not they are affiliated with any political party, can also file their petitions by September 22, 2017 and have their names put on the 2017 General Election Ballot without going through any Political Party Primary Election process.

In a long and detailed discussion this afternoon with Dayna Causby, Director of the Cleveland County Board of Elections, Mrs. Causby has provided the following suggestions to anyone wanting to run for the School Board using the petition process:

1. Since the signatures on every petition will have to be verified, candidates are encouraged to get their petition papers from the County Board of Elections as early as possible, start getting the petition signatures and realize that some people may sign the petition without being a duly registered voter in Cleveland County.

2. Allow for this by getting more total signatures than necessary and submitting them early before the September 22, 2017 deadline to allow for the verification process to certify that enough valid signatures have been provided. Mrs. Causby states that any petition that ends up with not enough verified signatures will be disallowed. This is the same as with any petition filed in any election. Nothing is new about this.

3. Remember that the reduction of verified signatures from 2,535 to 500 is only a draft bill and may not pass in the August session of the General Assembly. Mrs. Causby recommends starting NOW with obtaining your petition signatures, plan on obtaining more than 2,535 signatures and file early, just in case there are signatures that are disqualified so you can go out and get more signatures.

Folks, we encourage all duly registered voters in Cleveland County to sign any potential candidate’s petition whether or not you plan on voting for that candidate. We need good qualified candidates to run for office in Cleveland County and many potentially good candidates are unfortunately weeded out during Party Primary Elections, which favor Party Hacks over good candidates who are running for the best interests of the citizens instead of the best interests of a political party. Also, remember that, besides you not having to vote for the candidate whose petition you signed, you may also sign your

name to as many petitions as you want to. I recommend signing every petition that you come across. A person running under the petition process is much more likely, in my opinion, to be independent of special political party interests than not.

We also recommend citizens who are fed up with all the scandals swirling around Cleveland County to sign up for elected office and every body else vote for them in the Primary Elections and especially in the General Election.

Lastly, If you are considering running for office in 2017, plan on the petition process and have questions, immediately call the Cleveland County Board of Elections at 704-484-4858 or drop by their office located at 215 Patton Drive in Shelby.

Also thank Dayna Causby, Wayne King, Allen Langley, Tim Moore, Kelly Hastings, Warren Daniel and Brian King for their excellent work in resolving this important issue in a short period of time.

Also note that I recommend signing candidate’s petitions, even Kathy Falls’ petition, but I do not recommend actually voting for Kathy Falls or Bully Glover in any Primary or General Election.