

**SCHOOL BOARD NOMINATING COMMITTEE RESOLUTION
SCARSDALE UNION FREE SCHOOL DISTRICT**

Original Resolution Adopted June 15, 1965	
Amended May 27, 1968	Amended June 1, 1992
Amended May 5, 1970	Amended June 7, 1993
Amended June 8, 1971	Amended June 6, 1994
Amended June 13, 1972	Amended June 5, 1995
Amended June 3, 1975	Amended June 3, 1996
Amended June 1, 1976	Amended January 12, 1999
Amended June 14, 1977	Amended January 9, 2001
Amended May 16, 1978	Amended January 15, 2002
Amended May 15, 1979	Amended January 10, 2006
Amended June 3, 1980	Amended January 8, 2008
Amended May 19, 1981	Amended January 4, 2011
Amended May 18, 1982	Amended January 17, 2012
Amended June 7, 1983	Amended January 16, 2013
Amended May 22, 1984	
Amended May 21, 1985	
Amended May 19, 1988	
Amended May 18, 1989	
Amended November 7, 1991	

ARTICLE I

Purpose

The purpose of this Resolution is to establish a procedure by which candidates for election to the Board of Education shall be judged and selected solely on their qualifications to serve the community. To achieve this objective, the responsibility for making nominations shall be entrusted to a School Board Nominating Committee (the "Nominating Committee") of representative citizens who shall be elected by the voters under the supervision of an Administrative Committee (the "Administrative Committee").

ARTICLE II

Administrative Committee

A. Members of the Administrative Committee

1. Eligibility of Members

(a) Each member of the Administrative Committee must be a "qualified voter" (as that term is defined in Article VI hereof).

(b) Members of the Administrative Committee may not simultaneously serve on, and shall be ineligible for election to, either the Nominating Committee or the Citizens' Nominating Committee for the nomination of Village officials (the "Citizens' Nominating Committee"). Notwithstanding the foregoing, a member of the Nominating Committee shall be permitted to serve simultaneously on the Administrative Committee and the Nominating Committee after the final meeting of the Nominating Committee in such member's final year of service on the Nominating Committee.

(c) The Chair of the Administrative Committee (the "Administrative Chair") and Vice Chair of the Administrative Committee (the "Administrative Vice Chair") may not simultaneously serve on the Nominating Committee, the Citizens' Nominating Committee, the Board of Education or the Village Board. Notwithstanding the foregoing, a member of the Nominating Committee shall be permitted to serve simultaneously on the Administrative Committee (including as Administrative Chair or Administrative Vice Chair) and the Nominating Committee in such member's final year of service on the Nominating Committee.

2. Voting Members

(a) all voting members of the Nominating Committee whose terms on the Nominating Committee shall end upon the next election of the Nominating Committee;

(b) three (3) members appointed by the Confederation of Scarsdale Neighborhood Association Presidents (the "Confederation");

(c) three (3) members appointed by The Town and Village Civic Club ("TVCC"); and

(d) three (3) members appointed by the Administrative Chair, in consultation with the Administrative Committee, from the community at large.

3. Non-Voting Members: Administrative Chair and Administrative Vice Chair

(a) The Joint Committee (as described in Article IV hereof) shall elect the Administrative Vice Chair at a meeting of the Joint Committee, which shall be called by the outgoing Administrative Chair, as provided in Article IV, Section C. hereof, by no later than April 30 of each year.

(b) The Joint Committee shall select the Administrative Vice Chair as provided in Article IV, Section D.1. hereof.

(c) After the term of the Administrative Vice Chair ends, as provided in Section 4(b), the Administrative Vice Chair shall thereafter succeed to the position of Administrative Chair for the term of that office.

(d) The Administrative Chair and the Administrative Vice Chair shall be impartial and shall not be entitled to vote.

4. Length of Terms

(a) Members of the Administrative Committee, other than the Administrative Chair, Administrative Vice Chair and the Treasurer, shall serve for a term commencing upon the meeting of the Administrative Committee called by the outgoing Administrative Chair, and ending for all members on January 31 of the following year.

(b) The term of the Administrative Chair, Administrative Vice Chair and Treasurer shall end at the commencement of the first meeting of each incoming Administrative Committee.

5. Timing of Appointments

(a) The members appointed by the Confederation and TVCC (collectively, the "Civic Groups") and by the Administrative Chair shall serve three year terms and initially the appointments shall be made so that the Civic Groups and the Administrative Chair shall each appoint three (3) members to staggered terms with one such member serving one year, the second member serving two years and the third member serving three years.

(b) After the first year and in all ensuing years, each of the Civic Groups and the Administrative Chair shall appoint one member each to a three year term.

(c) Each year the Civic Groups and the Administrative Chair shall make the appointments required by Sections A. 2 (b) through A. 2 (d) by no later than April 30 and communicate them promptly in writing to the Joint Committee, but no later than May 15 (or the next business day if the 15th falls on a Saturday, Sunday or Holiday) of each year (the "Deadline Notification Day").

(d) In the event any appointed member resigns his or her appointment, such appointed member may be replaced by the Civic Group that appointed such member within seven (7) calendar days.

(e) In the event any of the Civic Groups fails to appoint a member or fails to notify the Joint Committee by the Deadline Notification Day, or if any appointed member resigns his or her appointment and such appointed member is not replaced by the Civic Group that appointed such member within seven (7) calendar days, the Administrative Chair shall be notified of the failure of appointment or resignation and may appoint a substitute member in his or her sole discretion to serve until the next appointment date.

6. Continuing Duties

(a) Outgoing members of the Administrative Committee shall continue as members of the Joint Committee, as set forth in Article IV hereof.

(b) The outgoing Administrative Chair and Administrative Vice Chair shall serve as the Chair (the "Joint Chair") of the Joint Committee and Vice Chair ("Joint Vice Chair") of the Joint Committee as provided in Article IV hereof.

B. Meetings of the Administrative Committee

1. The outgoing Administrative Chair shall call a meeting of the incoming Administrative Committee no earlier than May 15 but not later than May 31 of each year. The Administrative Chair, or the Administrative Vice Chair, if the Administrative Chair is unavailable, shall call succeeding meetings
2. Meetings may be held in person, via conference telephone call, or via electronic means, provided that provisions are made to allow all participants to hear or communicate with each other contemporaneously and to view the votes of the other members
3. At its first meeting each year, the Administrative Committee may elect from among its members such other officers as it may determine and shall adopt rules of procedure.
4. A quorum of the Administrative Committee shall consist of one more than half of the membership. Any Committee action shall require the vote of a majority of those voting members present, or if six or fewer than six people are present, at least four of those present.

C. Duties and Responsibilities of the Administrative Committee

1. Select Election Committee

The Administrative Committee shall appoint an Election Committee (including the Chair thereof) composed of members of Village organizations and members of the Administrative Committee sufficient to conduct the elections. The Election Committee shall be responsible for all voting arrangements, such as the furnishing of supervisory and administrative personnel, preparation of secret ballots (including mail-in ballots), the tabulating of ballots, and ruling on any disputed matters (including the validity of ballots). Only members of the Administrative Committee shall count ballots for Nominating Committee members. The Election Committee shall be responsible to the Administrative Committee.

2. Recruit Nominees to the School Board Nominating Committee

(a) The Administrative Committee shall be responsible for assembling names from which the voters of the School District may elect members of the Nominating Committee.

(b) The Administrative Committee shall encourage civic and educational organizations in the School District to stimulate the submission of names and, using appropriate news media and other techniques, shall publicize the nominating procedure and invite submission of names by all citizens.

3. Administer the Election of the School Board Nominating Committee

(a) There shall be five (5) Election Units. The Election Units shall correspond with the elementary school districts, as the same may be redetermined from time to time. Two persons shall be elected to the Nominating Committee each year from each Election Unit.

(b) Candidate Petitions

(i) The Administrative Committee shall present to the voters all names of eligible persons who are supported by a petition with a minimum of ten signatures of qualified voters who reside in the Election Unit in which the candidate resides.

(ii) The petition shall contain a statement signed by the candidate stating that neither the candidate nor any person working on behalf of the candidate's campaign shall (A) complete or assist in the completion of a mail-in ballot to be submitted by any voter as permitted by Section 3(h) below, (B) handle any completed mail-in ballots, except that a candidate or any person working on behalf of a candidate's campaign may handle the completed mail-in ballot of such candidate or such person working on behalf of the candidate's campaign or (C) engage in any campaigning or election activities within 25 feet of the polling place at which a Nominating Committee election is being conducted, provided however, that such person shall be permitted to vote.

(iii) Each voter may sign only one petition for each Nominating Committee vacancy in his or her Election Unit. The Administrative Committee shall void all signatures of a voter who signs more than one petition for each vacancy.

(c) If there are fewer than two candidates nominated by petition for any vacancy in any Election Unit, the Administrative Committee shall, at a meeting held after the petition deadline date, add names of candidates but only as necessary to assure that there are at least two candidates for each vacancy.

(d) Prior to the petition deadline, the Administrative Committee shall release for publication on at least two occasions an invitation for submission of additional nominating petitions until the deadline date. Petitions must be postmarked or delivered on or before the deadline date.

(e) The Administrative Committee shall publish the petition deadline date at least 50 days before petitions are due.

(f) The Administrative Committee shall notify all qualified voters residing in each Election Unit of the names of the candidates for each vacancy on the Nominating Committee from their Election Unit and shall include every eligible name properly submitted by a petition. In addition, the notice shall contain brief biographical information about each candidate, including his or her record of civic activities and other qualifications.

(g) The election date must be published at least 90 days in advance by the Administrative Committee. Only a qualified voter shall be eligible to vote and shall vote to fill each vacancy from the list of candidates available in his or her Unit.

(h) Voting in Election for Nominating Committee

(i) The voting of all the Election Units shall be held at such locations and during such hours as the Administrative Committee shall determine, and may also be made by mail-in ballot as set forth below in section (iv).

(ii) The voting shall be by secret ballot and the candidates for each vacancy shall be duly listed thereon. Unless otherwise determined by the Administrative Committee, the hours of voting shall be 7 a.m. to 10:00 a.m. and 2 p.m. to 9 p.m. In the event that schools are closed, the election will be held the next day that school is in session. Any vacancy in an Election Unit shall be filled by the candidate having a plurality of all votes cast.

(iii) No candidate or person working on behalf of a candidate for election to the Nominating Committee shall be permitted to engage in any campaigning or election activities on behalf of a candidate within 25 feet of the location where a Nominating Committee election is being conducted, except that candidates and persons working on their behalf shall be permitted to vote.

(iv) Mail-In Ballot Procedure

(A) Mail-in ballots and certifications shall be made available to the public in hard copy at the Scarsdale Village Hall and the Public Library and in electronic form on <http://scarsdalesbnc.com>, in each case on or about the same date that the Administrative Committee notifies qualified voters of the names of the candidates for each vacancy as provided in Section 3(d) above.

(B) Eligible voters who wish to vote by mail-in ballot in lieu of voting in person shall submit a ballot by U.S. mail or nationally recognized courier service in a sealed envelope addressed to the Administrative Chair. The outside of the sealed envelope containing the individual voter's ballot must legibly set forth the voter's name and home address and the voter must sign his or her name across the seal of the envelope. The mail-in ballot shall contain language stating that, by signing the sealed envelope containing the ballot, the voter is certifying that the voter (1) is eligible to vote, (2) has not yet voted in the election by mail-in ballot and (3) shall not vote in the election except by means of the mail-in ballot. No person, other than a member of such person's household, shall be

permitted to have any contact with or access to a completed mail-in ballot or sealed envelope prior to their deposit into the U.S. mail or with a nationally recognized courier service. Any ballots received in envelopes without a voter's name, signature and home address on the outside shall be invalid and shall not be counted.

(C) The Administrative Committee shall compare the names set forth on the outside of properly completed envelopes submitted by persons utilizing the mail-in voting procedure in connection with a particular election to those voting in person to ensure that such persons do not vote more than once. Prior to tabulation of the election results, the Administrative Committee shall separate the properly completed envelopes from the ballots contained therein. The envelopes shall then be discarded and the mail-in ballots shall be included for tabulation with the ballots voted in person at the election.

(D) Both the ballot and certification must be received at the U.S. Post Office box maintained by the Administrative Committee no later than 4 p.m. on the day of an election.

(v) In the event of a tie, a run off election shall be held the following Tuesday, or one week from the date of the actual vote, school calendar permitting. The procedure for the run off election is to be determined by the Administrative Committee, and the hours of voting shall be identical to the hours as set forth above. The Administrative Committee may provide for mail-in Ballots as set forth above.

(vi) The business at the polling site shall be the election of the Nominating Committee and a referendum on any proposed changes to this Resolution.

(i) Immediately following the Nominating Committee elections the Administrative Committee shall notify all candidates of the results. Winning and losing candidates shall be informed only of the total vote in their Election Unit. Only the names of the winning candidates and only the total number of voters in each Election Unit shall be released to the public and/or the media.

4. Maintain Proper Records

The Administrative Committee shall keep a permanent record of its activities. Such records shall be maintained on an online electronic site accessible via the Internet and in a permanent place to which the public shall have reasonable access. The Administrative Chair shall appoint a member to serve as custodian of records and Committee historian. Annual reports from the outgoing Administrative Chair and Treasurer shall be given to the new Administrative Chair at the first meeting of the incoming Administrative Committee.

ARTICLE III
Nominating Committee

A. Members of the Nominating Committee

1. Voting Members

The Nominating Committee shall be composed of the six voting members elected from each Election Unit.

2. Non-Voting Members

(a) One (1) member appointed by the Confederation and one (1) member appointed by the TVCC.

(b) If the designated non-voting member from the participating organization cannot attend any given meeting, no alternate may attend in their stead.

(c) Membership on the Nominating Committee by appointees of the Confederation and TVCC shall be limited to three consecutive years for any one person.

3. Chair and Vice Chair

(a) The Chair and Vice Chair of each year's Nominating Committee shall be elected by voting Nominating Committee members at the final meeting of the Nominating Committee.

(b) Candidates shall be selected from among members of the Nominating Committee whose terms shall end upon the next succeeding Nominating Committee elections. If no such candidate should be selected, the Nominating Committee may select a candidate from among persons who have previously served on the Nominating Committee.

(c) The Chair and Vice Chair shall serve in their respective capacities until the school board election is finalized and a new school board is elected.

(d) The Chair and the Vice Chair shall be impartial and shall not be entitled to vote.

4. Eligible Members; Change in Eligibility; Filling Vacancies

(a) All members of the Nominating Committee must be qualified voters of the School District. The elected members of the Nominating Committee shall serve for a term commencing on the date of their election to the Nominating Committee and ending on the date of the Nominating Committee elections first occurring not less than 35 months thereafter. Voting members may not serve successive terms.

(b) If an elected member moves to another Election Unit during his or her term, or if the Election Unit boundaries are changed so that an elected member no longer lives in the Unit from which he or she was elected, that person shall serve until the next election and then a successor shall be chosen. The Administrative Committee shall have the authority to declare that a vacancy exists.

(c) If an elected member ceases to be a qualified voter of the School District, resigns, or for any other reason is incapable of serving on the Nominating Committee, a vacancy is created. Further, if an elected member is absent from three (3) meetings in a given year of his or her term, such member shall be deemed to have resigned and a vacancy shall be deemed to have been created, provided that after the second absence the member is given written notice of the required attendance and impending resignation risk and thereafter misses a third meeting, and provided further that, in the discretion of the Nominating Committee, for good cause shown by absent member, no vacancy shall be deemed to have been created.

(d) If the vacancy occurs before the deadline for submission of candidate petitions, any such vacancy shall be filled for the balance of the unexpired term at the next election by the person in the same Election Unit who receives the next highest number of votes, or, if no such person exists or is capable of serving, the seat shall remain vacant until the next election thereafter, at which time the vacancy will be filled by the election of a person to serve the balance of the unexpired term. For the avoidance of doubt, where a vacancy or vacancies exist, the candidate receiving the third greatest number of votes would fill the longest unexpired term, and the candidate receiving the fourth greatest number of votes would fill the next longest unexpired term. If the vacancy occurs during the time period after the deadline for submission of candidate petitions and before the first Nominating Committee meeting, the vacancy shall be filled for the balance of the unexpired term by the person in the same Election Unit who received the next highest number of votes in the most recent election, or, if no such person exists or is capable of serving, the seat shall remain vacant until the next election, at which time the vacancy will be filled by the election of a person to serve the balance of the unexpired term.

5. Limitations on Nominating Committee Members

(a) All voting and non-voting members of the Nominating Committee may participate in Committee discussions but shall not be eligible for nomination to the Board of Education, unless the member resigns from the Nominating Committee before the first meeting of that year.

(b) Members of the Citizens' Nominating Committee may not serve on the Nominating Committee and members of the Nominating Committee shall not be eligible to be candidates for the Citizens' Nominating Committee.

B. Organization of Meetings of the Nominating Committee

1. The first meeting of the Nominating Committee each year shall be held not later than January 31. At this meeting, the Chair shall appoint a Recording Secretary from the nonvoting members and the Nominating Committee may elect from among its voting members such other officers as it may determine necessary for the efficient conduct of its business.
2. The Nominating Committee shall adopt rules of procedure to govern its deliberations, which rules shall be consistent with the purpose and provisions of this Resolution, and may adopt rules to deal with routine procedural matters. Any questions of compliance with the rules of procedure shall be ruled on by the Chair whose decision can be overruled only by a two thirds vote of the voting members present. Significant policy changes must be made by Joint

Committee recommendation and subsequent public vote as provided in Article IV, Section D. 2.

3. The Chair may invite the members of the Board of Education whose first terms do not expire during the current year to attend in order to assist in the orientation of the Nominating Committee.
4. All Nominating Committee action shall require the vote of a majority of the total number of voting members of the Nominating Committee.

C. Selection of Members of the Board of Education

1. The Nominating Committee shall solicit recommendations for persons qualified to act as members of the Board of Education from all interested persons through appropriate news media and other techniques.

(a) A candidate for election to the Board of Education must be at least 18 years old, a citizen of the United States, and a qualified voter who has resided in the Scarsdale Union Free School District for at least one (1) year prior to the date of the election. The candidate must be able to read and write.

(b) The names of all persons so recommended shall be sent to each member of the Nominating Committee with biographical information about each candidate, including his or her record of civic activities and other qualifications. Any biographical information submitted to the Nominating Committee in writing shall be signed by the person or persons submitting the name. The person submitting the name must have the biographical information verified by the candidate.

2. The Nominating Committee shall interview all candidates. Candidates shall be questioned only on their experience and qualifications. Candidates shall be interviewed individually, shall respond to the same questions, and shall be afforded the same length of time to respond to such questions. However, if a candidate requests not to be interviewed, the Nominating Committee shall respect such request and shall nevertheless consider such candidate for nomination. Nominating Committee members shall keep in strict confidence all Nominating Committee deliberations concerning candidates for the Board of Education. The requirement to maintain confidentiality does not extend to the conduct of due diligence investigations of candidates' backgrounds, in which event Nominating Committee members may indicate to third parties providing due diligence or background information that a person is a candidate for the Board of Education. The information obtained through such investigations, however, remains subject to the confidentiality requirement.
3. The Nominating Committee shall hold its second meeting no later than three weeks after the first meeting (school calendar permitting). The names of possible nominees may be discussed but no vote taken.
4. The Nominating Committee shall hold its third meeting no later than three weeks after the second, at which meeting additional names of possible nominees may be considered, provided each member of the Nominating Committee has been provided with the biographical information about each new candidate at least five days before the meeting.

The nominees of the Nominating Committee may be selected at the third or any subsequent meeting. However, if the discussion that takes place at any time during the course of the third or any subsequent meeting creates questions that cannot be verified immediately, no further vote for nominees shall take place at that meeting unless two-thirds of the members present are in favor of such action. If all nominees have not been selected at the end of a given meeting, then all candidates are eligible for consideration at the next meeting.

5. The Nominating Committee shall hold subsequent meetings so that a qualified candidate for each vacancy on the Board of Education is selected not later than March 31.
6. The Nominating Committee shall not vote on any candidates until one week shall have passed from the last meeting at which an interview of candidates shall have occurred.
7. Nominees must receive a majority of all the votes of the voting members of the Nominating Committee and voting must be by secret ballot. No absentee ballots will be permitted.
8. The names of the nominees selected by the Nominating Committee shall be published not later than April 8, and the Nominating Committee shall cause every person so selected to be nominated in accordance with the provisions of the Education Law.

ARTICLE IV Joint Committee

A. Members of the Joint Committee

1. The Joint Committee shall consist of the following members:
 - (a) members of the outgoing Administrative Committee (including the appointive members),
 - (b) the Administrative Chair and Administrative Vice Chair of the outgoing Administrative Committee,
 - (c) members of the Nominating Committee whose terms shall expire upon the next election of the Nominating Committee,
 - (d) and the Chair and Vice Chair of the Nominating Committee.

2. Chair of Joint Committee

The Joint Committee shall be chaired by the Joint Chair, and if he or she is unable to do so or in his or her absence, by the Joint Vice Chair. If neither person is able to serve, the Joint Chair shall be elected by a majority of the then serving members of the Joint Committee.

3. Voting

Each member of the Joint Committee, other than the Joint Chair, shall be entitled to vote except in the case of a tie where the outgoing Administrative Committee Chair may vote.

B. Term

The term of the Joint Committee shall end after the public meeting provided for in Section D.2.(b) of this Article, but in no event later than December 31 of each year.

C. Calling of Meeting of the Joint Committee

Each year, following the selection of candidates for the Board of Education, an additional meeting or meetings of a "Joint Committee" shall be called by the outgoing Administrative Chair as soon as reasonably possible after the conclusion of the deliberations of the Nominating Committee for that year, but by no later than April 30.

D. Agenda of the Joint Committee

1. Elect Administrative Vice Chair

(a) The Joint Committee shall encourage civic and educational organizations and all qualified voters in the School District to submit names to serve as Administrative Vice Chair.

(b) The Joint Committee shall elect the Administrative Vice Chair of the incoming Administrative Committee.

2. Consider and Recommend Proposed Amendments to this Resolution

(a) The Joint Committee shall consider proposed amendments to this Resolution. A quorum for any meeting of the Joint Committee shall be a majority of the Joint Committee. Proposed amendments must be approved by a vote of a majority of those voting members present.

(b) If the Joint Committee approves proposed changes to this Resolution, it shall present such proposed changes to the voters of the School District at the time of the Nominating Committee elections. At least five weeks in advance of the Nominating Committee elections, the Joint Committee shall make such proposed changes available electronically to the community at large and separately shall place a copy of such proposed changes for public inspection at the Scarsdale Public Library and Village Hall. A public meeting shall be held at least three weeks in advance of the Nominating Committee elections to give members of the community an opportunity to comment on proposed changes to the Resolution. Such comments shall not be binding on the Joint Committee.

(c) Voting on proposed changes to this Resolution shall be limited to qualified voters. Such changes shall pass upon the vote of the majority of qualified voters participating.

ARTICLE V

Financial Support

The Administrative Committee is empowered to arrange for financial support for expenses incurred by the Administrative Committee, the Nominating Committee and the Joint Committee from such sources as public subscription. A public accounting of all revenues and expenditures must be made.

ARTICLE VI
Qualified Voter

For the purposes of this Resolution the term “qualified voter” shall mean any resident of the School District who is (i) a United States citizen, (ii) 18 years of age or older, and (iii) a resident of the School District for 30 days prior to the election.