

# Petition Process for Union School Directors

1. Process not changed by Act 46 – same as it has been for election of union school officers in the past.
2. For those who have never been part of a union, process will be new.

# Two Sets of Law to Apply

First check **Title 16** – specific provisions for these union school district votes. (Chapter 11, Union School Districts)

Next look at **Title 17** – if the process you are looking for is not addressed by Title 16, look to Title 17 (Chapter 55 – local elections; subchapter III – Aus. Ballot elections)

# Election of Initial Directors

1. Directors are elected at the same time as the vote on formation of the district.
2. Election of Directors is Article II on the Warning, following the Article regarding district formation. (See *16 VSA §706f* for the general provisions regarding these two Articles.)
3. Both of these votes must be done by Australian Ballot.
4. Being done by Australian Ballot means that a ballot must be prepared at least 20 days in advance of the election to allow for early or absentee voting.
5. You need names to place on that ballot, so people need to submit petitions to have their name included on the ballot for one of the Director seats on the board.

# Number and Terms of Directors

1. The number of Directors and the terms of those various Directors will be established in the **Study Committee Report/Articles of Agreement**.
2. There are **two types of Directors** on the Union School District board:
  1. **Member District representatives**
  2. **At-large representatives**
3. Each town will have a certain number of member district representatives and the district as a whole will have a certain number of At-Large representatives. Certain proposed unions may have both, or either type of representatives.
4. The Study Committee Report describing the makeup of the Board in the proposed district will be available in your office.
5. People interested in running for one of the Director seats on the proposed Union board should come to your office to review the make-up of the Board and decide which of the seats they wish to run for. ***They will need to identify the specific seat they are running for in their petition.*** The term and nature of the seat (Member District Rep or At-Large Rep) will be the way to distinguish on seat from another. E.g. “At-large Director, Two-year term; *or* Essex Jct. Representative, one-year term.”

# Petition Requirements for Member District Reps and At-Large Reps (*16 VSA §706e*)

	<b>Member District Representatives</b>	<b>At-Large Representatives</b>
Who can Run?	Legal voter from the member district.	Legal voter from any of the districts identified as “necessary” in the Report.
Where do they File?	Clerk of the member district which they seek to represent.	Clerk of any of the districts identified as “necessary” in the Report – (this clerk is then required to notify the clerks of all other proposed districts to include that candidate as a candidate for one of the At-Large seats).
How many Signatures?	30 voters or 1% of the checklist in that member district, whichever is less.	60 voters from one or more of the districts identified as “necessary” in the Report.
Deadline?	Not less than 30 nor more than 40 days before the date of the vote.	Not less than 30 nor more than 40 days before the date of the vote.

# Receipt of Petitions by Clerk

Each Clerk in the proposed union district may receive notice of candidates to be included on the ballot:

1. Directly by petition from candidates for their member district representative(s); and/or
2. Directly by petition from candidates for one of the At-Large seats; and/or
3. By notification from other clerks in the proposed union district of At-Large candidates that filed petitions with them but that must be included on all ballots in the proposed district.

The clerk needs to verify that the petitions contain signatures of at least the minimum required amount of legal voters before including the candidate's name on the ballot.

# Ballots

- The clerk will receive all petitions no later than 30 days prior to the meeting.
- The ballots must be prepared and available no later than 20 days prior to the meeting. *17 VSA §2681a.*
- Means you will have at least ten days to prepare the ballot.
- Ballots are prepared at town expense – if a tabulator will be used the clerk needs to contact our tabulator vendor, LHS, to coordinate programming of a memory card.
- The language for the Articles on the ballot (district formation and election of initial directors) is contained in statute. See *16 VSA §706f.*
- The Warning and Ballot need to identify the number of Directors to be elected, both At-Large and Member District reps, and the terms of the various seats.
- The Petitions, Warning and Ballot should be clear which seat each candidate is running for.

# Warnings – Who does it and What is the deadline?

- The school board of each member district is responsible for Warning the vote. *17 VSA §706d.*
- They must approve and sign the Warning, and will then most often delegate the school district clerk (which is typically the Town clerk) to perform the actual posting.
- The Warning for the vote must be posted no more than 40 and no less than 30 days prior to the vote. *17 VSA §2641.*
- The Warning is not required to contain the names of the candidates but it must be clear the number of seats and the terms of those seats to be elected.
- Following the deadline for petitions on the 30<sup>th</sup> day before the election, the clerk should keep a list of candidate names available for those interested in who is running. A sample ballot should be available no later than 20 days before the election.

# Warning Contents/Vote Timing

- The Warning must indicate the date of the vote, the location, the polling hours, and the Articles to be voted on. See *16 VSA §706f* and *17 VSA §2642*.
- It should indicate that the vote will be by Australian ballot.
- The Study Committee Report/Articles of Agreement will include the language for the Articles, in substantially the form described in *16 VSA §706f*.
- The votes in the various proposed member districts must happen on the same day and with the same polling hours.
- That date and time will also be determined in the Study Committee Report. *16 VSA §706d*.

# Questions?

If you have questions regarding the administration of these district merger votes, please call Will (828-0175) or JP (828-2304) in the Elections Division.