



November 26, 2024

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Re: LWVS Consensus Statement re 2024 Proposed SBNC
Resolution Amendments

Dear Ms. Bell, Mr. Lemle, and Ms. Phillips:

To help inform voters and support civic engagement in Scarsdale, the League of Women Voters Scarsdale ("LWVS") observes and comments on local governmental processes, such as proposals to amend the School Board Nominating Committee Resolution ("SBNC Resolution"), the document that governs the Non-Partisan Election System specific to the School District. To that end, LWVS held a membership information session ("info session") on Monday, November 18, 2024, to discuss the amendments that will appear on the ballot for the vote scheduled for Wednesday, December 4, 2024.

LWVS thanks Sarah Bell, Jonathan Lemle, and Valerie Phillips, Resolution Chairs of the SBNC Administrative Committee ("SBNC AC"), for their thoughtful and thorough presentation and the seriousness with which they approached their responsibility relative to this living document. LWVS also thanks the Resolution Chairs for the care that they put into answering LWVS questions, explaining each of the proposed edits reflected on the SBNC Resolution markup, and responding to questions from the

audience. LWVS values the willingness of SBNC AC to participate in LWVS's study and is appreciative of the SBNC AC's consideration of the following points:

1. Overall Process for Proposing Amendments

LWVS supports SBNC AC's annual review of the SBNC Resolution and thanks the volunteers for undertaking that task.

In connection with the past two referendums on proposed SBNC Resolution amendments, LWVS has expressed concerns with the limited amount of public outreach to solicit input concerning plans to amend the SBNC Resolution as well as the compressed timetable for publicity efforts. The demise of the local newspaper and the decision to move the SBNC election and SBNC Resolution referendum to early December, as opposed to its customary mid-January date, increases the risk of insufficient community discourse about and awareness of this year's proposed amendments.

We appreciate that the Resolution Chairs solicited feedback from sitting Board of Education members as well as from those within the SBNC and SBNC AC shortly before Labor Day; however, public outreach has been limited to the October 30, 2024 posting on the SBNC website of a redlined version of the current SBNC Resolution and the distribution of printed copies of the same to Village Hall and the Scarsdale Public Library. LWVS was unable to find SBNC publicity on any local media outlets. As of this writing, the SBNC AC had not yet crafted the wording of the amendments to appear on the ballot and had shared no plans to host the public meeting required by the SBNC Resolution.¹

LWVS stresses that the process for amending the SBNC Resolution should include ample voter outreach and education efforts prior to the referendum. Proposed amendments need to be finalized as they will appear on the ballot and distributed widely through multiple avenues in order for the community to fully understand the nature of the changes as well as the rationale for each substantive amendment. LWVS stands by its previously stated position that the SBNC Resolution be amended with an eye towards increasing the timeline and publicity requirements for proposing amendments.²

2. Proposed Amendments

As indicated above, at the time of the info session, the redlined version of the SBNC Resolution had been published but the specific amendments to appear on the

¹ Article II.C.4.b.

² See [2024 SBNC Election Consensus Statement](#) dated 5/31/24, p. 2, [2021 SBNC Resolution Amendment Consensus Statement](#) dated 12/21/21, p. 2, [2020 SBNC Election Consensus Statement](#) dated 2/27/20, p. 5, and [2020 SBNC Resolution Amendment Consensus Statement](#) dated 1/10/20, pp. 1-2.

ballot were not yet drafted and, therefore, could neither be discussed nor referenced by amendment number. The comments below are set forth according to the order in which the redlining appeared on the SBNC Resolution markup. LWVS does not address any non-substantive wording clarifications included in the redlined version.

- a. Replacing All Town and Village Civic Club (“TVCC”) References with Scarsdale Forum References³

LWVS recognizes that the TVCC is a 501(c)(3) organization having the same officers and members as the Scarsdale Forum, a 501(c)(4) organization. LWVS recommends that the SBNC AC check with and confirm the appropriateness of this proposed change with the affected entities before swapping out the organization entrusted with the responsibility for appointing members to SBNC and SBNC AC. In short, Scarsdale Forum’s form of governance may not permit participation in SBNC, which is a political caucus, albeit a nonpartisan one.

- b. Requiring SBNC AC to Convene by August 15 to Fill Vacancies in SBNC AC Leadership Roles⁴

As explained in the info session, this change was proposed to codify a process requiring the SBNC AC to meet to fill vacancies in leadership positions in light of recent problems. LWVS supports this procedural amendment.

- c. Giving the Non-Voting Election and Resolution Chairs the Authority to Vote to Break an SBNC AC Tie⁵

LWVS does not support this amendment as written in that it fails to resolve the issue it seeks to address. More specifically, as raised during the info session, the addition of two votes – one from the Election Chair(s) and one from the Resolution Chair(s) – would not break a tie if those two additional votes went in opposite directions. LWVS also notes that the Election Chair and the role of Resolution Chair each occupy only one office and can be allocated no more than one vote each, regardless of the number of individuals who happen to be sharing the role.

- d. Expanding the List of Individuals Authorized to Call the Initial Meeting of the SBNC AC if the Election Chair is Not Available⁶

³ Article II.A.2.c, Article II.A.5.a, Article III.A.2.a and c.

⁴ Article II.A.3.a.

⁵ Article II.A.3.b.

⁶ Article II.B.1.

As explained in the info session, this change was proposed to codify a process requiring the SBNC AC to meet in light of recent problems with vacancies in leadership positions. LWVS supports this procedural amendment.

- e. Defining and Requiring a Quorum for Purposes of SBNC AC and SBNC Action⁷

Though the need for a quorum is implicit, wording has been proposed to define and require a quorum before either the SBNC AC or the SBNC may vote to take action. LWVS supports these clarifying amendments.

- f. Requiring that Individuals to be Added to the SBNC Ballot After the Petition Deadline Reside in the Election District Where the Candidate Vacancy Exists⁸

Though the need for residency in the election district is implicit, wording has been proposed to make that requirement clear. LWVS supports this clarifying amendment.

- g. Giving the SBNC Chair Authority to Appoint a Voting Member to Serve as Recording Secretary in the Absence of Any Non-Voting Members to Fill the Position⁹

As explained in the info session, this change was made to ensure that a process existed to appoint a recording secretary in light of recent problems with vacancies in leadership positions. LWVS supports this procedural amendment.

- h. Eliminating the Requirement that “Significant Policy Changes” Require SBNC AC Recommendation and a Public Vote¹⁰

As explained at the info session, this ambiguous wording left open the unintended possibility that SBNC’s internal rules of procedure, if amended, could constitute a “significant policy change” and trigger the need for a public referendum. Eliminating the sentence leaves intact the requirement that SBNC Resolution changes are still subject to a public referendum while affirming the continued ability of both SBNC and SBNC AC to implement their own rules of procedure. LWVS supports this clarifying amendment.

⁷ Article II.B.4 and Article III.B.5.

⁸ Article II.C.3.c.

⁹ Article III.B.1.b.

¹⁰ Article III.B.2.

- i. Limiting Individualized Questions Posed to Applicants Coming Before SBNC to the Applicant's Experience and Qualifications and Prohibiting Questioning on Specific Issues¹¹

As explained in the info session, SBNC is a political caucus, albeit a nonpartisan one, charged with the responsibility to nominate candidates for the Board of Education. Pursuant to the SBNC Resolution, applicants are to be “judged and selected solely on their qualifications to serve the community.”¹² Recent amendments to the SBNC Resolution changed the vetting process as to allow the SBNC to pose individuated questions to the candidates appearing before the SBNC. The proposed change would preclude SBNC from asking for the candidates' views on specific issues as opposed to about their ability to be open-minded, critical thinkers, and good listeners tasked with serving the community as a whole. The proposed changes to the SBNC Resolution do not prohibit candidates from voluntarily expressing their opinions on specific topics or from running for election to the Board of Education based on a platform. LWVS supports this amendment.

- j. Prohibiting SBNC from Contacting Sitting Members of the Board of Education and/or Employees of Scarsdale Union Free School District in Due Diligence¹³

LWVS acknowledges that sitting members of the Board of Education (“BOE”) and employees of the District may have particularly useful insights into the abilities and qualifications of an applicant coming before the SBNC, especially one who is an incumbent or who has had extensive interaction with the BOE and District staff. However, LWVS agrees that sitting members of the Board of Education and employees of the District should not be consulted as references in connection with SBNC's due diligence efforts. Sitting BOE members should not be allowed to influence SBNC's selection of individuals nominated to join them on the BOE and should not be placed in the position of commenting on an individual who is being considered to serve with them. Similarly, employees of the District necessarily are impacted by the decisions made by the Board of Education – for example, in reaching collective bargaining agreements – and should not be placed in the position of commenting on an individual being considered for BOE. Therefore, LWVS supports this amendment.

3. Omitted Items that LWVS Had Previously Suggested

¹¹ Article III.C.2.c.

¹² Article I.

¹³ Article III.C.2.d.

a. Leadership Succession Plan

LWVS reiterates that it values SBNC continuity and the preservation of institutional knowledge from year to year and reiterates its position that a plan for leadership succession be codified in the SBNC Resolution. The League acknowledges the aspirational nature of this proposal and that planned succession from vice chair to chair may not always be possible. Nevertheless, and particularly in light of the recurring problem in filling SBNC AC vacancies ever since the SBNC Resolution was amended to eliminate the vice chair to chair succession plan, LWVS encourages the SBNC AC to revisit this issue to ensure adequate leadership training and knowledge transfer from one year to the next with respect to the Election and Resolution Chair positions and to memorialize in writing all practices and procedures.¹⁴

b. Staggered SBNC Term System

LWVS reiterates its concern with the likelihood of fluctuations in the numbers of individuals rolling off SBNC any given year and disparate experience levels in the representation across neighborhood-based election units caused by the 2020 amendment that allowed all SBNC voting members to serve a full three-year term regardless of whether they were elected to fill a vacancy in an unexpired term.¹⁵ LWVS urges the SBNC AC to reflect on its experience over the past few years and consider whether to re-codify the staggered term system through future amendments to the SBNC Resolution.

c. Drop Boxes

The League reiterates its recommendation that the SBNC AC seriously consider adding an amendment to allow the use of drop boxes for the collection of completed mail-in ballots at the polls.¹⁶ This year's ballot will likely contain multiple amendments and perhaps span multiple pages, serving as a prime example of why LWVS's suggestion should be implemented as a means to facilitate the voting process for community, increase voter participation, and alleviate problems resulting from reliance on the USPS for timely delivery of mail-in ballots. Voters unable to go to the polls in person this year will need to print and complete the yet-to-be-finalized ballot and may have to provide

¹⁴ See [2024 SBNC Election Consensus Statement](#) dated 5/31/24, p. 2, [2023 SBNC Election Consensus Statement](#) dated 1/27/23, p. 3, [2022 SBNC Election Consensus Statement](#) dated 2/14/22, p. 2, [2020 SBNC Election Consensus Statement](#) dated 2/27/20, p. 4, and [2020 SBNC Resolution Amendment Consensus Statement](#) dated 1/10/20, pp. 3, 4.

¹⁵ See [2024 SBNC Election Consensus Statement](#) dated 5/31/24, p. 2, and [2020 SBNC Resolution Amendment Consensus Statement](#) dated 1/10/20, pp. 5-6.

¹⁶ See [2024 SBNC Election Consensus Statement](#) dated 5/31/24, p. 5, and [2022 SBNC Election Consensus Statement](#) dated 2/14/22, p. 6.

additional postage due to the number of pages needed to set forth all of this year's amendments. The use of drop boxes to collect completed mail-in ballots to process exactly as those received in the SBNC P.O. Box, would mirror the voter experience at all local, state, and federal elections in New York State, would not compromise the integrity of the election, and would be cost neutral to implement.

4. Conclusion

LWVS appreciates the SBNC AC's desire to improve the school election system and hopes that this statement serves useful to the SBNC AC in facilitating future deliberations.

LWVS thanks the SBNC AC for its undertaking and encourages all currently qualified voters to exercise their rights to cast a ballot in the upcoming SBNC election/SBNC Resolution Amendment Referendum scheduled for Wednesday, December 4, 2024, from 7am to 10am and from 2pm to 9pm at the Scarsdale Middle School Auditorium Lobby.

Sincerely,



Heedan Chung
President
League of Women Voters of Scarsdale



Anne Lyons
Board Member
League of Women Voters of Scarsdale

Cc: Christine Weston, 2024-25 SBNC Election Chair
Meng Zhang, 2024-25 SBNC Election Vice Chair
Lisa Gans, 2025 SBNC Chair
Anne McCourt Bates, 2025 SBNC Vice-Chair
Jen Zola, 2025 SBNC Vice-Chair