

NY SENATE APPROVES PETITIONING CHANGES FOR 2021 NYS SCHOOL BOARD ELECTIONS

Hodgson Russ Education Alert
March 8, 2021

On March 8, 2021, NY Senate Bill 4430 (the “Bill”), relating to library and school district petitioning, was signed into law by Governor Cuomo.

Due to the ongoing COVID-19 health pandemic, the Bill temporarily reduces the number of threshold signatures required for school board nominating petitions for the 2021 election cycle. This temporary reduction will allow school board candidates to collect voters’ signatures while adhering to public health guidelines.

Specifically, the Bill amends sections of the Education Law, in relevant part, as follows:

- 1.) In all union free and common school districts, candidates’ nominating petitions must be signed by the greater of either 25 qualified voters of the district, or two (2) percent of the voters who voted in the 2019 election (not the **previous** election);
- 2.) In all small-city school districts, candidates’ nominating petitions must be signed by at least 50 (as opposed to 100), qualified voters.

While the Bill mentions only union free, common and small-city school districts, it is reasonable to conclude that the Bill also applies by “devolution” to central school districts. In this regard, those laws which apply to, or affect, union free school districts also apply to central school districts unless otherwise noted (See N.Y. Educ. Law §1804). Additionally, central school districts have historically been formed by combining common, union free or central school districts; and central school districts have been regarded as a variation of a union free district.

We will continue to monitor any additional developments as they relate to the upcoming Board Member Election and Budget Vote. If you have any questions relating to this alert, please contact [Jeffrey Swiatek](#) (716.848.1449), [Andrew Freedman](#) (716.848.1332), [Lindsay Menasco](#) (716.848.1214), or any member of our [Education](#) practice.

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