

# Memorandum of SUPPORT

## **S.5314 (Mayer) / A7837 (Benedetto)**

### **An act to amend the election law, in relation to time allowed for employees of schools to vote**

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The New York State School Boards Association (NYSSBA) *strongly supports* the above referenced legislation and urges its immediate enactment.

The recently enacted state budget included a provision that expands the entitlement of employees to take up to 3 hours of paid leave to vote (an increase from 2 hours). In addition, the enacted budget eliminated the qualifier in the law that limited the entitlement to take this leave to those employees without “adequate” time to vote, defined as those without four consecutive hours in which they are not required to be at work and the polls are open.

While NYSSBA supports participation in elections, the majority of school district employees have four hours when they are not required to be at work and the polls are open. This bill, if enacted, would restore the four hour qualifier for school district, BOCES and non-public school employees.

The vast majority of school district employees are teachers and other staff that must be replaced. When a teacher is absent from his or her classroom, the classroom cannot be left empty. The use of large numbers of substitute teachers would not only be costly, but may not be achievable, due to a growing shortage. Teachers are not the only employees that have to be replaced. For example, it is not clear how districts could accommodate transportation of students if bus drivers are not available during their regularly scheduled bus runs. In addition, the placement of the new consolidated primary day during Regents examination period means that districts cannot just close. If the State Education Department makes the Regents examination period too early, there may not be adequate days available for districts to hold the 180 days of instruction required for a district to receive their full state aid award.

These are some of the complications that must be addressed for regularly scheduled election days. These complications are exacerbated when districts are faced with a special election, which can be called with little notice, long after the school calendar is set for the year. School districts cannot properly serve our students without our teachers and other staff being available during regular school hours. With the adoption of early voting, combined with a school day that generally affords staff more than four hours of work while polls are open on elections days, school district employees are well positioned to participate in the voting process. NYSSBA believes that restoration of the four hour qualifier for school district employees protects voters while allowing districts to maintain operations on election days.

For these reasons, NYSSBA *strongly supports* the above referenced legislation and urges its immediate enactment. For additional information, please contact NYSSBA Governmental Relations at 518-783-0200.