

By-Laws

SUBJECT: ABSENTEE, MILITARY, AND EARLY MAIL BALLOTS

The Board authorizes the District Clerk or a Board designee to provide absentee ballots to qualified District voters. Absentee ballots will be used for the election of Board members, and the adoption of the annual budget.

A District voter must request in advance an application for an absentee ballot. The voter must complete the application and state the reason they will not be able to appear in person on the day of the District election/vote for which the absentee ballot is requested. The application must be received by the District Clerk no earlier than the thirtieth day before the election/vote. The application must be received by the District Clerk at least seven days before the election/vote if the ballot is to be mailed to the voter, or the day before the election/vote if the applicant or their agent delivers the application to the district clerk in person.

A qualified District voter is eligible to vote by absentee ballot if they will be:

- a) Absent from the county of their residence;
- b) Unable to appear at the polling place because of illness or physical disability, or duties related to the primary care of one or more individuals who are ill or physically disabled, or because they will be or is a patient in a hospital;
- c) An inmate or patient of a veteran's administration hospital; or
- d) Absent from their voting residence because they are detained in jail awaiting action by a grand jury or awaiting trial, or confined in jail or prison after a conviction for an offense other than a felony, provided that they are qualified to vote in the election district of their residence.

Statements on the application for an absentee ballot must be signed and dated by the voter.

A voter's absentee ballot must reach the Office of the District Clerk or Board designee not later than 5 p.m. on the day of the election/vote in order that their vote may be canvassed.

Qualified District voters who are unable to personally appear at the polling place because of a permanent illness or physical disability and whose registration record has been marked "permanently disabled" pursuant to law are entitled to receive an absentee ballot without application.

A list of all persons to whom absentee ballots have been issued will be maintained in the Office of the District Clerk and made available for public inspection during regular office hours until the day of the election/vote. Any qualified voter may, upon examination of this list, file a written challenge of the qualifications as a voter of any person whose name appears on this list, stating the reason for the challenge. A challenge to an absentee ballot may not be made on the basis that the voter should have applied for an early mail ballot. The written challenge will be transmitted by the District Clerk to the election inspectors on the day of the District election/vote. In addition, any qualified voter may challenge the acceptance of the absentee voter's ballot of any person on this list by making his or her reasons known to the election inspector before the close of the polls.

(Continued)

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SUBJECT: ABSENTEE, MILITARY, AND EARLY MAIL BALLOTS (cont'd.)**Military Ballots**

The Board authorizes the District Clerk to provide military ballots to military voters to be used for the election of Board members and the adoption of the annual budget.

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 25 days before the election/vote.

Three days before the first day for distribution of military ballots, the names of all candidates duly nominated for public office and the amendments, referenda, propositions, and questions to be voted for on the ballots will be determined. If, at a later date, the nomination of any candidate named on a military ballot is found invalid, the ballot will still be valid, but no vote for the invalid candidate will be counted in the election/vote.

A voter's military ballot must be received by the Office of the District Clerk not later than 5 p.m. on the day of the election/vote in order that their 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 by mail or in person.

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By-Laws

SUBJECT: ABSENTEE, MILITARY, AND EARLY MAIL BALLOTS (cont'd.)**Early Mail Ballots**

The Board authorizes the District Clerk to provide early mail ballots to qualified District voters. Early mail ballots will be used for the election of Board members and the adoption of the annual budget.

A District voter must request in advance an application for an early mail ballot. The voter must complete the application. The application must be received by the District Clerk no earlier than the thirtieth day before the election/vote. The application must be received by the District Clerk at least seven days before the election/vote if the ballot is to be mailed to the voter or the day before the election/vote if the applicant or their agent delivers the application to the District Clerk in person.

Any qualified District voter is eligible to vote by early mail ballot.

Statements on the application for an early mail ballot must be signed and dated by the voter.

A voter's early mail ballot must reach the Office of the District Clerk not later than 5 p.m. on the day of the election/vote in order that their vote may be canvassed.

A list of all persons to whom early mail ballots have been issued will be maintained in the Office of the District Clerk and made available for public inspection during regular office hours until the day of the election/vote. Any qualified voter may, upon examination of this list, file a written challenge of the qualifications as a voter of any person whose name appears on this list, stating the reason for the challenge. A challenge to an early mail ballot may not be made on the basis that the voter should have applied for an absentee ballot. The written challenge will be transmitted by the District Clerk to the election inspectors on the day of the District election/vote.

Education Law Sections 2014, 2018-a, 2018-b, 2018-d, 2018-e, 2018-f, and 2613
8 NYCRR Part 122

Adoption Date: May 8, 2024