

## **Lesson 8: Provisional Ballots**

### **What is a Provisional Ballot?**

Provisional ballots provide a way for people to vote whose voter registration or qualifications to vote are in question. You can try to solve the issue if possible, prior to giving the voter a provisional ballot.

Provisional ballots are handled separately from normally cast ballots. An individual-completed provisional ballot is sealed in a specific green envelope depending on its type and that envelope goes into one of two larger envelopes (1A or 1B) depending upon when that provisional ballot was cast. Provisional ballots are never mixed in with regular ballots.

The local electoral board reviews each provisional ballot during its canvass of votes cast to determine if the vote will be counted. The first meeting of the electoral board to review provisional ballots is the day after Election Day, and the process must be concluded within seven days.

### **When to Offer a Provisional Ballot**

The provisional ballot envelope requires the issuing election officer to indicate the reason the provisional ballot was issued (See Reason Code in the 'Election Officer' section at the bottom on each side of the envelope). It is important to note that the provisional envelope now has two sides, one dedicated to same day registrants, while the other is completed for those who meet reason codes 3-6. The voter completes the required information on the envelope before being given a ballot.

This side of the provisional envelope (shown on the next page) is for same day registration voters and has a built-in voter registration application. Only one side of the envelope should be completed.

Changes to the SDR side of the envelope include:

- The Large SDR at the top of the form
- Primary Election party ballot indicators (D/R)
- An additional option for protected voter status
- Officer of Election Use Box now contains a field to note time

<b>Same Day Registration Provisional Ballot</b> <small>Voter resides in this precinct but is <u>not</u> on this precinct's pollbook</small>		<b>SDR</b>	Precinct # _____
		Primary elections—Party ballot <input type="checkbox"/> D <input type="checkbox"/> R	
<small><b>Starred (*) items are required.</b> If you do not complete all of the items that are marked with *, your application may be denied.</small>			
<b>1</b> * <input type="checkbox"/> Yes <input type="checkbox"/> No I am a citizen of the United States of America			
* Full social security number _____ <input type="checkbox"/> SSN never issued			
* Date of Birth (MM/DD/YYYY) ____/____/____			
* Gender _____			
<b>2</b> * Last Name _____ Jr. Sr. II III IV (Circle one) Other (write in) _____			
* First Name _____ * Middle Name _____ <input type="checkbox"/> None			
* Residence Address (May not be a P.O. Box) _____ Apt. _____			
* City/Town _____ * ZIP Code _____			
Email _____ Phone _____ - _____ - _____			
<b>3</b> * <input type="checkbox"/> Yes <input type="checkbox"/> No I have been convicted of a felony or judged mentally incapacitated and disqualified to vote. <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, has your right to vote been restored?			
<b>4</b> <input type="checkbox"/> I am an active-duty uniformed services member, spouse or dependent; or an overseas citizen.			
<input type="checkbox"/> I am providing a mailing address (below) because my residence address cannot receive mail <u>or</u> I am homeless.			
<input type="checkbox"/> I am providing a <u>Virginia P.O. Box</u> (below) to protect my residence address from public disclosure because I or a household member is/has:			
<input type="checkbox"/> An active <u>or</u> retired law enforcement officer, judge, magistrate, U.S. or Virginia Attorney General attorney.			
<input type="checkbox"/> Been granted a court issued protective order.			
<input type="checkbox"/> In fear for personal safety from being threatened or stalked by another person.			
<input type="checkbox"/> A participant in the Virginia Attorney General's Address Confidentiality Program.			
<input type="checkbox"/> Been approved to be a foster parent.			
<input type="checkbox"/> A current or former state or local election official, their employee, or Commonwealth elector for president or vice president.			
<b>My mailing address</b> <small>(Complete only if you have checked a box in this section)</small> _____			
<b>5</b> <input type="checkbox"/> I am currently registered to vote in another state. <b>Name of state</b> _____			
<b>6</b> <input type="checkbox"/> I am interested in being an officer of election (poll worker) on Election Day. Send me information.			
<b>7</b> * <b>AFFIRMATION:</b> I swear/affirm, under felony penalty for making willfully false material statements or entries, that the information provided on this form is true and that, to the best of my knowledge, I am eligible to vote in this election. I authorize the cancellation of my current registration and I hereby affirm that I have read the Privacy Act Notice and Warning. (See other side of envelope for Privacy Act Notice and Warning.)			
* Signature <u>X</u>		Today's date (MM/DD/YYYY) ____/____/____	
<input type="checkbox"/> By checking this box, I affirm both that I am an individual with physical disabilities and the Affirmation Statement above. Pursuant to Article II, § 2 of the Constitution of Virginia, individuals with physical disabilities are not required to sign the application for voter registrations.			
<b>Election Officer Use</b> <input type="checkbox"/> #1 Same Day Registration (not on pollbook) Time: _____ a.m. p.m. (circle one) <input type="checkbox"/> Yes <input type="checkbox"/> No Did voter show ID <u>or</u> complete ID Confirmation Statement? <b>Comments</b> Election Officer Signature <u>X</u>		<b>Office/Electoral Board Use</b> Voter ID # _____ Adjudication <input type="checkbox"/> Count <input type="checkbox"/> Do not count <b>Voter Identification</b> 1. If the voter returns with the proper identification, check this box and sign <input type="checkbox"/> <u>X</u> 2. Attach a copy of the identification document.	
<small>ELECT-653-English-07/2024</small>			

This side of the provisional envelope is for non-same day registration voters. Only one side of the envelope should be completed.

Changes to the Non-SDR side of the envelope include:

- Title change

Primary Election Party ballot indicators (D/R)

<b>Provisional Ballot - All other provisional reasons</b>		Precinct # _____
<i>Voter is on this precinct's pollbook</i>		Primary elections—Party ballot <input type="checkbox"/> D <input type="checkbox"/> R
<b>Starred (*) items are required.</b> If you do not complete all of the items that are marked with *, your vote may not count.		
<b>1</b>	* Last Name _____ Jr. Sr. II III IV (Circle one) Other (write in) _____ * First Name _____ * Middle Name _____ <input type="checkbox"/> None	
<b>2</b>	* Date of Birth (MM/DD/YYYY) ____ / ____ / ____	
<b>3</b>	* Social Security Number _____ - _____ - _____ <b>Last 4 digits required</b> <small>Providing your full Social Security number may help determine your eligibility to vote.</small>	
<b>4</b>	* Residence Address (May <u>not</u> be a P.O. Box) _____ Apt. _____ * City/Town _____ * ZIP Code _____ <small>If address is different than voter registration record, provide the date you moved (MM/DD/YYYY) ____ / ____ / ____</small>	
<b>5</b>	Email _____ Phone _____ - _____ - _____	
<b>6</b>	<b>Statement of Voter</b> To the best of my knowledge, I am a registered voter of this locality, and I am eligible to vote in this election. I hereby affirm that I have read the Privacy Act Notice and Warning. <div style="display: flex; justify-content: space-between; align-items: flex-start; margin-top: 10px;"><div style="width: 60%;"> * Signature <b>X</b></div><div style="width: 35%; text-align: right;"><b>Today's date</b> ____ / ____ / ____ <small>(MM/DD/YYYY)</small></div></div> <p style="font-size: small; margin-top: 10px;"><b>Privacy Act Notice:</b> This form requires personal information, including information related to your Social Security number, for identification purposes and to prevent fraud. Federal law (the Privacy Act and Help America Vote Act) and state law (the Virginia Constitution, Article II, § 2; Title 24.2 of the Code of Virginia; and the Virginia Government Data Collection and Dissemination Practices Act) authorize collecting this information and restrict its use to official purposes only. Failure to provide the requested information may prevent determining your eligibility to vote and result in your provisional ballot not being counted.</p> <p style="font-size: small; margin-top: 10px;"><b>Warning:</b> Intentionally making a materially false statement on this form constitutes the crime of election fraud, punishable as a felony in Virginia. Violators may be sentenced up to 10 years in prison, or up to 12 months in jail and/or fined up to \$2,500.</p>	
<div style="display: flex; justify-content: space-between;"><div style="width: 48%;"><div style="background-color: black; color: white; padding: 2px 5px; font-weight: bold;">Election Officer Use</div><div style="padding: 5px;"><b>Select a Reason</b> <input type="checkbox"/> #3 Voting after hours due to court order <input type="checkbox"/> #4 Vote by mail - no ballot to surrender <input type="checkbox"/> #5 Shown on pollbook as already voted <input type="checkbox"/> #6 Other _____ <input type="checkbox"/> #7 Voter does not have required ID and declined to complete the ID Confirmation Statement <b>Comments</b>  <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 10px;"><div style="width: 60%;"><b>Election Officer Signature</b> _____</div><div style="width: 35%; text-align: right;"><b>X</b></div></div></div></div><div style="width: 48%;"><div style="background-color: black; color: white; padding: 2px 5px; font-weight: bold;">Staff/Electoral Board Use</div><div style="padding: 5px;"><b>Voter ID #</b> _____ <b>Adjudication</b> <input type="checkbox"/> Count <input type="checkbox"/> Do not count  <b>Voter Identification</b> 1. If the voter returns with the proper identification, check this box and sign <input checked="" type="checkbox"/> <b>X</b> _____ 2. Attach a copy of the identification document.</div></div></div>		

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## **Non-SDR Provisional Voting**

After reviewing the Non-SDR reason codes above in the image, please view the following that would apply to those voting provisionally, but not as a same day registrant:

- ☐ Voting after hours due to court order
- ☐ Shown on pollbook as voted
- ☐ The pollbook indicates the person requested an Absentee Ballot, the ballot has not been returned, and the voter does not have the original absentee ballot with them.
- ☐ Voter does not have ID and declines to complete the ID Confirmation Statement (also included for same day registrants)

## **Provisional Ballots and Split Precincts**

Any voter assigned to a split precinct who believes they were provided a ballot for the incorrect election district may request to vote a provisional ballot for the district assigned by the general registrar, as well as the district the voter believes is the correct election district. This option must be requested prior to casting any vote. The voter will submit a provisional ballot for both election districts. You should treat the provisional as you would any other provisional ballot. The electoral board will make the determination as to which provisional vote is valid. The reason code for this particular provisional situation should be 6: OTHER.

In the event a voter does not have ID, the Officer of Election should sign and fill out the appropriate information on the same side of the envelope completed by the voter and indicate on the envelope that the voter does not have ID and refuses to sign the ID Confirmation Statement as follows:

1. SAME DAY REGISTRATION PROVISIONAL VOTER SIDE:  
Check NO for the question 'Did voter show ID or complete ID Confirmation Statement?'
2. NON-SAME DAY REGISTRATION PROVISIONAL VOTER SIDE:  
Check Reason Code #7.

## **Provisional Ballot Log**

After the voter secures a completed ballot in the provisional envelope, copy information from the provisional envelope onto the Provisional Ballot Log (see image on next page) and include reason codes and any notes that may be pertinent. Place the green provisional voter envelope into the designated 1A Envelope.

### Provisional Ballot Log

**GR/Satellite Office:**  
 Election Date: \_\_\_\_\_ Log Date(s): \_\_\_\_\_  
 Election Type: \_\_\_\_\_  
 Locality: \_\_\_\_\_

**What to do at the end of the day**  
 Enter the total number of Provisional Vote envelopes for each reason code.

Voter's name is NOT on pollbook	1	Same Day Registration (or not on pollbook)	Totals
Voter's name is on the pollbook, and voter:			
4	is voting after normal poll closing time due to court order		
5	applied for an absentee ballot, but does not have the ballot		
6	is shown in the pollbook as already having voted		
7	Other (any reason not captured in the other codes)		
	Voter did not show required ID and declined to complete ID confirmation statement		

**What to do during the day**  
 Copy information from the Provisional Vote envelopes below

Page \_\_\_\_\_ of \_\_\_\_\_

**Place in Envelope 8**

**1**

Voter name: Last name \_\_\_\_\_ Middle \_\_\_\_\_  
 First name \_\_\_\_\_ Suffix \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City/Town \_\_\_\_\_ State \_\_\_\_\_ Zip code \_\_\_\_\_  
 Birth year only \_\_\_\_\_ Phone number \_\_\_\_\_

SSNM last 4 \_\_\_\_\_ Reason code \_\_\_\_\_  
 Notes: \_\_\_\_\_  
 Registrar use only: Was this vote counted? YES NO  
 Why not? \_\_\_\_\_  
 Date: \_\_\_\_\_

**2**

Voter name: Last name \_\_\_\_\_ Middle \_\_\_\_\_  
 First name \_\_\_\_\_ Suffix \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City/Town \_\_\_\_\_ State \_\_\_\_\_ Zip code \_\_\_\_\_  
 Birth year only \_\_\_\_\_ Phone number \_\_\_\_\_

SSNM last 4 \_\_\_\_\_ Reason code \_\_\_\_\_  
 Notes: \_\_\_\_\_  
 Registrar use only: Was this vote counted? YES NO  
 Why not? \_\_\_\_\_  
 Date: \_\_\_\_\_

**3**

Voter name: Last name \_\_\_\_\_ Middle \_\_\_\_\_  
 First name \_\_\_\_\_ Suffix \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City/Town \_\_\_\_\_ State \_\_\_\_\_ Zip code \_\_\_\_\_  
 Birth year only \_\_\_\_\_ Phone number \_\_\_\_\_

SSNM last 4 \_\_\_\_\_ Reason code \_\_\_\_\_  
 Notes: \_\_\_\_\_  
 Registrar use only: Was this vote counted? YES NO  
 Why not? \_\_\_\_\_  
 Date: \_\_\_\_\_

**4**

Voter name: Last name \_\_\_\_\_ Middle \_\_\_\_\_  
 First name \_\_\_\_\_ Suffix \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City/Town \_\_\_\_\_ State \_\_\_\_\_ Zip code \_\_\_\_\_  
 Birth year only \_\_\_\_\_ Phone number \_\_\_\_\_

SSNM last 4 \_\_\_\_\_ Reason code \_\_\_\_\_  
 Notes: \_\_\_\_\_  
 Registrar use only: Was this vote counted? YES NO  
 Why not? \_\_\_\_\_  
 Date: \_\_\_\_\_

**5**

Voter name: Last name \_\_\_\_\_ Middle \_\_\_\_\_  
 First name \_\_\_\_\_ Suffix \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City/Town \_\_\_\_\_ State \_\_\_\_\_ Zip code \_\_\_\_\_  
 Birth year only \_\_\_\_\_ Phone number \_\_\_\_\_

SSNM last 4 \_\_\_\_\_ Reason code \_\_\_\_\_  
 Notes: \_\_\_\_\_  
 Registrar use only: Was this vote counted? YES NO  
 Why not? \_\_\_\_\_  
 Date: \_\_\_\_\_

Page \_\_\_\_\_ of \_\_\_\_\_

## Provisional Voter Notice

Before the provisional voter leaves the precinct, be sure to give the voter a Provisional Voter Notice (pictured below).

\* VIRGINIA \*

DEPARTMENT of ELECTIONS

Provisional Voter Notice  
§ 24.2-653, Code of Virginia

Dear voter,  
You voted a provisional ballot today.

Your local electoral board decides which provisional ballots will be counted. They will meet on **date** at **time** at **location**. Your provisional ballot will not be counted if the board cannot confirm that you are qualified and registered to vote in this precinct.

You can provide proof that you are qualified to vote in this precinct in person before the deadline, or you can attend the electoral board meeting to provide proof. (Most people do not need legal counsel, but you may bring a lawyer with you.) If you have questions, call your General Registrar's office at **phone number**.

After vote counting is completed, you can find out if your ballot was counted by calling the Department of Elections at 866-839-2556.

**Reasons you received a provisional ballot**

\_\_\_\_ Your name was not on the poll book.

\_\_\_\_ You voted after registering to vote on the same day.

\_\_\_\_ You voted after the polls closed because of a court order.

\_\_\_\_ You applied for an absentee ballot, but you do not have the ballot.

\_\_\_\_ Our records show that you have already voted.

\_\_\_\_ You did not provide required ID. (See other side).

\_\_\_\_ Other: \_\_\_\_\_

**If you registered at DMV or other government agency:**

- Provide the name of the agency, its location, and date you registered.
- Show a receipt, if you have one, either to the precinct election officer or General Registrar.

**If you learned that your registration was cancelled,** but you think it should not have been, call your General Registrar.

Provisional Voter Notice  
ELECT-653B  
Rev 5/2022

\* VIRGINIA \*

DEPARTMENT of ELECTIONS

PROVISIONAL VOTER NOTICE  
§ 24.2-643 and 24.2-653, Code of Virginia

You voted a provisional ballot because you did not show proper identification or sign an ID Confirmation Statement. Providing proper identification for your vote to count, you must provide a copy of an acceptable form of ID or a signed ID Confirmation Statement to your local electoral board.

**Acceptable forms of identification**

- Virginia driver's license or DMV ID
- Valid United States passport
- Identification card issued by the federal government, the Commonwealth of Virginia, or one of its political subdivisions
- Valid student identification card from a college, university, or public or private high school located in Virginia
- Valid student identification issued by a college or university outside of Virginia
- Valid employee photo identification card issued in the normal course of business
- Tribal enrollment or other tribal ID
- Voter confirmation documents
- Current utility bill, bank statement, government check, paycheck or other government document containing your name and address

If you do not have one of these, you can sign an ID Confirmation Statement.

**The deadline to provide your ID is **time** on the **day**, **month**, **year**.**

Your local electoral board decides which provisional ballots will be counted. They will meet on **date** at **time** at **location**.

Your provisional ballot will not be counted unless you provide proper identification or sign an ID Confirmation Statement. You can provide your ID or ID Confirmation Statement in person or by a method listed below any time before the deadline. You can attend the electoral board meeting to provide the required documents. (Most people don't need legal counsel, but you may bring a lawyer with you.) If you have questions, call the General Registrar's office at **phone number**.

After vote counting is completed, you can find out if your ballot was counted by calling the Department of Elections at 866-839-2556.

**How and where to deliver your ID**  
Provide a copy of your identification by any one of these methods.

By email \_\_\_\_\_

In person to the electoral board/General Registrar

**Physical address**

\_\_\_\_\_

By fax \_\_\_\_\_

By mail to the electoral board/General Registrar

**Mailing address**

\_\_\_\_\_

Provisional Voter Notice  
ELECT-653B  
Rev 5/2022

## **Provisional Ballot Tracking**

Provisional ballots are handled, tracked, and counted separately from other ballots. Follow your local general registrar's instructions for completing paperwork related to provisional ballots.

# **Lesson 9: Same Day Registration**

## **What is Same Day Registration?**

**Same Day Voter Registration (SDR)** refers to the ability to register to vote in-person and then immediately vote a provisional ballot after the deadline to register and vote a non-provisional ballot has passed.

Beginning with the 2022 General Election, Virginia's General Assembly approved legislation that provides the ability to register at any time, up to and including Election Day (§ 24.2-420.1). There are two distinct time periods which have an impact on how SDR is completed; *early voting (following close of books)* and *Election Day*.

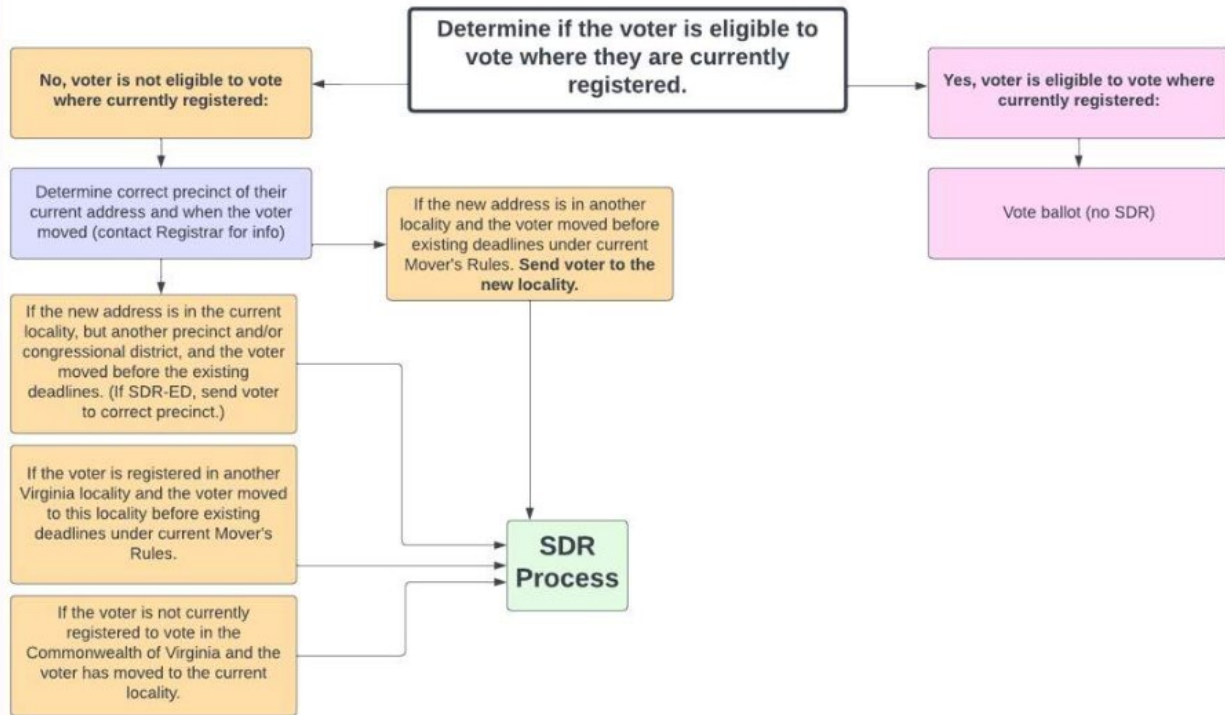
## **How does Same Day Registration work on Election Day (SDR-ED) at the polls?**

When a voter comes to vote on Election Day, begin by determining if the voter is registered and eligible to vote at the address stated.

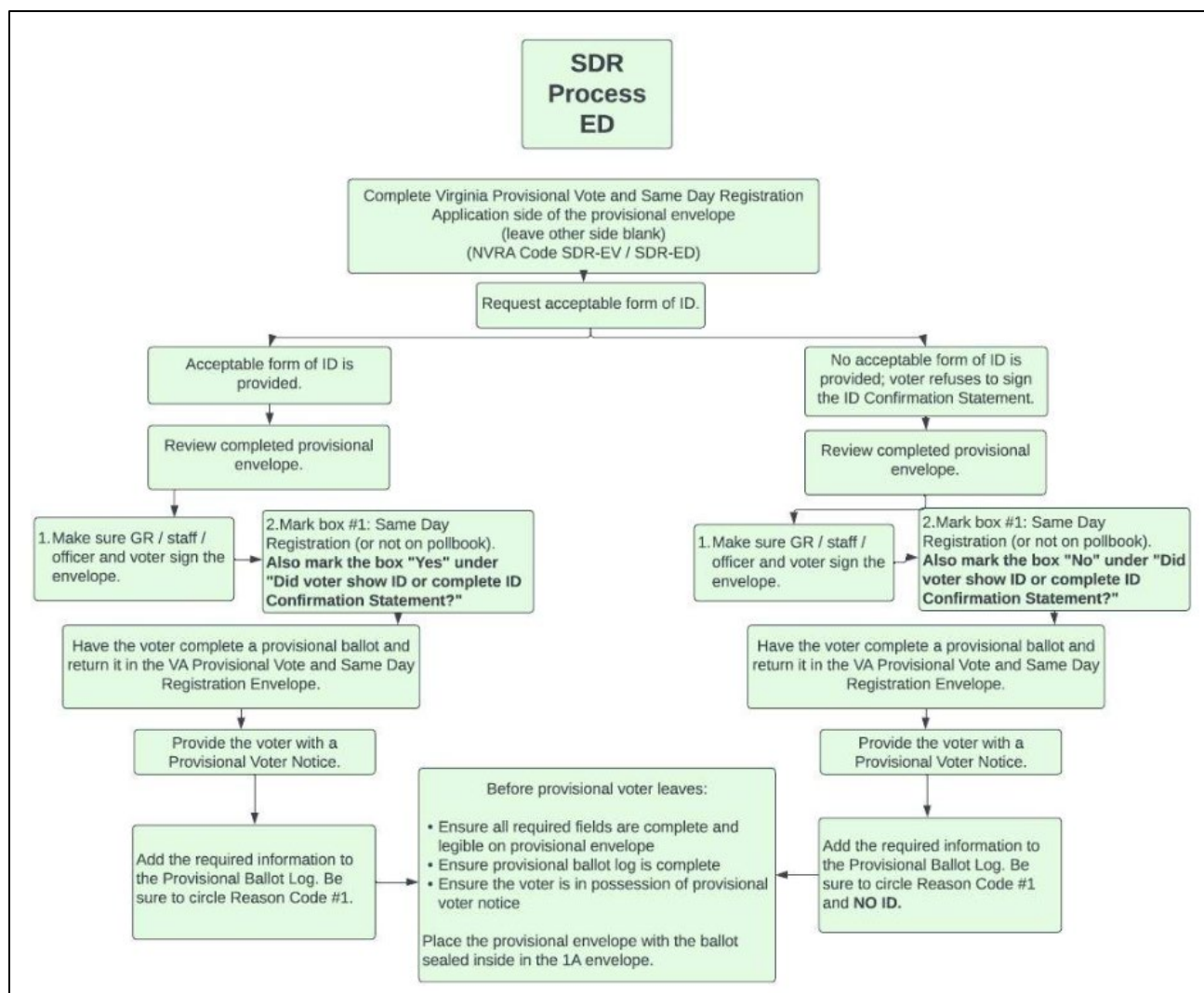
**REMEMBER: on Election Day, voters are required to vote in the precinct designated by their registration address.**

# Election Day Same-Day Registration (SDR)

**\*Before issuing SDR Provisional, determine if voter is eligible to vote on machine under What-If sections 4 – 8.**



If it is determined that an individual must utilize the same day provisions, please utilize the chart on the next page:



## NEW TWO-SIDED PROVISIONAL ENVELOPE

One side of the Provisional Envelope is now for Same Day Registration provisional voters ONLY. The SDR side of the envelope is pictured in lesson 8 and contains a Voter Registration Application.

The opposite side of the provisional envelope is for NON-Same Day Registration provisional voters. Please be sure to utilize the correct side.

## Provisional Ballot Log UPDATE

For any provisional ballot that you accept, you should have an account of this voter on the provisional ballot log. The Provisional Ballot Log has changed! Reason Code #2 has been removed and Reason Code #7 has been labeled as "Voter did not show required ID and declined to complete ID confirmation statement." See lesson 8 for an image of this document.



# Lesson 10: Emergency Planning and Response

## Overview:

This course provides an overview of emergency planning and response. You will receive locality-specific instructions from your general registrar based on local contingency and continuity of operation plans.

## Topics Covered:

- Local Contingency Plan
- Before, During, and After an Emergency
  - Evacuation Plan
  - Emergency Equipment
  - Assigning Tasks
  - Emergency Numbers
  - Incident Report Form
- Specific Scenarios
  - Staffing
  - Voting Equipment
  - Conduct Issues
  - Court-extended Voting Hours

## Before an Emergency

See all five categories below to learn about how to prepare before an emergency.

- Evacuation Plan- Designate a meeting site. Locate building exits. Who is responsible for election materials and equipment? Have an Evacuation Plan in place. Select a meeting site outside of the building to meet in case of evacuation. If possible, provide diagrams or maps indicating exits and meeting site.
- Emergency Equipment- Know where to locate a first aid kit and fire extinguisher. Have a phone and emergency phone list with important numbers such as emergency services and the general registrar.
- Assign Tasks- Establish who will announce an evacuation, get a headcount inside, direct people to exits and meeting site, and confirm headcount outside. Also, establish who

will secure election materials & equipment and contact emergency responders, general registrar, and electoral board.

- Secure Election Materials and Equipment- Follow local emergency plans including cell phones and contact lists, emergency paper pollbook & count forms, all unmarked paper ballots, and emergency ballot box. If possible, note the last pollbook counter and note the 'public counter' number on voting machines. Remember: you need Electoral Board approval before you begin emergency voting.
- Emergency Call List- Emergency/contact phone numbers should be included in the polling place materials picked up prior to Election Day. Make sure you have emergency numbers for the general registrar, Electoral Board, Department of Elections, law enforcement, Fire and Emergency Medical Technician (EMT). Keep a list of emergency contact numbers for all officers of election (including yourself). Make sure everyone can access the list if needed.

### **During an Emergency**

If necessary, follow plans to evacuate the building: direct people to predetermined meeting areas, ensure all persons are evacuated (headcount), notify general registrar ASAP, secure election materials and equipment as instructed.

### **After an Emergency**

Attempt to resume the election if possible. Attempt to relocate the election if necessary. Complete an Incident Report Form.

1. Relocation - Request authorization from the Electoral Board to move the polling place if necessary. If relocation is authorized, post directions to the new location on all entryways. Attempt to resume the election at the predetermined assembly point if circumstances permit.
2. Incident Report Form - Complete and file an Incident Report Form for any emergency, equipment malfunction, or complaint alleging illegal conduct or elections offense. When in doubt, fill it out!

### **Scenarios:**

Read each bullet below to review emergency scenarios.

- Chief has not arrived by 5:15am- Any officer of election should call the general registrar.
- Short on Election Officials- Notify the general registrar's office and proceed to open the polls.

- Electronic Pollbook Malfunction- Notify your general registrar immediately. If there are no functional pollbooks you will be instructed to use the paper pollbooks or issue provisional ballots. If instructed to issue provisional ballots, the envelope should be marked as reason: 'Other: Pollbook Malfunction'. Backup electronic pollbooks should be delivered within 1 hour. Printed pollbooks should be included in your polling place materials.
- Optical Scanner Malfunction- Notify your general registrar immediately. Allow voters to vote on the printed ballots & place in a secure container used exclusively for that purpose. If an operational scanner is available in the polling place after the polls close, remove the uncounted ballots and feed them into the scanner once at a time. If an operational scanner is not available in the polling place after the polls close, the ballots will be scanned into an optical machine later. Remember: do not remove the malfunctioning equipment from the polls.
- Disorderly Conduct- It is a Class 1 misdemeanor for anyone to hinder, intimidate, or interfere with a voter's ability to cast a secret ballot. An officer of election should order such a person to stop any such activity. If they do not promptly desist, the officers of election or a majority of them, may order their arrest.
- Traffic and Parking- For issues such as traffic & parking, which require police attention, but are not emergencies, the chief officer will contact the general registrar and the general registrar will call the local law enforcement agency.
- Power Failures- If power fails to specific equipment, reset surge protectors and check all power connections. If power fails to the entire facility, report the failure to your general registrar immediately & follow their instructions. Use emergency voting procedures if authorized and file an incident report form.
- Court Extends Voting Hours- Persons in line at 7 PM must be allowed to vote normally. This is true regardless of whether the court extends voting hours. Persons arriving to vote after 7 PM, but before the extended voting time, cast a provisional ballot. Ballots cast and counts taken during extended polling hours must be kept separate from normal ballots and counts.

## **Conclusion:**

This concludes the overview of emergency planning and response.

Remember, each locality and precinct is unique. You should always follow locality-specific instructions from your general registrar based on local contingency and continuity of operation plans.

# Lesson 11: Accessibility and Etiquette

## Overview:

This training information provides a high-level overview of accessibility requirements established by Virginia law and an introduction to etiquette when interacting with people with disabilities. You will receive locality-specific instructions from your general registrar.

## Topics Covered:

- Legal Requirements
- Providing Assistance
- Polling Place Setup for Accessibility
- Etiquette
- Curbside Voting

## Legal Requirements (voting equipment requirements):

Federal and Virginia state law require polling places to be accessible to qualified voters. Every qualified voter has the right to vote, regardless of whether he or she has a mental or physical disability or limited English proficiency. All citizens of voting age are considered mentally competent unless a court has declared them incapacitated. Virginia law specifically includes the blind and visually impaired.

Every polling place must have at least one voting system equipped for individuals with disabilities. The equipment must provide the same opportunity for access and participation (including privacy and independence) as for other voters.

## Providing Assistance:

Who may request assistance - Any voter who requires assistance in voting due to a physical disability or inability to read or write can receive assistance if they request it using the ELECT-649 form pictured below. The voter may designate an officer of election or some other person to assist. Usually, an assistant will be an officer of election or someone the voter brings with them to assist. The person providing assistance *may not* be the voter's employer or agent of that employer, an officer/agent of a voter's union, or an authorized party or candidate representative.

No mark shall be required of a voter who is blind. The person providing assistance may assist the voter in the preparation of the ballot in accordance with the voter's instructions. The person providing assistance may not solicit the vote or in any manner attempt to influence the vote. The person providing assistance may not in any manner divulge or indicate, by signs or otherwise, how the voter voted on any office or question.



## Virginia Request for Assistance – Inside the Polling Place

Authority: § 24.2-649 of the Code of Virginia

**Fill out this form if you will need help completing your ballot in person.**

**Do you need help?**

- Yes, I will need help. – Complete this form and return it.
- No, I do not need help. – This form is not needed. You do not need to return it.

### Voter (I will have help completing my ballot)

**Voter's Name:**

Last Name

First Name

Middle Name

Suffix

**Voter's Affirmation:**

- I require assistance completing my ballot because I am blind, have a disability, am unable to read or write, or I need the ballot translated into another language.
- I want the person listed in Section B below to enter the voting booth to assist me or to vote my ballot according to my instructions.

**Voter Sign Here:**

**X**

Voter Signature (or mark)

Date

**What if I can't sign my name?**

*\*A blind voter is not required to sign or make a mark*

☐ Check here if voter is unable to sign due to disability or inability to read or write

### Assistant (the person who is helping the voter)

**Assistant's Name:**

Last Name

First Name

Middle Name

Suffix

**Assistant's Address:**

Residence Address

City

State

Zip Code

**Assistant's Affirmation:**

- I will fill out this voter's ballot as the voter instructs.
- I will not solicit or attempt to influence how the voter votes.
- I will not disclose or indicate how the voter votes on any office or question.
- I am not serving in this polling place today as an authorized representative of a political party or candidate or as a neutral observer authorized by the electoral board (See §§ 24.2-604.4 and 24.2-604.5).
- I am not the voter's employer or an agent of that employer, or an officer or agent of the voter's union (Does not apply if voter is blind).

**Assistant Sign Here:**

**X**

Assistant Signature

Date

**WARNING:** Intentionally making a materially false statement or entry on this form constitutes the crime of election fraud, which is punishable under Virginia Law as a Class 5 felony. Violators may be sentenced to up to 10 years in prison, or up to 12 months in jail and/or fined up to \$2,500.



## Virginia Request for Assistance – Inside the Polling Place

Authority: § 24.2-649 of the Code of Virginia

### If Voter Asks Officer of Elections to Translate Ballot (as Assistant)

See §§ 24.2-649 and 24.2-604(C). Any party or candidate interpreter must sign below before observing.

I hereby affirm, subject to penalty of law, that:

- I will not solicit or attempt to influence how the voter votes.
- I will not disclose or indicate how the voter votes on any office or question.

Signature	Printed Name	Representing
Signature	Printed Name	Representing
Signature	Printed Name	Representing
Signature	Printed Name	Representing

**WARNING:** Intentionally making a materially false statement or entry on this form constitutes the crime of election fraud, which is punishable under Virginia Law as a Class 5 felony. Violators may be sentenced to up to 10 years in prison, or up to 12 months in jail and/or fined up to \$2,500.

ELECT-649 rev. 7/2024

Non-English language assistance - If the voter requires assistance in a language other than English and has not designated a person to assist, an officer of election, before they assist as interpreter, shall ask authorized representatives whether they have a volunteer available who can interpret for the voter. One representative interpreter for each party or candidate, as available, is permitted to observe the officer of election's communication with the voter. The voter may designate one of the volunteer party or candidate interpreters to provide assistance.

Accessible voting booths - At least one voting system must be equipped for individuals with disabilities. One form this may take is an audio ballot. If the precinct has a voting machine with an audio ballot capability, you must notify voters requiring this assistance that such equipment is available. Do not enter the voting booth to assist the voter unless the form ELECT-649, 'Request for Assistance' (see Figure 1), is completed. If the voter is unable to sign the request,

their own mark - acknowledged by them before an officer of election - shall be sufficient signature.

Review polling place setup guidelines below:

- Pathways- Make sure pathways inside and out are unobstructed and are of adequate width. Loose rugs, plush carpets, slick floors, and the like can cause problems for people with wheelchairs, canes, and walkers. Keep pathways and rooms free of these hazards.
- Signs- Post signs midway between eye level for a standing person and one seated in a wheelchair.
- Seating- Make sure there are seats available for elderly voters or those with mobility impairments. Even if the polling place has no waiting lines, seats should be available for those lawfully present who just need to rest.

View each checkbox below to review **etiquette topics**:

- ☐ General Etiquette Assumptions - Do not make assumptions. Just because someone has a disability, do not assume they need help. Ask before helping. A person with a disability will often indicate when they need help. If they want help, ask *how* before you act.
- ☐ Physical Contact - Be sensitive about physical contact. Some people may depend on their arms for balance. Grabbing them could knock them off balance. Do not pat people on the head or touch wheelchairs or canes. People with disabilities consider their equipment part of their personal space. Be considerate of extra time that may be required to communicate or accomplish things.
- ☐ Think Before You Speak - Speak directly to the person who has the disability, not to their companion, aid, or interpreter. Use the phrase 'Person with a disability', which is better than 'disabled person' when referencing a person with a disability. Using the phrase 'person with a disability' treats the voter as a person first. Avoid outdated terms like 'handicapped', 'crippled', or 'retarded'. Try 'person who uses a wheelchair' or cane, for example, instead.
- ☐ People in Wheelchairs - Always ask before pushing someone in a wheelchair. Remember that the wheelchair is an extension of their person. Be aware of a person's reach limits. Place as many items as possible within their grasp. Ramps and wheelchair-accessible doors to the building should remain unblocked and unlocked. Per the Americans with Disabilities Act (ADA), displays should not be in front of entrances. Wastebaskets should not be in front of aisles. Boxes should not be stored on ramps.
- ☐ People who are Deaf or Hard of Hearing - Let the person who is deaf or hard of hearing take the lead in establishing the mode of communication such as lip reading, sign language, or writing notes. Talk to the person directly, clearly, and with a moderate pace.

It may help to simplify your sentences and use more facial expressions and body language. Do not shout.

- People who are Blind or have a Visual Disability - When greeting a person who is blind or has a visual disability, identify yourself. Politely ask if the voter would like assistance in navigating to a voting station. When asked to guide a person who is blind or has a visual disability, never push or pull them. Allow them to take your arm, then walk slightly ahead. As you enter the voting area with them, describe the layout and location of the voting station. For example, 'The voting station is in the school's gym. The voting station I am taking you to is at your twelve o'clock and is the fourth station in that row of voting stations. The station to cast your ballot will be at your eight o'clock near the other exit out of the gym.' Do not pet or distract a service dog. The service dog is responsible for the owner's safety and is always working. A service dog is not a pet.
- Service Dogs - Service dogs are allowed in the polling place regardless of the location's rules on animals. Do not pet, feed, or distract service dogs: they are working. You cannot ask for the dog's certification or a demonstration of what tasks the dog can perform.
- People who have Intellectual Disabilities - Voters with intellectual disabilities are eligible to vote unless they have been adjudicated to be mentally incapacitated by a court of law. Keep your communication simple. Rephrase or ask questions for better clarity and never assume what someone is saying. Stay focused on the voter as they respond to you. Allow time for them to tell or show you what they want to communicate.

### **Curbside Voting:**

Any voter age 65 or older or who has a temporary or permanent disability may request a ballot outside the polling place.

Curbside voting must take place within 150 feet of the entrance of the polling place. This area shall be clearly marked, and instructions on how to notify an officer of election of the voter's request to vote outside of the polling place shall be prominently displayed. Officers of election will bring an electronic voting device or paper ballot, depending on the precinct. The machine must be returned to its assigned location inside the polling place after the voting has finished.

If it's a paper ballot, the voter should just mark the ballot, cover, and return it to the officer of election.

During a declared state of emergency related to a communicable disease of public health threat, any voter may use curbside voting.

### **Etiquette Note:**



Please give the voting individual privacy, but don't let the voting equipment or ballot go out of your sight. Return the ballot to the polling place in a secure manner.

If your precinct uses electronic voting devices, you should walk the voter through the instructions for using the device. The machine must remain in plain view of two officers of election representing two political parties. In the case of a primary election, the machine must remain in plain view of two officers of election representing the party conducting the primary.

The machine number, time that the machine was removed and returned, the number on the public counter before and after, and the names of the officers who accompanied the machine will be recorded on the Statement of Results.

You will receive more specific instructions from your general registrar.

Remember:

1. Anyone can make a mistake. Offer an apology if you forget some courtesy. Keep a sense of humor and a willingness to communicate.
2. Do not ask questions focused on the person's condition and do not express sympathy or admiration or other feelings related to the person's disability.
3. Golden Rule: Treat people the way you want to be treated.

## **Lesson 12: Chief and Assistant Chief Officers of Election Duties**

### **Before Election Day:**

Chief and assistant chief officers of elections have several unique and important duties prior to Election Day:

- Get supplies the day before the election and verify everything is there
- Verify ballots the day before Election Day

### **Before the Polls Open**

- Welcome authorized representatives & swear in officers of election
- Review emergency procedures
- Ensure the Oath of Office is signed by all officers of election
- Verify elections supplies & set up polling room

- Supervise voting equipment and electronic pollbook set up
- Verify ballots & emergency ballot box
- Verify final absentee ballot report (AB List)
- Assign someone to put up the signs
- Open the polling place at exactly 6:00 AM, regardless of any issues occurring. It's the law.
- If more authorized representatives arrive, welcome them, and follow instructions in the Election Day Guide to check written authorization, ID, and verify registration status

### **While the Polls are Open**

- Lines- Keep the lines moving.
- Check Numbers- Periodically verify the total number of voters from all pollbook count forms or electronic pollbook is the same as the total number from the public counter on each voting unit and any paper ballots cast.
- Provisional Ballot Count- Keep track of the total number of provisional ballots cast while the polls are open.
- Closing the Polls- Close the polls at exactly 7:00 PM, unless a court within the jurisdiction orders the polls to stay open late (see the 'Extended Voting Hours' section below). A cell phone is the best source of the time (clocks and analog/non-smart watches can be wrong).

### **After the Polls Close**

1. Assign an Officer of Election to stand at the end of the line at 7:00 PM to mark the end of the line.
2. Allow those in line at 7:00 PM to vote normally.
3. Do not begin working on the results until the last person has voted and departed.
4. Be sure you get the closing tapes from the optical scanner BEFORE you shut the machines down. Once the machine is shut down, the closing tapes are no longer available.
5. Close each electronic pollbook per your locality's procedures.
6. Welcome and instruct authorized representatives.
7. Supervise obtaining the results.
8. If any absentee ballots were cast at the polling place, the Chief shall supervise the counting of absentee ballots.
9. Empty the ballot box.

## **Extended Voting Hours**

If voting hours are extended by court order, all voters voting after normal hours must vote by *provisional ballot*. Follow the instructions in the Election Day Guide, including:

- Keep ballots cast during extended voting hours separate and place in the designated envelope
- Keep a separate provisional ballot log for after-hours provisional votes

## **Announce Unofficial Results**

The Chief Officer of Election or a designated officer of election should immediately call in the unofficial results and the number of disposition (type) of all provisional votes cast to the general registrar's office. They should also announce unofficial results inside the polling place.

For elections with ranked choice voting, only the first round of voting can be announced at the polling place. Subsequent rounds will be announced later during the canvass process.

## **Results and Return Sheet**

- Complete the Statement of Results (SOR) form as instructed in the Election Day Guide or by your general registrar.
- Have all officers sign the Printed Return Sheet as instructed in the Election Day Guide.

## **Pack Envelopes and Boxes**

- Follow instructions from your general registrar or the Election Day Guide to check off each envelope/box as it is packed, sealed, and signed
- Don't forget, be sure you print at least **5 copies** of the closing tapes before the machines are shut down
- Supervise/take down the voting equipment and Electronic Pollbook units
- Supervise/take down all signs and election materials

## **Lesson 13: Election Security**

### **Protecting Election Information**

In your role as an election officer, you will have access to physical and digital records containing personal information (PII) about voters, as well as sensitive information about elections.

You are responsible for protecting personal and sensitive election information from unauthorized view or access. The law requires that you take precautions when collection, maintaining, distributing, and disposing of personal and sensitive information.

### **Protecting Voter Privacy and Election Security is Critical**

You are helping to:

- Protect the rights and freedoms of Commonwealth citizens and voters
- Limit the targeting of citizens/voters with potential disinformation related to elections
- Preserve the trust of citizens/voters of the Commonwealth in the State's electoral process
- Reduce risks from threats including cyber attacks, human error, foreign nation interference, malicious insiders, and physical attacks

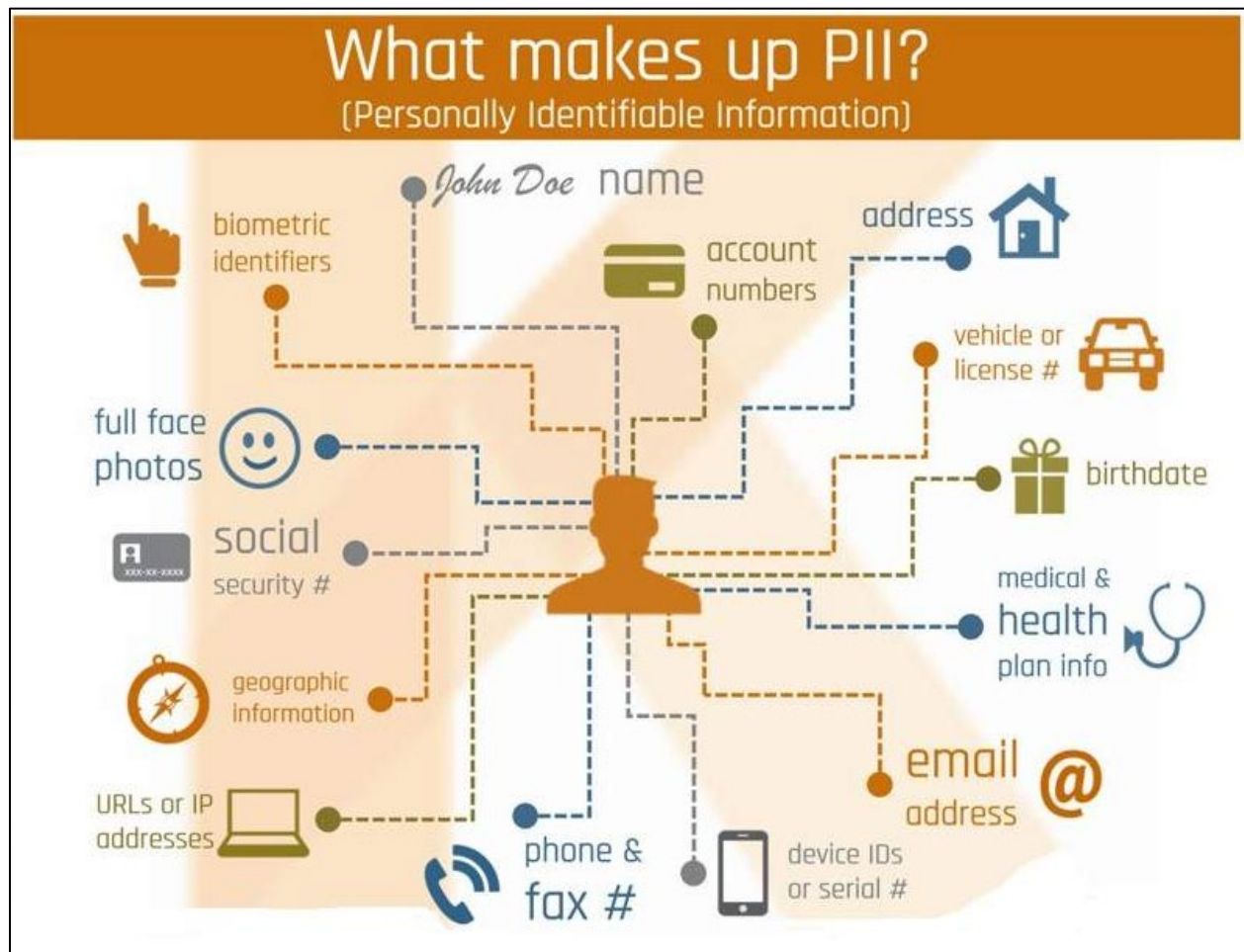
### **Personal Information**

Personal information is information that identifies, relates to, describes, is capable of being associated with, or could reasonably be linked directly or indirectly with a particular individual or household.

Examples of personal information include:

- Identifiers such as internet protocol (IP) address, email address, home address, contact information, account name, social security number, driver's license number, passport number, or other similar identifiers
- Information contained in voter registration forms, applications for absentee ballots
- Voter registration or participation history. the term does not include information that is lawfully obtained from publicly available information, or from federal, state, or local government records lawfully made available to the general public

The graphic below illustrates some personal information that could be considered Personally Identifiable Information (PII).



## Sensitive Information and Systems

### What is Sensitive information?

Sensitive information includes all records, information, and data in any format regarding:

- The security of elections offices, polling places, voting and counting equipment, ballots, the Virginia voter registration system and supporting technologies
- Personal information as defined in the Code of Virginia § 24.2-101
- Sensitive personal information
- As defined in 1 VAC 20-20-20; (iv) personally identifiable information (PII) as defined in the Code of Virginia § 18.2-186.6 and (v) information exempt or excluded from the

freedom of Information Act as described in the Code of Virginia 24.2, et seq. and 2.2-3700, et seq.

### **What is a Sensitive System?**

A system is considered sensitive if it contains personally identifiable information about individuals, information about the security of elections (physical, cyber, etc.), information regarding the Virginia voter registration system, information designated as confidential or restricted, or information (or a system) designated as sensitive by the locality or Department of Elections.

### **Limit Contact with Personal Data**

1. Do not collect personal data without authorization.
2. Only access, view, and interact with personal information when you are instructed to do so.
3. Do not share or distribute personal information to others unless they have an official need-to-know.

### **How to Keep Private Information Secure**

Any records or documents containing personal information or data (in electronic or physical form) must be:

- Protected from unauthorized access
- Stored in a secure place at all times
- Used only for official purposes
- Accessed only by authorized persons with an official need-to-know
- Deleted when no longer needed

### **Your Role: Digital Records**

Do not email a digital record unless you are instructed to do so.

- Before emailing a digital record, you are responsible to review whether it contains personal or sensitive information
- If you do email a record containing personal information, you **MUST** first encrypt it

Do not print digital records unless instructed to do so.

- When printing sensitive information on printers, pick up immediately and protect it

## **Protect Data Privacy Throughout the Data Lifecycle**

- ☐ Collection
  - Limit collection of data to only what is necessary for the conduct of elections in the Commonwealth
  - Provide data privacy notice and consent
- ☐ Usage
  - Ensure data is only used or disclosed for election purposes
  - Be aware of watermarking and other sensitive data protection techniques
- ☐ Storage
  - Learn about encrypting data when needed
  - Access should be granted only if required by assigned roles and responsibilities
  - Access should be removed upon termination or change in roles/responsibilities
  - Ensure election data is securely backed up
- ☐ Disposal
  - Be aware of policies related to secure disposal/shredding of personal/sensitive information
  - Obtain and maintain certification of secure disposal as needed

## **Privacy Breach**

### **Reporting a Privacy Breach**

- As officers of elections, you should know what constitutes a breach (unauthorized release or access) to personal information
- All locality staff should know how to report a potential breach

### **Responding to a Breach**

- Confirm breach and notify appropriate leadership personnel including legal
- Appropriate staff should investigate and contain the breach

- Assess damage and engage legal counsel for appropriate response
- Be aware of privacy policies, procedures, and guidelines

## **Lesson 14: Officer of Elections Training Quiz**

### **Officer of Elections Training Quiz**

Use the link below to access the Officer of Elections Training quiz. A score of 80% or greater is required to demonstrate completion of this course. Click on the 'Submit' button at the end of the quiz to receive an email containing your quiz score. Please forward the email with passing results to your general registrar as documentation of your successful completion of this course. Should you receive a score of less than 80%, please review the course and retake the quiz.

<https://fs28.formsite.com/vaelect/wlb30uhlcr/index>