



ELECTION NEWS

A special informational bulletin on the implementation of Michigan election law.

Michigan Department of State - Terri Lynn Land, Secretary of State

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In This Issue ...

- **2011 School District “Election Coordinating Committee” Meetings**
- **School District Precincts: Points to Remember**
- **Obtaining School District Maps**
- **Cutoff for 2011 Election Date Changes Is December 31, 2010**
- **Election Resources Available on Department’s Web Site**
- **Have a Question or Need Assistance?**

2011 School District “Election Coordinating Committee” Meetings
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All school district “election coordinating committees” must meet in early 2011 to review the arrangements that are currently in place to conduct the school district’s elections.

Michigan election law, MCL 168.305(1), required all school district “election coordinating committees” to file a report with the Secretary of State in early 2005 which set forth the arrangements made by the members of the committee for the conduct of the school district’s elections.

Michigan election law, MCL 168.305(2), requires all school district “election coordinating committees” to meet at 2-year intervals to review and, if necessary, alter the election arrangements set forth in the committee’s most recent report. After meeting, the committee must 1) notify the Secretary of State in writing that its previous report is not being altered or 2) notify the Secretary of State of any agreed upon alterations. Election arrangements made by a school district “election coordinating committee” are binding on the participating jurisdictions for at least 2 years after the report is filed and each jurisdiction continues to be bound until an altered report is filed.

In view of the above, all school district “election coordinating committees” must meet in early 2011 to review the arrangements that are currently in place to conduct the district’s elections

and file the required notification with the Secretary of State after meeting. The submission of the required notification no later than February 15, 2011 is required.

NOTE: Committees changing the arrangements made to conduct elections for a school district holding an election on May 3, 2011 are urged to submit the changes to the Secretary of State well in advance of the February 8, 2011 candidate filing deadline established for the election. The early submission of the notification is especially important if the committee changes the office where the school board candidates must file.

A report must be submitted for every local school district, intermediate school district and community college district in the state. This includes intermediate school districts that elect their board members at meetings as opposed to popular elections. (While the “consolidated elections” legislation did not change the meeting process most intermediate school districts use to elect their board members, the district’s “election coordinating committee” must meet to review the arrangements made for the conduct of the district’s special elections.)

Any and all meetings held by “election coordinating committees” are subject to the Open Meetings Act and must be publicly posted as required under the Act.

Suggested “Election Coordinating Committee” Report Template

A suggested report template which school district “election coordinating committees” can employ to comply with the reporting requirement provided under MCL 168.305(2) is provided with this newsletter.

Members of “Election Coordinating Committees”

The individuals who must serve on the “election coordinating committees” are as follows:

- If the local school district, intermediate school district or community college district is wholly contained within a single city or township, the clerk of the city or township where the district is located serves as the district’s “election coordinator.” The district’s “election coordinating committee” comprises the “election coordinator” (i.e., the city or township clerk), the other members of the city or township election commission and the secretary of the school board or his or her designee.
- If the local school district, intermediate school district or community college district falls in more than a single city or township, the county clerk serves as the district’s “election coordinator.” (If the district falls in more than a single county, the clerk of the county in which the largest number of the district’s registered electors reside serves as the district’s “election coordinator.”) The district’s “election coordinating committee” comprises the “election coordinator” (i.e., the designated county clerk), the clerk of each city or township in which the school district is located and the secretary of the school board or his or her designee.

In all cases, the designated “election coordinator” is responsible for chairing any and all meetings conducted by the “election coordinating committee.”

Organization of School District Election Related Duties

If a county clerk is responsible for serving as a school district's "election coordinator," it is important that all members of the "election coordinating committee" have a full understanding of the duties that can be assumed and delegated. An explanation is offered below:

- The clerk of any city or township that falls in the district can opt to conduct the district's elections in his or her city or township. Clerks making this choice must perform all of the duties associated with the conduct of the district's elections. (Such cities and townships are commonly known as "opt in" jurisdictions.) Before exercising this option, the city or township clerk must consult with the other members of the city council or township board. Such agreements are binding for two years.
- The county clerk may direct a city or township clerk to distribute, receive and process absent voter ballot applications for the district's elections; provide voting equipment for the conduct of the district's elections; provide "the list of election inspectors for that city or township"; and notify the school district's electors of precinct and polling place location changes.
- The county clerk may delegate all or a portion of his or her school election duties to a city or township clerk with the agreement of the city or township clerk. Such arrangements can be used to divide the election duties where the shared responsibility for the duties is deemed the most efficient and practical approach. Such agreements are binding for two years.

Decisions Which Must Be Reviewed at School District "Election Coordinating Committee" Meetings Chaired by County Clerks

If a county clerk is the school district's "election coordinator," the members of the "election coordinating committee" must review the following decisions at the school district "election coordinating committee" meeting:

- **Are there any city or township clerks that wish to "opt in" and conduct the district's elections in his or her city or township?** As noted above, in any instance where a local school district, intermediate school district or community college district falls in more than a single city or township, the clerk of any city or township that falls in the district can opt to conduct the district's elections in his or her city or township.
- **How does the county clerk wish to handle 1) the distribution, receipt and processing of absent voter ballot applications and 2) arrangements for the voting equipment needed to conduct the district's elections?** A county clerk required to serve as a school district "election coordinator" may direct any city or township clerk in the district to distribute, receive and process absent voter ballot applications for the district's elections. In addition, the county clerk may direct any city or township clerk in the district to provide voting equipment for the conduct of district's elections.
- **Who is in the best position to handle:**
 - 1) **the acceptance of candidate filings;**

- 2) **the issuance of absentee ballots and acceptance of returned absentee ballots;**
- 3) **the appointment of election inspectors;**
- 4) **voting equipment programming and testing;**
- 5) **ballot proofing;**
- 6) **the publication of required registration and election notices;**
- 7) **handling QVF related responsibilities (setting up election, production of precinct lists, updating voter history, etc.);**
- 8) **setting up the precincts on election day;**
- 9) **handling election day issues; and**
- 10) **storing the voted ballots after the election.**

A county clerk required to serve as a school district “election coordinator” may delegate all or a portion of the above listed responsibilities to a city or township clerk with the agreement of the city or township clerk. The law does not permit school “election coordinators” the authority to delegate duties associated with the administration of school elections to school board secretaries or school district personnel.

Planning for School District “Election Coordinating Committee” Meetings

All “school election coordinators” are encouraged to start planning now for the conduct of the district’s election “coordinating committee” meeting which must be conducted in early 2011. Actions which can be taken to initiate the planning process include the following:

- Obtain an up-to-date map of the school district which clearly shows the boundaries of the district. (See “Obtaining School District Maps” below for information on the resources available through the Web site maintained by the Center for Geographic Information.)
- Obtain a list of the election related duties and responsibilities which are currently being performed to administer the school district’s elections. In an instance where the county clerk is responsible for serving as the district’s “election coordinator,” identify those election related duties and responsibilities that are being performed on the county level and those duties and responsibilities that are being performed on the local level.
- Contact the school district to determine if the school board has changed the district’s election date or is contemplating an election date change.

School District Precincts: Points to Remember

In an instance where a county clerk is a school district's "election coordinator," the county election commission is responsible for establishing the school district's precincts and polling place locations. (MCL 168.301(5) as amended under PA 71 of 2005) In an instance where a city or township clerk is the school district's "election coordinator," the city or township's election commission is responsible for establishing the school district's precincts (if there is a need to establish separate precinct boundaries for the conduct of the school district's elections). In addition, the city or township's legislative body is responsible for establishing the school district's polling place locations (if there is a need to establish separate polling place locations for the conduct of the school district's elections).

Precinct Size Limit

Precincts established for the conduct of local school district elections, intermediate school district elections and community college district elections cannot contain more than 2,999 registered voters.

Combined School District Election/Local Election

Regardless of the arrangements made by a "election coordinating committee" chaired by a county clerk, the clerk of a city or township must conduct a regular or special school election if the city or township is holding a regular or special election at the same time. There are two options for conducting a combined school district election/local election:

- 1) The clerk may administer the combined school election/local election with the same precincts and polling places used for state and federal elections. (If the use of such precincts to administer the school election changes any polling place voters routinely attend to participate in the school district's elections, the city or township clerk is responsible for notifying the affected voters of the polling change for the school election.)
- 2) The clerk may administer the combined school election/local election with the precincts and polling places established for school elections. (This option cannot be selected without the consent of the county clerk who is functioning as the school district's "election coordinator." In addition, this option cannot be selected if it would result in voters having to travel outside of their city or township of residence in order to participate in the election.)

Precinct Consolidation

In an instance where a local school district, intermediate school district or community college district is divided into two or more precincts, the precincts may be combined to conduct any election scheduled in the school district. A "consolidated" precinct cannot contain more than 5,000 registered voters.

- Precincts cannot be consolidated if the school district’s election is held on the same date as an even-numbered year November election, an even-numbered year August primary, a special statewide election or a special federal election.
- In order to consolidate precincts, a resolution must be adopted by the appropriate election commission at least 60 days prior to the election. When determining whether to consolidate precincts for an upcoming election, the election commission must consider the complexity of the ballot and the anticipated turnout for the election.
- If a decision is made to consolidate precincts, whole precincts must be combined; the precincts involved in the consolidation cannot be divided.
- If a consolidated precinct will make it necessary for voters to attend a different polling place location, the election commission must notify the voters of the new polling place location by mail “or other method designed to provide actual notice to the registered electors.” On the day of the election, the election commission must post a notice at each polling place location eliminated for the election. The notice must include directions to the polling place location the voters must attend.

<p>Obtaining School District Maps</p>
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The Center for Geographic Information (CGI) has two school district map series available online. The two school district maps series can be accessed through the URL’s listed below:

School District (K-12) maps by county:

http://www.michigan.gov/cgi/0,1607,7-158-12540_13084-100538--,00.html

ISD maps showing all constituent K-12 school districts:

http://www.michigan.gov/cgi/0,1607,7-158-12540_13084-29765--,00.html

If you have Adobe Acrobat Reader you will be able to view and print sections of the maps with a standard printer. Better results can be obtained through the use of a large format plotter and color printer.

If you wish to have CGI print any of the available county maps, an online order form is available. The fees involved are printed on the form. The form can be accessed through the following URL:

http://www.michigan.gov/cgi/0,1607,7-158-12540_13937-101045--,00.html

Cutoff for 2011 Election Date Changes Is December 31, 2010

School districts, cities and villages interested in changing their regular election dates are reminded that they have until December 31, 2010 to act on the election date change if they wish to have the change go into effect next year. The election date options extended to school districts, cities and villages are detailed below:

Election Date Options Extended to School Districts

A local school district, intermediate school district or community college district that currently fills its board positions on any date other than the odd-year November election date may choose to conduct its regular elections on any of the following dates through the adoption of a resolution: odd-year May election date; odd-year November election date; even-year November election date; or annually on the November election date. In an instance where a school district adopts such a resolution, the date change takes effect “after December 31 of the year in which the resolution is adopted.” (MCL 168.642a(4) as amended under PA 71 of 2005)

NOTE: House Bill 6232, adopted by the State Legislature on December 2, 2010, permits school districts that conduct their regular elections on the odd-year November election date to choose to conduct their regular elections on the even-year November election date through the adoption of a resolution. At this date the bill is awaiting the Governor’s signature. School districts interested in making such a change are encouraged to closely monitor the legislation.

Election Date Options Extended to Cities

A city that currently fills its elective offices on the odd-year May election date, the even-year May election date or annually on the May election date may choose to conduct its regular elections on the odd-year November election date through the adoption of a resolution. In an instance where a city adopts such a resolution, the date change takes effect “after December 31 of the year in which the resolution is adopted.” A city taking such action has no further options for changing its regular election date. (MCL 168.642a(1) as amended under PA 71 of 2005)

A city that currently fills its elective offices on the even-year November election date or annually on the November election date may choose to conduct its regular elections on the odd-year November election date and its primaries (if held) on the odd-year August election date through the adoption of a resolution. A city taking such action has no further options for changing its regular election date. (MCL 168.642a(2) as amended under PA 71 of 2005)

NOTE: An option that was previously offered permitted cities that conducted their municipal primaries on the odd-year September election date to choose to conduct their primaries on the odd-year August election date. This option is now obsolete as PA 182 of 2010 requires all cities that have been using the odd-year September election date as their municipal primary date to hold their primary on the odd-year August election date.

Election Date Option Extended to Villages

A village that currently fills its elective offices on the first Tuesday after the second Monday in September in odd-numbered years may choose to conduct its regular elections on the even-year November election date through the adoption of a resolution. In an instance where a village adopts such a resolution, the date change takes effect “after December 31 of the year in which the resolution is adopted.” A village taking such action has no further options for changing its regular election date. (MCL 168.642a(5) as amended under PA 71 of 2005)

Consideration of Election Date Changes

A school board, city council or village council that wishes to consider an election date change must observe the following requirements:

- At least one public hearing must be conducted by a local school board, intermediate school district board, community college district board, city council or village council prior to considering any of the above referenced election date options for adoption. (MCL 168.642(10) as amended under PA 292 of 2004)
- A “record roll call vote” on the resolution must be conducted. (MCL 168.642(10) as amended under PA 292 of 2004)
- The vote on the resolution may take place at the end of the final public hearing. If the resolution is adopted, a copy of the resolution must be filed with the Secretary of State. (MCL 168.642(10) as amended under PA 292 of 2004)

Election Resources Available on Department’s Web Site
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A wide variety of election related information and materials can be accessed through the Department’s Web site www.Michigan.gov/sos. To locate, click on “Elections in Michigan”; on the Elections in Michigan page, click on “Information for Election Administrators.” The information and materials currently available on the Web site include the following:

- Michigan election law.
- February 22, 2011 Voter Information Poster.
- 2011 election date calendars.
- Provisional balloting implementation materials.
- Election inspector training materials.
- Michigan voter identification requirement implementation materials.

- AutoMARK implementation materials.
- Archives of previous issues of *Election News* and *News You Can Use*.

Have a Question or Need Assistance?
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If you have a question or need assistance with your election related duties, please do not hesitate to contact the Michigan Department of State's Bureau of Elections. We will be happy to assist in any way possible!

Mailing address: Michigan Department of State
Bureau of Elections
PO Box 20126
Lansing, MI 48901-0726

Phone: (517) 373-2540

Email: elections@michigan.gov

Fax: (517) 373-0941



STATE OF MICHIGAN
TERRI LYNN LAND, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

SUGGESTED REPORT TEMPLATE

Suggested elements for the report which must be filed by all school district “election coordinating committees” in early 2011 include the following:

General Information

- Official name of district.
- Listing of the jurisdictions that wholly or partially fall within the district (if applicable).
- Date of “election coordinating committee” meeting.
- Name of county clerk, city clerk or township clerk designated as the district’s “election coordinator.”
- Names and titles of the other members of the district’s “election coordinating committee.”
- Election schedule currently employed by district to fill its board positions.*
- Number of board positions elected in district and term lengths.*

No Alterations Desired: Statement Required

If the school district “election coordinating committee” determines that it does not wish to alter the committee’s previous report in any way, the report must include a statement to that effect. No further information is necessary.

Alterations Made in Previous Report: Detail Required

If the school district “election coordinating committee” determines that it wishes to change any aspects of its previous report, the changes made in the previous report must be fully detailed.

Signatures

All members of the “election coordinating committee” must sign the report and retain a copy for their records.

Filing Report

The report must be mailed to the following address:

Michigan Department of State
Bureau of Elections
Attn: Kristi Dougan
P.O. Box 20126
Lansing, MI 48901-0726
Email: DouganK@Michigan.gov
Fax: (517) 373-0941

* Does not apply if committee is preparing a report for an intermediate school district that fills its board positions at meetings.