



**LWVS Consensus Statement on Proposed Amendments to the SBNC Resolution
January 10, 2020**

Introduction

The League of Women Voters Scarsdale (the “League”) observes and comments on local governmental processes, such as the process of amending the SBNC Resolution, in order to help inform voters and to help support the democratic process of civic engagement in Scarsdale. The League thanks Jordan Copeland, Chair of the Joint Committee (the “Joint Chair”) of the School Board Nominating Committee (the “SBNC”), for his thoughtful and thorough presentation at our membership meeting on December 16, 2019 to review the proposed amendments to the SBNC Resolution (the “Resolution”). The League appreciates the care that the Joint Chair put into answering our questions, and his timely responses. The League further appreciates the hard work and initiative of the entire Joint Committee for their consideration of clarifying and constructive changes to the Resolution.

Overview

The Joint Committee (the “Committee”) has proposed twenty-one (21) amendments to the SBNC Resolution, which are up for a vote on January 14, 2020, at the regular SBNC election. The Committee made these amendments available to the public on November 18, 2019 and at the time of the League Information Session, the Committee was still in the process of amending the proposed amendment document.¹ Several amendments are clarifying and are not substantive; several are more extensive in nature with potentially complex implications.

In this statement, the League reached consensus in support of many of the proposed amendments to the SBNC Resolution. As much of our consensus discussion focused on the tight timetable of the process and the large number of amendments proposed, we comment more extensively without an indication of agreement or disagreement on the remaining amendments. The rushed process, coupled with extensive structural changes, and the ongoing edits to the Resolution document, complicated and affected our ability to definitively support or oppose specific amendments even following lengthy discussion.

Process

League Concerns:

¹ At the time of the LWVS Information Session on December 16, 2019, the Joint Committee was still in the process of changing the proposed amendments as per some clarifying questions and community feedback.

The League is concerned by the abbreviated timetable and limited public education on what are fairly substantial structural and philosophical changes to the Resolution. While the League supports a process in which the Joint Committee reviews the Resolution annually to make appropriate changes, such a process should be deliberative and collaborative and should include ample voter education efforts prior to the January election. The League believes proposed amendments should be finalized and publicized in sufficient time for the community to fully understand the nature of the changes and the rationale behind the decision-making process.

Although the Joint Committee may have been contemplating changes for the past several years,² the first notice to the public that any changes were being proposed did not occur until November 18, 2019, when a press release was issued. The Joint Committee held an information session shortly thereafter on December 3, public comment was requested by December 13, and the vote is to be held on January 14, 2020. There were ongoing changes to the proposed amendments throughout the public comment period in response to offered public comment and in order to provide further clarity.³ The effect of these ongoing changes created confusion as to the final amendment language, ultimately leaving only a few weeks for public review of proposed amendments around the holiday season.

Abbreviated Timetable:

During the information session, the Joint Chair stated that the Resolution has been amended 32 times in 55 years. However, the Joint Chair stated that there were four to five years of backlog in amending the Resolution, thus the large number of changes proposed.⁴ The Joint Chair further stated that there was a compressed window and that it was very intense work to amend the Resolution. In response to written League questions, the Joint Chair acknowledged the difficulty of the compact schedule and stated that while the “Resolution does not require an extensive public comment period, it would have felt more relaxed to have a longer time to discuss the proposed amendments with the community.”⁵

Proposed Amendments⁶

The League discussed extensively some of the larger structural and philosophical proposed changes to the Resolution and has offered detailed comment on those amendments below.⁷ While the amendments could be grouped into larger categories for general discussion, including SBNC structure, SBNC candidates, Board of Education candidates, record-keeping and

² As discussed by the Joint Chair at the information session.

³ Several additional changes were made to the amendments following our information session and consensus meeting.

⁴ Joint Chair [written responses](#) to League questions.

⁵ Indicated in Joint Chair [written responses](#) to League questions.

⁶ Link to proposed amendment [Resolution](#).

⁷ Language describing changes to Resolution is from the Joint Committee summary of proposed changes as of December 6, 2019.

non-substantive changes, for clarity of explanation the amendments are listed in numerical order.

Amendment 1 clarifies and consolidates existing language in the Resolution that prohibits members of the Administrative Committee from simultaneously serving on the Nominating Committee, the Citizens' Nominating Committee, the Board of Education, or the Village Board and clarifies when the Chair and Vice Chair of the Nominating Committee and graduating Nominating Committee members may simultaneously serve on the Administrative Committee.

The League *supports* this proposed amendment, provided that inadvertently deleted language concerning the Board of Education and the Village Board be restored prior to finalizing.⁸

Amendment 2 would clarify the two-year Administrative term that Nominating Committee members serve upon completion of their three-year Nominating Committee term.

The League agrees that this is a clarification, not a substantive change and *supports* this proposed amendment.

Amendment 3 would serve to merge the Joint and Administrative Committees into one Administrative Committee, and would replace the Administrative Chair/ Vice Chair and Joint Committee Chair/ Vice Chair roles with an Election Chair and Vice Chair and a Resolution Chair and Vice Chair.⁹

According to the Joint Chair, the rationale behind this change is that it will serve to streamline and clarify the structure of the committees.¹⁰ The Joint Chair also conveyed that the election responsibilities currently coordinated by the Administrative Committee are wide-ranging and would be more easily served by a larger cohort resulting from the merging of the two committees.

The League appreciates the service of the Joint Committee and Administrative Committee and *supports* the merging of the two committees based on the reasons stated above.

This proposed amendment eliminates language regarding the succession path from vice chair to chair of the Committee. Please see League comments on leadership succession under Amendment 5.¹¹

⁸ At the time of our information session, language had been inadvertently removed from Amendment 1 and the Joint Chair indicated that he would restore the language.

⁹ Link to [Amendments](#).

¹⁰ Joint Chair [written responses](#) to League questions.

¹¹ In the information session, the Joint Chair discussed the elimination of the current path to succession under discussion of Proposed Amendment 5; this is included in his [written responses](#) as well.

Amendment 4 would permit the initial Administrative Committee meeting of the year to be called by June 30, two months later than set forth in the existing Resolution.

The League agrees that this is not a substantive change and *supports* this proposed amendment.

Amendment 5 clarifies that Administrative Committee members serve a two-year term and that chairs and vice chairs hold office for one year.¹²

The Joint Chair indicated that “this is not an actual change, but merely a clarification,” as the procedure, as currently written, has “proved untenable and has not been followed in recent years.”¹³ It was also stated that the proposed progression would allow the leaders to specialize in an area in which they are skilled; stating that different skill sets are required for amending the Resolution and running the SBNC election.¹⁴ The Joint Chair indicated that the Committee had considered the “downside of eliminating the current succession path.” The League strongly values continuity and the preservation of institutional knowledge from year to year. Succession of leadership roles is a key method to ensure such matters are retained within an organization. The League acknowledges that this is aspirational for many organizations and due to unforeseen circumstances, not always possible. However because of the importance of continuity and institutional knowledge preservation, the League believes that codifying the vice chair’s succession to the chair of the Committee should remain.

The League *did not reach consensus* on this proposed amendment for the aforementioned reason that the amendment no longer codifies the succession path from vice chair to chair.

Amendment 6 changes the term of SNAP and Scarsdale Forum appointees to the Administrative Committee from three years to two years; it also modifies how vacancies are filled.

The Joint Chair stated that the Administrative Committee has “not been able to attract any members from SNAP or TVCC in recent years, and one of the reasons may have been the three year length of term.” The League understands the Committee evaluated the possibility of less continuity and reduced institutional memory against the practical consideration that the TVCC and SNAP positions have been unfilled for several years. The Joint Chair also stated that the Committee concluded that “appointed members -- who are not elected by the community -- should not be the members with disproportionate tenure and influence.”¹⁵

The League agrees to *neither support nor oppose* this proposed amendment and believes that

¹² Joint Chair [written responses](#) to League questions.

¹³ Joint Chair [written responses](#) to League questions.

¹⁴ Joint Chair [written responses](#) to League questions.

¹⁵ Joint Chair [written responses](#) to League questions.

further research into these positions should be conducted.¹⁶

Amendment 7 would permit contemporaneous Administrative Committee meetings to be held by conference call or electronic means wherein members can hear each others' votes.

The League agrees that this is not a substantive change and *supports* this proposed amendment.

Amendment 8 would permit, but not require, the Administrative Committee to adopt rules of procedure.

The League agrees that institutions should be able specify their internal procedural structure and *supports* this proposed amendment.

Amendment 9 would remove the requirement for a supermajority vote of the Administrative Committee should a quorum of six or fewer members be present at a meeting.

The League agrees that this is not a substantive change, and as amended gives greater flexibility to the Administrative Committee. Therefore, the League *supports* this proposed amendment.

Amendment 10 would eliminate the Election subcommittee and charge the entire Administrative Committee with conducting the election of Nominating Committee members.

The League agrees that this would ease the workload and *supports* this proposed amendment.

Amendment 11 could modify the three-year staggered term system on SBNC as to allow all SBNC voting members to serve a full three-year term regardless of a previous Election Unit vacancy.¹⁷

According to the Joint Chair, "a small number of our members do not complete their terms for one reason or another. When this occurs, to maintain the stagger under the current system, we must seek a replacement member for the vacated seat, who only finishes whatever remains of

¹⁶ In the Joint Chair's [written response](#), he states: "The question of whether there should be TVCC (functionally, the Scarsdale Forum) and SNAP appointees *at all* on the Nominating or Administrative Committees is a much larger discussion on which we could not seek general agreement. Their presence is a legacy from when SBNC members were appointed by community groups (including the League of Women Voters, Parent Teacher Council, and the Woman's Club). In my research, I have not determined why, for example, SNAP maintains its representation on the Administrative Committee, while the PTC has lost its appointee. Moreover, TVCC and SNAP have not actively sought representation on the SBNC Administrative Committee for several years. There needs to be further community discussion about this, including with the affected parties."

¹⁷ Joint Chair [written responses](#).

the term.”¹⁸ The rationale for this change, according to the Joint Chair, is to “retain experienced members rather than curtailing their terms to preserve a stagger.”¹⁹ The League acknowledges the importance of retaining experienced members and suggests that the Committee keep an eye on how the lack of some staggered start dates may impact the SBNC and the Committee in future years.

The League agrees to *neither support nor oppose* this proposed amendment.

Amendment 12 would eliminate the requirement that the Administrative Committee add candidate names to the ballot to ensure that every SBNC election is contested. It would also permit the recruitment of SBNC candidates after petitions are due in order to ensure full SBNC membership, however not necessarily contested slates.

As discussed in the information session, there is often difficulty finding volunteers to fill enough slots to create a contested election in each Election Unit.²⁰ However, despite the challenges in finding volunteers, the League strongly encourages the Committee to maintain the goal of a contested election in order to ensure a democratic process in the SBNC election; a process wherein nonpartisan Nominating Committee members are: “elected by the voters.”²¹ Historically, the goal of contested elections has been a central part of the SBNC process. While there may be individual elections or periods of time when contested elections are not possible, the League believes that the goal should remain.

The League *does not support* this proposed amendment as currently written since it does not include a goal of contested elections.

Amendment 13 would allow the public notice of Nominating Committee candidates to refer voters to biographical information, rather than contain such information in the notice itself.

In the interest of environmental responsibility and with regard to budgeting concerns, the League *supports* this proposed amendment.

Amendment 14 would eliminate the requirement for an “electronic site accessible via the internet” for record-keeping and would further change the current record-keeping requirements.

¹⁸ Joint Chair [written responses](#).

¹⁹ Regarding Amendment 11, in [written response](#) to League questions, the Joint Chair states: “We considered the ramifications of this change for some time, as this could lead in the long term to larger or smaller classes within our 30-member Nominating Committee. However, we are proposing an elimination of the stagger in order to increase experience on the Committee and lessen the difficulty of finding people to run, especially for short, contested terms. The effect of this change will be greater at the Election Unit level (where there are six elected voting members) than at the overall Nominating Committee level (where there are 30 elected voting members).”

²⁰ Discussed by Joint Chair at the Information Session on December 16, 2019.

²¹ From the SBNC website scarsdalesbnc.com/home-2

²² Public access would be provided for Resolution changes, but not for all Administrative Committee records.

The League encourages the preservation of records, and continuity from year to year to preserve institutional knowledge. The League supports public record-keeping and agrees that not all records are suitable for public dissemination. However, clear guidelines should be used to ensure that relevant records relating to Resolution changes and Administrative Committee decision-making remain public.

The League agrees to *neither support nor oppose* this proposed amendment.

Amendment 15 would allow elected SBNC members who move to another Election Unit to complete their terms as opposed to resigning from the Committee and creating a vacancy.

As discussed during the information session, the Joint Chair stated that once an individual is on the SBNC, they are a representative of the Nominating Committee and the community as a whole, not necessarily a representative solely of their neighborhood. At the time of the League consensus meeting it was unclear as to which Election Unit the individual would continue to represent. The proposed amendment clarifies that said representative would continue to sit for the Election Unit from which they were originally elected.

The League *supports* this proposed amendment.

Amendment 16 would remove language that purports to dictate that the Citizens' Nominating Committee take an action that the SBNC cannot require it to do.

The League agrees with this reasoning and *supports* this proposed amendment.

Amendment 17 would expressly authorize the Nominating Committee to adopt rules of voting procedure and provide for questions of compliance with such procedures.

The League agrees that expressly authorizing such procedural rules is in the best interest of the institution and *supports* this proposed amendment.

Amendment 18 would allow the SBNC to ask "additional differentiated questions" to candidates seeking nomination to the Board of Education.

While the League appreciates the need for information-gathering and follow-up after a candidate interview, the League also understands that there may be practical or logistical complications and ambiguity in the meaning of "differentiated." The League believes that this is a procedural decision.

²² As per the Proposed Resolution changes on the SBNC website.

The League agrees to *neither support nor oppose* this proposed amendment.

Amendment 19 would allow the selection of School Board nominees by April 7 and publication of the names of the nominees by April 14, thereby extending each of the existing deadlines by one week.

The League agrees with the need for flexibility and *supports* this proposed amendment.

Amendment 20 would update the acronym of the Scarsdale Neighborhood Association Presidents (“SNAP”).

The League agrees that this is not a substantive change and *supports* this proposed amendment.

Amendment 21 would eliminate ambiguous or inconsistent terms; would correct punctuation, grammar and numbering, and relocate or combine sections without functional change to the Resolution.

The League agrees that this is not a substantive change and *supports* this proposed amendment.

Conclusion

The League appreciates the Joint Committee’s desire to improve the SBNC election system. The proposed amendments are extensive and detailed in nature and the timetable for understanding the implications of some of the more complex changes was abbreviated. The League encourages future Committees to consider including additional time in the process to allow for reflection and community comment on any proposed amendments to the Resolution. The League hopes that the Committee will use this consensus statement as a tool to facilitate future discussion on strategies to continue to improve the system.

The image shows two handwritten signatures in black ink on a light background. The signature on the left is a stylized, cursive 'A' followed by a long horizontal stroke that loops back under the 'A'. The signature on the right is a more complex cursive signature, appearing to read 'Leah Dembitzer'.

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