

North Country Library System

School Ballot Referendum Toolkit for Public Libraries

(Updated 1/7/22)

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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.

2. 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. Money raised through a school ballot vote is permanent funding for libraries.

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

Yes. A library may request this but it is up to the school district since it is the school district's vote. If the vote is held in the library, it must be administered by the school district. In NCLS, it is not common for a school district to elect to have a separate vote on the library's behalf.

A school district public library may hold their vote at a time and place separate from the school district at their own discretion. 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])

3. 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!

4. 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 #6 and #7 are probably not necessary unless there is concern that the library vote won't pass.

For addition school ballot timeline guidance, visit
<http://www.nysl.nysed.gov/libdev/libs/pldtools/guide/1bltsd.htm>

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 passes a resolution (60% majority) to override the tax cap if increase amount is above the library's tax cap. Resolution get's filed with the board minutes.	No later than January
3. 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
4. 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
5. The school district publishes public notice of the vote. (Ed. Law requires at least 30 days, but some school districts require more; check with S.D. to be sure)	Late March
6. 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
7. Campaigners call every voter or go door to door to tell people what the	No later than 6 weeks out

library will do for them with the money, ask for their vote a. Keep list of definite "Yes" voters	
8. Campaigners call yes voters the day before the election, remind them to vote.	3 rd Monday in May
9. Library proposition passes!	3 rd Tuesday in May
10. Library issues press release after the vote thanking supporters and inviting public to come see new services at library	3 rd Wednesday in May
11. Library holds thank you party (with private funds) for campaign volunteers and builds goodwill for next year's campaign.	Soon after vote
12. Library expands hours, buys more new books, or improves handicapped access to building... whatever they said they'd do with the money.	Promptly
13. Library keeps up warm contacts with reporters and supporters as they invite them back repeatedly to show how wonderful improvements to the library are.	Continuous
14. The process begins again when the library seeks an increase in funding.	Next year or two

5. Campaign advice

Brochures, fact sheets, patron mailings, press releases, letters to the editor, and community presentations are commonly used campaign methods for library measures.

NCLS can assist libraries with creating brochures and letters, as well as just about any paper marketing tactic. NCLS also allows its members to use its bulk mailing permit, so libraries can send mass-mailings at a discounted rate.

When conducting a vote campaign, an important thing to remember is that the library cannot say "vote yes" on campaign materials. They can provide information about the vote (amount, date and time of vote, etc.) and information about the library. Libraries should focus their campaign on letting the public know how the additional funds will impact the library. Will you be able to provide more services? Hire additional staff? Be open more hours? What is the reason for seeking additional funds? Let the taxpayers know.

It is also important that the entire staff is educated and well-versed about the library vote. Once mailings or brochures go out, people may contact the library with additional questions.

Sample letter to school board

Date

Board of Education
XXXXX, Superintendent
XXXXX Central School District
Address 1
City, NY zip

Dear Mr./Ms. XXXX & Members of the Board of Education:

The Trustees of the XYZ Public Library request that, pursuant to Section 259 of New York State Education Law, the XXXXX Central School District Board of Education place the following proposition before the voters at the next (May, 202X) School District election:

"Shall the sum of _____ Dollars (\$) be raised by annual levy of a tax upon the taxable real property within the XXXXX Central School District for the purpose of funding the XYZ Public Library"

The above request is prompted by our desire to provide enhanced library services to all residents of the School District and our desire to comply with Board of Regents policy that urges public libraries to shift tax support from general appropriations by towns to a direct public vote. This shift will reduce town appropriations for library services and provide taxpayers with the ability to determine the desired level of public library services. In addition, if the vote is successful, our libraries will be able to fully embrace new information technologies available through our public library system.

We would be happy to provide you with additional information or respond to any questions you may have regarding the above.

Sincerely,

President, Board of Trustees
XYZ Public Library

Sample Tax Cap Override Resolution

XXX PUBLIC LIBRARY

BOARD OF TRUSTEES

RESOLUTION

Whereas, the adoption of the 202X budget for the XXX Library may require a tax levy increase that exceeds the tax cap imposed by state law as outlined in General Municipal Law Section 3-c adopted in 2011; and

Whereas, General Municipal Law Section 3-c expressly permits the library board to override the tax levy limit by a resolution approved by a vote of sixty percent of qualified board members; now therefore be it

Resolved, that the Board of Trustees of the XXX Library voted and approved to exceed the tax levy limit for 202X by at least the sixty percent of the board of trustees as required by state law on Month, XX, 202X.

Dated:

_____, Secretary, XXX Library Board of Trustees

Vote: ___ In Favor
 ___ Opposed
 ___ Abstentions

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).

Sample per capita cost calculator

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

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.