



NEW YORK STATE SENATOR

Elaine Phillips

Senator Phillips' Bill Would Let Schools Opt Out As Polling Spots

ELAINE PHILLIPS September 4, 2018

Lets School Leaders Decide if Opening Doors Risks Students Safety Amid New Concerns About Sex Offenders and Violent Felons Voting in Schools

Citing concerns over the need to further strengthen school security measures and help keep New York students safe, Senator Elaine Phillips has introduced legislation that lets school districts opt out as Election Day polling places.

“Every parent wants to know that their children are safe at school every single day- and state and school leaders have been working hard to enhance security, including locking doors and requiring identification to limit entry during class hours,” said Senator Phillips. “Yet once a year or more, schools are required to throw open their doors and let everyone in, even if experts feel that they are not equipped to handle the extra security needs that go along with being designated as a polling site.”

“We need to let schools decide if opening their doors puts children at additional risk, and if more suitable sites should be found for Election Day voting.”

As schools seek to strengthen security in the wake of violent incidents across the country, a growing number have asked to be removed from lists of designated polling places, but there is no provision under existing law that lets schools opt out, even though certain other facilities, like fire houses, have that right.

The issue recently became more urgent as a result of the Governor's decision to "pardon" potentially thousands of convicted sex offenders and other violent felons, allowing them to vote during this year's elections. School leaders have told Senator Phillips that they have received no guidance from the state on how to prevent or even determine if sex offenders attempt to enter schools on Election Day.

"I appreciate Senator Phillips' understanding this important school security issue and I am in favor of this legislation. While not every school needs to opt out, this would allow districts like Mineola to work with the local community to find a more suitable location outside of school buildings which may lack the proper measures to accommodate students and voters," said Dr. Michael P. Nagler, Superintendent of Mineola Union Free School District.

"School officials are responsible for building operations, security and safety every day of the year. The proposed legislation would allow the school officials charged with this responsibility to determine whether school security and safety needs can be met when polling is proposed to be held in our school buildings and, where district safety and security needs cannot be met with polling in a school building, as is the case in our District buildings, the legislation would provide school officials with a much needed procedure to have the polling removed and re-located elsewhere," said Dr. Jennifer Morrison, New Hyde Park-Garden City Park Superintendent.

"I support this legislation which would allow school administrators to take a look at individual schools within the district to determine on a case-by-case basis, which buildings, if any, should opt out as a polling location due to safety concerns," said Dr. Ralph Ferrie, Superintendent, Sewanhaka Central High School District.

"The New York State School Boards Association thanks Senator Phillips for her leadership on this important issue. School districts should have the authority to take the steps necessary

to keep our students and staff safe, and this bill represents an important tool to ensure that safety. We look forward to working with the Senator to enact this bill,” said Julie M. Marlette, Director, Governmental Relations, NYS School Boards Association.

Earlier this year, Senator Phillips exposed a dozen “high risk” sex offenders in Nassau County who are among thousands of convicted felons who were given extraordinary pardons by the Governor so that they could vote this year. The list included child rapists, offenders with long rap sheets and victims as young as two years old. Senator Phillips notified school officials and law enforcement so they could be on watch.

Half of the polling sites in Senator Phillips’ Senate District are located in schools. Polling inspectors generally cannot ask voters for identification, so it is unlikely they would know a voter is listed on the registry. Being listed on the registry as a sex offender also is not among six approved reasons—such as being absent from the county or a resident of a nursing home—a voter can cite for the need to vote by mail using an absentee ballot.

Senator Phillips’ bill, S.9155, would give schools districts the authority to decline designation as a polling site by filing a written request of cancellation if they can identify structural or security issues that would put students at risk.

In addition to highlighting the issue of sex offenders voting in schools, Senator Phillips has championed a number of other efforts to improve security in local schools. She has provided tens of thousands of dollars to local schools for security upgrades and helped break a bureaucratic logjam that was delaying funding for districts to install technology and make other facility safety improvements.

She also supported a sweeping package of legislation to help keep children safe at school, including bills that would increase the ability of schools to hire qualified security personnel,

provide additional grants for structural safety improvements, expand school-based mental health services and enhance law enforcement's ability to identify and prevent threats of violence.

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