

LONDONDERRY 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 Chapter 53, 1995 Session Laws, RSA 197:5-b and RSA 49-D:3, II-a.

I. PREAMBLE

To expand the ability of the voters of the Londonderry School District to participate in the voting process, the Londonderry School District 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 and voting by official ballot to accomplish this purpose.

II. POWERS

- A. The residents of the Londonderry School District shall continue to be a body politic as a school district under the name Londonderry School District and shall have all the powers which are now or hereafter conferred upon school districts under the NH State Constitution and the Laws of the State of New Hampshire.
- B. Except as provided herein, the School District shall follow the provisions of applicable general law as it exists and is amended hereafter, including without limitation the general laws relative to school meetings, warning, and the right for petitioned articles.

III. EFFECTIVE DATE

Upon passage by a majority of the voters of the Londonderry School District present and voting on the question at the annual meeting in March 2000, the provisions of this Charter shall become effective on July 1, 2000.

IV. DEFINITIONS – Terms used in this Charter

- A. “Operating Budget” means ‘budget’ as defined in RSA 32:3 III exclusive of “special warrant articles” and exclusive of other appropriations voted separately.
- B. “Default Budget” means the amount calculated by starting with the amount of the appropriations contained in the operating budget authorized for the previous fiscal year, reduced and increased as the case may be by: 1) debt service, 2) contracts previously incurred, 3) salary and other related employee costs [benefits, taxes] previously incurred, and 4) other obligations previously incurred or mandated by law, and reduced by one time expenditures contained in the operating budget. For the purposes of this paragraph, one time expenditures shall be appropriations not likely to recur in the succeeding budget, as determined by the School Board.

The “Default Budget” is not in fact a budget. It is an “amount” that will be raised if the proposed operating budget is defeated. If the Default Budget is adopted because of the defeat of the Proposed Operating Budget, the amount raised and appropriated may be expended on any purpose contained in the School Board’s Proposed Operating Budget that was defeated. The total amount available for expenditure when operating under the Default Budget will not exceed the default amount plus the amount appropriated by separate and special warrant articles except as otherwise provided by laws such as, but not limited to, RSA 32:9-11, RSA 198:20b, RSA 186-C:13, II, and RSA 186-C:18, X.

For the purposes of this Section IV.B, “previously incurred” means on or before the first session of the Annual Meeting at which the Default Budget is presented to voters.

- C. “Election Day” is the day established by statute and by the Town for voting on the election of officers.

V. WARRANT

- A. The warrant for a Londonderry School District Meeting shall be prepared by the School Board and shall prescribe the day(s), place(s) hour(s) and subject matter for each of 2 separate sessions of the meeting.
 - 1. 1st Session The warrant shall prescribe the date prior to the 2nd Session for the meeting, the location and the hour when the 1st Session of the Meeting shall convene, and the warrant articles to be considered at the meeting.
 - 2. 2nd Session The warrant shall prescribe the 2nd Session of the Meeting to convene upon opening of the Town’s regular polling places on the Town election day for the election of Londonderry School District School Officials (in the case of an annual meeting), and for voting on warrant articles as amended by the 1st Session.
- B. The warrant and a proposed budget shall be posted in accordance with RSA 197:7 and 197:5-a.

VI. WARRANT ARTICLES

A. PROPOSED OPERATING BUDGET

- 1. The Proposed Operating Budget warrant article shall set forth the precise dollar (\$) amount of the proposed budget of the School District and a Default Budget as determined by the School Board after following the calculations in Section IV.B above.

2. Both the Operating Budget and the Default Budget amount shall be subject to explanation, discussion, debate. The School Board operating budget shall be subject to amendment by a majority of the voters present and voting at the 1st Session in accordance with the rules of conduct in Section VII B of this Charter. The default budget may only be amended by the School Board acting on relevant new information at any time before ballots are printed.
3. The form of the question on the proposed Operating Budget as amended shall read:

“Shall the voters of the Londonderry School District vote to raise and appropriate as an Operating Budget, not including appropriations by special warrant articles, or separate warrant articles, one of the following amounts for the purposes set forth in the Budget posted with the warrant. Vote for only one: A (School Board Budget as amended) or B (Default Budget).
4. The Operating Budget amount that receives the most votes at the second session will be approved for the ensuing year. In the unlikely event that the two questions on the proposed Operating Budget receive the same number of Official Ballot Votes, the Default Budget shall be considered approved for the ensuing year.
5. In the event the Default Budget is adopted for the ensuing year, the School Board may, within 30 days of the final declaration of results from the 1st Session, vote to hold a special meeting to take up the issue of a revised operating budget only. RSA 197:3 will not apply to such a special meeting. If, at the 1st Session of such a special meeting, the revised budget is amended, in accordance with the laws and this Charter to an amount equal to or less than the Default Budget originally adopted, then the District meeting will be deemed to have finally approved the Default Budget amount and no official ballot voting will be required. If, the 1st Session of such a special meeting approves a revised budget greater than the Default Budget by a majority vote then, voting by official ballot to take up the revised budget only in the form of question prescribed by Article VI A, 3 shall take place in accordance with the rules for a special meeting set forth in this Charter. Provided, further that no more than one special meeting for this purpose may be held in any one year.

B. BOND ISSUES and NOTES

Articles for Voting bond issues and notes (borrowings) shall be posted on the warrant for explanation, discussion, debate and amendment at the 1st Session and shall be voted by Official Ballot at the 2nd Session. The majority vote required to approve bonds or notes shall be 3/5.

C. COLLECTIVE BARGAINING AGREEMENTS

1. Cost items and fact finder's reports may be placed on the warrant provided the articles are presented within the time limits for the presentation of warrant articles in accordance with RSA 32:5-a.
2. The Articles shall be subject to explanation, discussion, debate, amendment at the 1st Session and shall be voted by Official Ballot at the 2nd Session.

D. PETITIONED ARTICLES

1. Petitioned articles shall be placed on the warrant in accordance with RSA 197.6
2. Petitioned articles shall be subject to explanation, discussion, debate and amendment and shall be voted by Official Ballot at the 2nd Session.

E. GENERAL

1. All articles to raise and appropriate funds shall include the dollar (\$) amount and a statement of the purpose for which the funds will be expended.
2. All articles with a fiscal impact shall have the financial impact, as determined by the School Board, for the current year and the two following years clearly stated in a note.
3. Questions, the wording of which is prescribed by law shall not be amended.
4. All warrant articles shall clearly state their objective, either in the article or in a footnote in language approved by a majority of the School Board provided that the footnote must be a topical description of the substance of the article.

VII. LONDONDERRY SCHOOL DISTRICT MEETING/TIMELINES

A. Londonderry School District Meetings shall be held in Two Sessions.

1. The 1st Session
 - a. The 1st Session shall be held at a central place or places as determined by the School Board and posted on the warrant.
 - b. The 1st Session shall be deemed the Annual Meeting date for the purpose of all applicable statues pertaining to warnings, notice, hearings, Operating Budgets, bond issues, special articles, petitioned articles and posting of the warrant.

- c. The 1st Session of the Annual Meeting shall be adjourned after all warrant articles have been explained, discussed, debated, and amended, as provided by this Charter.
- d. Upon the adjournment of the 1st Session no further changes shall be made in the intent of the original warrant article or articles, as amended, to be placed on the Official Ballot. Changes shall only be editorial in nature or to conform wording to the requirement of law.
- e. The deadlines for giving notice of bond and budget hearings, holding bond and budget hearings, the budget submission date, submission of petition warrant articles, posting the warrant and budget, and holding the 1st session of the annual meeting shall be the same as the deadlines for school districts operating under the Official Ballot Law (SB2) and electing their officers and voting by official ballot on the 2nd Tuesday in March as set forth in RSA 40:13, II-a, and RSA 40:13, III and as RSA 40:13, I-a and RSA 40:13, III may be amended in the future.

2. The 2nd Session

- a. The 2nd Session shall be held for the purpose of voting by Official Ballot on the warrant articles as amended by the 1st Session and in the case of the Annual Meeting for the election of officers.
- b. The 2nd Session of the Annual Meeting shall be convened and continued upon the opening of the polls for voting by official Ballot on the Town's Election Day.
- c. The School Board shall prescribe the place (s) and times for voting at the 2nd Session of the Annual Meeting as the voting place (s) and times the Town conducts its elections.
- d. Voting at the 2nd Session shall be supervised by duly authorized election officials of the Town in the District and conducted under the same polling rules for hours, challenges, and procedures as those for the Town Election.
- e. Warrant articles to be included on the Official Ballot shall be written as questions, with the precise wording of the articles, if and as amended, as determined at the 1st Session and shall include the fiscal impact and any footnote provided by Article V1 E 2 and 4.
- f. Warrant articles, other than the Operating Budget and articles amended at the 1st Session, shall appear as questions on the Official Ballot with yes/no options for voting.

- g. Articles shall pass upon receiving the appropriate majority of Official Ballot votes as prescribed by law.
- h. Votes taken at the 2nd Session shall not be reconsidered, except for the Operating Budget, in accordance with this Charter.

B. ADDITIONAL RULES OF CONDUCT FOR SCHOOL DISTRICT MEETINGS

- 1. At the start of the 1st Session the School Board by majority vote may amend or withdraw any warrant article prepared by the School Board.
- 2. General rules of Conduct of the 1st Session shall be the rules of the Moderator unless otherwise changed by the majority vote.
- 3. Any rules changes shall take effect when voted.
- 4. Unless otherwise voted by a majority vote, questions at the 1st session shall be considered in the order they are placed on the warrant.
- 5. The School Board and the Budget Committee shall each have the option of posting a recommendation on each article not already requiring a notation under RSA32: 5, V on the posted warrant.
- 6. The School Board and the Budget Committee each may publish a position paper separate from the warrant stating the reasons for supporting or not recommending any warrant article.

C. ADMINISTERING THE OFFICIAL BALLOT VOTE

- 1. Within 4 days following the first session, the Londonderry School District Clerk shall prepare a separate Official Ballot document with final wording of the questions on the warrant articles as amended at the 1st Session.
- 2. The Londonderry School District 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 Official Ballot voting.
- 3. Town voting officials shall distribute, and collect the Official Ballot documents, including Absentee Official Ballots, and the votes cast will be counted as prescribed by current statutes applicable to voting and recounts.

D. ABSENTEE BALLOT VOTING & REPORTING

- 1. Absentee voting at the 2nd Session shall be conducted in accordance with all current statutes governing the process to be followed for voting by absentee ballot.

2. Absentee Official Ballots for the voters of Londonderry School District shall be distributed by the Town Clerk and counted by voting officials in accordance with the current provisions of law which apply to absentee voting.

VIII. SPECIAL MEETINGS

Meetings other than the Annual Meeting, called in accordance with RSA 197:2 and 197:3 and the law, shall meet the requirements for the Annual Meeting of all applicable laws pertaining to warnings, notice, hearings, operating budgets, bond issues, special articles, petitioned articles and posting of the warrant and as set forth in this Charter. In the case of a special meeting, voting by Official Ballot shall take place no earlier than 7 weeks nor later than 10 weeks following the first session of the special meeting, at such place (s) and times as the School board shall determine.

IX. 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.

X. TOWN INFORMATION MEETINGS

May be conducted by the School Board and the Budget Committee to provide the citizens with information, explanation, and discussion of the questions to be voted by the Official Ballot, upon posting 7 days advance notice at a time and meeting place in the Town.

XI. CHARTER AMENDMENT/RECESSION

This Charter may be amended or rescinded as provided by general law.

Amended by Official Ballot March 13, 2001
Amended by Official Ballot March 11, 2003
Amended by Official Ballot March 9, 2004
Amended by Official Ballot March 8, 2016
Amended by Official Ballot March 10, 2020