



**QUESTIONS AND ANSWERS:
MAY 21, 2024 ANNUAL MEETING AND GENERAL ELECTION**

The District has received many inquiries relative to the May 21, 2024 annual meeting and general election. As many of the emails or other contacts received by the District from interested people contain similar or identical requests, the District is making this information publicly available.

Question: What are the procedures for a recount of the ballots cast on May 21, 2024?

Answer: The budget vote and election of Board candidates is governed by the New York State Education Law, not the New York State Election Law. Once polls have closed, the ballots have been counted and the results announced, there is no procedure under the Education Law for a recount of the ballots unless ordered by the Commissioner of Education. Absent such an order, the District is not authorized to recount the ballots.

Question: What are the qualifications to vote at the school district's budget vote and Board of Education election?

Answer: Individuals must be a United States Citizen, at least 18 years of age, a resident of the District for at least 30 days prior to the vote, and not disqualified from voting due to certain criminal conviction status or being adjudicated incompetent. There is no requirement that an individual be a registered voter in order to cast a ballot at a school district vote.

Question: Why were voters not asked to provide proof of identification or residency prior to voting?

Answer: Under the Education Law, election workers are only able to request proof of identification if the Board of Education has authorized provision of that proof as a prerequisite for voting. There was no such requirement adopted by the Cazenovia Central School District Board of Education relative to the May 21, 2024 vote.

Question: How is voter fraud prevented if there is no requirement that voters be registered, and there is no requirement to provide proof of identity?

Answer: The Education Law authorizes any qualified voter to issue a challenge to the qualifications of any other individual presenting to vote. A challenge may be issued when there is a basis to believe an individual is not of sufficient age, is not a U.S. citizen, is not a resident, or who has been legally disqualified from voting. The challenge must be issued and addressed before the individual's ballot is cast, or the opportunity to issue a challenge is lost. If an individual requests a ballot, there is no challenge by another qualified voter, and election workers have no reason to question a voter's qualifications, the individual casts a ballot. Once the ballot is cast, there is no ability to challenge the voter's qualifications.

Question: Was residency confirmed for individuals voting by absentee ballot?

Answer: Absentee ballots were issued in response to applications, and to individuals designated as permanently disabled on a list provided by the County Board of Elections. The application required the individual to state their address. Absentee ballots were transmitted to voters if the address on the application was within the Cazenovia Central School District. If there were concerns that an individual who was not a resident voted by absentee ballot, the Education Law required a written challenge to that individual's qualifications to be filed with the District Clerk before the absentee ballot envelopes were opened and counted. The absentee ballot list was available for public inspection, as required under the Education Law, so that interested individuals could examine it and submit challenges if desired. There is no ability to challenge an absentee voter's qualifications after the absentee ballots have been counted.

Question: Were students permitted to vote?

Answer: Any student who presented to vote and was qualified (see above) would have been permitted to vote. The District did not keep, and was not required to keep, records indicating which voters were students and which were not.

Question: What are the qualifications to campaign for and serve on the Board of Education?

Answer: The qualifications to serve on the Board of Education are (1) being able to read and write; (2) being a qualified voter of the District (see above); (3) residing in the District for at least a continuous and uninterrupted period of one year prior to election; (4) not removed from school district office within the past year; (5) not residing in the same household as another member of the Board of Education; (6) not an employee of the school district; and (7) not also holding an

incompatible public office (for example, Town Supervisor). A candidate's personal or political views do not qualify or disqualify a candidate from service.

Question: What rules apply during the campaign for service on the Board of Education?

Answer: Candidates may make whatever public or private comments they wish during a campaign, including on social media. Candidates are obligated to file expenditure reports with the District Clerk setting forth money spent on the campaign or contributions received.

Question: What ethical rules apply upon taking the oath of office to serve on the Board of Education?

Answer: Conflict of interest rules apply once commencing service on the Board. Service on the Board does not begin until at least the first day of the term of office, and until the elected individual takes the oath of office. The ethics rules for public officials are found in the New York State Public Officers Law, in judicial opinions, advisory opinions from the NYS Attorney General and NYS Comptroller, and in Board Policy.

Question: How many ballots were counted, and how was it determined if a vote for a write-in candidate could be counted?

Answer: The Education Law does not require the appointed Election Inspectors to create a record of how many ballots were determined to be wholly or partially void, and therefore, there is no record documenting how many ballots were cast, versus how many votes were counted. In addition, voters had the option of casting a vote for some issues on the ballot, and not others, meaning that a voter could intentionally leave one or more items on the ballot blank. For this reason, the vote totals from May 21, 2024 may not reflect the total number of in-person ballots cast and absentee ballots received.

The instructions for completing the ballot were written on the ballots themselves. Election Inspectors were asked to apply these rules to the ballots cast, and to effectuate voter intent when possible.

Minor misspellings of a write-in candidate's name, when the intention of the voter and the identity of the write-in candidate was clear, were counted as votes cast for the write-in candidate.