



Governor Announces Rule Changes for the 2020 School Board Elections and Budget Vote

On Friday, May 1, 2020, Governor Andrew Cuomo issued Executive Order No. 202.26 which modifies the rules under which school districts are to conduct the 2020 annual meeting for the election of school board members and budget votes.

Below are a summary of the changes and a revised election timeline based on the modified rules. NYSSBA will offer additional analysis with helpful suggestions early next week.

Statewide uniform voting date

- School board elections and budget votes originally scheduled for May 19, 2020 will now take place on June 9, 2020.

Public Notices

- The manner for providing public notice of the annual meeting remains unchanged, except that the number of required publications has been reduced from four to two.
- The first notice must be no later than 28 days before the election, and include notice for an adjourned budget hearing.

Postcard Notice

- School districts must send out postcard notice which details the date of the election, date of the budget hearing, and a definition of qualified voter.

Manner of Voting

- The annual meeting for the election of school board members and budget votes will take place remotely.
- Qualified voters will vote only by absentee ballot.

Absentee Ballots

- School districts must send out an absentee ballot to all qualified voters, with a postage paid return envelope for any election held on or before June 30, 2020.

Report Cards

- School districts must submit their report card to the State Education Department no later than May 22, 2020 (18 days prior to June 9).
- The Department must make its compilation available electronically, at least by June 2, 2020 (7 days prior to June 9).

School Board Elections

- There will be no minimum threshold number of signatures required for individuals to be placed on the ballot, except that they must meet all other requirements, including applicable residency and age.
- Candidates will be listed on the ballot alphabetically.

- Ballots for small city school districts must be set 30 days before the election.

June 9, 2020- School Budget Vote and Election Timeline

Date	Action
May 11¹ (30 days prior to the vote)	<ol style="list-style-type: none"> 1. Deadline for candidates to file nomination² 2. Deadline for filing voter petitions (other than those required to be included in the notice of annual meeting).
May 12 (28 days before the vote)	<ol style="list-style-type: none"> 1. Deadline for publication of the first of two required legal notices prior to the budget vote. 2. School districts, other than small cities, must determine the names of all candidates duly nominated and the propositions and referenda to be voted for on the ballot three days prior to the distribution of military ballots, which must occur 25 days prior to the vote.
May 15 25 days prior to the vote	School districts, other than small cities, must transmit military ballots by May 15th.
May 21	Deadline for school boards to adopt the budget prior to property tax report card filing.
May 22 18 days prior to vote	Districts must transmit “property tax report card” to SED by the end of the next business day following its approval by the school board , but not later than May 22 nd .
May 26 14 days before vote	<ol style="list-style-type: none"> 1. Small city school districts must determine the names of all candidates duly nominated and the propositions and referenda to be voted for on the ballot three days prior to the distribution of military ballots, which will occur 14 days prior to the vote.³ 2. Last possible day for voter registration in small city school districts.⁴ 3. Small city school districts must distribute military ballots no later than 14 days before the vote.
May 26- June 2 7-14 days prior to the vote	Public hearing to present budget which may be conducted virtually pursuant to Executive Order 202.15, provided it takes place on or before June 1, 2020.

May 26- June 9 14 days prior to and including day of the vote	Copies of the budget must be available to the residents upon request. The budget and attachments are required to be posted to the district website.
May 26- June 4 14-5 days prior to vote	Last possible day for voter registration in school districts other than small cities (14-5 days before vote). ⁵
June 3 6 days before vote.	Deadline for mailing “budget notice.”
June 9	Budget Vote and Election Date Executive Order 202.26 does not provide a specific date for holding a re-vote. Consult with your school attorney if one becomes necessary.

¹ 30 days before the election falls on a Sunday May 10 so under General Construction Law § 25-a, the deadline moves to the next day.

² Pursuant to Executive Order 202.26 candidates for school board must self-nominate. While no signatures are required for a self-nomination, the other required information for a nominating petition must be contained within the filing such that the eligibility of the candidate may be verified by the district.

³ Seventeen days before the vote falls on Saturday May 23, thus under General Construction Law the content of the military ballots may be determined on Tuesday May 26 since Monday, May 25 is Memorial Day.

⁴ Executive Order 202.26 makes no provision for registration by mail. NYSSBA has sought clarification from the Governor’s office regarding how districts will ensure how individuals who wish to register will be able to exercise this right.

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