

Important Message from the Assistant Superintendent for Business On the 2020-21 Annual Budget Vote

On Friday, May 1, 2020 Governor Cuomo issued Executive Order 202.26 which sets June 9, 2020 as the date for school districts to hold their annual Budget Vote and School Board Election. **This Executive Order suspends many traditional budget provisions and directs that the Budget Vote and Election be conducted by absentee ballot. The Order has established modified timelines and procedures for conducting our 2020-21 Budget Vote and Election through an absentee process, without in-person voting, due to the Covid-19 pandemic.**

The following are some of the significant highlights of the new 2020-21 budget process:

- **Location**

The Executive Order directs that the Budget Vote and Election be conducted by an absentee-ballot process in lieu of in-person voting. Specifically, the Executive Order states that “qualified voters shall vote ... only by absentee ballot....” **Thus, there will be no voting at the polls for this year’s annual Budget Vote and Election due to the prevalence of the COVID-19 virus and potential for spread through personal interaction.**

- **Absentee Ballot & Election Process**

The Executive Order permits all qualified voters to vote by absentee ballot due to the COVID-19 State of Emergency and directs that absentee ballots are “to be provided to all qualified voters by each school district” by Tuesday, May 26, 2020. Pursuant to Education Law §2012, a person is considered to be a “qualified voter” if the person is: 1) a citizen of the United States; 2) at least 18 years of age; 3) a resident of the district for a period of 30 days preceding the election; and 4) not otherwise prohibited from voting under the provisions of Section 5-106 of the Election Law (*e.g.*, a person who had been adjudged to be mentally incompetent).

The Executive Order further requires “every eligible voter be sent an absentee ballot with a postage paid return envelope.”

All absentee ballots must be received in the office of the District Clerk by 5:00 p.m. on June 9, 2020 in order to be counted.

For all questions on Voter Registration, Please call Ms. Julie Vaccaro, District Clerk, at 631-244-6510.

- **Nominating Petitions for School Board Elections**

The Executive Order modifies the provisions in the Education Law regarding nominating petitions “to the extent necessary to eliminate any minimum threshold of signatures required provided, however, an individual must meet any other requirements necessary to be placed on the ballot, including any applicable residence and age requirements.” The Executive Order does not dispense with the usual requirement for the filing of a petition containing the name and residence of the candidate, and as applicable, describing the specific vacancy for which the candidate is nominated.

Our legal counsel interpreted the Executive Order to require that **any candidate for the School Board must submit a petition for office, which contains the above-described information, but the petition need not contain any minimum number of signatures** (usually at least 25 qualified voters or 2% of the number of those who voted in the last annual election). To the extent any candidate may have already collected signatures on a nominating petition; nothing in the Executive Order would appear to preclude the submission of those signatures.

Thus, in all cases, petitions by School Board candidates are due this year at least 30 days prior to the election or by May 11, 2020.

No changes are made to the time and place for submission, *i.e.*, **petitions must be filed with the District Clerk by the deadline (5:00 p.m. on May 11, 2020)**. While the Executive Order does not speak to how the petitions may be collected by the District Clerk—to eliminate personal interaction—it may be reasonable for the District Clerk to accept petitions by email in addition to mail, and/or to use means such as a secure drop box for the receipt of nominating petitions.

Finally, various provisions of the Education Law are modified to require that the candidates be listed on the ballot alphabetically.

- **Notice and Time Periods**

The Executive Order makes several adjustments to the usual notice and time periods to accommodate the abbreviated election schedule and modified voting procedures for this year's election. Specifically, it only requires two publications (instead of the usual four) and states that the first publication must be no later than 28 days before the election (*i.e.*, May 12, 2020).

- **Other Key Dates to Remember**

- ***Tuesday, May 26, 2020***: Final Budget Document and Required Disclosures available on District Website.
- ***Tuesday, June 2, 2020***: Budget Information Meeting to be held remotely (additional information will be provided at a later date).
- ***Wednesday, June 3, 2020***: Mailing of School Budget Notice to all Qualified Voters.
- ***Tuesday, June 9, 2020***: 2020-21 Annual Budget Vote and Election.

This is certainly a very different process than we have ever experienced before. However, under these extraordinary circumstances, it is probably the best solution to promote the health and safety of all the stakeholders in our community.

As additional information may become available, we will keep you apprised.

Please feel free to contact me, by email at jbelmonte@sayvilleschools.org, with any related questions or concerns.

Stay safe.

Sincerely,

John Belmonte
Assistant Superintendent for Business