



## OHIO SECRETARY OF STATE MAY 4, 2021 PRIMARY/SPECIAL ELECTION HEALTH GUIDANCE FOR BOARDS OF ELECTIONS

*Protecting Voters and Precinct Election Officials and Ensuring All Ohioans Can Safely Cast Their  
Vote for the May 4, 2021 Primary/Special Election*

Ohio's 88 county boards of elections continue to be in a strong position to administer all three methods of voting available to eligible voters in our state: early in-person voting and no fault absentee voting by mail will be available from April 6, 2021, through May 3, 2021, and in-person Election Day voting from 6:30 a.m. until 7:30 p.m. on May 4, 2021. Consistent with guidance issued by the Centers for Disease Control and Prevention ("CDC") to voting administrators across the United States, Ohio offers a wide variety of voting options, including more days and hours for voting than most states and significantly more than the national average, and Ohio gives voters options for reducing the number of voters within a polling location at the same time, including drop boxes at each county board of elections and curbside voting. According to the CDC, this makes for "lower risk election polling settings."

While many state legislatures and policy makers are grappling with how to safely conduct elections during a health emergency, Ohio finds itself in the fortunate position of needing only small changes to improve the already safe, secure, and accessible elections system that we have in place. Ohio has long offered three different ways to vote: by mail; early in-person during the four weeks preceding Election Day, including evenings and weekends; and in-person on Election Day. Additionally, boards of elections provide curbside voting and have a secure drop box at every board of elections for voters who do not want to enter the board office or a polling location. Further, the Secretary of State's Office required boards of elections to move polling locations out of facilities that serve vulnerable populations. Therefore, Ohio already meets the CDC's lower-risk election polling location recommendations.

Beyond that, Secretary LaRose is committed to keeping all election officials and voters as safe as possible when they are administering and participating in Ohio's elections. In consultation with the Ohio Department of Health ("ODH") and based on the CDC guidance, the Secretary of State's Office provided recommendations in August 2020 to mitigate the spread of COVID-19 in boards of elections, early vote centers, and polling

places. [Directive 2020-11](#) and [Directive 2020-16](#) set additional health precautions for the 2020 election cycle. This health guidance builds on that foundation.

We intend to continue providing the best and most current health advice available from the CDC and ODH. Therefore, the Secretary of State's Office is updating certain requirements and recommendations to mitigate the spread of COVID-19. All boards of elections must comply with the following health guidelines for the May 4, 2021 Primary/Special Election.

## **ABSENTEE VOTING BY MAIL**

- Boards of elections must promote absentee voting by mail for all voters, including the use of remote ballot marking systems for voters with a disability.
- Boards of elections must use social media, local media, and any other means available to encourage voters to request and submit an absentee ballot application. We have all become familiar with the term “flattening the curve” regarding the spread of COVID-19. The same principal applies to the absentee vote by mail process. Voters requesting and returning their ballots earlier will “flatten the curve” of processing those requests and ballots at Ohio’s 88 county boards of elections.
- According to the CDC, “although the virus can survive for a short period on some surfaces, it is unlikely to be spread from domestic or international mail, products or packaging.” Election officials who handle mail-in ballots should wash their hands frequently with soap and water for at least 20 seconds or use alcohol-based hand sanitizer.
- To further reduce the risk of transmission, boards can securely store absentee ballot applications and ballots for three hours prior to processing if time permits.
- Election officials who handle incoming absentee ballot applications and ballots must disinfect equipment and other surfaces that are frequently touched when processing absentee ballot applications and ballots.
- Boards of elections must set up stations for the mail-in ballot processing equipment as far apart as possible so staff working on different steps of processing are distanced at least six feet apart, if possible. Limit the sharing of supplies and materials between staff members. When that is not possible, ensure that materials are transferred between staff members as little as possible, while still maintaining a bipartisan process. Boards of elections should disinfect any equipment that is shared frequently and in between uses.
- Boards of elections must follow the protocols in [Directive 2020-11](#) to ensure residents of nursing homes, hospitals, and similar facilities have the opportunity and assistance needed to vote.

- Boards of election must contact their county prosecutor and the Secretary of State's Elections Counsel at [intake@OhioSOS.gov](mailto:intake@OhioSOS.gov) if the board encounters any facility that is unwilling to accommodate the solutions listed in [Directive 2020-11](#) to ensure that eligible, but confined, voters can cast their ballots.

## ELECTION OFFICIALS AND PRECINCT ELECTION OFFICIALS

- Boards of elections must instruct their staff and precinct election officials to take their temperature prior to working at the board of elections, early vote center, or polling location. Boards should consider procuring touchless thermometers to take the temperature of those election officials and precinct election officials that have not taken their own temperature.
- All precinct election officials must take their temperature the day before and morning of Election Day. If an individual has a temperature above 100.3 degrees Fahrenheit, they must stay home. Additionally, if an individual does not feel well or has been exposed to someone with COVID-19, they must stay home. Precinct election officials must notify the board of elections immediately if they cannot serve on Election Day.
- Boards of elections must require their staff and precinct election officials to stay home if they do not feel well or have been exposed to someone with COVID-19.
- All election officials, including precinct election officials, must wear cloth face coverings at the board of elections, early vote center, and polling location. Recently, the CDC and medical professionals have reached the consensus that a face shield alone is less effective than a cloth face covering in preventing transmission of the COVID-19 virus.
  - If an election official or potential precinct election official has a documented medical condition or disability that prevents the wearing of a face covering, the board of elections has authority to decide whether to allow the person to assist in a role at least six feet apart from others.
  - Cloth face coverings can make it more difficult for people who are deaf or hard-of-hearing to lip-read, hear, or understand what people are saying. Clear face coverings or fixed clear barriers can support lip reading. Election officials should consider having clear face coverings available to ensure that voting is accessible to people with disabilities.
- Where social distancing is not possible, boards of elections should consider the use of a clear plastic barrier or face shield, in conjunction with a cloth face covering that must be worn at all times. Setting up clear plastic barriers does not require

expensive, permanent purchases. Secretary LaRose posted a how-to video which can be viewed [here](#).

- Election officials must maintain at least six feet of distance between each other and voters as much as is practicable. Election officials' check-in stations should be set up so that those working the check-in table are at least six feet apart from each other. If, for instance, two tables can be placed where one typically would be, putting additional space between the precinct election officials and voters reduces the need for plastic barriers.
- Boards of elections must direct precinct election officials and other election officials to wash their hands throughout the day with soap and water for at least 20 seconds or use alcohol-based hand sanitizer, especially after helping every curbside voter.
- The board must ensure that gloves are available to precinct election officials for performing cleaning duties and assisting voters with curbside voting. Gloves should be disposed of after each cleaning duty or curbside voting experience is completed. After each glove use, the precinct election official must throw away the gloves and wash their hands with soap for 20 seconds or use alcohol-based hand sanitizer.
- Boards of elections must prohibit communal eating, such as sharing pizza or from a crockpot. Pre-packaged or single serving food or snacks may be permitted.
- Election officials must distance themselves when in the same vehicle, as far apart as possible, when transporting elections equipment, ballots, or other election materials that require bipartisan transportation. Election officials and precinct election officials must wear cloth face coverings or PPE during transport, particularly when maintaining six feet distance is not possible. If weather allows, they should open the vehicle's windows to increase air flow.
- Boards of elections must transport ballots and other voting materials with a voting location manager and a precinct election official, employee or appointee of the board to whom an oath was given and who is a member of a different political party than the voting location manager. A law enforcement officer may help ensure their safety during transport.

## **CLEANING AND DISINFECTING ELECTION EQUIPMENT AND OTHER SURFACES AND FACILITIES**

- Boards of elections must ensure that each polling location, the board of elections, and early vote center has adequate supplies to support healthy hygiene behaviors such as soap, alcohol-based hand sanitizer, paper towels, tissues, disinfectant

wipes, and no-touch trash cans. Work with vendors to ensure that hand sanitizer will not interfere with or damage election material, such as ballots or equipment.

- Boards of elections and precinct election officials must follow the guidance of election equipment manufacturers to properly and safely disinfect election equipment, such as electronic pollbooks, touchscreen voting equipment, scanning equipment, and any election equipment that exposes either them or voters to surfaces touched by others. Boards of elections should work with their vendor to understand the equipment-specific guidance. Vendor specific guidance provided to our office is attached to this document.
- Boards of elections that use touchscreen voting equipment, such as an electronic pollbook, should consider providing a voter with a single stylus that they use throughout the entire voting transaction. If feasible, the board should allow the voter to keep the stylus. If a one-time use stylus is not feasible, boards must have a procedure for disinfecting any used stylus before it is provided to another voter. For some machines, a disposable Q-tip may work and should be considered.
- As much as possible, boards of elections and precinct election officials must minimize or eliminate the handling of shared objects, such as pens. Any item that is not possible to convert to a single use item must be disinfected between uses. Items that are not single use should be returned to a container marked for such purpose rather than handed directly to another precinct election official. Voters are encouraged to bring their own pen to the board of elections, early vote center, or polling location.
- Boards of elections must frequently disinfect surfaces that are frequently touched by election officials and/or voters, such as the check-in station, provisional ballot tables, and door handles using products with [EPA-approved emerging viral pathogens claims](#).
- Boards of elections must clean all surfaces prior to disinfecting them while setting up early vote centers, polling locations, or a board of election.
- Restrooms should be cleaned and disinfected routinely.
- Boards of elections, if renting a location, must work with the facility hosting the polling location to ensure restroom and common areas are cleaned and disinfected routinely. The task can be performed by the entity responsible for the building or by BOE staff or volunteers. CARES funds may be available for this purpose.
- Boards of elections must continue to provide information on PPE needs and procurement in the weekly PPE survey. This will help our Office focus our efforts on any unmet needs. We are working with companies to secure donations of cloth face coverings, hand sanitizer, gowns, face shields, and other PPE. Details

concerning some of these donations have recently been shared with boards. Additional details will be released as available.

## VOTERS

- Voting is a fundamental constitutional right, and all lawfully qualified and registered voters must be allowed to exercise their right to vote at their polling place on Election Day if they have not previously taken advantage of absentee voting by mail or early in-person voting.
- Because voting is a fundamental constitutional right, a voter's right to vote cannot be conditioned on any form of pre-voting test, the result of which would determine whether they are allowed inside to cast a ballot. All lawfully qualified and registered voters who present themselves to vote in-person must be allowed the opportunity to vote.
- Before Election Day, boards of elections should continue to encourage absentee voting by mail as a safe and secure alternative for all voters. Of course, many voters will still wish to vote on Election Day or early in-person. Boards of elections must offer all voters that opportunity and make curbside voting available to those who are symptomatic or concerned about exposure to the COVID-19 virus.
- Election officials must encourage all voters to wear a cloth face covering while inside or in line to vote at the board of elections, early vote center, or polling location. If a voter arrives without a face covering, they should be offered a disposable face covering. If the voter refuses to wear a cloth face covering inside, election officials should offer the voter the option of curbside voting. **However, if the voter refuses curbside voting, the voter must still be permitted to vote in-person.**
- Voters do not need to provide proof of a medical condition to vote curbside.
- Boards of elections should utilize staff or volunteers to monitor the lines to ensure social distancing and other health precautions are followed and encouraged.
- Voters may wear face shields. However, the CDC and medical professionals agree that a cloth face covering is more effective in preventing transmission of the virus.
- Boards of elections should include information in their precinct election official training regarding conflict de-escalation related to the health precautions, particularly the expectation that voters wear cloth face coverings. For example, precinct election officials and election officials should:
  - Speak with a calm voice.
  - Do not engage in discussion or speculation regarding underlying issues that may factor into the objection.

- Remind the voter that they are permitted to vote, and that they are being asked to wear a face covering for the health and safety of other voters and precinct election officials.
  - If de-escalation fails, inform a voting location manager or supervisor.
  - If a precinct election official or election official feels the safety of any person is in jeopardy, contact law enforcement.
- Boards of elections should ensure they have additional cloth face coverings to have at boards of elections, early vote centers, or polling locations for voters who may not have a face covering but are willing to wear one in the board of elections, early vote center, or polling location.
- Boards of elections should post signs providing instructions on proper wearing as well as safe removal and handling of face coverings. Per ODH guidelines, cloth face coverings are appropriate for voters, board staff, and precinct election officials. N95 medical grade masks are not required for work within a polling location or board of elections.

## **SIGNAGE FOR BOARD OF ELECTIONS, EARLY VOTE CENTER, AND POLLING LOCATIONS**

- Boards of elections must utilize signage to encourage voters to follow necessary health precautions. The Secretary of State's Office will distribute laminated door signs for all boards of elections to use at their office or early vote center and at each polling location. The Secretary of State's Office also provided templates that the boards can print on their own.
- Boards of elections must also use other visual cues or orally communicate to voters upon arrival at the board of elections, early vote center, or polling location that they should leave at least 6 feet of space between themselves and others, wear a face covering, and otherwise follow health recommendations to protect themselves and others.
- Boards of elections should place obvious markers such as tape to manage lines and remind voters to maintain social distancing while in line at the board of elections, early vote centers, or polling locations.
- Boards of elections should use signage provided by the Secretary of State's Office as well as other visual cues, and orally communicate to voters to **not** disinfect or wipe down the voting equipment themselves, but assure the voters that voting equipment is disinfected and cleaned routinely.

## LAYOUTS FOR BOARD OF ELECTIONS, EARLY VOTE CENTER, AND POLLING LOCATIONS

- Boards of elections must modify the flow of the voting transaction so that voters are moving in one linear direction (i.e. the voter is not retracing their steps or coming into contact with voters who are still in line), whenever practicable.
- If possible, boards of elections should not have doors serve as both the entry and exit. Whenever possible, designate separate entrances and exits. Boards of elections and precinct election officials should consider propping doors at polling locations open to increase air circulation and working with facility hosts to find other ways to maximize ventilation, taking into consideration weather and security concerns. Boards should also consider maximizing ventilation in transport vehicles and bathrooms, while considering weather and security concerns.
- Boards of elections may use their normal polling booth set up if voters are able to maintain at least 6 feet of distance while voting or if physical barriers separate the voters at the voting booths.
- Boards of elections may use dividers between voting machines in areas that do not accommodate 6 feet of distance between voters, but boards must try to accommodate 6 feet of distancing as much as possible.
- Check-in stations should be set up to permit election officials and voters to maintain six feet distance.
- Board of elections should arrange provisional ballot tables so that voters and precinct election officials are at least six feet apart from each other.
- Boards of elections should consider procuring a low-cost clear or transparent barrier at the check-in station and provisional ballot tables to separate the election official from the voter if six feet cannot otherwise be maintained. Secretary LaRose posted a how-to video which can be viewed [here](#). Additional examples of low-cost barriers and other innovative solutions will be shared with the boards as they are provided to our Office.
- Boards of election should control access to the building, based on building capacity and social distancing requirements; however, given the unpredictability of weather, consider distancing within a hallway or other indoor space.
- Boards of elections must work with their county department of health to determine the number of people that can fit in a room while complying with health guidelines, such as the social distancing requirements.
- Boards of elections must notify their local utility companies of the in-person absentee voting location and all polling locations for Election Day to ensure priority

service is provided to these locations during the voting period. This service includes access to water and other resources needed to ensure compliance with the cleaning requirements detailed in this Health Guidance.

- For Direct-Recording Electronic (“DRE”) voting equipment counties, the DRE machines should be placed six feet (or as far as possible) apart.
- For hybrid counties, the ballot marking devices should be placed six feet (or as far as possible) apart. Election officials should ensure that the scanners are far enough apart from the marking devices to ensure that voters waiting to scan their ballot cards may do so safely and at least six feet (or as far as possible) apart from other voters in line to scan and those who are marking their ballots.
- For optical scan counties, only one voter should be permitted to mark their ballot at each station. In some counties, each ballot marking station may normally be used by three to four voters at a time. This is no longer permissible pursuant to social distancing guidelines. Boards of elections must also use the privacy screens and marking tables to ensure social distancing and to maintain the voter’s privacy.
- Boards of elections should ensure that garbage cans are conveniently located at exits for voters who wish to discard disposable PPE, such as face coverings. Boards should also ensure these garbage cans are emptied regularly.

## OBSERVERS

- As in all elections, observers must not interfere with election officials administering the election. In this election, that includes following the prescribed health precautions to protect everyone’s health.
- Boards of elections must direct observers to practice social distancing and wear cloth face coverings. Observers must be positioned such that they are always at least six feet from everyone else.
- An observer who refuses to wear a face covering at the board of elections, early vote center, or a polling location may be removed for obstructing voting. Voting location managers, directors, and deputy directors have the authority to administratively remove observers from their posts if necessary.
- For observation of the unofficial and official canvass, boards should consider offering a live stream which can be viewed by the general public. If this option is not chosen, the board should offer remote access to recognized observers via livestream, video conference, or similar technology in lieu of observers being physically present. Boards must also consider observers in their plans for social distancing and sanitizing protocols, should observers insist on attending in person.

- Observers of the unofficial and official canvass should have their own personal protective equipment and face coverings and wear them at the office of a board of elections. Boards may provide such equipment to an observer who is unable to secure it.