

HARTFORD CENTRAL SCHOOL DISTRICT
Hartford, New York

SECTION 100
Board of Education

Date Adopted: February 22, 1993

Policy #115 – Voting Procedures and Absentee Ballots

Voting Procedures

The Board of Education of the Hartford Central School will require proof of residence of those persons offering to vote at a school district meeting or election, who are not known to the tellers appointed by the Board of Education. Proof of residence may take the form, but is not limited to, a driver's license, a non-driver identification card, a utility bill or a voter registration card.

Source: Chapter 795 of the laws of 1990, Section 2018(B) of Education Law

ALTERNATIVE BALLOTS FOR HANDICAPPED VOTERS

An alternative paper ballot in large print or Braille will be made available at the polling place to any voter upon request. A voter using an alternative paper ballot may seek assistance from any one person of their choice in completing that ballot. A separate table will be provided for the voter to use in completion of the alternative ballot.

The voter will give the completed (folded) ballot to the inspector of elections on duty who will immediately place such ballot in the ballot box with other alternative ballots. At the close of polls, absentee ballots will also be added to that ballot box.

All such votes will be added to those recorded on the voting machine before being reported to those present at the polling place.

Absentee Ballots

WHEREAS, the Board of Education wishes to extend the right to vote to all eligible residents, and

WHEREAS, The Board of Education wishes to encourage all eligible residents to participate in District matters and to vote on the election of Board Members, the School Budget and all referenda, and

WHEREAS, there are many residents whose occupations and work demand that they be out of the District on the day of a vote, and

WHEREAS, some of our residents take extended vacations, and

WHEREAS, there have been instances where illness and hospital placement have prevented people from voting, and

WHEREAS, permanently disabled people have been prevented from voting, and

WHEREAS, the District wishes to insure that all eligible voters are given the opportunity to vote.

“NOW, THEREFORE, Be it resolved that the Board of Education does elect to institute the process of absentee ballots allowed under Section 2018(B) of the Education Law and does direct the Clerk of the Board of Education to prepare all necessary notices, documents and procedural directions to implement absentee balloting in the District as enumerated in said Section 2018(B) of the Education Law. This right to vote by absentee ballot shall be effective sixty (60) days from the date of adoption of this resolution and shall be available to all eligible voters of the District who meet the criteria set forth in Section 2018(B) of the Education Law until such time as the Board of Education repeals this resolution.”

This resolution must be adopted by a majority of the Board of Education at a regularly scheduled meeting of the Board. There is no need for public notice of intention to adopt. It is recommended that all Board members be informed of the meeting at which this resolution is to be offered.

WHO IS ELIGIBLE TO REQUEST AN ABSENTEE BALLOT?

1. Section 2018(B) of the Education Law spells out eligibility in detail and directs that a particular process be followed for obtaining the ballot, the form of ballot and procedures for voting and counting the ballots.
2. In brief, those eligible are residents who:
 - a. are out of the District for work related reasons,
 - b. are hospitalized;
 - c. are permanently disabled;
 - d. are sick and confined to home;
 - e. are in jail;
 - f. are on vacation and out of the District;
 - g. are out of district for their school studies.

WHAT IS THE PROCEDURE FOR OBTAINING AN ABSENTEE BALLOT?

1. A permanently disabled person who is registered as such under subdivision three of Section 5-612 of the Election law shall be mailed an absentee ballot without the need for a request for same.
 - a. The Clerk of the School District or the designee of the School Board shall obtain the registration rolls from each political subdivision in the District to determine who said people are.
2. Any resident who meets the criteria shall request the District Clerk to mail or provide to the resident who visits the District Office an application for an absentee ballot.
3. The Clerk will examine the executed application and determine eligibility.
4. If permission is requested by mail then the Clerk shall mail the application and ballot to the resident who requests same.
5. Ballot shall be in the same form as practicable, as the form used in the voting machine.
6. Absentee ballots have an oath requirement stating eligibility to so vote.

WHAT NOTICES ARE REQUIRED

In the regular notice for annual meetings or a referendum vote the following shall be included in said notices

“ABSENTEE BALLOTS. The Board of Education had adopted the procedures allowed under Section 2018(B) of the Education Law to permit absentee balloting for eligible district residents. Applications for absentee ballots for the election of Board Members, Budget Vote and referenda vote may be applied for at the office of the District Clerk. A list of all persons to whom absentee ballots shall have been issued will be available in the office of the District Clerk on each of five (5) days prior to the day of election except Saturdays and Sundays, and that such list shall be posted at the polling place on the day of the Annual Election and Budget Vote.” (If a separate referendum vote at a special election, so note.)

WHEN MUST APPLICATION FOR ABSENTEE BALLOT BE FILED WITH THE DISTRICT CLERK

1. If the application and ballot are to be mailed to the voter then the request must be received at least seven (7) days prior to the election.
2. If the Ballot is to be personally handed to the voter, then at least one (1) day prior to the election.

WHEN MUST BALLOT BE RETURNED TO THE DISTRICT CLERK

Ballots must be received by the District Clerk no later than 5:00 PM on the day of the election or referendum vote. The District Clerk will deliver all absentee ballots to the inspectors of election on duty at 5:00 pm in the envelope on which voter signed the oath requirement on eligibility to vote.

CAN A PERSON WHO HAS APPLIED FOR AN ABSENTEE BALLOT VOTE ON ELECTION DAY?

Yes, provided he or she has not turned in the absentee ballot.

WHAT IF A PERSON HAS VOTED WHO HAS AN ABSENTEE BALLOT AND WHO USES SAME?

The Clerk will check all absentee ballots against the list of those who voted and if said person has already voted shall not open or count said ballot.

EXAMINATION AND CHALLENGE OF ABSENTEE BALLOTS

At the close of polling hours, examination of absentee ballots shall be conducted by the District Clerk and the inspectors of election on duty at that time. The District Clerk or inspector will read aloud the list of names of those to whom absentee ballots have been issued. Then for each absentee ballot received, the District Clerk or inspector will read aloud the name of the voter. Hearing no lawful challenge to this voter, the District Clerk or inspector will open the signed envelope and remove the ballot without unfolding same and place it in a ballot box. (The opened envelopes will be retained by the District Clerk for a period of one year.) When all absentee ballots have been placed in the box, the box will be opened and all votes contained therein added to those votes recorded on the voting machine before being reported to those present in the polling place.

Any challenges made will be conducted according to New York State Election Law.

ENVELOPE FOR BALLOT

The statute states exactly what should be on the outside of the envelope that the voter returns with his or her ballot. It repeats the question about eligibility and has an oath concerning regularity that has to be signed. (See sample from Salem Central School District.)

The statute is very specific and can be used to give directions to the staff who will handle this function and for the election people who will process and count the ballots.

RETENTION OF BALLOTS

Pursuant to Education Law Section 2034, 6. b, we have to retain the absentee ballots for six (6) months. An appeal of the election taken under Section 2037 of the Education Law is referred to the Commissioner of Education who resolves same pursuant to Section 310 of the Education Law. Any appeal should be filed within thirty (30) days of a disputed election.