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DIRECTIVE 2012-14

April 20, 2012

To: ALL COUNTY BOARDS OF ELECTIONS

Re: Election Administration Plans

Summary

This Directive provides an Election Administration Plan (EAP) template for use by county boards of elections. To promote consistency in plan content and format among all eighty-eight county boards of elections, each board **MUST** use this template when drafting its plan. Additional information beyond the categories in the template is acceptable, so long as the information is provided as an addendum and not comingled with the response to the template categories.

According to the terms of the settlement agreement, **an EAP for the 2012 general election is due on July 9, 2012**. While the formal submission of an EAP satisfies the terms of the settlement agreement; the underlying exercise is one that every board of elections should already be conducting in order to properly plan for the efficient and accurate administration of any election. To this end, additional items have been added to the EAP template compared to the template provided in Directive 2011-41 in order to assist with your preparation for the November 6, 2012 general election.

Instruction

In compliance with the settlement agreement entered into in *League of Women Voters, et al. v. Brunner*, the Secretary of State's office must require each county board of elections to create an Election Administration Plan (EAP). Boards must submit their plans to the Secretary of State's office sixty days before each statewide presidential primary election and one hundred twenty days before each statewide general election in even-numbered years.

Attached to this Directive is a template each board of elections **MUST** use when drafting its EAP. Adhering to the substance and format of this template will ensure the requirements of the settlement agreement are met and counties are well prepared to execute their elections administration duties.

The 2012 presidential election EAP contains nine sections, organized as follows:

1. Precinct Election Official Recruitment, Training, and Accountability
2. Resource Allocation
3. Election Day Communication

4. Materials
5. Election Day Contingencies
6. Security
7. Voter Registration
8. Absentee Ballots
9. Master Calendar

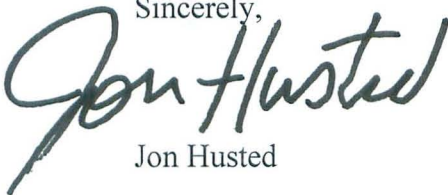
Each board must submit this completed template as its EAP. A submission may include additional content, but must, at a minimum, include the items designated in the template. The response “not applicable” is unacceptable for any portion of the template. The EAP must be signed by the board members, director, and deputy director and submitted to the Secretary of State’s office no later than **July 9, 2012**.

In order to assist this office with the processing of public records requests, each county must submit its EAP electronically, as one file in an unrestricted .pdf format. Additionally, each county shall identify the portions of the EAP that it considers to be exempt from mandatory disclosure under Ohio’s Public Records Act, with a citation to relevant authority. Please contact your county prosecutor for further guidance on the public records issue.

Each county must send its EAP by e-mail to Keith Cunningham at KCunningham@ohiosecretaryofstate.gov.

If you have any questions concerning this directive, please contact Keith Cunningham or the Secretary of State’s elections counsel assigned to your county at 614-466-2585.

Sincerely,

A handwritten signature in black ink that reads "Jon Husted". The signature is stylized with a large, sweeping "J" and "H".

Jon Husted

Directive 2012-14**Election Administration Plan for the (name) County Board of Elections
(date submitted)****1. Precinct Election Official Recruitment, Training, and Accountability**

1.1 Detail your plans to generate public awareness for recruitment.

Local Content.

1.2 Detail your partnerships with local organizations and public agencies for recruitment.

Local Content.

1.3 Timeframe for recruitment of precinct election officials (in addition to R.C. 3501.27).

Local Content.

1.4 Detail your contingency plan(s) in the event of an insufficient number of workers.

Local Content.

1.5 Detail your timeframe for producing materials and holding training classes (in addition to R.C. 3501.22).

Local Content.

1.5.1 Detail your approach to training (class content and materials) for the proper administration of the voter identification requirement, specifically, former address on Ohio driver licenses and state identification cards.

Local Content.

1.5.2 Detail your approach to training (class content and materials) for the proper administration of the “right precinct” voting requirement, specifically, the use of the voting location guide and providing the voter with directions to the correct precinct (see Directive 2011-33).

Local Content

1.5.3 Detail your approach to training (class content and materials) for the difference between, and the proper processing by precinct elections officials of, provisional and regular ballots (paper or DRE).

Local Content

1.6 Post-election accountability and assessment of precinct election officials.

Local Content must include, at a minimum, evaluation of performance using a) self-reporting of problems, b) correct administration of identification rules, specifically the validity of former address on Ohio driver licenses and state identification cards, c) proper appropriate handling/processing of provisional ballots, d) accurate completion of reconciliation sheets, and e) the proper opening and closing of polls.

2. Resource Allocation

2.1 Voting device (DRE and/or PCOS) allocation for voters with disability.

Local content must include, at a minimum, that the board will provide at least one voting or marking device per voting location to accommodate the needs of voters with disability pursuant to state law.

2.2 Public Meeting for consideration and adoption of voting device allocation.

Local content must include, at a minimum, that not later than 90 days prior to the 2012 general election, the board will hold a public meeting and, in noticed, public session, adopt a plan for the allocation and distribution of voting machines, marking devices, and automatic tabulating equipment for each precinct in the county.

2.2.1 Anticipated date of meeting.

Local Content.

2.2.2 Draft plan.

Local Content.

2.3 Public Meeting for consideration and adoption of paper ballot allocation.

Local content must include, at a minimum, that not later than 90 days prior to the 2012 general election, the board will hold a public meeting and, in noticed, public session, adopt a plan for the allocation, printing, and distribution of Election Day paper ballots for each precinct in the county. This requirement applies to precinct count optical scan counties as well as DRE counties subject to the backup paper ballot requirements of the League of Women Voters, et al. v Brunner settlement agreement.

2.3.1 Anticipated date of meeting.

Local Content.

2.3.2 Draft plan.

Local Content.

3. Election Day Communication (identify a “Plan A” and a “Plan B” for each)

3.1 Methods and procedures for communicating with precinct election officials.

Local Content.

3.2 Methods and procedures for communicating with the owners of buildings used for voting locations.

Local Content.

3.3 Methods and procedures for communicating with other public entities.

3.3.1 Sheriff and other local law enforcement agencies (including fire departments).

Local Content.

3.3.2 County engineer and other public service agencies of political subdivisions within the county.

Local Content.

3.3.3 Public utility agencies and/or companies.

Local Content.

3.3.4 Emergency management authority.

Local Content.

3.4 Methods and procedures for communicating with the media.

Local Content.

3.5 Methods and procedures for communicating with the Secretary of State's office.

Local Content.

3.6 Methods and procedures for communicating with the public.

Local Content.

4. Materials and Supplies

4.1 List all necessary election related materials and supplies (including, but not limited to, those materials required, or necessitated, by R.C. 3501.30, 3503.16, 3503.23, 3505.09, 3505.11, 3505.12, 3505.16, 3505.18, 3505.181, 3505.20, 3505.21, 3505.23, 3505.24, 3505.26, and 3505.30).

Local Content.

4.2 Timeline for producing elections related materials and supplies prior to election day.

Local Content.

4.3 Method and procedures for ensuring the necessary and proper distribution of election related materials and supplies.

Local Content.

4.4 Method and procedures for providing additional quantities of elections related materials and supplies on Election Day.

Local Content.

5. Election Day Contingencies

5.1 Shortages or failures of election equipment.

Local Content.

5.2 Absence or unauthorized early departure of precinct elections officials.

Local Content.

6. Security

Local Content (while some security information may be redacted when responding to a public records request, citing a security exception to Ohio's public records laws, you must provide this information to the Secretary of State's office for review).

7. Voter Registration

7.1 Detail your processes for entering voter registration data into your county voter registration database and verifying accuracy of the data entry.

Local Content.

7.2 Detail your process for notifying individuals of incomplete voter registration forms.

Local Content.

7.3 Detail your plan for ensuring that all valid registrations are entered into the county voter registration database within 20 days, if received more than 30 days before an election, including the mailing of the voter acknowledgement notice. RC 3503.19(C).

Local Content.

7.3.1 Detail your plan for ensuring that all valid registrations received by the close of registration, including registration activity in the week before the close of registration (assuming that in the week before the close of registration you will receive voter registration cards equal to 10% of the total number of registration cards your county received during calendar year 2008), are entered into the county voter registration database and the official list of registered voters is generated by October 23, 2012. RC 3503.23.

Local Content.

7.4 Detail your plan for resolving all duplicate registrations within your county voter registration database and duplicate registrations flagged by the statewide voter registration database for your county by the 14th day before the November 6, 2012 general election.

Local Content.

8. Absentee Ballots

8.1 Study and understand your county's internal efficiencies for processing by mail absentee ballots, assuming you will have to mail absentee ballots in 2012 equal to 50% of the total 2008 general election turnout in your county, then detail your plans for processing by mail absentee ballot assuming this volume. For this section, the objective is for you to understand, through a careful review of your operations and a time study if needed, how long and what resources (people, space, tools, etc) are needed to perform the task and then the process by which the task will be completed.

- 8.1.1 Detail the amount of time it will take you and the resources you will need to process incoming by mail absentee ballot requests (obtaining and securing mail from USPS, extracting application from an envelope, entering/verifying data in your VR system, producing an identification envelope, pulling the ballot, and addressing/stuffing the carrier envelope).

Local Content.

- 8.1.2 Applying the efficiencies described in 8.1.1, detail your plan for processing incoming by mail absentee ballot requests (obtaining and securing mail from USPS, extracting application from an envelope, entering/verifying data in your VR system, producing an identification envelope, pulling the ballot, and addressing/stuffing the carrier envelope).

Local Content.

- 8.1.3 Detail the amount of time it will take you and the resources you will need to process returned, voted by mail absentee ballots (obtaining and securing mail from USPS, extracting identification envelope, entering/verifying data in your VR system, extracting ballot, detaching stub from ballot, preparing ballots for scanning).

Local Content.

- 8.1.4 Applying the efficiencies described in 8.1.3 above, detail your plan for processing returned, voted by mail absentee ballots (obtaining and securing mail from USPS, extracting identification envelope, entering/verifying data in your VR system, extracting ballot, detaching stub from ballot, preparing ballots for scanning).

Local Content.

- 8.1.5 Detail the amount of time it will take you and the resources you will need to scan all valid, voted absentee ballots received by 7:30 p.m. on November 6, 2012 (scanning must be completed by 7:30 p.m. on Election Day and cannot begin earlier than October 27, 2012).

Local Content.

- 8.1.6 Applying the efficiencies described in 8.1.5 above, detail your plan for scanning all valid, voted absentee ballots received on November 6, 2012 (scanning cannot begin earlier than October 27, 2012).

Local Content.

- 8.2 What is the estimated cost to mail outbound absentee ballots, assuming that you will have to mail absentee ballots in 2012 equal to 50% of the total 2008 general election turnout in your county and that the number of ballot pages (on average) is equal to the number of ballot pages used in 2008.

Local Content.

8.3 Detail your plan for notifying voters of incomplete by mail absentee ballot applications (R.C. 3509.04 and 3511.04).

Local Content.

8.4 Detail your plan for conducting in person absentee voting, including the location, days, and hours of operation.

Local Content

8.5 Detail your plan for producing, receiving, and storing printed absentee ballots, assuming that you will have by mail absentee ballots in 2012 equal to 50% of the total 2008 general election turnout in your county.

8.5.1 Determining the quantity, selecting a vendor, determining the date of delivery, and placing an order for printed absentee ballots.

Local Content.

8.5.2 Determining the quantity, selecting a vendor, determining the date of delivery, and placing an order for absentee ballots supplies (carrier envelopes, identification envelopes, reply carrier envelopes, instruction sheets, etc).

Local Content.

8.5.3 Determining the quantity, selecting a vendor, determining the date of delivery, and placing an order for ballot on demand supplies, if applicable (ballot stock, sequential numbering process, toner cartridges, fuser kits, etc).

Local Content.

8.6 Detail your plan for creating two election notices for each precinct for use with the Federal Write-In Absentee Ballot (FWAB) (R.C. 3511.16).

8.6.1 Initial Notice 100 days before November 6, 2012 general election (a list of all federal, state, and local offices the board expects to be on the ballot, a list of all questions and issues the board expects to be on the ballot, and specific instructions on how a UOCAVA voter must indicate his or her choice on the FWAB).

Local Content

8.6.2 Updated Notice 45 days before November 6, 2012 general election (a list of candidates certified to each office on the ballot, and a list of all certified questions and issues on the ballot).

Local Content

8.7 Detail your plan for meeting the federal mandate of 45-day issuance (by USPS, e-mail, or facsimile as requested by voter) of UOCAVA ballots.

Local Content.

8.8 Detail your plan for the orderly and secure storage of voted (and voted but invalid and unopened) absentee ballots assuming that you will have by mail absentee ballots in 2012 equal to 50% of the total 2008 general election turnout in your county and that the number of ballot pages (on average) is equal to the number of ballot pages used in 2008.

Local Content.

9. Master Calendar

Attach a local “elections calendar” that begins on July 29, 2012 (100th day before the election) and ends with the completion of post-election activities (official canvass, recounts, and audit) of the November 6, 2012 general election. The timeline must detail every local task that must be accomplished between these dates, and the start and end date of each task. It is not acceptable to simply attach a copy of the state’s published elections calendar.