

ANNUAL DISTRICT ELECTION AND BUDGET VOTE

The District shall hold an annual election and budget vote at which the District's authorized voters will elect members of the Board of Education and vote on the District budget for the coming school year. The annual district election and budget vote will be held on the third Tuesday in May, unless, due to a conflict with religious observance, the Board requests that the Commissioner approve changing the election date to the second Tuesday in May. The request is due to the Commissioner by March 1st.

The District Clerk shall publish a notice of the time and place of the annual election and budget vote at least four (4) times within the seven (7) weeks prior to the election in two (2) newspapers having general circulation within the District. The first publication of the notice shall be at least 45 days prior to the election. The notice shall also contain notice of any other matter required by law.

Copies of the budget and the text of any resolution to be voted upon at the annual election and budget vote shall be available upon request in each District school building and the District Office for District residents during regular school and business hours on each day other than Saturday, Sunday, or holiday during the 14 days immediately preceding such annual election and budget vote.

The Board of Education shall appoint Assistant Clerks and Election Inspectors necessary for the annual election and budget vote at a Board of Education meeting held before the annual election and budget vote.

Propositions

The Board of Education has the authority, under Education Law, to adopt reasonable rules and regulations concerning the submission of petitions to the Board to place propositions on the ballot which may amend the budget. Pursuant to those provisions, the Board establishes the following guidelines:

1. Unless otherwise provided by the Education Law, petitions for the submission of a proposition must contain a minimum of 25 signatures of qualified voters of the District, or two (2) percent of the eligible voters who voted in the previous annual election of the members of the Board of Education, whichever is greater.
2. Petitions must be filed with the District Clerk at least 30 days prior to the annual election, except for petitions relating to a proposition which must be included in the notice of the annual election. Such petitions must be submitted 60 days in advance of the annual election to facilitate the preparation and printing of the ballots.
3. Propositions must include the specific appropriations necessary for the purposes listed.

4. Wording of a petition must comply with legal requirements. If the wording is not in compliance, it may be changed or altered by the Board, or the Board may reject a petition for failure to comply.

Propositions received in accordance with these specifications will be placed on the ballot as amendments and will be voted upon by the voters in the same manner as the proposed budget, except that the Board shall not be required to place any proposition on the ballot which is within the exclusive province of the Board, or otherwise forbidden by law. No proposition involving the budget may be submitted to the voters more than twice.

The Board may also, on its own motion, submit propositions.

Improper Advocacy

The District may provide informational material to the voters concerning budgets, propositions, or other matters before the electorate. However, school district funds and resources may not be used to exhort voters to support a particular position. For example, the District will not engage in activities including, but not limited to, sending flyers supporting the budget home with students, providing mailing labels for materials supporting a proposition, or using the District e-mail to deliver promotional material for candidates.

Annual Budget

The school budget is the legal basis for the establishment of the tax levy. It is the official document that describes the revenues and expenditures to be conducted during a given period of time. It is the planning document, stated in financial terms, for the conduct of all operations within the school system.

The annual school budget process is important to school district operations and serves as a means to improve communication within the school organization and with the residents of the school community.

The budget will be presented to the public in three components (to be voted upon as one proposition):

1. a program component, which includes all program expenditures of the District, including the salaries and benefits of teachers and any school administrators or supervisors who spend a majority of their time performing teaching duties, and all transportation operating expenses;
2. a capital component, which includes all transportation capital, debt service and lease expenditures; costs resulting from court judgments, administrative orders or settled or compromised claims; and all facilities costs of the District, including facilities lease expenditures, annual debt service and total debt for all facilities financed by bonds and notes of the District, and costs of construction, acquisition, reconstruction, rehabilitation or improvement of school buildings, provided that the budget shall include a rental, operations and maintenance section that includes base rent costs, total rent costs,

operation and maintenance charges, cost per square foot for each facility leased by the District, and all expenditures associated with custodial salaries and benefits, service contracts, supplies, utilities, and maintenance and repair of school facilities;

3. an administrative component, which includes office and central administrative expenses, traveling expenses, and all compensation, salaries and benefits of all school administrators and supervisors, all expenditures associated with the operation of the school board, the office of the Superintendent of Schools, general administration, the school business office, any consulting costs not directly related to direct student services and programs, planning, and all other administrative activities.

In addition, each component must be separately delineated in accordance with Regulations of the Commissioner. The budget will categorize revenues, property tax refunds, expenditures, budget transfers and fund balance information, and will be formatted to show changes in the data as compared with the previous year. Finally, the budget will be written in plain language and organized in a manner which best promotes the public's understanding of its contents. The budget will be completed at least seven (7) days before the Public Hearing at which the Board will present the budget to the voters. Copies of the budget shall be available upon request to residents within the District at each school building and the District Office during regular school and business hours on each day (other than Saturday, Sunday, or holiday) during the 14 days immediately preceding the annual election and budget vote.

The following documents will be attached to the budget:

- a detailed statement of the total compensation to be paid to the Superintendent of Schools, and any Assistant or Associate Superintendent in the coming school year, including a delineation of the salary, annualized cost of benefits and any in-kind or other form of remuneration;
- a list of all other school administrators and supervisors, if any, whose annual salary will be at or above the amount designated by the State Education Department in the coming year, along with their title and annual salary;
- a school district report card detailing the academic and fiscal performance of the District; and
- a property tax report card prepared pursuant to the Regulations of the Commissioner of Education.

The Board may not submit the proposed budget or a related proposition to the voters more than twice. If the voters fail to approve the proposed budget or budget proposition after the second submission, or if the Board elects not to put the proposed budget to a public vote a second time, the Board must adopt a contingency budget.

The Board may use District monies to present educational and informational material about the annual budget and related information to the voters.

Budget Hearing

The Board of Education will hold an annual budget hearing at which it will present a detailed proposed budget for the following school year. The purpose of the budget hearing is to inform the public of the contents of the budget and to provide an explanation and justification for the decisions the proposed budget reflects.

The budget hearing will be held not less than seven (7) nor more than 14 days prior to the Annual District Election, at which the District's voters will vote on the budget. The proposed budget will be completed at least seven (7) days before the budget hearing. A copy of the proposed budget may be obtained by any District resident at each school building and the District during regular school and business hours on each day (other than Saturday, Sunday, or holiday) during the 14 days immediately preceding the annual election and budget vote.

Notice of the date, time and place of the annual budget hearing will be contained in the notice of the annual and budget vote.

Absentee Ballots

Absentee ballots, including application forms, may be obtained from the District Clerk in person or by mail, upon the request of a qualified voter. The application request must be received at least seven (7) days prior to the election if the ballot is to be mailed to the voter, or one (1) day prior to the election if the ballot is to be delivered personally to the voter. An absentee ballot shall only be canvassed if it is received in the office of the District Clerk no later than 5:00 pm on the date of the election.

An application shall set forth:

- the applicant's name and address;
- that the applicant is, or will be on the date of the election, a qualified voter;
- whether the applicant is registered in the District; and
- the reason the applicant will be unable to vote on the day of the election.

The applicant must satisfy one of the following reasons in order to have his/her absentee ballot canvassed:

- the applicant will be a patient in a hospital or unable to appear personally at the polling place on such day because of illness or disability;
- the applicant's duties, occupations, business, or studies will require him/her to be outside of the county or city of his/her residence on such day;
- the applicant will be on vacation outside the county or city of his/her residence on such day; or
- the applicant 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.

Cross-Reference: 2120, School Board Elections
2120.1, Board Candidates and Campaigning

Reference: Education Law §§ 416(3); 1608(2); 1716(2); 1804(4); 1906(1); 2002(1);
2003(1)(2); 2004(1)-(7); 2009; 2021; 2022(1), (4)-(5); 2035(2); 2601-a(2)
General Construction Law §60
Matter of Hebel, 34 EDR 319 (1994)
Matter of Martin, 32 EDR 567 (1993)
Matter of Como, 30 EDR 214 (1990)

Revised: March 21, 2017, June 19, 2001