

GENERAL ADMINISTRATION DIVISION

Report No. 1

OGDENSBURG CITY SCHOOL DISTRICT  
OGDENSBURG, NEW YORK

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SUBJECT: Ogdensburg Public Library Representatives Present  
Information re: School Ballot Referendum

DATE: February 6, 2017

REASON FOR BOARD CONSIDERATION:

The Board of Education must review information regarding a request by the Ogdensburg Public Library to place a "School Ballot Referendum" on the ballot of the May 16, 2017 Annual School District Meeting and Election of the Ogdensburg City School District.

FACTS AND ANALYSIS:


The Ogdensburg Public Library will request funds directly from school district taxpayers by asking them to vote on a resolution placed on the Annual School District Meeting and Election ballot, a "School Ballot Referendum". If the proposition is accepted by the voters of the district, it is considered an annual appropriation until changed by further vote.

RECOMMENDED ACTION:

No action necessary, information and discussion only.

APPROVED FOR PRESENTATION TO THE BOARD:

TMV/alf  
Attachment

  
Superintendent



## **OGDENSBURG PUBLIC LIBRARY**

312 Washington Street  
Ogdensburg, NY 13669  
Phone: (315) 393-4325  
Fax: (315) 393-4344

### **Having a Referendum on the School District Ballot**

Why: The Board of Trustees for Ogdensburg Public Library has decided to do a referendum to regain some of its losses (\$39,731.00 for 2017 alone), due to the city budget cuts.

- A School Ballot Referendum – requesting funds directly from the school district taxpayers by asking them to vote on a resolution placed on the annual school district ballot.
- The Board of Trustees has set the referendum amount as \$50,000.
- This is a tax increase of less than \$16.00 for every \$100,000 assessed property in Lisbon. This is a tax increase of less than \$14.00 for every \$100,000 assessed property in Ogdensburg and Oswegatchie.
- The Library board passed a resolution to pursue funds via school district vote on January 23<sup>rd</sup>.
- The Library board will gather signatures for a petition asking that the library proposition be placed on the ballot.
- Library trustees will attend school board meeting, on February 27<sup>th</sup>, to ask that the library's proposition be placed on the ballot. Petitions will be turned in with needed signatures.
- The school district publishes public notice of the vote.
- The library Board and volunteers will conduct an informational campaign.



# NORTH COUNTRY LIBRARY SYSTEM

22072 County Route 190 - Watertown, NY 13601-1066

Phone: (315) 782-5540 Fax: (315) 782-6883

[www.nclsweb.org](http://www.nclsweb.org)

Director: Stephen B. Bolton

## **SCHOOL BALLOT REFERENDUM TOOLKIT FOR PUBLIC LIBRARIES**



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Amy Starr Zuch  
[azuch@ncls.org](mailto:azuch@ncls.org)  
North Country Library System  
Updated in 2010

## **1. What is a "School Ballot Referendum"?**

Requesting funds directly from school district taxpayers by asking them to vote on a resolution placed on the annual school district ballot is the definition of a "school ballot referendum" and is becoming one of the most popular funding avenues in today's public libraries.

See the "Benefits for libraries" section for more information. School district taxpayers pay an amount based on their assessed property value, just like they do for school taxes. Generally the annual cost is very low (under \$10) but depends on how much the library (or libraries) requests in annual funding.

When one public library within a school district wishes to "go on the school ballot" as we say, it is wise for the other libraries in the same district to do so as well. The reason for this is that all school district taxpayers will be responsible for paying the library tax even if the library in their village or town does not participate. Therefore, the more libraries that participate within a school district, the higher the probability of "yes" votes.

When one library wishes to go on the school ballot but one or more other libraries in the district do not wish to, the library that does wish to is still entitled to do so. It may make their fight a little tougher, but they do not need the permission of or participation by other public libraries in their district. But, again, taxpayers that use a library who has chosen not to participate will still have to pay taxes for the library that does request funds should the resolution pass.

### **FAQ's**

1. If a library wants to be on the ballot to request tax money from the school district taxpayers, how may they do it?

The library board should ask the applicable Board of Education to place a proposition on the school district ballot. The library board should prepare a valid petition to put the matter on the ballot. The Board of Education must honor the request and place the library's funding proposition on the ballot. A budget proposition, which has been properly submitted, must be presented to the voters. (Ed. Law §259 [1])

2. Are public and association libraries autonomous legal entities?

Yes. Even though they usually have a budget and staff much smaller than the local school district, public and association libraries are corporate entities chartered by the Board of Regents and registered by the Commissioner of Education.

3. Why do public and association libraries request funding through the school district ballot?

The law provides a means for these libraries to access voters in the community in order to levy taxes and to use tax collection mechanisms. (Ed. Law §§ 256[1], 259[1], 255[1]).

Public and association libraries serve the entire community.

4. Can a public or association library request that its budget vote be held at a separate time and/or separate location from the school district's budget vote?

Yes. At the discretion of the school district, a special district election may be held at a time and place designated by the school district. (Ed. Law §2006,2007). If the vote is held in the library, it must be administered by the school district.

A school district public library may hold their vote at a time and place separate from the school district. If held separately, the vote must be held between April 1 and June 30. The library may incur costs for requesting a vote separate from the school district election. This should be discussed at the local level between the school board and the library board. (Ed. Law §259 [1]).

5. If voters approve the library budget, is the tax money collected for the public library mixed with school district funds?

No. These tax moneys must be kept separate and must be paid to the treasurer of the library board "upon the written demand of its trustees." (Ed. Law, §259[1])

6. Can the school district charge for collecting the library funds from the district taxpayers?  
No.

7. Does the library funding appear as part of the school district budget funds?

No. Library funds appear as separate lines on the ballot. (Ed. Law, §259[1])

8. Is a new budget vote required each year?

No. Once the proposition has been accepted by the voters of the district, it is "considered an annual appropriation until changed by further vote." (Ed. Law, §259[1])

9. If a library vote requesting an increase in funds is defeated, does the library receive any funds?

Yes. If a library vote for an increase is defeated, the appropriation reverts to the amount last approved by the voters, since the appropriation is "... considered an annual appropriation until changed by further vote..." (Ed. Law, §259[1])

## **2. Benefits for libraries**

**1: School ballot funds are voted on one time and then become an annual appropriation. Libraries do not have to go back each year to request funds.**

**2: By taxing voters directly through an annual appropriation, libraries do not have to rely upon municipalities for funding that could reduce or cut funds entirely at any time and with little or no notice. In other words, school ballot funds are more secure.**

**3: Libraries can go back on the school ballot after an initial successful vote and ask for additional annual funds at a later date (one, two, three, or more years later). Even if the vote for additional funds fails, the library still receives the annual appropriation from the preceding successful vote. There is no limit to the number of times a new proposition for additional funds can be placed on a school ballot, regardless of past successful or unsuccessful referendums.**

**4: Libraries can and should feel good about receiving funds directly from school district taxpayers because those taxpayers voted “yes” and wanted the library to be funded! Be thankful and serve them well!**

**5: School district funds can be spent in any manner that the library board deems appropriate (and according to NYS Education Law). Also, funds can be saved from one year to the next and do not need to be spent within one fiscal year to be retained by the library. The school district has no say in how or when the funds are used. So, go ahead, save up and fix your roof, build a new library, buy new computers, invest... whatever you need!**

### **3. How do we do it and when do we start?**

Follow the activity timeline on the next page, but first, speak to the trustees of all the other libraries in your school district and ask them to participate with you. If they agree, coordinate your PR efforts with them and keep in close contact with each other throughout the campaign.

ACTIVITY	TIMELINE
1. Library board passes resolution to pursue funds via the school district vote. a. Decide on amount (Around \$10,000 would be a nice start: enough to be worthwhile, but not so much that the amount becomes a stumbling block).	No later than January
2. Library board and campaign volunteers circulate petition asking that library proposition be put on the ballot. a. Need 25 signatures, but get more, in case of dispute.	January
3. Library board members and other library supporters attend school board meeting to ask that the library's proposition be placed on the ballot. a. Call/write to the school board clerk/secretary to be placed on agenda, and to check on deadlines. b. Even if the board won't voluntarily put up the library proposition, Ed. Law requires them to.	February or early March
4. The school district publishes public notice of the vote.	Late March (Ed. Law requires at least 30 days, but some school districts require more; check with S.D. to be sure)
5. Library board and campaign volunteers distribute publicity: posters, radio spots, press releases, invite reporter to library to take pictures of children's story hour, seniors using computers, ...	March-May
6. Campaigners call every voter or go door to door to tell people what the library will do for them with the money, ask for their vote a. Keep list of definite "Yes" voters	No later than 6 weeks out
7. Campaigners call yes voters the day before the election, remind them to vote.	3 <sup>rd</sup> Monday in May
<b>8. <u>Library proposition passes!</u></b>	3 <sup>rd</sup> Tuesday in May
9. Library issues press release after the vote thanking supporters and inviting public to come see new services at library.	3 <sup>rd</sup> Wednesday in May
10. Library holds thank you party (with private funds) for campaign volunteers and builds goodwill for next year's campaign.	Soon after vote
11. Library expands hours, buys more new books, or improves handicapped access to building... whatever they said they'd do with the money.	Promptly
12. Library keeps up warm contacts with reporters and supporters as they invite them back repeatedly to show how wonderful improvements to the library are.	Continuing
13. The process begins again when the library seeks an increase in funding.	Next year or two



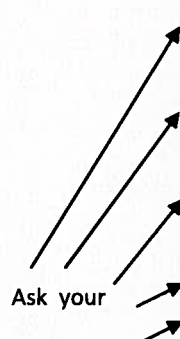
#### 4. Campaign advice

The following table\* shows how library administrators ranked the importance of various campaign tactics for their campaigns. Rankings were performed on a scale of 1 to 10, with 10 being the most important:

**Ranked Importance of Campaign Tactics**

Campaign Tactic	Avg. Ranking
<b>Pamphlets, fact sheets, bookmarks, etc.</b>	<b>7.93</b>
Newspaper ads, feature articles	7.49
<b>Press releases</b>	<b>7.08</b>
Letters to the editor, editorials	6.42
<b>Community group presentations</b>	<b>6.34</b>
Endorsements by community leaders	6.29
<b>Library Friends group</b>	<b>6.21</b>
Mass mailings (postcards, flyers, etc.)	5.56
<b>Volunteers telephone contact</b>	<b>4.69</b>
Public forums	4.55
<b>Private business participation</b>	<b>2.95</b>
Chamber of commerce participation	2.63
<b>AV (slide or videotape) presentations</b>	<b>2.60</b>
Radio spots	2.51
<b>Yard signs</b>	<b>2.45</b>
Organized door-to-door contact	2.21
<b>Television spots</b>	<b>1.39</b>

Ask your  
Consultant  
for help with:



Pamphlets, fact sheets, newspaper ads, press releases, letters to the editor, community presentations and endorsements were some of the most commonly used campaign methods for library measures.

Contact your NCLS Consultant to discuss tactics and find out what type of assistance NCLS has to offer your library!

\*Adapted from: <http://www.library.ca.gov/LDS/referenda/refer4.html#TACTICS>, 3/30/05



## **5. Sample necessary documents**

### **Sample petition and ballot wording**

**NOTE:** legal wording subject to change. Always check with your Consultant or DLD for any recent changes to the ballot wording.

### **Sample per capita cost calculator.**

**NOTE:** call the school district to get the "total assessed property value" for the district as well as the "amount raised through taxes" and then plug them in to the sample. (Ask to speak to the tax collector if you get someone who does not know what you are asking for when you call).

To the (X) Central Board of Education:

We, the undersigned residents of the (X) Central School District would like the following included as a proposition on the (X) Central School District ballot:

Resolved, that pursuant to Education Law, Section 259, the Board of Education of the (X) Central School District is authorized to levy and collect an annual tax, year after year, separate and apart from the annual school district budget, in the amount of \$20,000, which shall be paid to the (X) Public Library for the support and maintenance of the library; with this appropriated amount to be the annual appropriation until thereafter modified by a future vote of the electors of the (X) Central School District.

<b>Signature</b>	<b>Printed Name</b>	<b>Address</b>	<b>Date</b>

*\$40,000 for the Parish Public Library and the  
Williamstown Community Library through the  
Altmar-Parish-Williamstown School District Referendum*

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**School District Information:**

**Total True Value Assessment:** \$261,795,150

**Amount Raised Through Taxes:** \$5,820,968

$5,820,968 / 261,795,150 = 22.234816$  average rate per thousand before increase (of \$40,000)

\$5,820,968

+ 40,000 proposed funds for the library

$5,860,968 / 261,795,195 = 22.387607$  average rate per thousand after increase (of \$40,000)

22.387607 including \$40,000 increase for the library

-22.234816 without library funding

**.152791** per thousand rate increase in the average assessment

Therefore...

For **every \$1,000 of assessed property value**, an additional taxation of \$40,000 would cost each taxpayer **15 cents per year**.

**\$50,000 assessment:  $50 \times .152791 = \$7.64$**

Providing \$40,00 per year in funding for the Parish Public Library and the Williamstown Community Library would cost a person with a \$50,000 property assessment **\$7.64** per year.

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§ 259. Library taxes.

1. a. Taxes, in addition to those otherwise authorized, may be voted for library purposes by any authority named in section two hundred fifty-five of this part and shall, unless otherwise directed by such vote, be considered as annual appropriations therefor until changed by further vote and shall be levied and collected yearly, or as directed, as are other general taxes. In the case of a school district the appropriation for library purposes shall be submitted to the voters of the district as proposed by the library board of trustees in a separate resolution and shall not be submitted as a part of the appropriation of the necessary funds to meet the estimated expenditures of the school district. All moneys received from taxes or other public sources for library purposes shall be kept as a separate library fund by the treasurer of the municipality or district making the appropriation and shall be expended only under direction of the library trustees on properly authenticated vouchers, except that money received from taxes and other public sources for the support of a public library or a free association library or a cooperative library system shall be paid over to the treasurer of such library or cooperative library system upon the written demand of its trustees. All such moneys paid over to a public library treasurer shall be deposited and secured in the manner provided by section ten of the general municipal law and the library trustees or the library treasurer, if the trustees shall delegate such duty to him, may invest such moneys in the manner provided by section eleven of such law.

b. (1) Except as provided in subparagraph two of this paragraph, whenever qualified voters of a municipality, in a number equal to at least ten per centum of the total number of votes cast in such municipality for governor at the last gubernatorial election, shall so petition and the library board of trustees shall endorse, the question of establishing or increasing the amount of funding of the annual contribution for the operating budget of a registered public or free association library by such municipality to a sum specified in said petition, shall be voted on at the next general election of such municipality, provided that due public notice of the proposed action shall have been given. An increase in library funding provided pursuant to this paragraph shall not apply to a municipal budget adopted prior to the date of such election.

(2) Solely for the purposes of this paragraph, the term "municipality" shall:

- (i) not include a city with a population of one million or more,
- (ii) mean only a county when the public libraries located in such county are members of a federated public library system whose central library is located in a city of more than three hundred thousand inhabitants.

2. In the case of a joint public library authorized to be established by two or more municipalities or districts pursuant to section two hundred fifty-five of this chapter, the governing bodies of the participating municipalities and districts shall enter into an agreement designating the treasurer of one of the participating municipalities or districts to be the treasurer of the joint public library. The agreement shall be for a period of not less than one year nor more than five years and the state comptroller and the commissioner of education shall be notified in writing by the board of library trustees of such agreement and designation.

The municipality or district whose treasurer is designated to serve as treasurer of a joint public library may be compensated for the services rendered by such official to the library. The amount to be paid for such services shall be determined by agreement between the governing body of the municipality or district and the board of library trustees, and shall be paid at least annually from the public library fund.

3. The treasurer of a joint public library shall maintain the separate library fund required by subdivision one of this section and shall credit to such fund all moneys received. The state aid apportioned to a joint public library, amounts appropriated by participants toward its support and all amounts received from other sources shall be paid to the library treasurer. Appropriations for the library made by the participating municipalities or districts shall be paid in full to the library treasurer within sixty days after the beginning of the library fiscal year.

Disbursements for purposes of a joint public library shall be made by the treasurer in the manner prescribed in subdivision one of this section.

Within thirty days after the close of the fiscal year the treasurer shall make an annual report of the receipt and disbursement of library moneys to the board of library trustees and to the governing body of each of the participating municipalities or districts.

4. Notwithstanding the provisions of subdivisions one and three of this section, the library trustees may by resolution establish a petty cash fund, in such amount as they shall determine, for any employee who has supervision of any library or branch thereof. Expenditures from such fund may be made by such employee in advance of audit by the library trustees, but only after the submission of properly itemized and authenticated vouchers for materials, supplies or services furnished to the library or branch thereof and upon terms calling for payment to the vendor upon the delivery of any such materials or supplies or the rendering of any such services. At each meeting of the library trustees a list of all expenditures made from such fund since the last meeting of the trustees, together with the vouchers supporting such expenditures, shall be presented by such employee to the library trustees. The trustees shall direct the treasurer to reimburse such petty cash fund in an amount equal to the total of such bills which the trustees shall so allow. Any of such bills or any portion of such bills which the library trustees shall refuse to allow shall be the personal liability of such employee and he shall promptly reimburse such petty cash fund in the amount of such disallowances. If such reimbursement has not been made by the time of the first payment of salary to such employee after the action of the library trustees in disallowing an amount so expended, such amount shall be withheld from such salary payment to such employee and, if necessary, subsequent salary payments and paid into such petty cash fund until an amount so disallowed by the library trustees has been repaid in full to the petty cash fund.

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