

**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 **18** years of age;
3. a resident within the school district for a period of 30 days prior to the election at which such person desires to vote;
4. qualified to register or is registered to vote in accord with section 5-106 of the Election Law which excludes:
  - a) those convicted felons who have not been pardoned or had their rights of citizenship restored; those whose maximum sentence of imprisonment has not expired; and/or those who have not been discharged from parole;
  - b) persons adjudged mentally incompetent by a court

Challenges to voters believed unqualified to vote may be undertaken pursuant to Education Law provisions. 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 may be used for recording the votes of 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 or technical failure or state law prohibits their use. If this should arise, a hand count will occur.

Not less than 10 days prior to the budget vote & election, the Board of Education shall appoint, for each election district, three qualified voters to act as inspectors of election during all voting hours. Additional inspectors may be appointed when in the opinion of the Board of Education special circumstances exist requiring the services of additional inspectors. The inspectors shall elect one of their number as chairman and one as poll clerk. It shall be the duty of the poll clerk to keep a poll list containing the name and legal residence of each person before such person is permitted to vote. It is the duty of the chairperson to call the polls opened and closed.

The election inspectors shall not advise or induce such voters to vote 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.

Ballots must allow for write-in candidates. Space for write-in votes must be provided to afford voters the opportunity to select an alternative candidate of their choice for each vacancy to be filled. Candidates run at-large, therefore a write-in space for each vacancy is required to be on the ballot.

The writing-in of a name in the blank space so provided, will sufficiently indicate a vote. The district cannot require a voter to place any other mark beside the name of a write-in candidate.

Absentee Ballots and Early Voting Ballots may be obtained by contacting [hcsddistrictclerk@hudsoncsd.org](mailto:hcsddistrictclerk@hudsoncsd.org) or at 518- 828-4360 Ext. 2101

The Board provides for the use of absentee and early voting 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 any questions and propositions submitted to the voters of the district. The application must be received by the District Clerk at least seven days prior to the election, if the ballot is to be mailed to the voter; or the application must be received by the day before the election, if the ballot is to be personally delivered to the voter at the District office. The application must be completed and returned, and the individual must verify therein that he/she meets all voting requirements,

The absentee or early voting applications shall be consistent with the applications used by the local Board of Elections. A voter's absentee ballot or early mail ballot must reach the Office of the District Clerk no later than 5:00 p.m. on the day of the election in order that their vote may be canvassed.

The district shall request registration lists from the Board of Elections for those voters whose registration record has been marked "permanently disabled" and shall automatically mail absentee ballots to such voters in advance of each district vote or election.

#### **Military Ballots**

The Board provides for the use of military ballots for voting on the school budget, for the election of members of the Board and on questions and propositions submitted to the voters of the District.

A military voter is:

a. A qualified voter of New York State who:

1. Is in actual military service and, by reason of that military service, is absent from the District on the day of registration or election; or
2. Is discharged from that military service within 30 days of an election; or

b. A spouse, parent, child, or dependent of the previously described voter, accompanying or being with that voter, if a qualified voter of New York State and a resident of the District.

A military voter may designate a preference to receive a military ballot application or a military ballot by mail, fax, or email. This designation will remain in effect until revoked or changed by the military voter. If a military voter does not designate a preference, a military ballot application or a military ballot will be provided to the military voter by mail.

Military ballots will be distributed as soon as practicable, but no later than 14 days before the election/vote.

A voter's military ballot must be received by the Office of the District Clerk not later than 5pm on the day of the election in order that the military voter's vote may be canvassed at which point the military ballot will be processed in the same manner as absentee ballots.

All military ballot applications and military ballots must be returned to the Office of the District Clerk by mail or in person.

Ref: Education Law §§2012; 2014; 2018, 2018-a; 2018-b; 2018-c; 2018-d; 2018-e; 2019; 2019-a; 2020; 2025; 2032(2)(e); 2035; 2037; 2603; 2607; 2610; 2613

Election Law §§3-224; 5-106; 5-612; 5-400; 5-406

8 N.Y.C.R.R. Part 122

*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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