

**2021 School District “Election Coordinating Committee” Meetings**

*All school district “election coordinating committees” must meet in early 2021 to review the arrangements that are currently in place to conduct regular and 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.

Further, MCL 168.305(2), requires all school district “election coordinating committees” to meet at **4-year intervals** to review and, if necessary, alter the election arrangements set forth in the committee’s most recent report.

Although Michigan election law requires that school board elections be held in November of even-numbered years, school election plans must continue to be filed to cover the arrangements for communication in multi-jurisdictional school district board elections and the conduct of any other special school district election that may be held on any other consolidated election date.

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 2021 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 16, 2021.

**NOTE:** All school district election plans are binding until an updated plan is adopted in early 2021. In the event a school district is planning to approve ballot language for the May 4, 2021 election, committees are urged to submit plan changes to the Secretary of State in advance of the February 9, 2021 ballot wording deadline.

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.

**All meetings held by “election coordinating committees” are subject to the Open Meetings Act and must be publicly posted as required under the Act. Due to the electronic nature of meetings in late 2020 and early 2021, a signature page may not be the most efficiently**

**achieved. Election committee coordinators may have each clerk respond via email to affirm the accuracy of the plan as it represents their jurisdiction’s election administration commitment on behalf of their voters in the school district. Each of those email responses may be combined into a single PDF or Word file as an attachment to the plan submitted to the Secretary of State.**

### **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](http://www.michigan.gov/elections)

### **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.

Note: The “election coordinator” may be the clerk of a county different than the county of the member jurisdiction. It is important to reach out to all members of the committee to achieve input on behalf of all voters residing in the school district, this may include the county clerk of the county where the voters reside, but doesn’t serve as the coordinator to mitigate any tabulator, ballot programming, and election canvassing responsibilities.

**In all cases, the designated “election coordinator” is responsible for chairing 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” provide 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.
- Due to election administration requirements triggered by Proposal 18-3, a number of responsibilities are automatically delegated to clerks who may not be opting-in to open an Election Day precinct, but will be required to perform certain election related duties on behalf of their voters in the lead up to the special election, the weekend prior to the election and on Election Day. Please find the guide titled Consolidated Election Instructions in the elections eLearning Center that outlines these mandatory duties.
- 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 3, 2020 election for the conduct of the district's election "coordinating committee" meetings which must be conducted in early 2021. 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.

**Special Election 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 consolidate 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 executed, they must be approved prior to each special election.

**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 active 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.

### **Authority to Canvass and Certify School Elections**

In an instance where a school district falls in more than a single county, the Board of County Canvassers established in each county in which a portion of the school district lies is responsible for canvassing that portion of the school district election that is held in that county. (Note exceptions below.)

In an instance where a precinct used to conduct a school election falls in more than one county, the Board of County Canvassers established in the county in which the largest number of registered voters of that precinct reside is responsible for canvassing the results of that precinct. (Note exceptions below.)

**Exception #1:** As an exception to the above requirements, a Board of County Canvassers that is not the canvassing board responsible for certifying the school district election is not required to meet to canvass the county's portion of the school district election unless the Board of County Canvassers is obligated to meet to canvass another election held in the county.

**Exception #2:** In an instance where a combination city/school district election or village/school district election is conducted in a city or village that falls in more than one county, that portion of the school district election held within the city or village is always canvassed by the Board of County Canvassers responsible for canvassing the city or village election.

### **Election Certification Steps**

In an instance where the school district election canvassing procedures detailed above are invoked, the certification of the school district election proceeds as described below:

- 1) Each of the canvassing boards established in the “outlying” counties meets and canvasses that portion of the school district election held in the county.
- 2) After completing its portion of the canvass, each of the canvassing boards established in the “outlying” counties certify the vote totals obtained in the county to the county canvassing board responsible for certifying the school district election. (The Board of County Canvassers responsible for certifying the school district election is the Board of County Canvassers established in the county in which the greatest number of registered voters in the school district reside.)
- 3) After receiving the certified vote results from the county canvassing boards established in the “outlying” counties, the Board of County Canvassers responsible for certifying the school district election canvasses its portion of the school district election, compiles a final canvass report that covers the entire school district and certifies the final results.
- 4) As a final step, the county clerk of the county in which the greatest number of registered voters in the school district reside certifies the final results of the school district election to the secretary of the school board.

**Preparing for the Canvass of School District Elections**

In view of the canvassing requirements explained above, county clerks must take the following actions in advance of any multi-county school district elections that impact their respective counties:

- The clerks of the “outlying” counties must inform the clerk of the county responsible for certifying the school district election whether their canvassing boards will or will not meet to canvass their portion of the school district election.
- Arrangements must be made to ensure that the canvass documents completed at the precinct level are transmitted to the appropriate county clerk for delivery to the proper canvassing board.