

A Practical Primer on Recall Elections in Colorado

Disclaimer: This article is intended as a general educational tool only, and does not offer support or advice on the merits of or manner of conducting Recall of School Board Member(s). The content in this article is not be exhaustive, and readers should seek additional information.

[What is a Recall Election in Colorado?](#)¹

[Where can you find the Colorado Statutes regarding Recall?](#)

[Is organizing and winning a Recall election difficult?](#)

[2015 Jefferson County, Colorado, School Board Recall and Regular Election](#)

[Can a School Board recall have broader political pushback and practical implications for the community?](#)

[What is the first official step in the recall process?](#)

[How does the petition process work?](#)

[How many petition signatures are required to achieve an election to remove a School Board Member?](#)

[Example. A community group decides to recall 4 members of the School Board.](#)

[Can signatures for all four Recalls be gathered at the same time by the same petition worker?](#)

[Where are signed recall petitions submitted?](#)

[How are petitions checked for sufficiency?](#)

[What happens if the County Clerk finds invalid signatures that cause the number to fall below the 15,000-signature required level?](#)

[Can a recall petition be protested?](#)

[How is the date of a recall election determined?](#)

[What information is included on a recall ballot?](#)

[When is the election for the successor?](#)

[How does the recall election work?](#)

[How is a recall election decided?](#)

[Who pays for a recall election?](#)

¹ [Recall Election FAQ, Douglas County government Website, 2022](#)

What is a Recall Election in Colorado? ²

All elected State and County officials, and School Board Members, are subject to Recall after holding office for at least six months.

A Recall Election is a special, off-schedule popular vote aimed at removing an elected incumbent using the lawful method prescribed in the Colorado Constitution and State Laws.

A Recall Election is initiated by a sponsored voter petition gathering the valid signatures of predetermined numbers of ordinary voters residing in the same jurisdiction as the incumbent.

A Recall petition cannot be circulated or filed against any incumbent whose term of office will expire within six months.

For all county offices and school district offices subject to recall, the County Clerk serves as the Election Official who conducts the election.

Where Can the Colorado Statutes Regarding Recall be Found?

2021 Colorado Revised Statutes, [Article 12 Recall and Vacancies in Office.](#)

Signatures required for school district officers (C.R.S 1-12-105)

“A petition to recall a school district [Board Member] shall be signed by eligible electors of the school district equal in number to at least forty percent (40%) of the entire vote cast at the last preceding election for all candidates for the school district Board Member position occupied by the incumbent sought to be recalled.

In no case shall the number required for recall be less than ten percent (10%) of eligible electors qualified to vote in the most recent biennial school election; except that no more than fifteen thousand (15,000) signatures is required.”

² [Recall Election FAQ, Douglas County government Website, 2022](#)

Is Organizing and Winning a Recall Election Difficult?

Recall attempts are far more commonplace in local jurisdictions, but they're difficult to pull off at any level of government. Most recalls fail. ³

Many voters will sit-out special or off-year elections. Often, recalls are sponsored by groups that lost a low-turnout, off-year election to the targeted incumbent. Success in recalling an incumbent requires overcoming low turnouts.

Recalls may invite outside influence from powerful and well-financed entities. ⁴

“Most efforts fail for lack of organization and funding, factors that often cause petitioners to fall short of collecting the number of voter signatures required to force a recall election. This includes lack of funds to pay workers for collecting signatures.” ⁵

That said, there have been successful school Board recalls in Colorado.

2015 Jefferson County, Colorado, School Board Recall and Regular Election

Most notably, 2015, Jefferson County parents and community organized to successfully remove three (3) conservative Board Members, in the County's version of The Reformers.

“Big money on both sides flooded [the] campaign. The political committees Jeffco United for Action, which launched the recall, and Jeffco United Forward, were financed mostly by small donors throughout Jefferson County, including \$13,000 collected by selling yard signs at \$10 a pop. Low-profile Democratic donors with deep pockets and the county's teachers union also gave liberally to support the slate of candidates backed by recall organizers.

Meanwhile, three political non-profits came to the defense of the school board majority: Jeffco Students First Action, the Denver-based Independence Institute and Americans For Prosperity, which is backed by the conservative billionaire Koch Brothers. Because the three organizations are nonprofits, they are free to raise an unlimited amount of money and so long as they don't directly advocate for candidates, are free to keep their expenditures private.” ⁶

³ [Why Recall Elections Are So Difficult to Pull Off, NPR, Dec 2, 2011](#)

⁴ [In Colorado School Board Recall, Money and Politics Drive Ouster, Education Week, Nov 6, 2015](#)

⁵ [Ibid. NPR](#)

⁶ [Jeffco school board members who pushed controversial changes ousted in recall, Chalkbeat, Nov 3, 2015](#)

Can a School Board recall have broader political pushback and practical implications for the community?

Certainly. Recalls do not occur as isolated events.

Some suggest that recalls undermine the democratic process by potentially nullifying a prior scheduled that elected the target incumbent.

School Board Recalls accentuate rifts in the community.

School Board Recalls create friction and discord within School District stakeholders – Students, teachers, staff and parents.

There is a risk of backlash from those who believe the Recall is too disrupting to the education process - community, teachers and students.

A recall provides the incumbent and supporters with additional opportunity to advance their platform and political content, and their power may grow.

Powerful and well-financed individuals and groups opposed to the Recall may start their own recall against Board Members supported by the Recall sponsors.

A failed recall is demoralizing to the sponsoring community and has long term ramifications.

What is the first official step in the recall process?^{7 8}

Prior to printing and circulating petitions, proponents of the Recall must submit a petition for formal approval by the County Clerk.

Once the petition format is submitted, the Clerk will approve or reject it within seven business days.

The petition must contain a statement of 200 words or less stating the grounds on which the recall is sought.

It may not contain profane or false statements. The Clerk will provide specific reasons if a petition is disapproved. The petition can be corrected and submitted again.

⁷ [Recall Election FAQ, Douglas County government Website, 2022](#)

⁸ [Rule 15. Preparation, Filing and Verification of Petitions, Adopted Aug 26, 2021, CO SOS Website, Feb 2022](#)

How does the petition process work? ⁹

The Clerk must notify the incumbent that the recall petition has been filed.

Once the recall petition is approved by the Clerk, proponents have 60 days to gather signatures and submit petitions.

Every person who circulates the petition must be a U.S. citizen and at least 18 years old. Commercial circulators may be contracted to gather signatures.

Petition circulators must review Colorado state law before circulating a petition. (C.R.S. 1-12-108)

How many signatures are required to recall an elected School Board Member official? ¹⁰

A petition to recall a school district Board member must be signed by eligible voters in the school district equal in number to at least 40% of ballots cast in the last election for that office. However, no more than 15,000 signatures per incumbent Board Member are required.

(Note – a valid signature is not determined by signature verification. Validating signatures compare individual entries to the registration records in SCORE to verify that each signer was registered at the address provided on the petition at the time they signed the petition.

Example. A community group decides to recall 4 members of the School Board.

Four separate petitions must be submitted and certified. That is, a total of 60,000 valid signatures must be accomplished. Each petition must present 15,000 valid signatures.

Sponsors of the recall will necessarily collect more than 60,000 signatures, as some signatures will not be certified/declared valid.

Note: For County Officials (not School Board Members) such as County Commissioners: A petition to recall a county officer must be signed by eligible voters equal in number to 25% of all votes cast for that office in the previous general election.

⁹ [Recall Election FAQ, Douglas County government Website, 2022](#)

¹⁰ [Recall Election FAQ, Douglas County government Website, 2022](#)

Can signatures for all four Recalls be gathered at the same time by the same petition worker?

Yes. Every person who simultaneously circulates the four petitions must be a U.S. citizen and at least 18 years old. Commercial circulators may be contracted to gather signatures; these paid gatherers must abide by rules established by the CO SOS.

Where are recall petitions submitted? ¹¹

Petitions are submitted to the County Clerk for determination of sufficiency. The Clerk has 15 business days to review petitions to verify if there are enough valid signatures of eligible electors.

How are petitions checked for sufficiency? ¹²

The staff of the Douglas County Elections office must review all petition information and verify it against Colorado's Statewide Voter Registration System (SCORE).

Note - this is not signature verification. Staff members compare individual entries to the registration records in SCORE to verify that each signer was registered at the address provided on the petition at the time they signed the petition.

If the County Clerk finds the petition insufficient (less than 15,000 valid signatures), Recall sponsors have 15 days to collect more signatures, or cure deficiencies, and resubmit the petition.

What happens if the County Clerk finds invalid signatures that cause the number to fall below the 15,000-signature required level? ¹³

If the County Clerk finds the petition insufficient, sponsors have 15 days to collect more signatures, or cure deficiencies, and resubmit the petition.

¹¹ [Recall Election FAQ, Douglas County government Website, 2022](#)

¹² [Recall Election FAQ, Douglas County government Website, 2022](#)

¹³ [Recall Election FAQ, Douglas County government Website, 2022](#)

Can a recall petition be protested? ¹⁴

Any eligible voter residing within the targeted official's district may file a protest within 15 days after a petition is declared sufficient.

How is the date of a recall election determined? ¹⁵

If the incumbent does not resign within 5 days after recall petition has been certified, and the 15-day protest period has passed, then

The Clerk will set the election date no sooner than 30 days, and no later than 60 days after the date of the final recall certification.

If there is a General Election within 90 days, the recall question will be combined with that election.

What information is included on a recall ballot? ¹⁶

The official ballot shall contain the statement stating the grounds for demanding the officer's recall.

The incumbent School Board Member under Recall may submit to the County Clerk a statement of 300 words or fewer justifying the officer's course of conduct.

The statement shall not include any profane or false statements in the statement of justification.

The targeted School Board Member can submit the statement no later than 10 business days after the petition has been deemed sufficient and the time for protest has passed.

¹⁴ [Recall Election FAQ, Douglas County government Website, 2022](#)

¹⁵ [Recall Election FAQ, Douglas County government Website, 2022](#)

¹⁶ [Recall Election FAQ, Douglas County government Website, 2022](#)

When is the election for the successor? ¹⁷

The election of a successor is held at the same time as the recall election.

The names of those persons nominated as candidates to succeed the person sought to be recalled, except write-in candidates, will appear on the ballot.

The name of the person against whom the petition is filed will not appear on the ballot as a candidate for office.

How does the recall election work? ¹⁸

The County Clerk publishes notice of the recall election in a newspaper of general circulation.

The County Clerk mails ballots to eligible electors no later than the 15th day before the last day voted mail ballots may be returned by voters.

The office of the County, or another suitable location, will function as a voter service and polling center from the twenty-second day prior to Election Day through that final day of voting.

There must be one voter service and polling center for each 30,000 active eligible electors in the district of the incumbent sought to be recalled.

Each additional voter service and polling center must be open from the 8th day prior through the final day of voting in the recall election.

How is a recall election decided? ¹⁹

If a majority of those voting on the question of the recall of any incumbent from office vote “no”, the incumbent will remain in office.

If a majority vote “yes”, the incumbent will be removed from office upon the qualification of the successor.

Who pays for a recall election? ²⁰

The county pays for the recall election of a county official, the school district pays for the recall election of a district officer.

¹⁷ [Recall Election FAQ, Douglas County government Website, 2022](#)

¹⁸ [Recall Election FAQ, Douglas County government Website, 2022](#)

¹⁹ [Recall Election FAQ, Douglas County government Website, 2022](#)

²⁰ [Recall Election FAQ, Douglas County government Website, 2022](#)