



# Jon Husted Ohio Secretary of State

180 East Broad Street, 16th Floor  
Columbus, Ohio 43215  
Tel: (877) 767-6446 Fax: (614) 644-0649  
[www.OhioSecretaryofState.gov](http://www.OhioSecretaryofState.gov)

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## **DIRECTIVE 2011- 42**

December 19, 2011

To: ALL COUNTY BOARDS OF ELECTIONS

Cc: ALL CHAIRPERSONS OF COUNTY PARTY EXECUTIVE COMMITTEES

Re: **Appointments to the Board of Elections in Each County for Full Terms  
Commencing March 1, 2012 and Reorganization**

### **Summary:**

This Directive describes the process for county party executive committees to submit candidates for board of elections appointments between January 1 and February 15, 2012, for full terms beginning March 1, 2012 to the Secretary of State.

Each board of elections is instructed to forward a copy of this Directive, along with the forms provided and Directive 2007-35 Ethics Policy (attached), to the Democratic and Republican Party Executive Committee chairpersons of the county.

This directive also describes the process for the boards of elections' reorganization which must occur between March 2 and March 6, 2012.

### **I. Appointment Procedure:**

The Secretary of State is required to appoint two members to each county board of elections – one from each major political party – to four-year terms commencing March 1, 2012. (R.C. 3501.06).

The county executive committees of the two major political parties must each meet 15 to 60 days before the expiration date of the term of board members to make and file a recommendation with the Secretary of State for the appointment of a qualified elector to serve as a board member. **By law, the committee meeting must be held no earlier than January 1, 2012 and no later than February 15, 2012.** The Secretary is required to return any recommendation of appointment indicating that the county executive meeting was held prior to January 1, 2011 as authorized by law.

Electors recommended for appointment, including current board members, may undergo a background check. In order to facilitate the background checks, all persons recommended for appointment to a board of elections must complete Form No. 302-A and 302-B, including information related to any misdemeanor or felony convictions. This information about criminal convictions bears a direct and substantial relationship to the position of member of a board of elections because of the need for public confidence in the integrity of election officials. Any

criminal convictions, of state or federal statutes involving elections or ethics laws disqualify an individual from serving as a member of a board of elections.

To ensure that there will be sufficient time for our office to review and process the paper work for each elector recommended, it would be helpful if each executive committee submit its recommendation to the Secretary of State's office no later than **February 3, 2012**, on the forms provided with this directive.

The county party executive committees must submit the following properly completed documents:

1. Executive Committee Recommendation for Appointment (Form No. 300), to be completed by the Chairman and Secretary of the Executive Committee and the prospective appointee;
2. Background Check Disclosure, Authorization and Release for Prospective Appointment as a Member, Director or Deputy Director of the Board of Elections (Form No. 302-A), to be completed by the prospective appointee;
3. Questionnaire for Prospective Appointee (Form No. 302-B), to be completed by the prospective appointee.
4. For electors recommended for appointment, a resume setting forth the prospective appointee's qualifications to be a member of a board of elections (i.e., education, employment history, etc.).

Each board of elections is instructed to forward a copy of this Directive, along with the forms provided and Directive 2007-35 Ethics Policy (attached), to the Democratic and Republican Party Executive Committee chairpersons of the county.

Each county party executive committee must submit the appropriate, properly completed forms using one of the following methods:

- Fax: 614-752-4360
- Email: [mhawkins@sos.state.oh.us](mailto:mhawkins@sos.state.oh.us)
- Ohio Secretary of State Elections Division  
Attention: Myra Hawkins  
PO Box 2828  
Columbus OH 43216

When appointed, the individual will be notified by mail and will be provided with a certificate of appointment and oath of office. The oath must be taken and subscribed to before a person authorized to administer oaths and filed with the clerk of the court of common pleas not later than fifteen days from the date of appointment.

At a later date, each board of elections will receive details about the voluntary regional swearing-in ceremonies and mandatory orientation meetings for the newly appointed board members.

## **II. Reorganization:**

Boards of Elections are required to "reorganize" between March 2, and March 6, 2012. (R.C. 3501.09).

**A. The Reorganization Meeting must be conducted following these steps, in order, pursuant to R.C. 3501.09:**

**Step 1 Select a Temporary Chairperson**

- The current chairperson or member with the most seniority calls the meeting to order.
- A “temporary chairperson” is elected from among the members present to chair the meeting. A simple majority vote of the Board is sufficient to select a temporary chairperson.

**Step 2 Appoint a Director**

- Nominations are made for Director – the person nominated must be of the same political party as the board member making the nomination.
- A majority of three affirmative votes is necessary to select a Director.
- If, after five votes of the board resulting in a tie, the Board shall submit the matter to the Secretary of State as described below.

**Step 3 Appoint a Deputy Director**

- Nominations are made for Deputy Director – the person nominated must be of the same political party as the board member making the nomination. The Deputy Director must be of a different major political party than the Director.
- A majority of three affirmative votes is necessary to select a Deputy Director.
- If, after five votes of the board resulting in a tie, the Board shall submit the matter to the Secretary of State as described below.
- If the Board does not nominate a Deputy Director at this time, they must, by a majority of three affirmative votes, agree that the position of deputy director is not necessary as of the date of the biennial reorganizational meeting. This decision can be subsequently revisited at any time after the reorganizational meeting, again, with a majority of three affirmative votes.

**Step 4 Appoint a Chairperson**

- After the selection of the Director and Deputy Director, nominations are made for Chairperson – the person nominated must be of the opposite political party of the Director.
- If upon the first ballot, no person receives a simple majority vote, the board member affiliated with a different major political party than the Director having the shortest term to serve on the Board shall be the chair.

**B. Tie Votes**

- If after five ballots for selection of a Director or a Deputy Director, no person nominated has received the affirmative votes of at least three members, immediately contact the elections attorney assigned to your county for the proper method for submitting the tie vote to the Secretary of State for consideration.

**C. Oath**

- Before entering upon the duties of the office, the newly-appointed Director, Deputy Director, and board employees must take an oath and subscribe to having taken the oath to support the constitutions of the United States and the State of Ohio, to perform all the duties of the of his or her position to the best of his or her ability, to enforce the election laws, and to preserve all records, documents, and other property pertaining to the conduct of elections that are placed in his or her custody. The signed statement attesting to having taken the oath must be kept on record at the board of elections office. (R.C. 3501.13 and R.C. 3501.14)

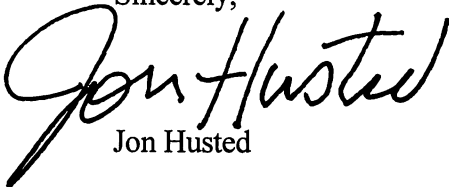
**D. Report**

- Immediately after the reorganizational process, the completed report of your county's reorganization meeting must be forwarded to the Secretary of State's office. Forms 302-A and 303 for all Directors and Deputy Directors, Form 304 for all Chairpersons, and Form 350 for any non-incumbent Director, Deputy Director or Board Member, must be completed and returned to Myra Hawkins **no later than March 16, 2012** by one of the following methods:

- Fax: 614-752-4360
- Email: [mhawkins@sos.state.oh.us](mailto:mhawkins@sos.state.oh.us)
- Ohio Secretary of State Elections Division  
Attention: Myra Hawkins  
PO Box 2828  
Columbus OH 43216

If you have any questions concerning this procedure, please contact your assigned elections attorney at 614-466-2585.

Sincerely,



Jon Husted



**JENNIFER BRUNNER**  
**OHIO SECRETARY OF STATE**

180 East Broad Street, 15<sup>th</sup> floor  
Columbus, Ohio 43215-3726 USA  
Tel.: 1-614-466-2655  
Fax: 1-614-644-0649  
[www.sos.state.oh.us](http://www.sos.state.oh.us)

**DIRECTIVE 2007-35**

December 11, 2007

To: ALL COUNTY BOARDS OF ELECTIONS AND ALL EMPLOYEES OF THE OHIO SECRETARY OF STATE'S OFFICE

Re: Adoption of the Secretary of State's Ethics Policy

This directive concerns the creation of an ethics policy. To assure Ohio citizens that Ohio elections officials are maintaining the highest level of integrity and complying with all legal requirements, it is necessary to have a comprehensive ethics policy for Ohio elections officials that is consistently applied throughout the state. A comprehensive ethics policy also provides guidance to Ohio elections officials when questions arise. Therefore, in accordance with my authority under Title 35 of the Ohio Revised Code, I adopt the Secretary of State's Ethics Policy attached to this Directive.

Members and Employees of the Boards of Elections

All members and employees of the boards of elections must comply with Ohio's ethics laws and the provisions of the Secretary of State's Ethics Policy applicable to them. All current and future members and employees of the boards of elections shall complete the Ethics Policy Acknowledgment Form (SOS Form No. 350) attached to this directive. A copy of the completed form shall be returned to the secretary of state's Elections Division.

Poll Workers

All poll workers (including election judges, rovers, scouts, and other similar, temporary election-day positions) appointed by the boards of elections must comply with Ohio ethics laws and the provisions of the Secretary of State's Ethics Policy applicable to them. All current and future poll workers shall complete the Ethics Policy Acknowledgment Form (Form No. 351) attached to this directive. The board of elections shall keep the completed form for poll workers.

Employees of the Secretary of State

All employees of the secretary of state must comply with Ohio ethics laws and the provisions of the Secretary of State's Ethics Policy applicable to them. All current and future employees of the secretary of state shall complete the Ethics Policy Acknowledgment Form (SOS Form No. 350) attached to this directive. The completed form shall be kept in the employee's personnel file.

Appointees of the Secretary of State

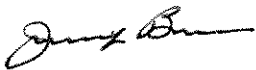
All individuals appointed to uncompensated and advisory positions by the secretary of state must comply with Ohio ethics laws and the provisions of the Secretary of State's Ethics Policy applicable to them. All such appointees shall complete the Ethics Policy Acknowledgment Form (Form No. 352) attached to this directive and return the completed form to the secretary of

state. The completed form for all uncompensated and advisory appointees shall be kept on file in the secretary of state's office.

The Ethics Policy may be amended from time to time, and this office will notify the boards of elections of any amendments through Advisories.

If you have any questions or need additional information then please contact the Elections Division legal staff assigned to your board at 614-466-2585.

Sincerely,

A handwritten signature in black ink, appearing to read "Jennifer Brunner", with a stylized flourish at the end.

Jennifer Brunner

Ohio Secretary of State Jennifer Brunner  
Ethics Policy for Employees of the Secretary of State and  
Members and Employees of Ohio's Boards of Elections

Issued December 11, 2007

*Introduction*

Employees of the secretary of state and members and employees of Ohio's boards of elections hold positions of public trust. The citizens of the State of Ohio expect a government that is open, fair, responsive, professional, and free of conflicts of interest. In order to promote public confidence in Ohio government and elections, all employees of the secretary of state and members and employees of the boards of elections shall comply with Ohio ethics laws and the ethics policy of the Ohio Secretary of State.

*I. Professionalism*

Government exists for the public good, and public officials and employees must place the public good ahead of personal interests. Employees of the secretary of state and members and employees of the boards of elections shall perform their duties in a professional manner. Professionalism requires that all citizens be treated with dignity, courtesy, and respect. The same standard applies to interactions with co-workers and employees of other government agencies in personal communications and in electronic communications. All employees of the secretary of state and members and employees of the boards of elections shall comply with the secretary of state's non-discrimination policy in the performance of their duties.<sup>1</sup>

Professionalism also requires openness and responsiveness. All public records requests shall be addressed promptly and timely provided, or an explanation provided to the person requesting the information if the information cannot be provided. To the extent that Ohio's open meetings law (sunshine law) applies to board of elections meetings, members and employees of the boards of elections shall comply with Ohio's open meetings law in the performance of their duties.

Employees of the secretary of state and members and employees of boards of elections must be careful stewards of public funds and make expenditures wisely in furtherance of their public duties.

*II. Compliance with Ohio Ethics Laws*

- A. Ohio ethics laws are enumerated in Ohio Revised Code Chapters 102 and 2921 as well as in the Ohio Ethics Commission's advisory opinions and in case law. All employees of the Ohio Secretary of State and members and employees of the

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<sup>1</sup> The office of the secretary of state is an Equal Opportunity Employer and shall not discriminate on the basis of race, color, religion, sex, national origin, disability, age, sexual orientation, gender identity or expression, veteran status or ancestry of any person.

Ohio boards of elections shall familiarize themselves with Ohio ethics laws and comply with Ohio ethics laws at all times.

B. Key provisions of Ohio ethics laws include:<sup>2</sup>

1. Public officials and employees are prohibited from authorizing or using their position to secure authorization of contracts that benefit themselves, their family members, and their business associates.
2. Public officials and employees are prohibited from authorizing or using their position to secure the authorization of investment of public funds in any security to benefit themselves, their family members, and their business associates.
3. Public officials and employees are prohibited from receiving any benefit from contracts entered into by their public agency.
4. Public officials and employees are prohibited from hiring or securing contract benefits for their family members, including spouses, parents, grandparents, children, grandchildren, or siblings, or any other relatives living in their home.
5. Public officials and employees are prohibited from soliciting or accepting substantial things of value, including, but not limited to, gifts, travel, meals, and lodging.
6. Public officials and employees are prohibited from participating in matters that will result in something of value being received by the public official or employee, their family members, their business associates, or others with whom they have a close tie that could impair the public official or employee's objectivity.
7. Public officials and employees are prohibited from disclosing or using information that is deemed confidential by law.
8. Public officials and employees are prohibited from representing parties before any public agency in a matter in which the public official or employee was involved as a public servant, both during and for one year after leaving public service.

An example of prohibited conduct would be an employee of the secretary of state or a board of elections soliciting or receiving a gift personally benefiting the employee from a person seeking to file a declaration of candidacy with the secretary of state or a board of elections.

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<sup>2</sup> Ohio Ethics Commission, *General Information Fact Sheet* (2007).

Employees of the secretary of state and members and employees of the boards of elections should consult with the Ohio Ethics Commission for more specific information about Ohio ethics laws: [www.ethics.ohio.gov](http://www.ethics.ohio.gov) or 614-466-7090.

### C. Prohibition Against Hiring Family Members

Under Ohio ethics laws, a member or employee of the board of elections may not take any part in the decision to hire his or her family member<sup>3</sup> as a board employee. Moreover, Secretary of State Directive 2007-01 specifically prohibits boards of elections from hiring relatives of board of elections members, directors, and deputy directors, **except for** hiring poll workers (which includes election judges, rovers, scouts, and other similar, temporary election positions). Therefore, the remaining board of elections members **may** hire/appoint poll workers who are family members of an individual board member, the director, or the deputy director, as long as the individual board member, director, deputy director, or board employee does not participate in the decision to hire his/her own family member or in any decision specifically concerning the terms and conditions of his/her own family member's employment/appointment.

### D. Compliance with Codes of Professional Conduct

Employees of the secretary of state and members and employees of the boards of elections who are licensed professionals shall comply with the codes of professional conduct for their professions. For example, employees of the secretary of state and members and employees of the boards of elections who are attorneys admitted to the Ohio Bar shall comply with the Ohio Rules of Professional Conduct as promulgated and interpreted by the Supreme Court of Ohio and the advisory opinions authored by the Board of Commissioners on Grievances and Discipline.

## III. *Political Activity*

- A. Under R.C. 124.57, all officers and employees of the state of Ohio who are classified civil service employees are prohibited from engaging in political activity beyond voting and exercising their First Amendment right to express political opinions.
- B. All employees of the secretary of state who are not classified civil service employees and all members and employees of the boards of elections shall comply with the provisions of Ohio law that limit their political activity:
  - 1. Under R.C. 3501.052, the secretary of state shall not serve as campaign treasurer or in any other official capacity for any campaign committee for any candidate for any federal, state, or local office (except for an office for which the secretary of state is a candidate), for any committee named in initiative or

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<sup>3</sup> For the purpose of this ethics policy, "family member" includes spouse, domestic partner, mother, father, step-mother, step-father, mother-in-law, father-in-law, brother, sister, step-brother, step-sister, half brother, half sister, brother-in-law, sister-in-law, grandmother, grandfather, aunt, uncle, child, step-child, son-in-law, daughter-in-law, or other family member living in the same household.

referendum petition, for any person making disbursements for the direct cost of producing or airing electioneering communications, or any other committee regulated under Chapter 3517 of the Revised Code.

2. Under R.C. 3501.15, no member, director, deputy director, or employee of a board of elections shall be a candidate for elective office while employed the board of elections, except for candidates for election as delegate or alternate to a political party convention, presidential elector, member of a political party committee, or board of directors of a county agricultural society.
  3. R.C. 3501.15 also prohibits poll workers from serving in any precinct where the poll worker is a candidate on the ballot, except for unopposed candidates for a political party county central committee.
  4. Under R.C. 3517.092(B), the secretary of state, her campaign committee, and employees of the secretary of state's office may not knowingly solicit or accept contributions from employees of the secretary of state.
  5. R.C. 3517.092(D)(1) prohibits all public employees from soliciting contributions from anyone while the public employee is performing his or her duties or is in the areas of a public building where official business is transacted or conducted.
  6. R.C. 3517.092(D)(2) prohibits anyone from soliciting contributions from any public employee while the public employee is performing his or her duties or is in the areas of a public building where official business is transacted or conducted.
- C. The public policy behind these statutory prohibitions favors the separation of politics from the elections duties of the secretary of state, employees of the secretary of state, and the members and employees of the boards of elections to ensure public confidence in Ohio elections. Consistent with these public policy considerations and policies of prior administrations, employees of the secretary of state and members and employees<sup>4</sup> of the boards of elections shall not engage in the following political activities:
1. Serving as caucus coordinator for any presidential candidate at a congressional district caucus to select delegates and alternates to a political party convention.

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<sup>4</sup> For the purposes of section III, C of this policy, "employees of the boards of elections" **do not include** poll workers, election judges, rovers, scouts, or other similar, temporary election workers. For specific restrictions on poll workers and other similar, temporary board of election employees, see **section V** below.

2. Circulating a petition for any candidate (other than their own petition for an elected or political party office), issue, initiative, referendum, or constitutional amendment, when that employee's regular or intermittent duties involve the processing of the petitions in question, including but not limited to the determination of the sufficiency and validity of the petition in question. (See section III, G below).
  3. Wearing or distributing shirts, buttons, stickers, or other campaign paraphernalia for or against any candidate or issue at the office of the Secretary of State, at the office of the board of elections, or at any polling place.
  4. Engaging in any political activity while on state time or board of elections time.
- D. Also consistent with these public policy considerations and policies of prior administrations, employees of the secretary of shall not engage in the following political activities:
1. Employees of the secretary of state shall not be a candidate for elected office while employed by the secretary of state, except for candidates for election as delegate or alternate to a political party convention, presidential elector, or member of a political party committee.
  2. Any employee of the secretary of state who is seeking elected office, other than the political party offices listed in this section, shall resign his or her position upon the certification of his or her candidacy by a board of elections or the secretary of state.
  3. Employees of the secretary of state shall not serve as campaign treasurer, paid campaign staff, paid consultant, or any other official campaign capacity for any statewide candidate, any candidate who files paperwork with the secretary of state, or any statewide issue, initiative, referendum, or constitutional amendment while serving as an employee of the secretary of state.
  4. Employees of the Secretary of State shall not serve as poll workers.
- E. Also consistent with these public policy considerations and policies of prior administrations, employees<sup>5</sup> of the boards of elections shall not engage in the following political activities:
1. Board of elections members and employees shall not serve as campaign treasurer, paid campaign staff, paid consultant, or any other paid campaign

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<sup>5</sup> For the purposes of section III, E of this policy, "employees of the boards of elections" **do not include** poll workers, election judges, rovers, scouts, or other similar, temporary election workers. For specific restrictions on poll workers and other similar, temporary board of election employees, see **section V** below.

capacity for any candidate, issue, initiative, or referendum in the county or within the jurisdiction of the board of elections while serving as a board member or employee of the board of elections.

2. Any board of elections member or employee seeking elected office, other than the offices listed in R.C. 3501.15 (see section II,B,2 above), shall resign his or her position with the board of elections upon the certification of his or her candidacy by a board of elections or the secretary of state.

- F. Employees of the secretary of state who are not classified civil service employees, and members and employees of the boards of elections, may be members of political parties, hold political party offices, serve as a member of political party committees and caucuses, serve as delegate or alternate to a political party convention, serve as a presidential elector, contribute to candidate and issue campaign committees, sign candidate and issue petitions (as an elector), and engage in other political activities when not performing their official duties, not in public buildings or polling places, and not on state or board of elections time, as long as the political activities do not violate this ethics policy, Ohio law, or federal law.
- G. No service or benefit may be provided by an employee of the secretary of state or a member or employee of a board of elections while performing his or her official duties to any political party, candidate, or issue group unless the same service or benefit is available on the same terms to all political parties, candidates, and issue groups.
- H. Employees of the board of elections (other than the director and deputy director) may circulate petitions for candidates, issues, initiatives, and referenda **only if** they do not participate in any way in reviewing or determining the sufficiency or validity of those petitions filed with or reviewed by the board of elections.

#### *IV. Avoiding Conflicts of Interest and the Appearance of Impropriety*

- A. Employees of the secretary of state and members and employees of the boards of elections shall not participate in the consideration of any matter involving family members,<sup>6</sup> business associates,<sup>7</sup> or other individuals or entities with whom they have a close association. For example, an employee of the secretary of state may not perform a review of the business filing of a family member or business associate for the purposes of approving the filing. Similarly, a member of a board of elections shall not participate in the consideration of any matter related to the certification of the candidacy of his or her family member or business associate.

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<sup>6</sup> See footnote 3, above for the definition of "family member."

<sup>7</sup> For the purpose of this ethics policy, "business associate" means any person with whom the election official is pursuing an ongoing business enterprise. See Ohio Ethics Commission Advisory Opinion No. 2003-02. Examples include, but are not limited to, the election official's employer, employee, and business partner.

- B. Employees of the secretary of state or members or employees of the board of elections shall not participate in the consideration of any matter in which they have a personal or economic interest. For example, no employee of a board of elections may review the petition of a committee seeking a referendum repealing a zoning ordinance affecting his or her real property or that of a family member or business associate.
- C. Employees of the secretary of state and members and employees of the boards of elections should avoid actions and associations that create an appearance of impropriety, that undermine public confidence in Ohio elections officials, or that interfere with the performance of duties by Ohio elections officials.
  - 1. Employees of the secretary of state and members and employees of the boards of elections are hereby advised not to write letters to the editor of a newspaper or post comments on an internet blog in favor of or against any candidate or issue, identifying his or her position as an Ohio elections official.
  - 2. Employees of the secretary of state and members of the board of elections who sign candidate and issue petitions as an elector should not participate in any way in reviewing or determining the sufficiency or validity of those petitions filed with or reviewed by the board of elections.

#### *V. Pollworkers*

- A. R.C. 3501.15 prohibits poll workers from serving in any precinct where the poll worker is a candidate on the ballot, except for unopposed candidates for a political party county central committee.
- B. Poll workers (including elections judges, rovers, scouts, or similar, temporary election workers) may not serve in any precinct in which a family member or business associate is a candidate for elected office, unless the candidate is unopposed, including no declared write-in candidates for the office.
- C. Pollworkers (including elections judges, rovers, scouts, or similar, temporary election workers) shall not wear or distribute shirts, buttons, stickers, or other campaign paraphernalia for or against any candidate or issue at the office of the Secretary of State, at the office of the board of elections, or at any polling place.
- D. Pollworkers (including elections judges, rovers, scouts, or similar, temporary election workers) shall not engage in any political activity while on board of elections time.
- E. Pollworkers (including elections judges, rovers, scouts, or other similar, temporary election workers) should avoid actions and associations that create an appearance of impropriety, that undermine public confidence in Ohio elections officials, or that interfere with the performance of duties by Ohio elections officials.

## *VI. Vendors and Appointees of the Secretary of State*

- A. All individuals and entities that contract with the office of the secretary of state shall certify that they are in compliance with Ohio ethics laws and that they will continue to abide by Ohio ethics laws.
- B. All individuals appointed to uncompensated positions and advisory boards (such as the Voting Rights Institute) by the secretary of state shall sign a statement indicating their knowledge of and familiarity with Ohio ethics laws and the secretary of state's ethics policy, that they will comply with Ohio ethics laws and the secretary of state's ethics policy, and that they will not use their appointed position for personal gain or to improperly influence the employees of the secretary of state or members or employees of the boards of elections in the performance of their official duties. The statement shall be kept by the secretary of state.

## *VII. Training, Reporting, and Enforcement*

- A. All current and future employees of the secretary of state and current and future members and current and future employees of the boards of elections (including pollworkers, election judges, rovers, scouts, and other similar, temporary election employees appointed by the boards of elections) shall sign a statement indicating their knowledge of and familiarity with Ohio ethics laws and the secretary of state's ethics policy. For employees of the secretary of state, the signed statement shall be kept in the employee's personnel file. For board of elections members and employees, a copy of the completed form shall be forwarded to the secretary of state's Elections Division. For pollworkers (including election judges, rovers, scouts, and other similar, temporary election employees) the completed form shall be kept at the board of elections.
- B. All employees of the secretary of state and members and employees of the boards of elections shall participate in any training offered by the secretary of state regarding ethics that is developed by the legal services, elections, and human resources divisions of the secretary of state's office in coordination with other state ethics agencies.
- C. For employees of the secretary of state, questions about this ethics policy may be addressed to your supervisor, director, the legal services division, or the chief of staff. Questions about Ohio ethics laws may also be addressed by the Ohio Ethics Commission: [www.ethics.ohio.gov](http://www.ethics.ohio.gov) or 614-466-7090.
- D. For members and employees of the boards of elections, questions about this ethics policy may be addressed to the elections attorney assigned to your county, the director of elections in the Secretary of State's office, or your regional liaison. Questions about Ohio ethics laws may also be addressed by the Ohio Ethics Commission: [www.ethics.ohio.gov](http://www.ethics.ohio.gov) or 614-466-7090.

- E. For employees of the secretary of state, violations of this policy may be reported to your supervisor, your director, the legal services division, or the chief of staff. Reports also may be made anonymously by submitting a written statement in a sealed envelope to a location designated by the chief of staff.
- F. For members and employees of the boards of elections, violations of this policy may be reported to the director of elections in the secretary of state's office, your regional liaison, or the elections attorney assigned to your county. Reports also may be made anonymously by mailing a written statement in a sealed envelope to the secretary of state's office to the attention of the director of elections.
- G. For pollworkers (including elections judges, rovers, scouts, or other similar, temporary election workers), violations of this policy may be reported to the director or deputy director of the board of elections. Reports also may be made anonymously by mailing a written statement in a sealed envelope to the board of elections to the attention of the director or deputy director.
- H. Violations of Ohio ethics laws may also be reported to the Ohio Ethics Commission: [www.ethics.ohio.gov](http://www.ethics.ohio.gov) or 614-466-7090.
- I. Violations of this ethics policy by an employee of the secretary of state may result in discipline, which may include dismissal of the employee.
- J. Violations of this ethics policy by a member or employee of the boards of elections may result in disciplinary action in accordance with the secretary of state's statutory authority under Title 35 of the Ohio Revised Code, including removal of a board member or board employee.
- K. Violations of this ethics policy by a pollworker (including elections judges, rovers, scouts, or other similar, temporary election workers) may result in dismissal from service and no opportunities for further service as a pollworker.
- L. Violations of Ohio ethics laws may be a criminal offense and may result in criminal sanctions.

## **ETHICS POLICY ACKNOWLEDGMENT FORM**

To be completed by members and employees of the Ohio boards of elections and employees of the secretary of state. For board of elections members and employees, a copy of this completed form is to be filed with the Secretary of State's Election's Division. For Secretary of State employees, return the completed form to your supervisor.

Directive 2007-35

I \_\_\_\_\_ hereby acknowledge that I have reviewed the  
(Printed name of board member or board/sos employee)

Secretary of State's Ethics Policy and Ohio ethics laws, that I will comply with the same, and that failure to comply with the ethics policy or Ohio ethics laws may result in disciplinary action, which may include dismissal for employees of secretary of state or removal for members and employees of the boards of elections.

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(Signature of board member or board/sos employee)

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(Date signed)

## **ETHICS POLICY ACKNOWLEDGMENT FORM**

To be completed by poll workers/elections judges/rovers/scouts/temporary election workers at the beginning of their appointment. The completed form is to be kept by the board of elections.

Directive 2007-35

I \_\_\_\_\_ hereby acknowledge that I have received training  
(Printed name of poll worker/elections judge/rover/scout)  
from the board of elections regarding the secretary of state's ethics policy and Ohio ethics laws,  
that I will comply with the same, and that failure to comply with the ethics policy or Ohio ethics  
laws may serve as good and sufficient reason for my removal from my appointed position.

---

(Signature of poll worker/elections judge/rover/scout  
or temporary election worker)

---

(Date signed)

## **ETHICS POLICY ACKNOWLEDGMENT FORM**

To be completed by all appointees of the secretary of state to uncompensated positions/advisory boards.  
Return the completed form to the secretary of state.  
Directive 2007-35

I \_\_\_\_\_ hereby acknowledge that I have reviewed the  
(Printed name of appointee for uncompensated/advisory position)  
secretary of state's ethics policy and Ohio ethics laws, that I will comply with the same, and that  
I will not use my appointed position for personal gain or to improperly influence the employees  
of the secretary of state or members or employees of the boards of elections in the performance  
of their official duties.

\_\_\_\_\_  
(Signature of appointee for uncompensated/advisory position)

\_\_\_\_\_  
(Date signed)

Questionnaire for Prospective Appointment as  
Director or Deputy Director of the  
County Board of Elections

Full Name (please print) \_\_\_\_\_ Date \_\_\_\_\_

Present Home Address \_\_\_\_\_ City \_\_\_\_\_

Zip Code \_\_\_\_\_ Home or cell phone number \_\_\_\_\_ E-mail address \_\_\_\_\_

Date of Birth \_\_\_\_\_ Aliases or Maiden Name \_\_\_\_\_

Driver’s License Number \_\_\_\_\_ SS# \_\_\_\_\_

Previous addresses in past ten years (include years of residence, city & state)  
\_\_\_\_\_  
\_\_\_\_\_

When answering the following questions, please attach additional sheets as necessary.

1.

Are you currently holding any elected office?  
If yes, please identify.

Yes

No
2.

Are you currently holding any appointed office for which  
you must subsequently be elected? If yes, please identify.

Yes

No
3.

Have you ever been convicted of a misdemeanor (other than minor traffic-related offenses) or a felony?  
  
If yes, provide details of the conviction (what, when and where and  
final disposition)

Yes

No
4.

Are there any circumstances, which might present a conflict of interest  
with the administrative duties as director or deputy director of the  
board of elections? (see SOS ethics policy, Directive #2007-35)  
If yes, please identify.

Yes

No
5.

Please describe any employment or interests in contracts you have had with the board of elections  
within the last 24 months.
6.

Have you ever been required, as a candidate or campaign treasurer,  
to file a campaign finance report with any board of elections or the  
Secretary of State?

Yes

No
7.

Has a campaign in which you were involved as a candidate or  
treasurer ever been the subject of a referral or complaint to the  
Ohio Elections Commission? If yes, please explain.

Yes

No

Signature \_\_\_\_\_ Date: \_\_\_\_\_

Send to: Secretary of State’s Office, Attention: Myra Hawkins, P. O Box 2828, Columbus, OH 43216

# Appointment of Chairperson to the Board of Elections

\_\_\_\_\_, Ohio \_\_\_\_\_, \_\_\_\_\_

The \_\_\_\_\_ County Board of Elections met on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ and selected as Chairperson of the Board of Elections:

☐ Mr. \_\_\_\_\_  
☐ Mrs. \_\_\_\_\_  
☐ Ms. \_\_\_\_\_

Political Affiliation

☐ Democrat  
☐ Republican

\_\_\_\_\_  
Street and Number or Rural Route

\_\_\_\_\_  
City or Village

\_\_\_\_\_  
Zip Code

Date of Birth: \_\_\_\_\_

Residence Telephone: \_\_\_\_\_

Office Telephone: \_\_\_\_\_

Effective date of appointment: \_\_\_\_\_

Appointed to succeed: \_\_\_\_\_ *(please check one below)*

☐ Retired \_\_\_\_\_ (Date)    ☐ Resigned \_\_\_\_\_ (Date)    ☐ Deceased \_\_\_\_\_ (Date)

Send to:

Secretary of State  
180 E. Broad St., 15<sup>th</sup> Fl.  
Columbus, OH 43215  
Attn: **Myra Hawkins**

\_\_\_\_\_  
Director

# Appointment of Director or Deputy Director to the Board of Elections

\_\_\_\_\_, Ohio \_\_\_\_\_, \_\_\_\_\_

The \_\_\_\_\_ County Board of Elections met on the \_\_\_\_\_ day of

\_\_\_\_\_, \_\_\_\_\_ and selected as ☐ Director ☐ Deputy Director of the Board of

Elections:

☐ Mr.

Political Affiliation

☐ Mrs.

☐ Democrat

☐ Ms. \_\_\_\_\_

☐ Republican

\_\_\_\_\_  
Street and Number or Rural Route

\_\_\_\_\_  
City or Village

\_\_\_\_\_  
Zip Code

Date of Birth: \_\_\_\_\_

Residence Telephone: \_\_\_\_\_

Office Telephone: \_\_\_\_\_

Effective date of appointment: \_\_\_\_\_

Appointed to succeed: \_\_\_\_\_ *(please check one below)*

☐ Retired \_\_\_\_\_ (Date) ☐ Resigned \_\_\_\_\_ (Date) ☐ Deceased \_\_\_\_\_ (Date)

Send to:

Secretary of State  
180 E. Broad St., 15<sup>th</sup> Fl.  
Columbus, OH 43215  
Attn: **Myra Hawkins**

\_\_\_\_\_  
Director

Questionnaire for Prospective Appointment as a Member  
of the \_\_\_\_\_ County Board of Elections

Please return YOUR RESUME with your completed form, *unless* you are being reappointed to the Board.

Full Name (please print) \_\_\_\_\_ Date \_\_\_\_\_

Present Home Address \_\_\_\_\_ City \_\_\_\_\_

\_\_\_\_\_ Zip Code \_\_\_\_\_ Home telephone number \_\_\_\_\_ E-mail address \_\_\_\_\_

Date of Birth \_\_\_\_\_ Aliases or Maiden Name \_\_\_\_\_

Driver's License Number \_\_\_\_\_ SS# \_\_\_\_\_

Previous addresses in past ten years (include years of residence, city & state)

\_\_\_\_\_  
\_\_\_\_\_

Business Address \_\_\_\_\_ City \_\_\_\_\_

\_\_\_\_\_ Zip Code \_\_\_\_\_ Occupation \_\_\_\_\_ Business telephone number \_\_\_\_\_

When answering the following questions, please attach additional sheets as necessary.

1.

Are you currently holding any elected office?  
If yes, please identify.

Yes

No
2.

Are you currently holding any appointed office for which  
you must subsequently be elected? If yes, please identify.

Yes

No
3.

Have you ever been convicted of a misdemeanor (other than minor traffic-related offenses) or a felony?  
  
If yes, provide details of the conviction (what, when and where and final disposition)

Yes

No
4.

Are there any circumstances, which might present a conflict of  
interest with the administrative duties of a member of the board  
of elections? (see enclosed ethics policy, Directive #2007-35)  
If yes, please identify.

Yes

No
5.

Please describe any employment or interests in contracts you have had with the board of elections  
within the last 24 months.
6.

Have you ever been required, as a candidate or campaign treasurer,  
to file a campaign finance report with any board of elections or the  
Secretary of State?

Yes

No
7.

Has a campaign in which you were involved as a candidate or  
treasurer ever been the subject of a referral or complaint to the  
Ohio Elections Commission? If yes, please explain.

Yes

No

Signature \_\_\_\_\_ Date: \_\_\_\_\_

Send to: Secretary of State's Office, Attention: Myra Hawkins, P. O. Box 2828, Columbus, OH 43216

## **Background Check Disclosure, Authorization and Release for Prospective Appointment as a Member, Director or Deputy Director of a Board of Elections**

### **Section I: Disclosure**

This form, which you should read carefully, has been provided to you because the Ohio Secretary of State's office may request investigative reports on you from various public and private reporting agencies. The Ohio Secretary of State's office will use any such report(s) solely for appointment and employment related purposes.

Investigative reports may be obtained from a background check vendor and/or public agencies and provided to the Ohio Secretary of State's office. The types of information that may be obtained include but are not limited to: Social Security Number verification, criminal records checks, public court records checks, driving record checks, state tax information, etc.

Any such reports are public records under Ohio's public records laws unless specifically exempt from disclosure.

### **Section II: Authorization and Release**

I have carefully read and understand this Disclosure, Authorization and Release form. By my signature below, I consent to the release of investigative reports to the Ohio Secretary of State in conjunction with my application for prospective appointment as a Member, Director or Deputy Director of a county board of elections. I also authorize disclosure to the Ohio Secretary of State and/or the background check vendor of information concerning my motor vehicle history and standing, criminal history, state tax information and all other information the Ohio Secretary of State deems pertinent by any individual, corporation or other private or public entity, including without limitation to the following: law enforcement agencies; federal, state and local courts; motor vehicle records agencies; state tax agencies; and other applicable sources. I hereby release and hold the vendor and the Ohio Secretary of State and his employees and appointees harmless from any and all liability with respect to the investigations, verifications, and/or the use of any information relevant to my appointment or employment.

I understand that if I am appointed or hired, my consent will apply throughout the term of my appointment or employment to the extent permitted by law.

This Disclosure, Authorization and Release form, in original, faxed, photocopied, or electronic form, will be valid for any reports that may be requested by the Ohio Secretary of State.

I understand that providing any false information or omitting any material information on my resume and/or Questionnaire for Prospective Appointment as a Member, Director or Deputy Director of a County Board of Elections may be sufficient grounds for rejection of the application or termination of the appointment or employment whenever discovered.

Printed Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date Signed: \_\_\_\_\_

## **ETHICS POLICY ACKNOWLEDGMENT FORM**

To be completed by members and employees of the Ohio boards of elections and employees of the secretary of state. For board of elections members and employees, a copy of this completed form is to be filed with the Secretary of State's Election's Division. For Secretary of State employees, return the completed form to your supervisor.

Directive 2007-35

I \_\_\_\_\_ hereby acknowledge that I have reviewed the  
(Printed name of board member or board/sos employee)

Secretary of State's Ethics Policy and Ohio ethics laws, that I will comply with the same, and that failure to comply with the ethics policy or Ohio ethics laws may result in disciplinary action, which may include dismissal for employees of secretary of state or removal for members and employees of the boards of elections.

\_\_\_\_\_  
(Signature of board member or board/sos employee)

\_\_\_\_\_  
(Date signed)

# Recommendation for **Full Term Appointment**

as a

## Member of Board of Elections

(For unexpired term use Form # 301)

\_\_\_\_\_, County  
\_\_\_\_\_, Ohio \_\_\_\_\_,

The Chairperson and Secretary of the ☐ **Dem.** ☐ **Rep.** Party Executive Committee of

\_\_\_\_\_ County, Ohio, certify that at a meeting of the Executive Committee,

held on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, it was resolved by a majority vote of the members that

☐ Mr.

☐ Mrs.

☐ Ms. \_\_\_\_\_

### Political Party Affiliation

☐ Dem.

☐ Rep.

Birthdate \_\_\_\_\_

\_\_\_\_\_  
Street and Number or Rural Route

\_\_\_\_\_  
City or Village

\_\_\_\_\_  
Zip Code

Residence Telephone: \_\_\_\_\_

Office Telephone: \_\_\_\_\_

who is an elector qualified and competent to perform the duties of such office, be and is hereby recommended for appointment as a member of the Board of Elections for the full term beginning March 1, 2010 and ending February 29, 2014.

The address of the Chairperson and Secretary must be provided.

Send to:

Secretary of State's Office - Elections Div.  
Attn: Myra Hawkins  
P. O. Box 2828  
Columbus, OH 43216

\_\_\_\_\_  
Signature of Chairperson

\_\_\_\_\_  
Address

\_\_\_\_\_  
Signature of Secretary

\_\_\_\_\_  
Address