



CITIZEN ADVOCACY CENTER

Ballot Access: How Hard is it to Run for Public Office?

LESSON PLAN AND ACTIVITIES

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Ballot Access

Lesson Plan and Activities

Grade Level: 9, 10, 11, 12

Subject(s):

- Social Studies: U.S. Government, State Government, Local Government;
- Language Arts: Reading, Writing.

Duration: 2 class sessions

Description: This lesson provides an overview of how candidates get their names on the ballot and of the different standards that must be met by candidates of established political parties, candidates of third parties, and independent candidates. Students will participate in a mock congressional campaign.

Goals:

Illinois Learning Standards

A. Social Science: 14C, 14D; 16B, 16C; 18B, 18C; and

B. English/Language Arts: 3A, 3B, 3C; 4A, 4B; 5A, 5B, 5C.

Objectives:

1. Understand the basic requirements for a candidate to gain access to the ballot;
2. Understand the need for ballot access rules;
3. Understand how ballot access rules have been used for partisan benefit; and
4. Understand the difficulty that current ballot access rules pose to independent campaigns.

Materials:

1. United States Constitution
2. Ballot Access Rules Appendix

Instruction and Activities:

Day 1

Opening Questions:

How do students who want to run for student government get their names on the ballot? What are the procedural requirements for a candidate to get his/her name on the ballot? Do you think those requirements are fair?

In Congressional campaigns, there are specific standards that must be met for a candidate's name to appear on the ballot. Should there be restrictions on who can have their name appear on a ballot for an election? Why or why not?

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What do you think are reasonable steps that someone who wants to run for public office should have to take to get his/her name on the ballot? Should all candidates have to follow the same steps? Why or why not?

Lecture

Ballot access rules establish the conditions under which the name of a political party or individual candidate is allowed to appear on voters' ballots. Laws determining the process by which a person's name appears on the ballot directly influence elections. Article I of the United States Constitution gives individual states the authority to determine the time, manner, and place of their elections. Under this authority, states may set their own criteria and requirements for access to the ballot.

Ballot access laws typically set out three requirements that must be fulfilled for a party or candidate to qualify to appear on the ballot for a given election:

1. Gathering a set number of signatures from registered voters
2. Filing paperwork with the appropriate Election Commission
3. Completing signature gathering and paperwork filing within established time constraints and deadlines

Each state sets its own criteria regarding how many signatures must be collected by a given candidate and within what timeframe. The number of signatures required varies significantly from state to state. Some states, for example, Tennessee, require as few as twenty-five signatures and some, for example, Georgia, require as many as 5% of the total registered voters as of this printing. Candidates must also file with the proper election authority a variety of required paperwork, including the petitions of signatures gathered, and the filing deadline requirements vary from state to state. In some states, there may be a time window as short as two weeks in which to gather the necessary signatures and to submit all the required paperwork and applications to the election authority.

Ballot access laws set minimum standards such that only serious candidates will pursue the process. However, overly restrictive ballot access laws can result in the inability of even serious candidates to meet the requirements and achieve access to the ballot. If serious candidates are unable to get their names on the ballot, then voters are presented with a much less diverse group of candidates from which to choose.

Controversy about ballot access laws arises because candidates from established political parties are often required to meet substantially different ballot access standards compared to candidates from third parties or independent candidates. The signature gathering requirements and time

constraints imposed on candidates of established political parties are often significantly less stringent than those imposed on candidates of third parties and independent candidates. In some cases, candidates from established political parties need do nothing more than pay a monetary fee and submit their application paperwork. Meanwhile, third-party and independent candidates

must collect large numbers of signatures in short amounts of time months in advance of the election.

Activity: Mock Congressional Campaign

Divide the students into three groups of approximately equal size. Randomly assign each group a political category: Republican, Democratic, Independent. Within each of the three groups, assign one student to each of the states listed in the attached Appendix (Ballot Access Rules), so there will be one Republican, one Democrat, and one Independent from each state. Each student will be a candidate for the House of Representatives representing their assigned party and from their assigned state. Review the appendix with the students, informing them of the number of signatures they must gather and/or the filing fee that must be paid in order for each candidate to gain ballot access. The number of signatures required will vary by state and by party designation.

Assignment: Have the students collect the requisite signatures for their political affiliation in their assigned state as per the directions in the appendix.

Day 2

Now have the three large groups of Republican, Democratic, and Independent candidates discuss how easy or difficult it was for them to meet their required goal. Then have the groups report to the class: How many candidates from your group met their goal? Compare this with the results from other groups. Is there a large difference? Is this fair? Follow with a brief discussion and return to lecture.

Lecture (continued):

Third-party and independent candidates are often at a distinct disadvantage because of highly restrictive ballot access laws. These candidates must expend money and resources gathering large numbers of signatures in a short amount of time while candidates from the major parties have fewer requirements to fulfill and more resources at their disposal. Additionally, some states place restrictions on the people who are allowed to circulate petitions for signatures. While some standards are certainly necessary for candidates to get on the ballot, these can sometimes be so stringent that voters end up with a choice only between candidates from the major political parties. Remember that all of this additional effort required of third-party or independent candidates is simply to get their names on the ballot. While Republican or Democratic candidates are out campaigning, third-party and independent candidates must work feverishly to have their names appear on the ballot in the first place, after which they may have little time or money left to devote to their actual campaign.

In many instances, third-party and independent candidates are unable to meet the requirements to get their names on the ballot; in that case, the only option available for them to win is by write-in votes. Write-in candidacies typically fail, succeeding only when the candidate is well-known and popular, and has a well-funded campaign that can compete with the major candidates.

Activity:

Considering that some standards have to be set to gain access to the ballot, divide students back into their three groups and ask:

1. Should the standards be the same for established political parties and independent candidates or new political parties?
2. If standards should be different, have the students set the number of signatures necessary and the time period in which to gather them. Give students 10 minutes to complete this and then report back.

Supplemental Activity:

1. Obtain a copy of your state's ballot access laws. This can be done by calling your State Board of Elections or by printing a copy of the state's statutes from the appropriate website. Have students read through the appropriate sections.

Discussion: Are the laws reasonable? Do you think they are strict or lax in comparison to other states' laws? Should the ballot access laws be changed? How? Why? If they were changed, is there a political party or independent candidate that students would support? (For additional information on changing elections, see Citizen Advocacy Center Lesson Plan *Voting Systems - What is Fair?*)

To follow-up, have the students write a letter to their state legislators or to the local newspaper. (For tips on how to write letters to officials see Citizen Advocacy Center Lesson Plan *Citizenship - Introduction to Active Citizenship.*)

2. How have third parties and independent candidates affected past elections? Have students research the history of third parties and strong Independent candidates. Some topics to focus on: Are there any Independent or third-party candidates currently serving at the Federal level? How many Independent or third-party candidates have served in the Federal government? Have there been any national elections where a third-party candidate has had a significant impact on the result? Which ones? Why?

Appendix - Ballot Access

Sample Ballot Access Rules

COLORADO:

- Republican or Democratic candidates must collect 1,000 signatures.
- Independents must collect 800 signatures.

ILLINOIS:

- Republican or Democratic candidates must collect 1,000 signatures.
- Independents must collect 15,000 signatures.

IOWA:

- Republican or Democratic candidates must collect 300 signatures.
- Independents must collect 300 signatures.

KENTUCKY:

- Republican or Democratic candidates must pay a \$500 filing fee AND collect 2 signatures.
- Independents must pay a \$500 filing fee AND collect 400 signatures.

MICHIGAN:

- Republican or Democratic candidates must collect 1,000 signatures.
- Independents must collect 3,000 signatures.

NEW HAMPSHIRE:

- Republican or Democratic candidates must pay a \$50 filing fee OR collect 100 pledges from primary voters.
- Independents must pay a \$50 filing fee AND collect 1,500 signatures.

NORTH DAKOTA:

- Republican or Democratic candidates: must collect 300 signatures to run in the Primary election; the winner of the Primary is automatically on the ballot.
- Independents must collect 1000 signatures.

OREGON:

- Republican or Democratic candidates must collect 1,000 signatures.
- Independents must collect 1,000 signatures.

TEXAS:

- Republican or Democratic candidates may pay a \$3,125 filing fee OR collect 500 signatures.
- Independents must collect 500 signatures.

WEST VIRGINIA:

- Republican or Democratic candidates must pay a \$1,652 filing fee.
- Independents: Must pay \$1,652 filing fee AND collect signatures from 1% of registered voters in their district. (For purposes of this activity, we will estimate the 1% requirement at 500 signatures.)

WISCONSIN:

- Republican or Democratic candidates must collect 1,000 signatures.
- Independents must collect 1,000 signatures.

ASSUMPTIONS FOR THE PURPOSES OF THE MOCK CAMPAIGN ACTIVITY:

Assume that if a candidate may pay a filing fee in lieu of collecting signatures, the Party (or an Independent benefactor) will cover the candidate-student's cost.

As a general rule, Republican and Democratic candidates must win in a primary election in order to appear on the ballot. If they do not win in the primary, they may choose to fulfill the requirements necessary to file as Independent candidates. For this mock campaign, assume that those students running as Republicans or Democrats will win their respective primaries (so do not have to file as Independents).

To make this mock campaign manageable for one night's homework, let's reduce the total number of signatures above by 99%. Candidate-students should note, however, that as in real campaigns, all petition signers should be registered voters. In real campaigns, many signatures are disqualified because the signers are not registered to vote. To preserve this real aspect of a campaign, only signatures of registered voters should be collected.

Here is a summary of the required number of signatures for each state and each party, incorporating the 99% reduction and the payment of filing fees discussed above:

State	Republican	Democratic	Independent
COLORADO	10 signatures	10 signatures	8 signatures
ILLINOIS	10 signatures	10 signatures	150 signatures
IOWA	3 signatures	3 signatures	3 signatures
KENTUCKY	no signatures	no signatures	4 signatures
MICHIGAN	10 signatures	10 signatures	30 signatures
NEW HAMPSHIRE	no signatures	no signatures	15 signatures
NORTH DAKOTA	3 signatures	3 signatures	10 signatures
OREGON	10 signatures	10 signatures	10 signatures
TEXAS	no signatures	no signatures	5 signatures
WEST VIRGINIA	no signatures	no signatures	5 signatures
WISCONSIN	10 signatures	10 signatures	10 signatures