

2017 School District Election Coordinating Committee Meetings

All school district Election Coordinating Committees must meet in early 2017 to review the arrangements that are currently in place to conduct special school district 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 beginning January 1, 2013 to meet at **4-year intervals** to review and, if necessary, alter the election arrangements set forth in the committee's most recent report.

NOTE: Although Michigan election law now requires that school board elections be held in November of even years, school election plans must continue to be filed to cover the arrangements for conducting any other special school district election that may be held.

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 the "election coordinating committee" members are binding on the participating jurisdictions until an altered report is filed.

In view of the above, all school district Election Coordinating Committees must meet in early 2017 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 is required no later than February 15, 2017.**

NOTE: All school district election plans are binding until an updated plan is adopted in early 2017. In the event a school district is planning to hold a May 2, 2017 election, committees are urged to submit the changes to the Secretary of State **well in advance of the February 7, 2017 filing deadline to place a question on the ballot established for the election.**

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) can be found on the Information for Election Administrators page of the Bureau of Elections website at www.michigan.gov/elections. This template is intended to provide a basic outline of duties

required by law for member jurisdictions. However, coordinators may use the overall plans as a more comprehensive organizing tool with additional listed duties and guidance.

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. It is advisable when a school district falls into more than one county that the election coordinator provides a copy of the election coordinating plan to the neighboring county clerks for communication, ballot production, and election administration purposes.

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 four years until amended.
- 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 four years until amended.

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 following the completion of the November 8, 2016 election for the conduct of the district’s election “coordinating committee” meetings which must be conducted in early 2017. 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.
- 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 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.
- Obtain a breakdown of the number of registered voters in the school district by city or township to help determine if a jurisdiction wishes to “opt-in” or if precincts should be consolidated prior to an election.
- Reach out to neighboring County Clerks to obtain contact information of city or township clerks newly elected in their counties that have voters residing in a school district in which you are the election coordinator. All city and township clerks who have voters residing in a school district must be invited to participate in the school election coordinating meeting, regardless if they are city or township clerks of a neighboring county.

School District Precincts: Points to Remember

Although many School Election Coordinating Committee Plans are utilized as a vehicle for outlining how precincts may be organized in the event of a special school election, election coordinators should note that the authority to consolidate precincts is not provided for in MCL 168.305 which outlines the contents of the school election plan. Rather, section 305 points to MCL 168.659 for the lawful authority to establish precincts, which rests with either the County Election Commission or the City/Township Election Commission depending on the participating units of government. If precinct consolidations are sought to efficiently conduct a special school election, they must be executed no less than 60 days prior to each special election.

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 an “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 temporarily 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. To determine the appropriate election commission with the authority to consolidate precincts, use the following guidelines:
 - If a city or township has "opted-in" to conducting all special school elections (opening their precincts) and they are **not** accepting voters from a neighboring jurisdiction, the authority for consolidating precincts rests solely with the city/township election commission within their borders.
 - If a city or township has "opted-in" to conducting all special school elections on behalf of their voters and they will be accepting voters migrating in from a neighboring jurisdiction, the authority to create this precinct rests with the County Election Commission because the precinct will be crossing jurisdictional lines. An agreement to accept the neighboring voters should be established with the hosting clerk.

- If all jurisdictions or multiple jurisdictions within a school district choose **not** to "opt-in" to conducting special school elections, the County Election Commission possesses the authority to establish precincts.
- 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.