

# KEARSARGE REGIONAL SCHOOL DISTRICT

Bradford, New London, Newbury, Springfield, Sutton, Warner, Wilmot

## CHARTER for OFFICIAL BALLOT VOTING

July 1, 1997

School Administrative Unit 65  
169 Main Street  
New London, NH 03257

*Revised March 8, 2005*

### **KEARSARGE REGIONAL SCHOOL DISTRICT CHARTER for OFFICIAL BALLOT VOTING**

This Charter sets forth the procedures and practices for voting by Official Ballot under the provisions of House Bill 141 and RSA 197:5-B and RSA 49-D:3.II-a.

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## KEARSARGE REGIONAL SCHOOL DISTRICT Charter for Official Ballot Voting

This Charter sets forth the procedures and practices to establish a budgetary School District meeting for voting by Official Ballot under the provisions of House Bill 141 and RSA 197:5-B and RSA 49-D:3.II-a.

### I. PREAMBLE:

To expand the ability of the voters of the KRSD to participate in the voting process, the KRSD will use the Official Ballot for voting on certain warrant articles as prescribed by this Charter under RSA 197:5-B and RSA 49-D:3.II-a. This Charter, upon adoption, shall utilize the school open meeting process to accomplish this purpose.

## II. POWERS:

A. The residents of the KRSD shall continue to be a body politic as a cooperative school district under the name Kearsarge Regional School District and shall have all the powers as now or hereafter may be conferred upon cooperative school districts under the NH State Constitution and under the Revised Statutes Annotated.

B. The KRSD shall have, exercise and enjoy all rights, immunities, powers and privileges and shall be subject to all duties and liabilities now incumbent upon it as a cooperative school district.

C. The Articles of Agreement of the KRSD shall continue in full force and effect until amended or repealed.

## III. APPROVAL:

Approval of this Charter establishing an Official Ballot School Meeting shall require a majority vote of those present and voting on the question. The question shall appear on the Official Ballot for the Election of KRSD Officials and be voted on March 11, 1997.

## IV. PROVISIONS:

A. Upon passage by a majority of the voters of the Kearsarge Regional School District present and voting on the question, the provisions of this Charter shall become effective on July 1, 1997.

B. The Charter shall follow the provisions of applicable general law, including general laws relative to school meetings, their warning, and the right for petitioned articles. The conduct of such meetings and the type of majority required for approval of bond issues and all articles to raise and appropriate funds shall apply to the Official Ballot and school meetings in all respects.

1.

## V. DEFINITIONS – Terms used in this Charter

A. "KRSD" shall mean the Kearsarge Regional School District.

B. "KRSD School Board" shall mean the Governing Body.

C. "KRSD Budget Committee" shall mean the Municipal Budget Committee (MBC).

D. "Elected Authorities" shall mean the KRSD School Board and KRSD Budget Committee.

E. "Legislative Body" shall mean the voters of the KRSD present and voting at KRSD Meetings.

F. "KRSD Moderator" shall mean the person elected to conduct the KRSD Annual Meeting and special meetings of the KRSD legislative body.

G. "Warrant Articles" shall mean those Articles contained on the Warning of the Annual Meeting to the citizens of the KRSD.

H. "Official Ballot" shall mean the ballot containing the questions to be voted at the second session of the KRSD Annual Meeting as provided by this Charter.

I. "Annual Meeting" shall mean the KRSD Annual Meeting to be held in two separate sessions.

J. "Registered Voters" shall mean the number of eligible voters in the KRSD registered for the last NH State general election.

K. "Operating Budget" shall mean the proposed amount of funds required to operate the KRSD in the ensuing year.

L. "Operating Appropriation" shall mean the total amount of funds appropriated to operate the KRSD in the current year.

M. "Special Meetings" shall mean meetings other than the Annual Meeting called in accordance with RSA 195:13.

## VI. WARRANT

A. The warrant shall be prepared by the School Board to include notice of the election of District officials and with properly authorized articles in accordance with all applicable statutes pertaining to

hearings, notice, petitioned articles and warrants.

- B. The warrant for the KRSD Annual Meeting shall prescribe the day(s), place(s) and hour(s) for each of the two separate sessions of the meeting.
1. 1<sup>st</sup> Session. The warrant shall prescribe the day certain prior to the 2<sup>nd</sup> Session and the hour when the 1<sup>st</sup> Session of the Annual Meeting shall convene. The warrant shall prescribe that the 1<sup>st</sup> Session shall recess upon vote of the voters present and voting to reconvene at the 2<sup>nd</sup> Session of the Annual Meeting.
  2. 2<sup>nd</sup> Session. The warrant shall prescribe the 2<sup>nd</sup> Session of the Annual Meeting to reconvene upon opening of the polls at each Town's regular polling place on the 2<sup>nd</sup> Tuesday in March – Election Day for KRSD School Officials. The warrant shall prescribe that the KRSD Annual Meeting shall adjourn upon final recording of the votes.
- C. The last day to post warrant articles for the 1<sup>st</sup> Session of the Annual Meeting is at least 14 days prior to the date of the 1<sup>st</sup> Session in accordance with RSA 197:7.

2.

## VII. WARRANT ARTICLES

### A. PROPOSED OPERATING BUDGET

1. The Proposed Operating Budget warrant article shall be posted with the precise dollar (\$) amount of the proposed budgets of both the School Board and the MBC. (See Exhibit A)
2. Both shall be subject to explanation, discussion, debate and amendment by the voters present and voting at the 1<sup>st</sup> Session.
3. Funds to be raised and appropriated by votes on special warrant articles shall not be included in either the School Board or MBC Proposed Operating Budgets (i.e. Total Appropriation less sums included in other warrant articles to raise and appropriate funds for this year's Annual Meeting.)
4. KRSD voters present and voting at the 1<sup>st</sup> Session of the Annual Meeting may enter a motion to amend the Proposed Operating Budget. The motion, properly seconded, shall be subject to explanation, discussion, debate and vote.
5. Upon passage by the appropriate majority vote at the 1<sup>st</sup> Session, the wording of the Proposed Operating Budget, as amended, shall be placed as a question on the Official Ballot, together with the questions on the Proposed Operating Budgets of the School Board and the MBC. The form of the question to read:  
"Shall the voters of KRSD vote to raise and appropriate as an operating budget, not including appropriations by special warrant articles, one of the following amounts for the purposes set forth in the budget article posted with the warrant.  
Vote for only: A or B or C. (See Exhibit B)
6. The Proposed Operating Budget shall be finalized by the appropriate majority/plurality of Official Ballot votes on the questions.

### B. BOND ISSUES and NOTES

1. Articles for voting bond issues and notes (borrowings) shall be posted on the warrant for explanation, discussion, debate and amendment at the 1<sup>st</sup> Session.
2. The precise wording of the article(s) and articles as amended, shall be placed on the Official Ballot for voting at the 2<sup>nd</sup> Session.
3. In accordance with RSA 49-D:3.II-a, the super majority vote required to approve bond issues and notes (borrowings) shall be three fifths (3/5). \*

### C. CHANGES to the RULES OF CONDUCT of MEETINGS

1. Shall be placed as articles on the warrant by the school board or by petition.
2. Shall be explained, discussed, debated, and be subject to amendment at the 1<sup>st</sup> Session of the Annual Meeting.
3. Motions to amend, properly seconded, discussed and called for vote, shall be voted at the 1<sup>st</sup> Session as determined by the Moderator.
4. Articles shall be amended by motions to amend which pass by 50+% majority of those present and voting at the 1<sup>st</sup> Session and shall be voted, as amended, by those voters present and voting.
5. These articles stating the changed Rules of Conduct, properly approved by the voters at the 1<sup>st</sup> Session, shall become effective on the first day of the next fiscal year of the KRSD and shall be used as the Rules of Conduct, as amended for future KRSD Meetings.

3.

*\* Amended 3/8/05 (Second Deliberative Session)*

## D. COLLECTIVE BARGAINING AGREEMENTS

### 1. COST ITEMS

- a. Shall be placed on the warrant provided the articles are presented within the time-line limits for the presentation of all warrant articles in accordance with RSA 197:7.
- b. Shall be subject to explanation, discussion, debate and vote by Official Ballot.

### 2. FACT FINDERS REPORT

- a. Those that include references to raising and appropriating funds shall be placed on the warrant and the Official Ballot as follows:

Article xx: To see if the voters of the KRSD will approve the FACT Finders Report dated 10/10/xx.

- b. Copies of the Report shall be available for the voters at the 1<sup>st</sup> & 2<sup>nd</sup> Sessions.

## E. PETITIONED ARTICLES

1. All petitioned articles placed on the warrant by 25 or more but less than 5% of the registered voters in the KRSD eligible for the last previous NH State general election:

- a. Shall be explained, discussed, debated, subject to amendment and VOTE at the 1<sup>st</sup> Session
- b. Petitioned articles to raise and appropriate money, if approved by vote at the 1<sup>st</sup> Session, shall be placed on the Official Ballot together with articles as amended, if any; If not approved, the article shall

not be considered further and shall not be placed on the Official Ballot.

- c. Approval at the 2<sup>nd</sup> Session shall be by the appropriate vote by Official Ballot.

2. All petitioned warrant articles to raise and appropriate funds placed on the warrant by 5% or more of the number of registered voters in the KRSD eligible for the last previous NH State general election:

- a. Shall be explained, discussed, debated, and subject to amendment at the 1<sup>st</sup> Session.
- b. Shall be placed on the Official Ballot together with articles as amended, if any, passed by the voters at the 1<sup>st</sup> Session.
- c. Approval at the 2<sup>nd</sup> Session shall be by the appropriate vote by Official Ballot.

## VIII. KRSD ANNUAL MEETING

- A. The KRSD Annual School Meeting shall be held in Two Sessions.

1. The 1<sup>st</sup> Session shall be held sufficiently in advance of the 2<sup>nd</sup> Session to provide enough time to prepare and distribute Absentee Ballots for voting on KRSD School matters.

2. The 1<sup>st</sup> Session of the Annual meeting shall be recessed after all warrant articles have been explained, discussed, debated, and voted by the voters present and voting on amendments, if any, and other matters as provided by this Charter

3. The 2<sup>nd</sup> Session of the Annual Meeting shall be re-convened and continue upon the opening of the polls for voting on KRSD funding issues by Official Ballot at each Town's polling place

on the 2<sup>nd</sup> Tuesday in March, Election Day.

- B. The Annual Meeting shall adjourn upon final recording of the votes.

## IX. SPECIAL MEETINGS

Meetings other than the Annual Meeting, called in accordance with RSA 195:13, shall meet those requirements which are applicable for the Annual Meeting for time-line purposes of all applicable statutes pertaining to warnings, notice hearings, operating budgets, bond issues, special articles, petitioned articles and posting of the warrant stated in this Charter and in accordance with RSA 197:3 provided the warrant includes articles subject to the Official Ballot process as described herein for the Annual Meeting.

## X. TRANSFER of APPROPRIATIONS

Should changes occur during the year following the Annual Meeting requiring the transfer of funds from one appropriation to another, such transfer shall be made in accordance with the authority granted the governing body under RSA 32:10.

## XI KRSD ANNUAL MEETING SESSIONS

### A. The 1<sup>st</sup> SESSION

1. Shall be held at a single central place, or multiple places within the District, as determined by the School Board and posted on the warrant, no later than 7 weeks nor earlier than 10 weeks prior to the 2<sup>nd</sup> session.

2. Shall be deemed the Annual Meeting date for time-line purposes of all applicable statutes pertaining to warnings, notice, hearings, operating budgets, bond issues, special articles, petitioned articles and posting of the warrant.

3. Voters at the 1<sup>st</sup> session shall vote to finalize all matters not voted by Official Ballot.

a. The polls at the 1<sup>st</sup> Session may be ordered closed and votes counted as soon after all voters present and voting have had reasonable time to cast their votes.

b. Should the voters at the 1<sup>st</sup> Session bring a motion, which passes by simple majority, to reconsider a vote on a warrant article after the 1<sup>st</sup> Session has voted to restrict reconsideration on that article, an additional session for reconsidering the vote on that article shall be scheduled no earlier than 7 days nor later than 10 days following the recess of the 1<sup>st</sup> Session. Notice of the date, time and place where the additional session is to be held shall be given by an announcement prior to the close of the 1<sup>st</sup> Session at which the motion to reconsider was approved, and shall be published in a newspaper of general circulation in the KRSD geographical area at least two days before reconsideration.

c. Any motion to table a motion to amend under discussion shall be voted only after sufficient time has been given to discussion of the motion to amend.

d. Shall recess upon completion of its business to reconvene on the day prescribed for voting by Official Ballot at the 2<sup>nd</sup> Session on the 2<sup>nd</sup> Tuesday in March.

4. Upon recess of the 1<sup>st</sup> Session, no further changes shall be made in the intent of the original warrant articles or articles, as amended, if any, to be placed on the Official Ballot. shall be of an editorial nature or to conform wording to the requirement of law.

Changes

## 5. PROCEDURE for WARRANT ARTICLES

- a. Except as otherwise provided by this Charter and by law, warrant articles to raise and appropriate funds may be amended during the 1<sup>st</sup> Session and are subject to final vote on the Official Ballot at the 2<sup>nd</sup> Session in March.
- b. Articles to raise and appropriate funds may include, but are not limited to the operating budget, bond issues, some petitioned articles, Collective Bargaining Agreements, Special articles as defined under RSA 32:3.VI., and articles required by law or court order.
- c. All articles to raise and appropriate funds shall include the dollar (\$) amount and a statement for which the funds will be expended.
- d. Warrant articles to be posted on the Official Ballot shall be written as questions, with the precise wording of the articles, if and as amended, as determined at the 1<sup>st</sup> Session.
- e. The School Board and the MBC shall each have the option of posting a recommendation on each article not already requiring a notation under RSA 32:5, V on the posted warrant.
- f. The School Board and the MBC each may publish a position paper separate from the warrant stating the reasons for supporting or not recommending any warrant article.

## 6. MOTIONS to AMEND WARRANT ARTICLES

- a. Except as otherwise provided by this Charter, motions to amend the dollar (\$) amount, and/or the wording of the reason for the warrant article to raise and appropriate funds that received a majority (50+%) vote at the 1<sup>st</sup> Session shall not immediately amend the article but shall appear for final vote on the Official Ballot together with the original unamended article as posted on the warrant.
- b. Motions to amend warrant articles, properly moved and seconded, shall be prepared in writing and read by the Moderator prior to being voted by the KRSD voters present at the 1<sup>st</sup> Session.
- c. Warrant articles to raise and appropriate funds which are amended by vote at the 1<sup>st</sup> Session shall be placed on the Official Ballot as a question, with precise wording as read by the Moderator, immediately following the question on the unchanged wording of the original warrant article. (See Exhibit D)

## B. The 2<sup>nd</sup> SESSION

1. Shall be held for the purpose of voting by Official Ballot on the warrant articles to raise and appropriate funds and such articles as amended, if any.
2. The School Board shall prescribe the place(s) for voting at the 2<sup>nd</sup> Session as the voting place in which each of the Towns of the District shall conduct their election of KRSD officials on the 2<sup>nd</sup> Tuesday in March, Election Day.
3. Each voting place shall serve only those KRSD voters registered within said Town.
4. Voting at the 2<sup>nd</sup> Session shall be supervised by duly authorized election officials of each Town in the District and conducted under the same polling rules for hours, challenges, and procedures as those for the Town Elections.

6.

## XII. TOWN INFORMATION MEETINGS

- A. May be conducted by the respective Town representatives on the School Board and the MBC to provide the citizens of their Town with information, explanation, and discussion of the questions to be voted by the Official Ballot.
- B. May be held upon posting 7 days advance notice at a time and meeting place in the Town.

## XIII. KRSD OFFICAL BALLOT

The KRSD shall use the Official Ballot for voting only on questions to raise appropriate funds.

A. FORMAT for THE OFFICAL BALLOT

1. Except as otherwise provided by this Charter, Official Ballot voting shall be on the precise wording of the questions on the warrant articles and articles, as amended if any, as determined at the 1<sup>st</sup> Session.
2. The School Board and the MBC shall each post a recommendation on each question posted on the Official Ballot requiring a notation under RSA 32:5, V.
3. Format for Voting on the Proposed Operating Budget Article
  - a. Questions on the Proposed Operating Budget shall be posted on the Official Ballot showing the Operating Budget sum recommended by the School Board and the sum recommended by the MBC together with the sum included in any amendment to the Operating Budget article passed at the 1<sup>st</sup> Session.
  - b. Voters shall be directed to vote for either the School Board or the MBC's Operating Budget or the amended sum, if any.
  - c. The Operating Budget shall be decided by the majority/plurality of the votes cast on the question. (See Exhibit B)
  - d. In the unlikely event that two questions on the proposed Budget receive the same number of majority/plurality Official Ballot votes, the smaller of the Proposed Budget sums shall be considered adopted for the ensuing year.
4. Format for Voting on Warrant Articles – No Amendments
  - a. Questions on warrant articles, other than the question on the proposed operating budget and articles amended at the 1<sup>st</sup> Session, shall be posted on the Official Ballot with "Yes/No" options for voting. Articles shall pass upon receiving the appropriate majority of Official votes. (See Exhibit C)
5. Format for Voting on Amended Warrant Articles Other than the Proposed Operating Budget Article.
  - a. Questions on warrant articles which are amended at the 1<sup>st</sup> Session shall be posted on the Official Ballot with the wording of the original article and the wording of the article as amended.
  - b. Voters shall be directed to vote for either the original article, the article as amended, or Neither/None of the Above.
  - c. The article shall be decided by the majority/plurality of the votes cast on the question. (See Exhibit D)

7.

B. ADMINISTERING the OFFICIAL BALLOT VOTE

1. Within 3 days following the 1<sup>st</sup> Session, or the additional session to reconsider a restricted warrant article, the KRSD District Clerk shall prepare a separate Official Ballot document with final wording of the question on the warrant articles and articles as amended, if any, as determined at the 1<sup>st</sup> Session.
2. The Official Ballot, thus prepared, shall be delivered by the District Clerk to each Town's voting officials no later than 5 Tuesdays prior to the 2<sup>nd</sup> Session of the Annual Meeting.
3. The KRSD shall publish a sample of the Official Ballot in at least one newspaper of general circulation throughout the District no earlier than 20 days nor later than 10 days prior to the voting on Election Day, the 2<sup>nd</sup> Tuesday in March.
4. Each Town's voting officials shall provide KRSD voting documents, including Absentee Ballots, for the KRSD voters in their Towns.



5. Town voting officials shall distribute, and collect the Official Ballot documents, including Absentee Official Ballots, and count the votes cast as prescribed by current statutes applicable to voting.

**XIV. ABSENTEE BALLOT VOTING & REPORTING**

A. Absentee voting shall be conducted in accordance with all current statutes governing the process to be followed for voting by absentee ballot.

B. Absentee ballots for the voters of the KRSD to vote by Official Ballot shall be administered and counted by each Town’s voting officials in accordance with the current provisions of law which apply to absentee voting.

C. Results of the KRSD Official Ballot voting on the Official Ballot questions shall be determined by each Town’s voting officials and communicated to the KRSD Clerk in accordance with accepted procedures for reporting of election of school officials.

**XV. COSTS**

The KRSD shall reimburse each of the Towns any additional cost of administering the 2<sup>nd</sup> Session of the KRSD Annual Meeting.

**XVI. CHARTER AMENDMENTS, PROCEDURES – RSA 49-B:5 and 49-B:5a**

A portion of this Charter shall be amended in accordance with the provisions of RSA 49-B:5 and RSA 49-B:5a. (Charter Commission not required)

**XVII. CHARTER REVISIONS, ADOPTIONS, PROCEDURE – RSA 49-B:3**

This Charter shall be revised in accordance with the provisions of RSA 49-B:3. (Requires a new Charter Commission)

**XVIII. RETURN to FORMER FORM of GOVERNMENT – CHARTER RECISSION**

This Charter shall be rescinded in accordance with the provisions of the RSA 49-B:12. (Charter Commission not required)

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**KEARSARGE REGIONAL SCHOOL DISTRICT**  
**CHARTER FOR OFFICIAL BALLOT VOTING**  
**EXHIBIT A**  
**Example of Proposed Operating Budget Article**  
**(For posting on the Warrant 1<sup>st</sup> Session)**

**PROPOSED OPERATING BUDGET**

Article xx: To see if the following proposed sum will be raised and appropriated by the voters of the KRSD as the Operating Budget for General District Operations. (Both to be placed on Official Ballot)

	<u>School Board</u>	<u>MBG</u>
Instruction	\$8,800,000	\$8,750,000
Support Services	540,000	545,000
Staff Services	380,000	350,000
General Administration	102,000	102,000
SAU Mgmt. Serv.	370,000	370,000
School Admin. Serv.	731,000	749,000
Oper/Maintainence	1,800,000	1,617,000
Transportation	895,000	895,000
Principle/Interest	921,000	921,000
Fund Transfers	<u>685,000</u>	<u>705,000</u>
Total	\$15,224,000	\$15,004,000

Motion to amend Article xx: "To see if the voters of the KRSD will vote to decrease the MBC Proposed Budget amount by \$200,000 for a Total Operating Budget of \$14,804,000. (Motion must pass at 1<sup>st</sup> Session to be placed on Official Ballot)"

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**EXHIBIT B**  
**EXAMPLE of PROPOSED OPERATING BUDGET ARTICLE**  
**For Posting on the Official Ballot – Vote at 2<sup>nd</sup> Session**

Article xx: Shall the voters of the KRSD vote to raise and appropriate as an operating budget, not including appropriations by special warrant articles, one of the following amounts for the purposes set forth in the budget article posted with the warrant:

Vote (X) for only one: A, B, or C

A. \$15,244,000 for the Proposed Operating Budget.  
(Recommended by the School Board) [ ]

B. \$15,004,000 for the Proposed Operating Budget  
(Recommended by the Municipal Budget Committee) [ ]

C. \$14,804.000 for the Proposed Operating Budget, a decrease of \$200,000.  
(MBC Proposed Operating Budget, as amended at the 1<sup>st</sup> Session) [ ]

The item A, B, or C, receiving the most votes (majority/plurality) shall determine the Operating Budget sum for the coming year.

**KEARSARGE REGIONAL SCHOOL DISTRICT**

**CHARTER for OFFICIAL BALLOT VOTING**

**EXHIBIT C**

**EXAMPLE of QUESTION on a WARRANT ARTICLE – NO AMENDMENT**  
**For posting on the Official Ballot – Vote at 2<sup>nd</sup> Session**

Article zz: Shall the voters of KRSD vote to raise and appropriate \$50,000 to replace a 20 year old vehicle used for maintenance of school grounds?

YES [ ] NO [ ]

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**EXHIBIT D**

**EXAMPLE of QUESTION on an AMENDED WARRANT ARTICLE for posting on the Official Ballot – Vote at 2<sup>nd</sup> Session**

VOTE [X] for only one A, B, or C

A. Article yy: Shall the voters of the KRSD vote to raise and appropriate \$150,000 for the purchase of computer equipment? [ ]

B. Article yy: as amended: Shall the voters of the KRSD vote to raise and appropriate \$170,000 for the purchase of computer equipment, an increase of \$20,000?  
(Amended by vote at 1<sup>st</sup> Session) [ ]

C. Neither/None of the Above [ ]

The item A, B, or C, receiving the most votes (majority/plurality) shall prevail.