Executive Order 202.39 - Absentee Ballots and the June 9th Budget Vote and Election

June 8, 2020

We are writing to summarize Executive Order 202.39 with respect to the June 9, 2020 budget vote and election of board members. As you may have heard, this Executive Order extends the time by which mailed ballots may be received by the District.

The Executive Order provides:

Sections 2018-a and 2018-b of the Education Law, to the extent necessary to allow any absentee ballot for an election held on June 9, 2020 and received by mail in the office of the clerk of the school district or designee of the trustees or school board not later than June 16, 2020 to be canvassed for such election. No ballots for such election shall be accepted by the clerk of the school district or designee of the trustees or school board after 5 p.m. on June 9, 2020 except those received by mail in accordance with this provision. Any receptacle used for hand delivery of absentee ballots in such election shall be closed and removed at 5 p.m. on June 9, 2020; The ballots therein shall remain unopened pending delivery of mailed ballots, and shall be removed and canvassed after 5 p.m. on June 16, 2020;

Our interpretation and advice are as follows:

1. Absentee ballots may be dropped off at the office of the District Clerk or to pre-arranged ballot boxes until 5:00 on June 9, 2020. No ballots may be dropped off or hand delivered after this date and time.

2. Thereafter, mailed absentee ballots may be accepted through 5:00 p.m. on June 16, 2020. The Executive Order does not require that the mailing be postmarked by June 9, 2020.

3. You must wait until 5:00 on the 16th to begin canvassing ballots. At that time, all the same rules we have been discussing for a count on the 9th will apply.

4. As it appears the vote still “closes” on the 9th, we are advising that no new ballots should be issued after June 9, 2020.

Please let us know if you have any further questions.