



Jon Husted Ohio Secretary of State

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DIRECTIVE 2014-16

May 21, 2014

To: All County Boards of Elections
Directors, Deputy Directors, and Board Members

Re: Election Administration Plans

SUMMARY

In compliance with the settlement agreement from *League of Women Voters, et al. v. Brunner*,¹ the Secretary of State's office requires each board of elections to create an Election Administration Plan (EAP). This Directive provides an EAP template for use by each board 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 additional information is provided as an addendum and not comingled with the response to the template categories.

Detailed election administration planning is something that each board of elections should do prior to any election, not just federal elections. The 2014 EAP template pinpoints the most important election administration action-items for your consideration as you build your plan to execute your election. You should look at the EAP process not just as critical planning exercise, but also as an opportunity for continuous process improvements. In addition, we have incorporated recommendations from the Presidential Commission on Election Administration that relate to the county-level administration of elections. In so doing, Ohio is the first state in the nation to put these local administrative recommendations into practice.

INSTRUCTIONS

Each Board must submit an EAP to the Secretary of State's Office 60 days before each statewide presidential primary election and 120 before each statewide general election in even-numbered years.

The EAP for the 2014 general election is due on July 7, 2014.

Attached to this Directive is a template that each board of elections *must* use when drafting its EAP. Adhering to the substance and format of this template ensures that the requirements of the

¹ Case No. 3:05-CV-7309, United States District Court, Northern District of Ohio.

settlement agreement are met and that counties are well prepared to execute their elections administration duties.

The 2014 general election EAP must contain ten 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. Polling Places and Accessibility
10. 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 7, 2014.

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 must submit a second electronic file of the same document, also in an unrestricted .pdf format, with specified portions redacted as may be permitted under Ohio's public records laws. Each redaction must cite to the relevant legal authority and be reviewed and approved by your Prosecuting Attorney. This office will use the second, redacted electronic file to respond to public records requests for copies of an EAP.

Each county must send its EAP by e-mail to Denise Sherrod at dsherrod@ohiosecretaryofstate.gov no later than July 7, 2014.

If you have any questions concerning this Directive, please contact the Secretary of State's elections counsel assigned to your county at (614) 466-2585.

Sincerely



Jon Husted

Directive 2014-16**Election Administration Plan for the (name) County Board of Elections****1. Precinct Election Official Recruitment, Training, and Accountability**

Before completing this section, Board personnel must review [*Successful Practices for Poll Worker Recruitment, Training, and Management*](#) published by the United States Election Assistance Commission.

- 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
- 1.6. 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
- 1.7. 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, SOS Form 12-D, and providing the voter with directions to the correct polling place.
Local Content
- 1.8. 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), including instructions not to place voted provisional ballots into the precinct count optical scanner and instructions not to place a regular ballot (e.g., a back-up paper ballot or curbside ballot) into a provisional ballot envelope.
Local Content

- 1.9. Detail your approach to training (class content and materials) for properly assisting voters with disabilities.²

Local Content

- 1.10. Detail your process and methods for post-election evaluation of performance by 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.

- 1.11. Detail your process and methods for post-election accountability (e.g., requirements for re-training, retention of services for future elections, etc.) of precinct election officials based on the performance evaluation described in 1.10 above.

Local Content

2. Resource Allocation

- 2.1. Detail your plan for allocating voting devices (DRE and/or PCOS) for voters with disability.

Local content must include, at a minimum, a description of how 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. Detail your plan to pretest the amount of time it takes an average voter to vote a ballot in order to project how many precinct election officials, machines, and voting stations may be needed at each voting location.

Local Content

- 2.3. Detail your plan for consideration and adoption of your county's voting device allocation.³

Local content must include, at a minimum, that not later than 90 days prior to the 2014 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. Local content must also include a second public meeting of the board, held no earlier than the 30th day prior to the 2014 general election at which the board may reconsider any previous allocation decisions in light of changes in registration through the close of registration. As a reminder, Secretary of State

² R.C. 3505.24 as amended by Sub. S.B. 205 (130th General Assembly), effective June 1, 2014.

³ R.C. 3501.11(I).

Directives for past federal general elections have established a minimum of one DRE voting machine for every 175 registered voters in a precinct or voting location and no fewer than three DRE voting machines in any precinct or voting location.

2.3.1. Anticipated date of meeting.

Local Content

2.3.2. Draft plan for resource allocation.

Local content may include, at a minimum, consideration of the election toolkit calculators recommended by the [Presidential Commission on Election Administration](#). The toolkit calculators can be found at <http://web.mit.edu/vtp/calculator1.html>, <http://web.mit.edu/vtp/calculator2.html>, and <http://web.mit.edu/vtp/calculator3.html>.

2.4. Detail your plan for consideration and adoption of your county's paper ballot allocation.⁴

Local content must include, at a minimum, that not later than 90 days prior to the 2014 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. Local content must also include a second public meeting of the board, held no earlier than the 30th day prior to the 2014 general election at which the board may reconsider any previous allocation decisions in light of changes in registration through the close of registration.

2.4.1. Anticipated date of meeting.

Local Content

2.4.2. Draft plan for resource allocation.

Local content may include, at a minimum, consideration of the election toolkit calculators recommended by the [Presidential Commission on Election Administration](#). The toolkit calculators can be found at <http://web.mit.edu/vtp/calculator1.html>, <http://web.mit.edu/vtp/calculator2.html>, and <http://web.mit.edu/vtp/calculator3.html>.

2.5. The average wait times at polling places in Ohio in 2012 were less than the national average: approximately 11 minutes.⁵ Review any polling places where, during the normal course of the day in previous federal general elections, nearly all voters were not able to be processed within the PCEA's suggested standard of 30 minutes and, based on that analysis, detail your plan for mitigating those wait times in 2014.

Local Content

⁴ R.C. 3501.11(I).

⁵ <http://www.nytimes.com/interactive/2013/02/05/us/politics/how-long-it-took-groups-to-vote.html?ref=politics>

- 2.6. Detail your plan for determining the number of precinct election officials to assign to each precinct or voting location.⁶

Local content must include, at a minimum, consideration of the number of voters assigned to the polling place, whether there has been a recent change in polling places (both with voters who had previously been assigned to a different polling place and voters who have recently been assigned to a different polling place), expected Election Day turning, and whether that polling place has experienced problems or long lines in the past.

- 2.6.1. If your county plans to use multi-precinct voting locations but does not plan to use the optional approach prescribed in R.C. 3501.22(A)(2)⁷, detail your plans for ensuring that all voters are directed to the correct precinct within the multiple precinct polling place, including possible use of a “greeter” or some other precinct election official who will be specially trained to properly direct voters to the correct precinct or polling place, as necessary.

Local Content

3. Election Day Communication

Detail your “Plan A” and “Plan B” methods for communicating with each of the following categories of individuals or groups *both* during the 72-hours prior to Election Day *and* on Election Day.

- 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.

Local Content

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

Local Content

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

Local Content

- 3.6. Public utility agencies and/or companies.

Local Content

⁶ R.C. 3501.22, 3501.221, 3501.27, 3501.28, 3501.31.

⁷ See Sub. S.B. 216 (130th General Assembly), effective June 1, 2014.

- 3.7. County and local emergency management authorities and/or agencies.

Local Content

- 3.8. Methods and procedures for communicating with the media.

Local Content

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

Local Content

- 3.10. Methods and procedures for communicating with the public.

Local Content

- 3.11. Detail your plan for notifying all registered voters in an affected precinct of a change in polling place.

Local Content

- 3.11.1. Detail your plan for 3.11. above in the event that first-class mail is not an available means for contact in the event the change is due to an emergency during the 72-hours prior to Election Day.

Local Content

4. Materials

- 4.1. List all necessary election related materials and supplies (including, but not limited to, those materials required, or necessitated, by R.C. 3501.29(A), 3501.30, 3503.16, 3503.23, 3505.09, 3505.11, 3505.12, 3505.16, 3505.18, 3505.181, 3505.182, 3505.20, 3505.21, 3505.23, 3505.24, 3505.26, 3505.30, and 3599.12.

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.⁸

Local Content

- 7.4. 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 2010), are entered into the county voter registration database and the official list of registered voters is generated by October 21, 2014.⁹

Local Content

- 7.5. 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 4, 2014 general election.

Local Content

- 7.6. Detail your plan to ensure that the district relationships in the county's voter registration system are correct and that those same district relationships exist within the county's voting system such that each voter's correct ballot style is available in the system.

Local Content

⁸ RC 3503.19(C).

⁹ RC 3503.23.

- 7.7. Detail your plan to ensure that other counties in a multi-county district for which your county is the most populous are timely notified of all relevant information such that all counties present the contest in the same way to all voters in the district.

Local Content

- 7.7.1. List all multi-county districts of which your county is a part.

Local Content

- 7.7.1.1. From the list provided in 7.7.1., list all districts for which your county is the most populous.

Local Content

8. Absentee Ballots

Study and understand your county's internal efficiencies for processing by-mail absentee ballots, assuming you will have to mail absentee ballots in 2014 equal to 50% of the total 2010 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 (i.e., people, space, tools, etc.) are needed to perform the task and then the process by which the task will be completed.

- 8.1. 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

- 8.1.1. Applying the efficiencies described in 8.1, 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

- 8.2. 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

- 8.2.1. Applying the efficiencies described in 8.2. 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

- 8.3. 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 4, 2014 (scanning must be completed by 7:30 p.m. on Election Day and cannot begin earlier than October 25, 2014).

Local Content

- 8.3.1. Applying the efficiencies described in 8.1.5 above, detail your plan for scanning all valid, voted absentee ballots received on November 4, 2014 (scanning cannot begin earlier than October 25, 2014).

Local Content

- 8.4. What is the estimated cost to mail outbound absentee ballots, assuming that you will have to mail absentee ballots in 2014 equal to 50% of the total 2010 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 2010.

Local Content

- 8.5. Detail your plan for notifying voters of incomplete by mail absentee ballot applications.¹⁰

Local Content

- 8.6. Detail your plan for notifying voters of incomplete absentee ballot identification envelopes using SOS Form 11-S.¹¹

Local Content

- 8.7. Detail your plan for conducting in person absentee voting, including the location, internal processes, etc.

Local Content

- 8.8. Detail your plan for producing, receiving, and storing printed absentee ballots, assuming that you will have by mail absentee ballots in 2014 equal to 50% of the total 2010 general election turnout in your county.

Local Content

- 8.9. Detail your plan for determining the quantity, selecting a vendor, determining the date of delivery, and placing an order for printed absentee ballots.

Local Content

¹⁰ R.C. 3509.04 and 3511.04.

¹¹ R.C. 3509.06(D)(3)(b) as amended by Sub. S.B. 205 (130th General Assembly), effective June 1, 2014.

- 8.10. Detail your plan for 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

- 8.11. Detail your plan for 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

- 8.12. Detail your plan for creating two election notices for each precinct for use with the Federal Write-In Absentee Ballot (FWAB).¹²

- 8.12.1. Initial Notice 100 days before November 4, 2014 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

- 8.12.2. Updated Notice 45 days before November 4, 2014 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

- 8.13. 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

- 8.14. 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 2014 equal to 50% of the total 2010 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 2010.

Local Content

9. Polling Places and Accessibility

Before completing this section, Board personnel must review the [Quick Start Management Guide: Accessibility](#) published by the United States Election Assistance Commission and the [Polling Place Accessibility Checklist](#) and [Accessible Parking Guide](#) published by the Secretary of State's Office.

¹² R.C. 3511.16.

- 9.1. Detail your plan for communicating with polling places to confirm use of that location as a polling place on Election Day and to minimize the likelihood that a polling place would have to be moved during the 25 days prior to Election Day.¹³

Local content must include, at a minimum, the date the Board will establish as its deadline by which all polling places will be confirmed for the 2014 General Election and must be no later than 45 days prior to Election Day.

- 9.2. Detail your plan for documenting the accessibility for each polling place for voters with a disability, specifically the creation and/or maintenance of a current profile for each location that includes, at a minimum, room dimensions, location of power outlets, the proposed positioning of voting and voter processing equipment, the entry and exit routes, and signage required by the Americans with Disabilities Act, and what temporary equipment or other measures (e.g., curb or threshold ramps, compliant signage, voter call buttons, etc.) are necessary to ensure physical accessibility on Election Day.¹⁴

Local Content

- 9.2.1. Detail your plan for ensuring that temporary equipment or other measures are in place, and fully functioning as applicable, on Election Day.

Local Content

- 9.3. Detail your plan for ensuring that the minimum number of special parking spaces for handicapped persons is designated at each polling place.¹⁵

Local Content

10. Master Calendar

Attach a local “elections calendar” that begins on July 27, 2014 (100th day before the election) and ends with the completion of post-election activities (official canvass, recounts, and audit) of the November 4, 2014 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 Secretary of State's published elections calendar.

¹³ R.C. 3501.18.

¹⁴ R.C. 3501.29(B)(1)(a), (c) and (d).

¹⁵ R.C. 3501.29(B)(1)(b).

Submitted by the (county name) Board of Elections, this (day) of (month), 2014.

Chairperson

Member

Member

Member

Director

Deputy Director (if applicable)