

ABSENTEE BALLOTS WHEN SCHOOLS USE PERSONAL REGISTRATION

- I. The District shall make absentee ballots available for all district elections.
- II. A. 1. An applicant for such an absentee ballot must submit an application which sets forth:
 - a. Name and residence address, including street and number, if any, town and rural delivery route, if any.
 - b. That on the day of the election he/she will be a qualified voter, is over eighteen years old, is a U.S. citizen and has resided in the district at least thirty (30) days preceding the date of the vote.
 - c. Whether he/she is registered in the district.
 - d. That he/she will be unable personally to appear to vote because he/she is or will be
 - i. A patient in a hospital, or unable due to illness or physical disability.
 - ii. Out of town because of his/her duties, occupation, business or studies.
 - iii. On vacation outside the district.
 - iv. In jail.
2. If to be absent from the district due to business, occupation or studies, applicant must provide description of duties or special circumstances.
3. If on vacation, the date of beginning and ending of vacation, where he/she will be; name and address of employer, or statement of self-employment or a statement of retirement (Chapter 26 of the Laws of 1994).
4. If in or to be in jail, the affidavit must state if detained awaiting action of grand jury or confined after conviction for a non-felony.
- B. A qualified voter spouse, parent or child is also entitled to vote as absentee if expected to be absent from district accompanying applicant upon personally making and signing an application in accordance with above.
- C. A “true statement” certification must accompany application.

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- D. If the board of registration is satisfied that applicant is a qualified voter, absentee ballot is issued to applicant and appropriate entry made on the poll list.
- E. 1. If the ballot is to be received by mail, application must be received by the clerk at least seven (7) days before the election. A valid application must accompany the ballot.
2. Ballots should be in the same form as those to be used in district election as nearly as practicable. If vote is to be by machine, ballot shall conform as closely as possible to manner in which names of candidates, questions and propositions appear on voting machines and shall contain space for write-ins. Ballots shall contain instructions as to proper marking.
- On back of absentee ballot shall be printed the words "OFFICIAL BALLOT, ABSENTEE VOTER".
3. The board of registration should enclose the ballot in envelope with specified wording (refer to Section 2018-a)
4. A statement with specified wording to be signed and dated by the absentee voter shall be printed on the reverse side of the envelope (refer to Section 2018-a)
5. On the side opposite the statement there shall be instructions as to the duties of the voter after marking the ballot including specific direction that the envelope must reach clerk of the board not later than 5:00 p.m. on day of election.
- F. A person making a material false statement shall be guilty of a misdemeanor.
- G. The clerk or designee shall make a list of persons to whom absentee ballots have been issued. The list must be available for public inspection during regular office hours until day of election.

Any qualified voter may file a written challenge of the qualifications of any person, listed stated reasons for challenge. Challenges are to be transmitted by the clerk to the inspectors of election on Election Day.

- H. List must be posted in a conspicuous place during the election, and any qualified voter may challenge the acceptance of the absentee voters' ballot by making his/her challenge with reasons known to the inspectors of election before the close of polls.

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- I. The clerk is authorized to call upon police for assistance in enforcing provisions of section.
- J. The clerk may subpoena any person to appear and to be examined before it at the office of the clerk of the district in relation to any matter for which the board has a duty under this section.
- K. No absentee ballot shall be canvassed if received after 5:00 p.m. on day of the election.
- L. Clerk of district shall, on day of the election, transmit all absentee voters' envelopes timely received to inspectors of election.
- M. Inspectors examine absentee voters' envelopes after close of polls comparing signature on each envelope with signature on the register. If signature corresponds, inspectors sign initials in register opposite name of voter. If voter has not voted in person and if no objection is made, envelope is opened and ballot deposited in proper box without unfolding. Inspectors enter words "absentee vote" at the appropriate place in the register. If the person has already voted in person, or if name, residence and signature are not on the register, or if there is no signature on the envelope, inspectors return envelope unopened to the clerk of the district.
- N. During the examination of the envelope, any qualified voter present may object on grounds that:
 - 1. person named is not qualified;
 - 2. he/she was within the county or city while polls were open except in hospital, jail, physical disability
 - 3. able to appear personally while polls were open
 - 4. not entitled to cast such ballot
- O.
 - 1. Inspectors shall make objection if he/she knows the above. Unless the inspectors by majority vote sustain the objection, the chairman shall endorse upon the envelope the objection and the words "not sustained," sign the endorsement, open the envelope, deposit it.
 - 2. If inspectors by majority vote sustain objection, word "sustained" shall be endorsed on envelope, envelope shall not be opened, and shall be returned unopened to clerk of district.
 - 3. If inspectors know person is deceased, they write "deceased-objection sustained" on envelope and return it unopened to clerk of district.

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- P. 1. If no ballot is in envelope, inspectors shall make a memo showing that ballot was missing. When casting ballots is completed, inspectors determine the number of absentee ballots deposited in the ballot box by deducting from the number of envelopes opened the number of missing ballots and make a separate return thereof in duplicate.
- 2. Number of absentee voters' ballots in ballot box shall be added to the other ballots to determine the number of all ballots to be accounted for. Ballots then counted or canvassed by inspectors, or where voting machines are used, shall be added to the votes recorded on such machines.
- Q. Where district is divided into election districts, provisions of this section apply provided that any reference to term "board of registration" shall refer to the board of registration appointed by the board of education for each election district.

Waterville Central School District

Legal Ref: Section 2018-b, New York State Education Law

Adopted: 04/25/00 Reviewed: 05/24/22

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