

VOTING PROCEDURES FOR SCHOOL ELECTIONS

Procedures for voting in annual and special elections in the Wayne Central School District are outlined as follows:

ELIGIBILITY TO VOTE

A person shall be entitled to vote in any school district election and on all matters placed upon the official ballot if such person is:

- (1) a citizen of the United States,
- (2) at least 18 years of age,
- (3) a resident within the school district for a period of thirty (30) calendar days next preceding the election at which such person desires to vote,
- (4) qualified to register or is registered to vote in accord with §5-106 of the NYS Election Law, which excludes:
 - (a) those convicted felons who have not been pardoned or had their rights of citizenship restored,
 - (b) those whose maximum sentence of imprisonment has not expired, and/or
 - (c) those who have not been discharged from parole
 - (d) persons adjudged mentally incompetent by a court
- (5) capable of providing one form of proof of residency such as a valid driver's license, a non-driver identification card or utility bill, as well as signature, printed name and address (NYSSBA deleted)

Challenges to voters believed unqualified to vote may be undertaken pursuant to Education Law. The school district clerk shall preside over each annual or special school meeting and election and shall have the responsibility of properly handling any challenges to the qualification of any voter.

VOTING PROCEDURES

Voting machines shall be used for recording the votes on all elections, budget votes and 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 shall arise, paper ballots will be used.

Each voting machine shall have at least two (2) election inspectors, appointed by the Board of Education, in attendance during all voting hours. It shall be the duty of the school district clerk, district clerk pro tem or assistant clerks and clerks to keep a poll list containing the name (not signature) and legal residence of each person before each 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 the 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 to vote on any proposition or candidate and the election inspector shall never reveal the vote(s) recorded by the voter to any other voter at any time.

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(continued)

VOTING PROCEDURES FOR SCHOOL ELECTIONS (continued)

Write-in ballot windows are required on each voting machine. Ballots containing the names of nominated candidates will be provided by the Board of Education. On a paper or absentee ballot, one blank space will be provided by 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, There will be as many write-in.spaces as there are vacancies at the time of election.

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

ABSENTEE BALLOTS

The Board of Education provides for 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 school district.

The application for an absentee ballot must be received by the school district clerk at least seven (7) days prior to the school election if the ballot is to be mailed to the voter or by the close of business on the day prior to the school election, if the ballot is to be personally delivered. The application must be completed and returned to the school district clerk or district clerk pro tem, and the individual must verify therein that s/he meets all requirements of voters, and explain the reason for his/her inability to appear in person to vote.

In particular, the individual must explain that s/he will be unable to appear to vote in person on the day of the school election because:

- (1) s/he will be a patient in a hospital, or unable to appear personally at the polling place on such day because of illness or disability,
- (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) s/he will be on vacation outside the county or city of his/her residence on such day, or
- (4) s/he 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

The school district clerk shall request lists from the Wayne and Monroe County Boards of Elections for those voters whose registration record has been marked "permanently disabled" and mail applications for absentee ballots to said individuals in advance of each annual or special school district election as required by Education Law. After such eligible voter returns an application one time, s/he shall receive an absentee ballot in each subsequent regular or special school election.

References: Matter of Rodriguez, 31 EDR 471 (1992) etal
Regulation 2120.2-R, This Policy Manual

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