

2200 ANNUAL BUDGET VOTE AND SCHOOL BOARD ELECTIONS

The vote on the annual budget and the election of members of the Board of Education shall be held on the third Tuesday in May, unless this date conflicts with religious observances on that day, in which case it shall be held on the second Tuesday in May. The polls shall be open for those hours designated by the Board of Education. The following items shall be voted upon:

1. the annual budget,
2. any vacancies on the Board of Education, and
3. any special propositions that have been properly presented.

Special elections may be called as authorized by law.

Public Notice of Annual District Meeting. The District Clerk must publish the time and place of the annual meeting four times within the seven weeks preceding the meeting. The first notice must be published at least forty-five (45) days before the meeting, in two newspapers, having general circulation within the School District.

Electioneering during the hours of any vote is prohibited within the polling place or within 100 feet of any such polling place. Displays or handout items of any political nature, except those provided by law, shall be prohibited by any individual, group or organization in any school building on those days when the polls are open for voting on School District matters, including, but not limited to, the annual school budget, candidates for the Board of Education, special propositions, etc.

Voting shall be conducted at election districts as designated by the Board of Education.

Voting Procedures

Eligibility to Vote

A person shall be entitled to vote in any School District election and in all matters placed upon the official ballot, if such person is:

1. a citizen of the United States;
2. at least eighteen (18) years of age;
3. a resident within the School District for a period of thirty (30) days next preceding the election at which such person desires to vote;
4. qualified to register or is registered to vote in accord with [section 5-106 of the Election Law](#) which excludes:
 - a) those convicted felons who have not been pardoned or had their rights of citizenship restored, those whose maximum sentence of imprisonment has not expired; and/or those who have not been discharged from parole;
 - b) persons adjudged mentally incompetent by a court.

Challenges to voters believed unqualified to vote may be undertaken pursuant to Education Law provisions. Each annual or special election or meeting shall have a presiding chairperson appointed by the Board of Education. The chairperson shall have the responsibility of properly handling any challenges to the qualification of any voter.

Voting

All persons who seek to vote at school district meetings and elections must be personally registered to vote in accordance with the provisions of [Education Law, section 2014](#).

Voting machines shall be used for recording the votes on all elections, budget votes, and votes on special propositions. The only exception to the use of voting machines shall be an emergency situation whereby the machines are unavailable due to a mechanical failure, where the machine has reached its capacity for receipt of ballots, or state or local law prohibiting their use. If this should arise, paper ballots will be used.

Each voting machine shall have at least two election inspectors appointed by the Board of Education in attendance during all voting hours. It shall be the duty of the District Clerk and assistant clerk or clerks to keep a poll list containing the name and legal residence of each person before such person is permitted to vote.

Entering the privacy booth for voting with another person is prohibited, except upon request from a voter, in which case an election inspector shall be allowed to enter the privacy booth for voting with that voter for the sole purpose of assisting that person with the completion of the ballot and casting of his/her vote. The election inspector shall not advise or induce such voter to vote on any proposition or candidate, and the election inspector shall never reveal the vote(s) recorded by the voter to any other person at any time.

Write-in ballot slots are required. Ballots containing the names of nominated candidates will be provided by the Board of Education. On a paper ballot, one blank space will be provided under the name of the last candidate for each office so that voters may vote for candidates who have not been nominated for the offices to be filled at the election. There will be as many write-in slots as there are vacancies at the time of election.

The writing in of a name in the blank space so provided, together with the shading of the space noted for a write-in vote, will sufficiently indicate a vote. The School District cannot require a voter to place any other mark beside the name of a write-in candidate.

Absentee Ballots

The Board of Education provides for the use of absentee ballots for voting. Such ballots shall be available for the election of members of the Board of Education, the adoption of the School District budget, and on questions and propositions submitted to the voters of the School District. The application must be received by the District Clerk at least seven days prior to the election, if the ballot is to be mailed to the voter; or the application must be received by the day before the election, if the ballot is to be personally delivered. The application must be completed and returned, and the individual must verify therein that he/she meets all voting requirements, and explain the reason for his/her inability to appear in person to vote.

In particular, the individual must explain that he/she will be unable to appear to vote in person on the day of the School District election because:

1. he/she will be a patient in a hospital, or unable to appear personally at the polling place on such day because of illness or physical disability;
2. his/her duties, occupation, business, or studies will require him/her to be outside of the county or city of his/her residence on such day;
3. he/she will be on vacation outside the county or city of his/her residence on such day; or
4. he/she will be detained in jail awaiting action by a grand jury; awaiting trial; or is confined in prison after conviction for an offense other than a felony.

The School District shall request registration lists from the Board of Elections for those voters whose registration record has been marked “permanently disabled” and shall automatically mail absentee ballots to such voters in advance of each School District vote or election.

Voter Initiated Propositions

Any resident or group of residents who wish to place a question or proposition on the ballot for consideration of the electorate of the School District, shall submit same in the form of and as part of a written petition which must be filed with the District Clerk.

Said petition must be signed by not less than 100 qualified voters of the School District or 5% of the number that voted in the previous election, whichever is greater. If the proposition or question is to be included in the Notice of Annual District Election and Budget Vote, it must be filed not later than sixty (60) days prior to the date of the election and vote. If it is not to be included in the Notice of Annual Election and Budget Vote, it must be filed not later than thirty (30) days **prior to the date** of the vote.

Petitions shall state the proposition to be submitted in clear, concise and unambiguous language. If the proposition requires the expenditure of money, it shall include a statement of the specific sum of money to be appropriated to meet the expenditure. The Board of Education may reject any proposition if the purpose of the proposition is illegal, not within the power of the voters, or where the expenditure of money is required by the proposition and the proposition fails to include the necessary specific appropriation.

Where a special district meeting is to be called pursuant to a proper voters' petition, the meeting is called by giving notice within twenty (20) days after submission of the petition. Such special meeting must be called within thirty (30) days of the receipt of such petition.

The Board of Education reserves the right to submit the entire proposition as submitted, to modify the proposal so that it confirms with the law, and to resolve ambiguities within the proposal that may make it inconsistent with other proposals to the voting machine.

Cross Ref:

Policy 2160 Board Member, School District Officers and Employee Code of Ethics

Ref:

[Education Law §§1709\(17\); 2002; 2012; 2014; 2018; 2018-a; 2018-b; 2018-c; 2019; 2019-a; 2020; 2025; 2031; 2031-a; 2032\(2\)\(e\); 2035; 2102; 2103; 2113](#)

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Herricks Union Free School District
