

**QUESTIONS AND ANSWERS
REGARDING THE ELECTION PROCESS**

1. **May District resources (funds, facilities, supplies, or equipment) be used to advocate support for, or opposition to, the budget, any proposition, or any candidate for election to the Board? What are some examples of prohibited advocacy, using District resources?**

No. Examples of prohibited advocacy using District resources include:

- A Board candidate's use of the District's bulk postage meter to distribute campaign literature;
- Union leadership's use of the District's email system, or staff mailboxes, to advocate voting a certain way, or even to remind union members to vote (because of the targeted audience);
- Providing the PTA with mailing labels for all parents within the District, so that the PTA may distribute literature urging "yes" votes on the budget, or in favor of a particular candidate; and
- A "meet the candidates" night conducted by a union or the PTA on school grounds, because of the potential for partisan campaigning and/or "loaded" questions from the audience in an open forum.

Please note that these examples are illustrative and not exhaustive.

2. **What are some examples of activities that do not constitute improper use of District resources for advocacy?**

- Preparation and distribution by the administration of factual information about the proposed budget;
- Teachers' use of the District's phones to remind residents to vote, provided that a selective phone list (e.g., parents only) is not used;
- Distribution of take-home flyers by the PTA to students, consisting of a biography of each candidate for the Board, and each candidate's verbatim responses to a series of objective, identical questions; and
- A student-initiated editorial in the school newspaper in support of, or opposition to, a Board candidate or the budget, provided that no staff member influences the content of the student editorial.

Please note that these examples are illustrative and not exhaustive.

3. **What are the roles of the election inspectors and District clerk, respectively, during the election?**

There must be two election inspectors, who are appointed and compensated by the Board, for each voting machine. Two election inspectors, per machine, verify that the count is set at “zero” and that the machine is otherwise in proper condition for use, before the start of the vote. At the conclusion of the vote, two election inspectors, per machine, read the voting machine counters and inform the District clerk of the results. The District clerk announces the results of the election. After the polls close, at least two election inspectors must open and certify the results of any absentee ballots, in public. It is not required that each Board candidate must be present when the absentee ballots are opened, although the candidates may of course choose to be present. The District clerk is also responsible for preparing and maintaining an accurate poll list of the names and addresses of the people who actually voted.

4. **What are “poll watchers” and what is their role?**

Strictly speaking, there is no legal authority for “poll watchers,” *per se*, in the Berlin Central School District. That said, however, any voter, including a Board candidate or a person acting on behalf of a candidate, has the right to remain at the polling place and to challenge, in a non-disruptive manner: i) the qualifications of any other voter; or ii) the validity of any absentee ballot.

5. **Do candidates, and/or voters, have the right to visually inspect the voting machine tallies before and/or after the election? If not, who does so?**

No, nor does any “poll watcher” have the right to do so. As noted above, only the election inspectors and District clerk may do so.

6. **What constitutes prohibited “electioneering”?**

“Electioneering” is prohibited on the date of the election, inside the polling place, and within a 100-foot zone outside the entrance to the polling place. “Electioneering” includes any conduct, oral statements, or signs (such as flyers, posters, buttons, etc.) advocating support of, or opposition to, the budget, any proposition, or any candidate for election to the Board. Electioneering is prohibited, even if no District resources are used.

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