



THE LEAGUE  
OF WOMEN VOTERS®  
OF SCARSDALE  
Box 495, Scarsdale, NY 10583

February 28, 2011

Mr. Stephen Fridakis  
Chair, Administrative Committee  
4 Richelieu Rd.  
Scarsdale, NY 10583

Dear Steve,

The League of Women Voters of Scarsdale (the “League”), itself a nonpartisan organization, favors the concept and recognizes the value of a nonpartisan system for the selection of Village and School Board candidates in Scarsdale. We continue to monitor these election systems to encourage the informed and active participation of our citizens.

We would like to thank you for taking the time to meet with us to share information on behalf of the Administrative Committee (the “Committee”) at our membership meeting on January 24, 2011 to evaluate the School Board Nominating Committee (“SBNC”) election held on January 4, 2011 (the “Election”).

The League recognizes the efforts of the Committee to obtain nominees to, and administer the election of, the SBNC. We further commend your diligent efforts as chair of the Committee (the “Chair”). We have highlighted below two important recommendations followed by more detailed comments and recommendations regarding various aspects of the election process.

- 1. Devise strategies to better educate residents about the nonpartisan system and the role of the SBNC.** The lack of awareness and understanding by many in the community of the nonpartisan system and the importance of the election of SBNC members for the selection of candidates to the School Board continues to be a concern. The League recommends that the Committee investigate additional methods and venues to educate our citizens about the SBNC and the election process.

The Committee, in connection with the election of candidates to the SBNC, and the Procedure Committee, in connection with the election of candidates to the Citizens Nominating Committee (“CNC”), face common challenges in the discharge of their respective duties and, we believe, share the critical objective of increasing voter awareness and voter turnout. The League recommends that the incoming chair of the Committee engage in discussions with the Procedure Committee this spring to explore solutions to these common challenges so that any formulated initiatives may be implemented prior to next year’s elections.

As the League considers the active participation of our citizens in the School Board and Village Board election processes our collective responsibility, the chairs of the League’s committees on the school election system and the village election system renew their offer

to meet with the incoming chairs of the Committee and the Procedure Committee to facilitate a dialogue. By sharing the issues each committee faces and discussing approaches to address them, we believe that the committees may identify efficiencies and develop strategies to foster greater voter awareness and improve voter turnout.

2. **Improve voter turnout by educating voters regarding the use of mail-in ballots.** The League notes that this is the first election following the approval by the voters last year of the amendment to the SBNC Resolution (the “Resolution”) that allows an eligible voter to utilize the mail-in ballot even if such voter is physically present in Scarsdale on the day of the SBNC election. In light of the confusion that may have resulted from the Committee’s use of the term “absentee ballot” in publicizing the election, we recommend that the Committee clarify that voters may utilize the mail-in ballot as an alternative to voting in person at the polls even if the voter is present in Scarsdale on election day. It is important that the Committee make clear to voters that the use of the mail-in ballot is a departure from the traditional use of the absentee ballot.

### *Detailed Comments and Recommendations*

**The Committee.** Pursuant to the Resolution, the Committee is charged with assembling nominees for the SBNC and administering the election of the SBNC. The League commends the Chair for his dedication in managing the election process, a task rendered more difficult when the Chair is supported by only a small number of current and former Committee members. The League notes that, contrary to the Resolution, only one member, rather than three members, was appointed to the Committee by the Town and Village Civic Club (now known as the Scarsdale Forum). Similarly, only one member, instead of three members, was appointed to the Committee by the Confederation of Scarsdale Neighborhood Association Presidents (“SNAP”). You informed us that as Chair you appointed three members to the Committee from the community at large as provided in the Resolution. To ensure that the election process is carried out efficiently and in compliance with the Resolution, the League recommends the following:

- Members of the SBNC must be advised in advance regarding their responsibilities on the Committee following the completion of their term on the SBNC. While the League was pleased to learn that the chair of the SBNC reviewed with last year’s SBNC the League’s 2010 letter to the Committee, we suggest that each year the incoming chair of the SBNC set aside a portion of an SBNC meeting to explain the specific duties required of the retiring members of the SBNC on the Committee. The League believes that detailing in concrete rather than general terms the identified tasks that retiring SBNC members are expected to carry out on the Committee will lead to a greater understanding, and thus greater willingness, by those members to assume the clearly defined responsibilities charged to them.

Further, the League recommends that such information be set forth on the SBNC website, [www.scarsdalesbnc.com](http://www.scarsdalesbnc.com) (the “SBNC Website”). As the administration of the election is multi-faceted and time-consuming, the League believes it is critical that the Committee be fully constituted as contemplated in the Resolution so that the energy and resources of a complete Committee can be utilized.

- The Committee should develop a set of policies and procedures, in conjunction with a careful review of the Resolution, that lays out the organization and management of the nominating and election process. By doing so, the Committee will provide successive Committees with a road map to guide them through each step of the nominating and election process. The League is pleased that the Committee has a timeline for the process; however, the League suggests that the timeline be carefully consulted in each election year so that deadlines set forth in the Resolution are not missed. For example this year, the League notes that the petition deadline date was not published at least 50 days before petitions were due as required by the Resolution; additionally the notice inviting submission of petitions did not provide the petition deadline date.

**Obtaining Nominees.** The Resolution provides that in each elementary school district at least two candidates must be nominated for each vacancy on the SBNC. Accordingly, for this Election, at least four candidates were required in each school district, except that in Edgewood, a minimum of six candidates were required because there were three vacancies.

In only two school districts, Greenacres and Quaker Ridge, was the required minimum number of candidates met. In Edgewood, four rather than six candidates were nominated; in Fox Meadow, three rather than four candidates were nominated; and in Heathcote, only two candidates were nominated for two vacancies.

The League recognizes the Committee's efforts to identify potential candidates and to encourage community members to become candidates through the publication of notices in the *Scarsdale Inquirer*, on scarsdale10583.com, and on the League's *Bulletin*, and through outreach to the Scarsdale Rotary Club, the neighborhood associations, Scarsdale PT Council and the school PTAs. In particular, the League applauds the Committee's efforts to attend meetings of these community groups and attempts to utilize e-blasts of the Scarsdale schools.

Notwithstanding the good faith endeavors of the Committee, the League believes it is critical that the Committee more broadly engage the community to encourage citizens to nominate others or become candidates themselves. The League suggests that the Committee consider drawing on the resources of other community groups such as the Scarsdale Forum and SNAP. The need to involve more of the community in this task is acutely evident by the fact that the requisite number of candidates was not nominated in three school districts, including one school district in which there was no contested election for either of the vacant seats.

**The Notice to Vote Brochure.** The League acknowledges the Committee's redesign of the Brochure to a more user friendly format, although we note that the redesign resulted in an increase in printing costs. The League commends the Committee for including in the Brochure the actual absentee ballot that could be used by voters and for indicating in the Brochure the additional means by which the ballot could be obtained.

For future mailings, we recommend that the term "absentee ballot" be replaced with the correct term set forth in the Resolution, "mail-in ballot," and that a clear description of the mail-in ballot and its use as an option to voting in person be provided in the Brochure. We noted, for example, that the statement in the Brochure, "If you cannot be at the election in person, submit your absentee ballot NOW," may not have effectively conveyed to voters that it was immaterial whether a voter could or could not be at the polls. It is important to

communicate to the voters that anyone may simply choose to utilize the ballot as a matter of convenience and thereby eliminate the need to cast his or her vote in person.

The League further appreciates that the Committee included in the Brochure a short description of the nonpartisan system for the election of School Board members. The League recommends that if space requirements do not allow for a fuller description of the nonpartisan system in the Brochure, a reference should be made in the Brochure to a more detailed description of the nonpartisan election system, i.e. a fact sheet, and where the fact sheet may be obtained. We suggest that a fact sheet be posted on the SBNC Website and made available in hard copy in public venues such as the Scarsdale Public Library and Village Hall. For assistance in developing a fact sheet, the Committee may wish to consult the description of the nonpartisan election systems that appears on the League's website, [www.lwvs.org](http://www.lwvs.org).

We commend the Committee for timely mailing the Brochure to households and making it available on the SBNC Website as well as in the Scarsdale Library and Village Hall.

**The Vote.** A total of 381 votes was cast in the Election, as compared to 416 in 2010. The League notes that a joint evening meeting of the Scarsdale PT Council and the PTAs of the seven schools was held at the Scarsdale Middle School, the polling place of the Election, which led to a number of citizens casting votes. The League appreciates that the Chair attempted to move the date of the Election, January 4, back by one week but was unable to do so because of scheduling conflicts. The League supports the Committee's efforts to hold the SBNC election on a date that does not occur immediately following the new year and that is coordinated with the date of the joint PT Council/PTAs meeting. The League encourages the Committee to explore setting the date of the SBNC election when the community calendar is put together, typically beginning in June. The League suggests that the Committee consider coordinating the date of the election with another school event if coordination is not possible with PT Council and the PTAs on a date that the Committee deems more convenient.

Since 2007, the total votes cast has fluctuated from a low of 230 in 2007 to a high of 494 in 2008, representing approximately 1.8% - 3.9% of the registered voters in Scarsdale. The low turnout underscores the importance of utilizing the mail-in ballot as a means to increase participation by voters in the election.

**Polling.** The League believes that the Middle School is an appropriate venue for the Election. The League commends the Committee for extending the voting hours in the evening from 9 PM to 9:30 PM. The League continues to recommend that the voting hours in the morning be extended by one-half hour from 9:30 AM to 10 AM to allow voters with children in preschool or elementary school time to vote after "drop-off."

The League further recommends that the Committee place the large "Vote Here" sign at the entrance to the Middle School on Mamaroneck Road to alert citizens of the vote. We appreciated the numerous and visible signage immediately outside and on the doors to the Middle School.

Although the League was pleased to learn that there was designated parking for voters, the designated parking spots may not have been easily seen by voters, particularly in the evening. Moreover, because voters needed to compete for parking with parents attending the joint PT Council/PTAs meeting, the League recommends that the Committee explore designating

additional parking spaces for voters, specifically in the parking lot near the entrance on Mamaroneck Road. The League further proposes that the Committee indicate in the Brochure the availability of designated parking spots and their locations.

The League notes that the Committee dispensed with using separate ballots for each elementary school area and replaced them with a single ballot. We acknowledge that using a single ballot streamlined the work of the Committee, particularly as you advised that the single ballot was in essence the absentee ballot included in the Brochure, and enabled the Committee to administer the Election with only two ballot boxes, in contrast to the past practice of using five ballot boxes, one for each elementary school area. This in turn allowed the Committee to run the Election with a leaner staff of one or two individuals. If the Committee elects to continue to use a single ballot, the League recommends that the Committee nevertheless use five ballot boxes, one for each elementary school area. The League also urges the Committee to highlight the voter's elementary school area on the ballot when the voter arrives at the polls to ensure the integrity of the election process. If the ballot is not so highlighted, the League proposes that the Committee return to using separate ballots for each elementary school area.

**Mail-in Ballots.** The League applauds the use of the mail-in ballot, instituted for the first time in this Election. The mail-in ballot, which is offered as an alternative to voters who do not wish to cast their vote in person -- whether or not they are in Scarsdale on the day of the election, is a significant departure from the absentee ballot, which required that a voter be absent from Scarsdale on the day of the election.

Seventy-nine votes were cast in the Election by mail-in ballot, compared to sixty-five by absentee ballot last year. As the increase does not appear significant in light of the change to mail-in ballot, we believe that effective voter education is necessary. As voters gain a better understanding of its use, the League believes that the mail-in ballot is a valuable tool to increase voter participation. We therefore recommend that the Committee undertake to make citizens aware of the mail-in ballot as an alternative to in-person voting, highlighting in particular that the option to use the mail-in ballot is different from past practice, namely that a voter can be in town on election day and opt to use the mail-in ballot.

While the League recognizes the considerable potential the mail-in ballot provides as an alternative to in-person voting, the League believes that this must be balanced with the importance of maintaining the integrity of the election process. Accordingly, the League recommends that the Committee establish procedures for the use of the mail-in ballot and that these procedures be communicated clearly to the candidates and the voters. Specifically, the League recommends the following:

- Candidates and those who work with them or on their behalf must be prohibited from touching completed mail-in ballots; moreover, candidates should not complete ballots on behalf of any voter. We urge the Committee to consider requiring candidates to sign a statement affirming their understanding and agreement. The statement could be included on the candidate's petition form, for example, above the signature line.

It is imperative that the Committee ensure that the mail-in ballot is used in a neutral manner, as a vehicle to increase the participation of citizens in the SBNC election, not

as a campaign mechanism for candidates. The Committee may find it useful to discuss with candidates before the election the use of the mail-in ballot.

- Mail-in ballots should be delivered exclusively via USPS mail and the deadline set for submission of the ballots as postmarked on the day of the election. The League believes that the interest of safeguarding ballot integrity outweighs the short delay in determining the results of the election.
- Clarify and simplify the certification of ballot process set forth in the Resolution. The League appreciates that the Resolution requires a voter who uses a mail-in ballot to certify that he or she is eligible to vote and has not yet voted in the election. We believe that requiring this certification is a practical means to protect against voter fraud. It appears, however, that such certification was not required of mail-in voters in the Election.

We propose that in future elections, a voter who uses a mail-in ballot must sign his or her name across the back of the sealed envelope containing his or her ballot where the envelope is sealed. The voter's signature shall constitute certification as required by the Resolution that the voter is eligible to vote and has not yet voted in the election. The League further suggests that the chair of the Committee reject as invalid any mail-in ballot that is not mailed with the voter's signature across the seal of the envelope and with the voter's return address. The Committee may find it useful to include on the mail-in ballot itself a sample certification which would show an envelope with a voter's signature across the seal on the back of the envelope.

The League was pleased to learn that the Committee cross-checked the names of mail-in voters against the list of voters who signed in to vote at the polls to ensure that a voter did not vote twice.

- The Committee should take primary responsibility for educating the community about the mail-in ballot rather than rely on SBNC candidates to publicize its merits. Further, the League recommends that the Committee refer to a "fact sheet" explaining the SBNC election and the nonpartisan system (see discussion in **Notice to Vote Brochure** above) on the mail-in ballot as well.

**Public Relations.** In addition to the Committee's efforts to attract candidates for the SBNC described above (see **Obtaining Nominees**), the Committee publicized information regarding the SBNC nominees, the date, time and location of the Election, and the availability of absentee ballots, in the *Scarsdale Inquirer* and in the *Bulletin*, and through e-blasts on the websites of the schools. The Committee also posted on the SBNC Website information regarding the Election and enabled voters to download absentee ballots from the SBNC Website, and placed the Brochure containing absentee ballots at Village Hall and the Scarsdale Public Library. In addition, results of the Election were published in the *Scarsdale Inquirer*, on the SBNC Website and on [scarsdale10583.com](http://scarsdale10583.com). The League believes greater community awareness is integral to improving active participation of citizens in the election process. To enhance the Committee's work in reaching out to the community, we have the following recommendations:

- Attend (the chair of the Committee, together with the chair of the Procedure Committee) the June meeting of the joint incoming and outgoing executive committees of PT Council to explain the nonpartisan election systems and to discuss

ways in which PTA presidents may assist the Committee and the Procedure Committee in involving the parent communities in the nomination and election processes.

- Identify venues in addition to meetings of PTAs and neighborhood associations to educate the community.
  - We suggest the Committee provide a script regarding the SBNC, its role and the election process, to community organizations which may be used by the leaders of such groups in the event that a Committee member cannot attend a meeting of the group. It is critical that citizens be made aware of the importance of the SBNC election to the election of School Board members who are charged with, among other things, the crafting of the budget for the school district. As noted above (see **Notice to Vote Brochure**), we encourage the Committee to utilize the explanation of the school election process on the League's website in the Committee's communications with community organizations.
  - We suggest the Committee consider outreach to Scarsdale High School students who are qualified to vote and college-age citizens who are home for the holidays.
- Maintain current and accurate information on the SBNC Website. The League was pleased to see pertinent information posted on the Website, including the Notice to Vote brochure, the absentee ballot and polling information; however, certain information has not been updated, such as the Resolution as amended in 2010 and the current web address, or is not complete (for example the biographical information form does not provide that an SBNC member is required to serve one year on the Joint Committee after a year on the Committee). The League also urges the Committee to explore linking to the SBNC Website from other websites such as the official website for the Village.
- Explore the use of other media. We understand that students in the Choice program at the Scarsdale Middle School created a video about the nonpartisan system. We also encourage the Committee to inquire whether a student in the A-School or a senior options student may be interested in designing a multimedia project.

**Finances.** The League understands that the Committee has approximately \$1,200 to fund expenses for the election in 2012. You have advised that the costs of running a "bare bones" election total approximately \$2,200 to \$2,400. You have further informed us that the Scarsdale Volunteer Fire Co. 1 has agreed to make a \$500 donation for next year's election. The Committee will therefore need to raise an additional \$750 to meet the bare bones expenses. You have advised that the Committee will seek one additional substantial donation from a community organization rather than engage in an organized fundraising effort.

The League is sensitive to the struggle the Committee undergoes to raise funds, which likely has become more difficult in the current economic climate. While securing donations from a handful of organizations may seem the ideal solution, the League encourages the Committee to reflect carefully upon the use of corporate sponsors and other entities, giving thought to whether the acceptance of such donations would be construed as endorsements by the Committee of the corporate donors or other entities, their products and/or their policies. If the Committee elects to go forward with such donations, the League believes the Committee will need to develop guidelines for determining, among other things, whether a donation can be

accepted, whether an acknowledgment will be included in the Notice to Vote brochure and/or on the SBNC Website and the prominence given to it.

The League suggests that the Committee keep in mind that fundraising efforts serve more than the single purpose of raising money to cover costs; they also serve to raise awareness in the community of the SBNC and its importance in the election of School Board members. In light of the educational benefit of a fundraising effort and knowing that a lesser amount is necessary to be raised due to cost-cutting and green considerations, the League recommends that the Committee consider undertaking a fundraising effort that would have a broader outreach. Such an effort may include enlisting the assistance of past members of the SBNC and the Committee and reaching out to neighborhood associations and other community organizations. The League urges the Committee to reconsider soliciting donations via the Notice to Vote brochure as well as accepting donations online on the SBNC Website.

### **Amendments to the Resolution**

While we acknowledge that the proposed amendments to the Resolution in this Election were not substantive in nature, the League nonetheless urges the chair of the Committee to coordinate with the Joint Committee to ensure that any proposed changes presented to voters for approval in the future be accurately set forth (we note that references to the Resolution regarding the changes were incorrect on the SBNC Website) and that the procedure set forth in the Resolution regarding publication and discussion of proposed changes be followed.

### ***Conclusion***

The League appreciates the Committee's diligent efforts in administering the SBNC election. We offer our recommendations with the belief that they represent an opportunity to improve the election process and thereby increase the participation of citizens in our nonpartisan system.

Sincerely,

Susie Rush  
Chair, School Election System  
League of Women Voters of Scarsdale

Jane Veron  
President  
League of Women Voters of Scarsdale

cc: Michael Pollack, Chair, School Board Nominating Committee