

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 offers 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. 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 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.

Entering a voting machine with another person is prohibited, except upon request from a voter, in which case an election inspector shall be allowed to enter the voting machine with that voter for the sole purpose of assisting that person in the actual manipulation of the voting machine. The election inspector shall not advise or

induce such voter 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 utilizing the write-in device provided with the voting machine. If voting machines are not used, ballots containing the names of nominated candidates will be provided by the Board. 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.

The writing in, with a black lead pencil, of a name in the blank space so provided, will sufficiently indicate a vote. It will not be necessary for a voter to place any other mark beside the name of a write-in candidate.

Absentee Ballots

The Board makes provision for the use of absentee ballots. 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 with the ballot, 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. A voter who claims permanent illness or physical disability may apply for an absentee ballot and the right to receive an absentee ballot for each election thereafter without further application by filing an application containing a statement setting forth the particulars of his/her permanent illness or disability with the Board of Elections;
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.

If the ballot is to be mailed to the voter, the application must be received by the district clerk at least seven days prior to the election; if the application is to be personally delivered, the application must be received by the day before the election. Proxy votes are not allowed.

In the event of a re-vote, only fourteen (14) days is required for notice to be given and the time in which applications for absentee ballots must be received by the district clerk remains the same.

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 Barton, 16 EDR 256 (1977)

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