(X) Required
( ) Local
( ) Notice

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 years of age;
3. a resident within the school district for a period of thirty 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) most convicted felons;
   b) persons adjudged mentally incompetent by a court; and
5. listed upon current voter registration lists maintained by the local Board of Elections or properly registered to vote within the school district. In such districts, the Board of Education shall appoint a Board of Registration and shall designate the registration place and hours for district residents.

Challenges to voters believed unqualified to vote may be undertaken pursuant to Education Law provisions. As provided in section 2025 of the Education Law, each annual or special election or meeting shall have a presiding chairman appointed by the Board. Such chairman shall have the responsibility of properly handling any challenges to the qualification of any voter.

Voting

Voting machines of the type in customary use at General Elections 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 or state or local law prohibiting their use. If this should arise, paper ballots will be used.

Each voting machine shall have at least one clerk appointed by the Board in attendance during all voting hours. It shall be the duty of each clerk to keep a poll list containing the names, signatures, and legal residence of each person before such person is permitted to vote.

The voting booths and voting machines shall be so placed as to give prompt access to them by the voters, and shall be so located that the maximum security is given to the secrecy of the ballot being cast.

Entering a voting booth with another person is prohibited, except upon request from a voter, in which case an election inspector shall be allowed to enter the voting booth with that voter for the sole purpose of assisting that person in the actual process for completing the ballot. 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 ballots are permissible, when applicable, by filling in a name on the write-in space provided for on the ballot. Ballots containing the names of nominated candidates will be provided by the Board. On a scantron 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. Voters must also fill in the bubble accompanying the write-in space provided in order for the vote to be recognized by the voting machines.

Absentee Ballots

The Board permits 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 district. Such ballots, including application forms, will be sent by the district clerk to qualified voters wishing to vote by absentee ballot, upon request, via first class or certified mail. 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. After receipt of the application, the absentee ballot is mailed or given to the individual.

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 he or she is:

- **absent from the county of his or her residence; or**
- **unable to appear at the polling place because of illness or physical disability, or duties related to the primary care of one or more individuals who are ill or physically disabled, or because he or she will be or is a patient in a hospital, provided that, for purposes of this subparagraph. "illness" shall include, but not limited to, instances where a voter is unable to appear personally at the polling place of the school district in which they are a qualified voter because there is a risk of contracting or spreading a disease that may cause illness to the voter or to other members of the public; or**
- **an inmate or patient of a veteran's administration hospital; or**
- **absent from his or her voting residence because he or she is detained in jail awaiting action by a grand jury or awaiting trial, or confined in jail or prison after a conviction for an offense other than a felony, provided that he or she is qualified to vote in the election district of his or her residence.**

1. If the application requests the absentee ballot be mailed, the application must be received by the district clerk not later than 7 days before the election for which the absentee ballot is sought. Otherwise, the application may be personally delivered to the district clerk not later than the day before the election. Applications may not be submitted more than 30 days prior to the election. If you are qualified for absentee voting and issued an absentee ballot, the ballot itself must be received by the school district clerk by 5 p.m. on the day of the election in order to be canvassed.

Ref: Education Law §§2012; 2014; 2018; 2018-a; 2018-b; 2018-c; 2019; 2019-a; 2020; 2025; 2032(2)(e); 2035; 2037; 2603; 2610; 2613
Election Law §§3-224; 5-106; 5-612; 5-400; 5-406
***Matter of Rodriguez*, 31 EDR 471 (1992)**
***Matter of Gresty*, 31 EDR 90 (1991)**
***Matter of Ferro*, 25 EDR 175 (1985)**
***Matter of Manno and Maloney*, 23 EDR 172 (1983)**
***Matter of Yost*, 21 EDR 140 (1981)**
***Matter of Alpert and Helmer*, 20 EDR 281 (1980)**
***Matter of Reigler and Barto*n, 16 EDR 256 (1977)**

<u>Note:</u> Policy added incorporating part of prior policy, Rules for the Use of Voting Machines 1313

Adopted: 6/10/99; Reviewed 4/24/14,
Amended: 8/17/22

School District Absentee Ballot Application

(for School District Elections, Budget Votes and Referenda) Please print clearly.

This application may only be used for school district elections by qualified voters who reside in a school district that provides for personal registration of voters. If the application requests the absentee ballot be mailed, the application must be received by the district clerk not later than 7 days before the election for which the absentee ballot is sought. Otherwise, the application may be personally delivered to the district clerk not later than the day before the election. Applications may not be submitted more than 30 days prior to the election. If you are qualified for absentee voting and issued an absentee ballot, the ballot itself must be received by the school district clerk by 5 p.m. on the day of the election in order to be canvassed.

1 **I am requesting, in good faith, an absentee ballot due to (check one reason):**

- ☐ Absence from county on election day
- ☐ Temporary illness or physical disability
- ☐ Permanent illness or physical disability
- ☐ Duties related to primary care of one or more individuals who are ill or physically disabled
- ☐ Resident or patient of Veterans Health Administration Hospital
- ☐ Detention in jail/prison, awaiting trial, awaiting action by a grand jury, or in prison for conviction of a crime or offense which was not a felony

2 absentee ballot(s) requested for the following school district election(s)

- ☐ Annual election and budget vote ☐ Budget re-vote ☐ Special district election or referendum
- ☐ Any election held between these dates: absence begins: _____/ ____/_____absence ends: _____/ _____/ _____

3

Last name or surname	First name	Middle initial	Suffi

4

Date of birth	School district where you reside	Phone number (optional)	Email (optional)
_____/ _____/ _____			

5

Address where you live (residence) street	Apt	City	State	Zip Code
			N	

6 Delivery of School District Absentee Ballot (check

- ☐ Deliver to me in person at office of school district clerk.
- ☐ I authorize (give name):_____to pick up my ballot at the office of the school district clerk.
- ☐ Mail ballot to me at: (mailing address)

street no.	street name	apt.	city	state	zip code

Applicant Must Sign Below

7 I certify that I am a qualified and registered voter. I hereby declare that the foregoing is a true statement to the best of my knowledge and belief, and I understand that if I make any material false statement in the foregoing statement of application for absentee ballots, I shall be guilty of a misdemeanor.

Date _____ **Signature of Voter:** _____

If applicant is unable to sign because of illness, physical disability or inability to read, the following statement must be executed: By my mark, duly witnessed hereunder, I hereby state that I am unable to sign my application for an absentee ballot without assistance because I am unable to write by reason of my illness or physical disability or because I am unable to read. I have made, or have the assistance in making, my mark in lieu of my signature. (No power of attorney or preprinted name stamps allowed.)

Date___/___/____ Name of Voter:_____Mark:_____

I, the undersigned, hereby certify that the above named voter affixed his or her mark to this application in my presence and I know him or her to be the person who affixed his or her mark to said application and understand that this statement will be accepted for all purposes as the equivalent of an affidavit and if it contains a material false statement, shall subject me to the same penalties as if I had been duly sworn.

_____ _____

(signature of witness to mark)

_____

(address of witness to mark)

Instructions

Who may use this application for a school district absentee ballot?

You may use this application if you are a qualified voter who resides in a school district that provides for personal registration of voters. You may only apply for an absentee ballot on your own behalf.

If you are unsure whether your district provides for personal registration, please contact your district clerk. If you reside in a district that does **not** provide for personal registration, you may contact your school district to apply for an absentee ballot.

Please note, residents of city school districts of cities with one hundred twenty-five thousand inhabitants or more are not eligible to use this form.

Who is a qualified voter?

You are qualified to vote in your school district if you are:

- a citizen of the United States;
- at least 18 years of age; and
- a resident of the school district for a period of at least 30 days preceding the meeting or election at which you seek to vote.

No person shall have the right to register for or vote at any school meeting or election who would not be qualified to register for or vote at an election in accordance with the provisions of Election Law §5-106.

Information for military voters:

Do **not** use this application if you are:

- a qualified voter who will be absent from your school district on the day of the election as a result of actual military service;
- a qualified voter who has been discharged from actual military service within 30 days of the election in which you seek to vote; or
- the spouse, parent, child, or dependent of a military voter as set forth above who is accompanying such military voter and who is qualified to vote in the same school district as the military voter.

If you meet any of the above criteria, you are entitled to special provisions if you apply for a military ballot. Please contact your school district to receive the appropriate application form.

Information for voters with an illness or disability:

If you check the box indicating your illness or disability is permanent, and you are identified as a permanently disabled voter by the county board of elections, once your application is approved you will automatically receive a ballot for each school district election in which you are eligible to vote, without having to apply again. You may sign the absentee ballot application yourself, or you may make your mark and have your mark witnessed in the spaces provided on the bottom of the application. Please note that a power of attorney or printed name stamp is not allowed for any voting purpose.

Where and when to return this application:

If you request that the absentee ballot be mailed to you, your application must be received by the district clerk for your school district no later than 7 days before the election for which you seek an absentee ballot. Otherwise, you may personally deliver your application to the district clerk no later

than the day before the election. You may not submit your application more than 30 days prior to the election.

When your absentee ballot will be sent to you:

If you request that the absentee ballot be mailed to you, the district clerk will mail your ballot by regular mail no later than 6 days prior to the election. Otherwise, the district clerk will deliver your ballot to you or your agent, as designated on your application, when you or your agent appears in the district clerk's office.

For your ballot to be canvassed, it must be received by the school district clerk by 5 p.m. on the day of the election.