

# MAINE STATE LEGISLATURE

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**Date:** January 2, 2020

**Source of Report:** L.D. 858 Resolve, Directing the Department of Education to Study and Make Recommendations Relating to School Safety and Security

**Topic:** Potential risks associated with opening school facilities to the public when a school is used as a polling place

### **Context**

Concerns about student safety and school security when public elections are held in schools while students are in session are of interest nationally. Historically schools are *the site* in most communities for voting due to their location, size, and the community's familiarity with the building location. Over the last few decades, conditions surrounding the safety and security of school children have brought this historical practice to the forefront to be re-examined. A few states have presented and passed legislation to address the use of schools as polling places when students are present (Education Week, 2008). Guidelines for safety during elections when they are held in school buildings are readily available, and should be followed, whether there is legislation that forbids holding elections in schools or not (U.S. Department of Education, 2007).

### **Actions**

The Department individually consulted with the following school safety professionals regarding the topic of holding elections in public schools while students are in session: Sgt. Jonathan Shapiro, retired Maine State Police Officer; Rob Susi, School Resource Officer (SRO), Falmouth Police Department; Phil Rosetti, Assistant Principal, Windham High School; Dr. Karen Barnes, LCSW- drug and alcohol counselor and school safety team member, Spruce Mountain High School; Charles Brown, Superintendent of Schools, RSU 3; Richard Bishop, retired Major, Hancock County Sheriff's Office and former Ellsworth school board member.

### **Findings**

Fifty school buildings in Maine communities are used as election sites. Both larger and urban schools are used for voting, as well as smaller and remote schools. There are more than 500 sites used for polling according to the Maine Secretary of State. Many communities utilize school buildings as the polling location because there is not an available municipal building within the community able to accommodate the anticipated voter turnout.

### **Recommendations**

If a community decides to use a school as a polling place, it is recommended that the community work to mitigate the potential risks by observing the recommendations provided by the U.S. Department of Education and the Maine Emergency Management Association (MEMA). The U.S. Department of Education's Readiness and Emergency Management for Schools (REMS) Technical Assistance Center offers clear guidelines for collaborative planning by school leaders, municipal officials who are responsible for elections, and community law enforcement and

safety officials. The guidelines in the publication *Beyond the School Walls: Community Events and Their Impact on Schools* highlight the following:

1. Relocating the voting site to another location/public building.
2. Closing the school on voting days and/or have a professional staff development day scheduled to coincide with the voting date. (No children on site.)
3. Isolating the voting activity away from the students.
4. If voting is to be permitted, requiring that the school have a safety plan to address the activity and assure the safety of all children - this plan should be comprehensive and address, but not be limited to the following:
  - Traffic flow is one of the most dangerous aspects of election days, as there is increased traffic in school parking lots. Members of the public must be made aware of the layout and flow of all school parking lots. When possible, the public should park in a separate area from student parking. Signage should be clear and direct the public to the designated parking and building entrance.
  - Political solicitors should be contained to designated areas out of sight and sound of students while school is in session.
  - Wandering voters should not be permitted access to active school areas. Access points to children need to be closely monitored by election officials and law enforcement officials. Clear entrance and exit locations for the voting area need to be established and monitored. All other forms of egress from the voting area need to be securely locked.
  - Emergencies that may occur in conjunction with, but unrelated to the voting (fire, explosion, hazardous materials incident, shooting). School Emergency Operation Plan logistics need to incorporate members of the public being present during the school day in the event of an election.

Given the small number of Maine schools that are used as polling places, the new team within the Department's Office of School and Student Supports will be able to assist local communities that use schools as voting locations with individual and specific guidelines. To not create an undue burden, the Department will also provide technical assistance to communities, as requested. The Department will be preparing a report regarding the establishment of a school safety center for the Committee later in the legislative session.

### References

Heitin, L. (2008). *School-based voting poses a risky choice: Class day, or day off*. Education Week. Retrieved from <https://www.edweek.org/ew/articles/2008/10/29/10closings.h28.html>

U.S. Department of Education, [ERCMExpress](https://www.ed.gov/officeofeducation/externalaffairs/ercmexpress) (2007). *Beyond the school walls: Community events and their impact on schools*. 3(6). Retrieved from [https://rems.ed.gov/docs/ERCMX\\_Vol3Issue6.pdf](https://rems.ed.gov/docs/ERCMX_Vol3Issue6.pdf)

U.S. Department of Education, Texas School Safety Center (2007). *Polling Place Safety Checklist*. Retrieved from [https://rems.ed.gov/docs/repository/TX\\_PollingPlaceSafetyChecklist.pdf](https://rems.ed.gov/docs/repository/TX_PollingPlaceSafetyChecklist.pdf)

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