



CHAPTER 2: BOARD OF ELECTIONS ORGANIZATION AND OPERATIONS¹

Section 2.01 The Board of Elections Operations², Introduction

This chapter describes how boards of elections are organized, who serves on them, and what their core responsibilities are. This chapter covers the rules for meetings, hiring staff, managing money, and working with legal counsel. Also, discover how to properly plan for elections, handle legal notices, and ensure fair and efficient elections.

Section 2.02 The Board of Elections³

The Secretary of State appoints the members of the county boards of elections.⁴ Each board has four board members, two Democrats and two Republicans.⁵ Board members serve staggered four-year terms.⁶

The board's main jobs are to:

- Run elections according to state and federal law.
- Follow Secretary of State directions.
- Create and follow board policies.

The board must hire a director to run its daily office operations.⁷ The board must also hire a deputy director unless three board members vote not to have one.⁸ It can hire

¹[Directive 2026-29](#)

²[R.C. 3501.06](#); [R.C. 3501.07](#); [R.C. 3501.09](#); [R.C. 4117.03\(D\)](#).

³[R.C. 3501.06](#); [R.C. 3501.07](#); [R.C. 3501.09](#); [R.C. 4117.03\(D\)](#).

⁴[R.C. 3501.06\(A\)](#).

⁵[R.C. 3501.06\(B\)\(1\)](#).

⁶[R.C. 3501.06\(B\)\(2\)](#).

⁷[R.C. 3501.09](#).

⁸[R.C. 3501.09](#).

other staff as needed. Directors and deputy directors serve for two years at a time.⁹ All staff serve at the board's pleasure.¹⁰

State law blocks collective bargaining between a board and its employees.¹¹

All board members and staff must:

- Act in a professional way.
- Be courteous to everyone.
- Help anyone who asks for information.
- Treat all people the same, regardless of political party.

BOARD MEMBERSHIP

How Members are Appointed

The Secretary of State appoints two members, one from each major political party. Terms last four years and start March 1 in odd-numbered years.¹² The terms are staggered so that two board members are appointed every two years.

County executive committees (Democrat and Republican) must each meet 15 to 60 days before terms end. They recommend qualified voters to the Secretary of State to serve as a board member.¹³

Everyone recommended (including current board members seeking additional terms) must:

- Complete a background check.
- Fill out [Secretary of State Form 307](#).
- Report any criminal history.

Criminal convictions matter because they can reduce public confidence in the integrity of election officials. Criminal convictions and elections or ethics law convictions may disqualify someone from serving as a member of a board.

⁹[R.C. 3501.09](#).

¹⁰[R.C. 3501.09](#).

¹¹[R.C. 4117.03\(D\)](#).

¹²[R.C. 3501.06\(B\)\(2\)](#).

¹³[R.C. 3501.07](#).

County party executive committees must submit:

- An Executive Committee Recommendation for Full Term Appointment ([Form 306](#)), completed by the chairperson and secretary of the executive committee, and the prospective appointee.
- A questionnaire for Prospective Appointment as a Member of the County Board of Elections ([Form 307](#)), including the Background Check Disclosure and an Authorization and Release for Prospective Appointment as a Member, Director, or Deputy Director of the Board of Elections, completed by the prospective appointee.
- The resume of the prospective appointee showing qualifications to be a board member, including education and work history.

Each county party executive committee must send forms in one of two ways:

- **Email:** BoardInfo@OhioSoS.gov

- **Mail:**

Ohio Secretary of State Elections Division
P.O. Box 2828
Columbus, OH 43216

New board members are:

- Notified by mail.
- Sent a certificate of appointment.
- Required to take the Oath of Office.

Members must take the oath before a person authorized to give oaths, such as a sitting or retired judge. File the oath with the clerk of the court of common pleas in the county within 15 days after appointment.¹⁴

¹⁴[R.C. 3501.08](#).

Filling Vacant Positions

When a board position becomes vacant, the appropriate political party has 15 days to file a recommendation with the Secretary of State. If it doesn't, the Secretary of State will pick someone to finish the term.¹⁵

Board Member Pay

Board member pay depends on the county population based on the most recent federal census.¹⁶ Ask your county prosecutor about pay questions.

ORGANIZATION MEETING

Biennial Organizational Meeting

Boards must meet every two years for a biennial organizational meeting. This meeting must occur within five days of the Secretary of State appointing board members.¹⁷

At the meeting, follow these steps in order:¹⁸

1. Select a Temporary Chair

The current chair or most senior member calls the meeting to order. Elect a temporary chair by majority vote.

2. Appoint a Director

Nominate people for director. The nominee must be a resident of the county within 30 days of appointment and may not be a current board member. The nominee must be from the same party as the board member who nominates them. See also **Section 2.04** on qualifications of the director.

- a. The board needs three yes votes to select a director. Vote up to five times.¹⁹
- b. If no one gets three votes after five tries, send the names of people nominated on the fifth ballot and the names of the board members who

¹⁵[R.C. 3501.07.](#)

¹⁶[R.C. 3501.12;](#) [Ohio Attorney General Opinion 1941-4042.](#)

¹⁷[R.C. 3501.09.](#)

¹⁸[R.C. 3501.09.](#)

¹⁹[R.C. 3501.09.](#)

nominated them to the Secretary of State. The Secretary will pick a director from the board's list.²⁰

- c. If the Secretary thinks no nominee is qualified, he or she must notify the board in writing. Then, the board must nominate new people. If it still can't agree after five votes, the Secretary will pick both the director and deputy director from those nominated.²¹

3. Appoint a Deputy Director

Nominate people for deputy director. The nominee must be a resident of the county within 30 days of appointment and may not be a current board member. The nominee must be from the same party as the board member who nominates them. The deputy director must be from the opposite party as the director.²² See also **Section 2.04** on qualifications of the deputy director.

- a. The board needs three yes votes to select a deputy director.
- b. If it can't get three votes after five tries, send the names to the Secretary of State for the deputy director.
- c. If the board doesn't want a deputy director, three board members must vote to eliminate the position.²³ The board can change its mind later with three votes.

4. Appoint a Chairperson

After selecting the director and deputy director, nominate people for chairperson. The chairperson must be a board member from the opposite party of the director.

If no one gets a simple majority vote on the first vote, the board member from the opposite party of the director with the shortest remaining term to serve on the board becomes the chairperson.²⁴

²⁰ [R.C. 3501.09](#)

²¹ [R.C. 3501.09](#); [R.C. 3501.16](#)

²² [R.C. 3501.09](#).

²³ [R.C. 3501.09](#).

²⁴ [R.C. 3501.09](#).

5. Report Results

After the meeting, send the following to the Secretary of State:

- [Form 308](#) for all directors, deputy directors, and chairpersons.
- [Form 350](#) for any new director, deputy director, or board member.²⁵

Send reports in one of two ways:

Email: BoardInfo@OhioSoS.gov

Mail:

Ohio Secretary of State Elections Division
P.O. Box 2828
Columbus, OH 43216

6. Failure to Select a Director or Deputy Director

If the board can't pick a director or a deputy director after five votes, send to the Secretary of State:

- a. Names of all nominees voted for on the fifth ballot.
- b. Names of the board members who nominated them.

The Secretary will pick a director or deputy director from the list.²⁶

Reorganization²⁷

After the board has organized, it can vote (with three yes votes) to replace the director or chairperson with someone from the opposite party. If it does this, the board must reselect all officers again using the steps above. Officers will serve out the rest of the outgoing officers' terms.

This doesn't change how long board members serve.

The board may also vote (with three yes votes) to fill a vacant chairperson or director position with someone from the opposite party of the outgoing officer.²⁸ After such a

²⁵[R.C. 3501.09.](#)

²⁶[R.C. 3501.09.](#)

²⁷[R.C. 3501.091.](#)

²⁸[R.C. 3501.161.](#)

vote, fill the vacancy and select all other officers as described above.²⁹ The new person serves the rest of the outgoing officer's unexpired term. This doesn't change board members' terms.

BOARD DUTIES

Main Duties

County boards of elections must run fair, orderly, and efficient elections. To accomplish this, [R.C. 3501.11](#) gives the board several important responsibilities, outlined below.

Ethics³⁰ and Compliance

- Follow election laws and Secretary of State directives.

Personnel Management

- Hire and fire the director, deputy director, employees, and all registrars, precinct election officials (PEOs), and other election workers, and designate the ward or district and precinct where they'll work.
- Give oaths related to elections.
- Create rules that follow state law to help guide election officers and voters.

Operational Administration

- Make annual reports to the Secretary of State, which include the number of registered voters, elections held, votes cast, moneys received, expenditures made, and other information as required.
- Create and submit elections budgets.
- Submit required reports on elected officials to the Secretary of State.
- Prepare an Election Administration Plan (EAP) (see in this chapter **Section 2.09**) and send it to the Secretary of State at least 75 days before a presidential primary election and 120 days before general elections of even-numbered years.
- Submit tie votes during board activity to the Secretary of State within 14 days for final decision.

²⁹[R.C. 3501.091](#).

³⁰<https://ethics.ohio.gov/education/factsheets/EthicsLawOverview.pdf>.

Voter Registration

- Check voter residence qualifications.
- Create and maintain voter registration database.
- Update voter registration records.
- Help area agencies with voter registration and forward those from outside the county to the appropriate board within five days.

Petitions

- Review and certify petitions and nomination papers; return forwarded materials to the Secretary of State.

Preparing for Elections

- Buy and maintain election equipment.
- Choose places for registration and elections.
- Set up and adjust election precincts.
- Send out required notices, ads, and publications concerning elections.
- Advertise and contract ballot printing and other election supplies.
- Provide proper voting equipment to each precinct. Take a full board vote during a public session on the distribution of equipment for county precincts.
- Approve ballot language for local questions or issues and send a copy to the Secretary of State for final approval.

Administering Elections

- Arrange for the delivery of materials and equipment to polling places.
- Help military and overseas voters register and vote.
- Post notices about illegal voting in every polling location.
- Follow rules for in-person voting sites at the board office when that office serves as a polling location.
- Count votes and report results to the proper authorities.

Post Election Activities

- Investigate problems or violations of election laws ([Title 35 of the Revised Code](#)).
- Issue certificates of election on Secretary of State forms.³¹

Investigatory Responsibilities

The board must investigate:

- Irregularities.
- Failure to perform duties by election officers and other persons.
- Violations of Title 35 of the Ohio Revised Code.
 - Trying to intimidate voters.³²
 - Delaying delivery of absentee ballots.³³
 - Blocking the delivery or counting of an absentee ballot.³⁴
 - Intimidating an election officer or preventing an election official from performing the official's duties.³⁵
 - Voting more than once in the same election.³⁶
 - Having someone else's absentee ballot without permission.³⁷
 - Knowingly registering in the wrong precinct.³⁸
 - Registering under more than one name.
 - Making false statements on registration or ballot forms.

Ohio law prohibits any person from voting or attempting to vote more than once at the same election. Violators are guilty of a felony of the fourth degree and shall be imprisoned and additionally may be fined in accordance with law.

³¹[R.C. 3501.11M](#).

³²[R.C. 3599.01\(A\)\(2\)](#).

³³[R.C. 3599.21\(A\)\(5\)](#).

³⁴[R.C. 3599.21\(A\)\(6\)](#).

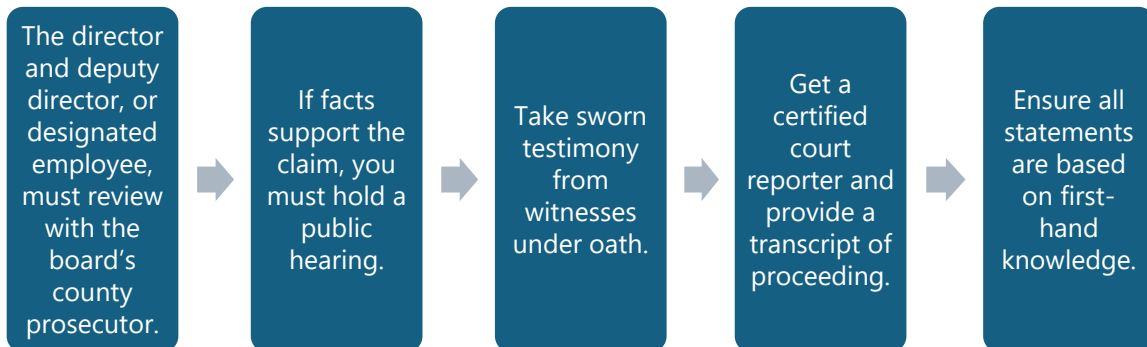
³⁵[R.C. 3599.24\(A\)\(3\)](#).

³⁶[R.C. 3599.12](#).

³⁷[R.C. 3599.21\(A\)\(9\)](#).

³⁸[R.C. 3599.11\(A\)](#).

When investigating alleged voter fraud and/or suppression, boards should follow these steps:³⁹



After the hearing, vote whether to send the matter to the county prosecutor for investigation or to resolve it at the board level.

Tell the Secretary of State's elections counsel and Public Integrity Division about any referrals to the prosecutor.

QUASI-JUDICIAL ROLE

When the board holds a hearing as part of an investigation or protest, it acts like a court. This is called acting in a "quasi-judicial capacity."⁴⁰ The board is acting as judge and jury in a trial court, so it must be fair and follow due process. Ask the county prosecutor how to conduct the hearing properly.

Not every complaint needs a hearing. For example:

- A protest that does not specify its legal grounds is invalid.
- Some matters have legal deadlines that have passed.
- Some issues are outside of the board's authority.

Again, work with your legal counsel throughout the entire process.

³⁹[R.C. 3501.11\(J\)](#).

⁴⁰Definition of "quasi-judicial" taken from Merriam-Webster, <http://www.merriam-webster.com/dictionary/quasi-judicial>.

Due Process Requirements⁴¹

As a government body, the board must follow state and federal constitutional requirements. When a board's decisions affect rights like voting or running for office, it must ensure fair treatment.⁴²

Before a hearing:

1. Give notice to all parties about when and where the hearing will be held.
2. Explain what's being alleged.
3. State the grounds for the allegation.

The board must hold a hearing before taking final action. This hearing must be conducted fairly and scheduled at a reasonable time.

The board must be impartial. It should ignore anything heard outside of the hearing and focus only on the evidence presented. Board members with conflicts of interest may need to step aside.

Anyone at the hearing may have an attorney, including:

- The accused person.
- The accuser.
- Witnesses.

An accused person has the right to question the person making the accusation.

⁴¹A board may be required to conduct a quasi-judicial hearing. See *State ex rel. City of Upper Arlington v. Franklin County Bd. Of Elections*, 119 Ohio St. 3d 478 (2008).

⁴²Due process and equal protection requirements apply to states. [U.S. Const. Amend. XIV, §1](#).

Quasi-Judicial Hearing Checklist

Before a hearing:

- ☐ Inform the county prosecutor.
- ☐ Pick a reasonable time and place for the hearing.
- ☐ Send notice to all parties. If the hearing is during a regular meeting, the board may need to provide public notice.
- ☐ Hire a court reporter to transcribe the hearing.
- ☐ Place anyone testifying under oath.⁴³

During a hearing:

- ☐ Make copies of the evidence.
- ☐ Follow Americans with Disabilities Act (ADA) requirements.
- ☐ Decisions must be based only on the evidence presented and any relevant information the board has, such as voter registration data. Focus on answering specific questions based on the evidence.

Note: Others may review the board's decision later, either the Secretary of State when breaking a tie vote or a court.

⁴³[R.C. 3501.13\(C\)](#). Before testifying, a witness shall be sworn to testify the truth, the whole truth, and nothing but the truth. [R.C. 2317.30](#).

Section 2.03 Board Meeting Procedures

BOARD PROCEDURES

Public Meetings⁴⁴

The Ohio Open Meetings Act requires public bodies to:

- Take official action in open meetings.
- Conduct all business deliberations in open meetings where the public can attend.

Under this law, the board is a public body. All its meetings — regular, special, and emergency — must follow Ohio’s Open Meetings Act.

The board must:

- Give advance notice of meeting time and place.
- Take full and accurate minutes.
- Make minutes available to the public.

It may discuss certain limited topics in executive session, but only during regular or special meetings. For more information, see the section on *Executive Session* below, [R.C. 121.22](#), and the [Ohio Sunshine Law Manual](#).

The Secretary of State’s office cannot advise boards on Open Meetings questions. Instead, ask your county prosecutor. The [Ohio Sunshine Law Manual](#), prepared by the Ohio Attorney General and the Ohio Auditor, is a helpful resource.

Use basic parliamentary procedures in board meetings. Take action by majority vote (unless the law requires more) when a quorum is present. See **Rules of Order** below.

Quorum

A quorum refers to the number of members present, not the number actually voting. Usually, a majority vote of the quorum is needed to act. Some actions need at least three yes votes, such as:

- Removing the director or deputy director.

⁴⁴[R.C. 121.22](#); [Ohio Sunshine Laws 2026: An Open Government Resource Manual](#).

- Setting pay.
- Appointing someone from a different party as director or chairperson.⁴⁵

Example: All four board members attend a meeting to vote on removing the deputy director, who is a board member's child. The related board member must not vote. Therefore, all three of the other board members must vote yes for the removal to pass. For other employees, only a simple majority vote is needed. Thus, a clerk who is related to a board member can be removed if two of the three eligible board members vote yes.

Types of Public Meetings

State law establishes three types of public meetings that a public body, such as the board of elections, may conduct.

Regular Meetings

These are meetings held on a schedule. Create a reasonable way for the public to learn the board's regular meeting schedule.⁴⁶ Establish a schedule of regular monthly meetings.

Special Meetings

Special meetings are any non-scheduled meetings. Create a way for the public to learn the time, place, and purpose of special meetings. Give at least 24 hours' advance notice to media who have requested it and post the notice at the board office. The purpose statement must say exactly what the board will discuss. Stick to only those topics during the special meeting.⁴⁷

Emergency Meetings

This is a type of special meeting for urgent matters. Immediately notify media who have requested advance notice of emergency meetings and post the notice at the board office. The purpose statement must say exactly what the board will discuss. Discuss only those topics.⁴⁸

⁴⁵[R.C. 3501.14](#); [1978 Op. Att'y Gen. No. 78-047](#).

⁴⁶[R.C. 121.22\(F\)](#).

⁴⁷[R.C. 121.22\(F\)](#).

⁴⁸[R.C. 121.22\(F\)](#).

Executive Session

An executive session is a private portion of a meeting. Only board members and invited guests may attend. The Open Meetings Act strictly limits the use of executive sessions.⁴⁹

Hold executive sessions only during regular or special meetings. Always begin and end in open session. To start an executive session:

1. Make a proper motion.
2. Get majority approval.
3. Use a roll call vote.

The motion to go into executive session must specify which law allows the session and what issues the board will discuss.

The board cannot take any formal action in an executive session.

Actions are invalid if:

- They weren't adopted in a properly noticed public meeting.⁵⁰
- They resulted from discussions held in a meeting not open to the public, unless the discussions were:
 - For an allowable executive session topic listed in [R.C. 121.22\(G\)](#).
 - Conducted at an executive session held in compliance with the Open Meetings Act.
- The board failed to follow legal notice requirements.

Executive Session Topics

In an executive session, the board may only discuss:

- Certain personnel matters.
- Property purchases or sales for public purposes at competitive bidding.
- Pending or imminent court action involving the board.
- Matters legally required to be kept confidential.
- Details of security arrangements.
- Hospital trade secrets.
- Confidential business information for economic development.

Consult with board legal counsel for more information on topics and matters appropriate to discuss in executive session.

⁴⁹[R.C. 121.22\(G\)](#).

⁵⁰[R.C. 121.22\(H\)](#).

Attendance

Board members must be physically present to:

- Be counted as present.
- Count toward quorum.
- Vote on motions.

Board members who are not physically at the meeting cannot be considered “present” for determining quorum, offering or seconding motions, or voting on any motion.⁵¹

Minutes⁵²

Substantive Minutes

Keep full and accurate minutes of all meetings.. Minutes must include:

- Enough facts and information so that anyone reading them will understand the issues.
- What action the board took.
- Why the board made those decisions.

Because executive sessions are private, the minutes only need the general subject matter. Prepare and file them promptly and maintain them for public inspection.

The director must keep a full and true record of board proceedings.

Sending Minutes to the Secretary of State

The board must email approved minutes to the Secretary of State’s regional liaison and the Elections Division (BoardInfo@OhioSoS.gov) within 10 days after approval.

It is permissible to include board members’ names at the end of the minutes; signatures are not required.

Do not send unapproved minutes unless specifically requested.

⁵¹[R.C. 121.22\(C\)](#).

⁵²[R.C. 3501.13](#); [R.C. 121.22\(C\)](#); *White v. Clinton Cty. Bd. Of Commrs.*, 77 Ohio St. 3d 1267 (1997).

Signature Stamps

The board may use signature stamps for convenience. Each board member is responsible for how their signature is used.

Before using stamps, the board must do both of the following:

- Ask the county prosecutor.
- Create a policy saying when stamps may be used and who can use them.

Board members must attend board meetings in person, regardless of the signature stamp policy. The board cannot hold meetings virtually. Board members cannot misuse a signature stamp or use it to avoid their duties.⁵³ Signature stamps must be secured when not in use.

RULES OF ORDER

State law doesn't set specific rules of order for board meetings. Boards can adopt their own methods for running meetings. Many boards follow Robert's Rules of Order.

TIE VOTES

Generally

Sometimes the four board members will vote 2-2 on a motion. For tie votes that the Secretary of State must break (see Limitations below), the director or chairperson must send the matter to the Secretary within 14 days of the tie vote. The Secretary of State will decide the question, and that decision is final.⁵⁴

Limitations

Some issues cannot go to the Secretary of State as tie votes. They need at least three board members to agree to pass, and a 2-2 tie on these motions means it fails.

Examples include:

- Setting pay for the director, deputy director, or board employees.⁵⁵

⁵³[R.C. 3501.16](#) permits the Secretary to "summarily remove or suspend any member of a board of elections, or the director, deputy director, or any other employee of the board, for... malfeasance, misfeasance, or nonfeasance in office, for any willful violation of Title XXXV of the Revised Code, or for any other good and sufficient cause."

⁵⁴[R.C. 3501.11\(X\)](#).

⁵⁵[R.C. 3501.14](#).

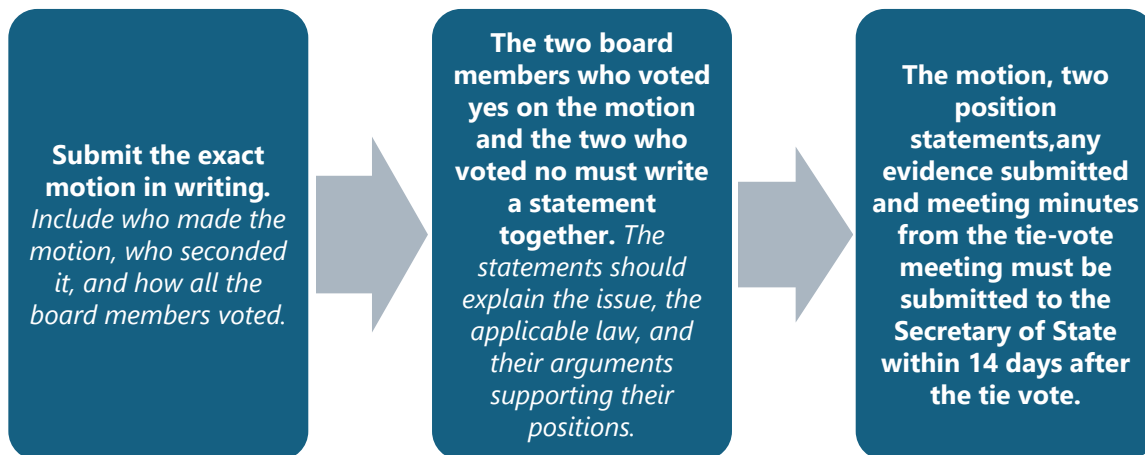
- Eliminating the deputy director position.⁵⁶
- Replacing the chairperson or director with someone from a different party.⁵⁷

Also, the tie vote procedure isn't used when:

- The board lacks authority to act.
- The issue relates to internal operations.
- The issue doesn't involve substantive election law.

Tie Vote Procedure

For proper tie votes:



Send:

1. Email:

The Secretary of State's elections counsel at Intake@OhioSoS.gov.

2. By U.S. Mail:

Office of the Ohio Secretary of State
Attn: Director of Elections Division
P.O. Box 2828
Columbus, OH 43216

⁵⁶[R.C. 3501.09](#).

⁵⁷[R.C. 3501.091](#).

3. In person or other form of delivery:

Office of the Ohio Secretary of State
Attn: Director of Elections Division
180 Civic Center Dr.
Columbus, Ohio 43215

Decision

The Secretary of State may decide before receiving position statements from the board. The board will get a written opinion explaining:

- The facts.
- Applicable law.
- Reasons for the Secretary's decision.

Section 2.04 Board Director and Deputy Director

DIRECTOR AND DEPUTY DIRECTOR REQUIREMENTS

Minimum Qualifications

Education

Candidates for director or deputy director must have a high school diploma or GED. A college education is preferred.

Election Skills

Candidates for director or deputy director must understand:

- How to use county voting machines and office equipment.
- How to manage a database.
- Election law terminology.
- Ohio's Sunshine Laws on open meetings and public records.
- How to follow board and Secretary of State instructions.

Management Skills

Candidates for director or deputy director must show they can manage the daily operations and should have:

- Good communication skills.
- Strong organizational skills.
- Attention to detail.
- Knowledge of relevant state and federal human resources and labor policies and laws.
- Ability to manage budgets.
- Ability to perform duties including:
 - Giving and managing assignments.
 - Understanding informational documents.
- Ability to perform under stress.
- Professional and courteous conduct at all times.

Background Check

Candidates must complete [Form 307](#) and pass a criminal background check, paid by the board. Keep the completed form on file and send a copy to the Secretary of State.

NOTE: The Secretary of State doesn't do background checks for directors and deputy directors. The board should work with the county prosecuting attorney and the county sheriff for background checks for these positions.

Appointment Rules

The director must:

- Live in the county within 30 days of hiring.
- Have all required qualifications.
- Be nominated by a board member of the same party.

- Not be a member of the board.⁵⁸

Three board members must vote yes to select a director. Directors are not public officers.⁵⁹

When Positions Open Up

Job Descriptions

Create a written job description that lists:

- Minimum qualifications.
- Required duties.
- How candidates will be evaluated.

Director and deputy director job descriptions must list duties, including:

- Running all elections held in the county.
- Processing and reporting election results.
- Recruiting and training PEOs.
- Managing voter records.
- Keeping board meeting records.
- Tracking money received and spent.⁶⁰
- Filing and keeping all election records in the board office.
- Preparing meeting minutes.
- Auditing campaign finance reports.
- Calculating election costs for political subdivisions.
- Managing board property and materials.⁶¹

⁵⁸[R.C. 3501.09.](#)

⁵⁹[R.C. 3501.14.](#)

⁶⁰[R.C. 3501.13\(A\).](#)

⁶¹[R.C. 3501.13\(A\).](#)

- Handling other duties assigned by the board or Secretary of State.⁶²
- Following all Secretary of State directives and materials.
- Managing staff and assigning work.
- Creating and monitoring annual budgets.

Advertising

When a director or deputy director job opens:

- Advertise for at least one week in the county's biggest newspaper.
- Advertise in election publications, on the Secretary of State's and the board's website, on social media, and on job boards, if desired.

All job ads must include:

- An explanation of how to get the job description and evaluation criteria.
- A notice that applicants need a background check.

Applications

Candidates must submit:

- Written application (in a form of the board's choosing).
- Current resume.
- Completed [Form 307](#).

Evaluation Criteria

Create a predetermined scoring system based on standard questions related to the job description. The board may ask for extra information about qualifications to consider all experience, education, and skills related to the position.

Give priority to candidates with previous election administration experience. If no candidates have all the minimum qualifications, evaluate them as if they did.

⁶²[R.C. 3501.13\(A\)](#).

DIRECTOR AND DEPUTY DIRECTOR DUTIES⁶³

The director serves at the pleasure of the board for a two-year term, beginning in March of odd-numbered years.⁶⁴ The director:

- Serves as the board's chief administrator.
- Serves as an election official.

Director duties include:

- Performing duties assigned by the board.
- Reviewing all Secretary of State communications.
- Sharing information with board members and staff and taking appropriate action.
- Writing meeting agendas and minutes.
- Keeping records of board proceedings and finances.
- Managing board property.
- Tracking inventory.
- Handling office mail, including getting documents to the correct county board of elections.
- Helping with personnel policies and procedures.
- Developing and managing budget and payroll.
- Supervising and managing staff.
- Auditing campaign finance reports.
- Calculating election charges to political subdivisions.
- Helping local liquor option petitioners.
- Recruiting, hiring, and training PEOs.
- Running all primary, general, and special elections held in the county.

⁶³[R.C. 3501.01\(U\)\(3\)](#); [R.C. 3501.13](#).

⁶⁴[R.C. 3501.06\(B\)\(2\)](#).

- Processing and reporting election results.
- Supervising the processing of voter records.
- Filing and keeping election records.

When a director plans to retire under [R.C. 145.38](#), they must inform all the board members.⁶⁵

The deputy director must:

- Help the director.
- Fill in when the director is absent.
- Perform other duties assigned or required by the board, director, or Secretary of State.

The director, deputy director, and other board employees are not public officers.⁶⁶

Working Together

State law doesn't define different duties for the director and deputy director. The board must create local policies about how they work together. Three common approaches:

- **Hierarchy** – deputy director reports to the director.
- **First-among-equals** – director and deputy director work together on everything, with the director having final say.
- **Division-of-labor** – director and deputy director split responsibilities, each having control of their areas.

Regardless of the approach, each one must be able to step in for the other if needed.

The director and deputy director must work as a team. Elections have many details, deadlines, and changes that require a team effort for success.

⁶⁵[R.C. 3501.13\(D\)](#).

⁶⁶[R.C. 3501.14](#).

CLERKS AND OTHER BOARD EMPLOYEES

The board can hire other employees, assign their duties, and set their pay with at least three board member votes.⁶⁷ These employees are election officials, but not public officers.⁶⁸ They serve at the board's pleasure and take the same oath as the director for the performance of their duties. The board can remove any of these employees by majority vote. It can also hire additional staff when needed.

All permanent board employees must have a background check. Create a policy for reviewing these checks and deciding if convictions should bar employment. Types of offenses that would bar employment include any election-related convictions and certain felonies and misdemeanors. Background checks must be conducted at least every 10 years.

Certain employees, including the director and deputy director, may need access to Secretary of State systems. The board should use the Board of Elections Account Management form, available on the Board of Elections Portal, to onboard and offboard employees from these systems. The Secretary of State's staff must be notified of the employment separation of a credentialed user no later than 24 hours after the separation.⁶⁹

Employees work under the director or deputy director, as the board authorizes. All personnel matters must be reported to the board.

The law doesn't require staff, other than the director and deputy director, to be evenly split between parties. The board doesn't need equal numbers of Democratic, Republican, or recognized minor party clerks. However, it may choose to keep party balance among staff.

⁶⁷[R.C. 3501.14.](#)

⁶⁸[R.C. 3501.14.](#)

⁶⁹[Board of Elections Account Management Policy.](#)

Section 2.05 Oaths, Ethics and Training

ALL BOARD EMPLOYEES

Oath of Office

Before starting work, the director, deputy director, and all board employees must take an oath to:

- Support the U.S. and Ohio Constitutions.
- Perform all duties to the best of their ability.
- Enforce election laws.
- Preserve all records, documents, and other property in their care.⁷⁰

Chapter 1, EOM Introduction includes a copy of this oath as an example. Keep the signed oath at the board office.

Ethics

All board members and employees must follow [Ohio ethics law](#) and the [Secretary of State's Ethics Policy](#). All current and future members and employees must complete [Form 350](#), acknowledging the Ethics Policy. Send a copy of the completed form to the Secretary of State's Elections Division.

Report Ethics Policy violations to the director of elections at the Secretary of State's office, the board's regional liaison, or Secretary of State's elections counsel.

The board can also mail anonymous reports in writing. Send them in a sealed envelope to the Secretary of State's office, to the attention of the director of elections.

Board members should abstain from participating in board matters in which they have a conflict of interest as described in the Ohio Secretary of State's Ethics policy. However, board members should not abstain unless they have a direct conflict.

⁷⁰[R.C. 3501.13](#); [R.C. 3501.14](#).

Ethics violations 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 from office.

Report Ohio ethics law violations to the Ohio Ethics Commission: [Ethics.Ohio.gov](https://ethics.ohio.gov) or 614-466-7090. Violations of Ohio ethics laws may be crimes with criminal penalties.

Prohibition Against Candidacy for Public Office

No person can serve as a member, director, deputy director, or employee of the board of elections if they are a candidate for elected office.⁷¹ The only exceptions are candidates for:

- Delegate or alternate to a political party convention.
- Member of a county agricultural society board.
- Presidential elector.
- Political party committee member.

A board member or employee who runs for office must resign from the board when his or her candidacy is certified.

Board Members Holding Other Public Offices

[Title 35](#) doesn't stop board members from holding other public offices. However, the two offices must be compatible.

[The Attorney General has issued opinions on which offices can be held simultaneously.](#)

Direct questions about the compatibility of public offices and positions to the board's legal counsel or the Ohio Attorney General.

Suspension and Removal

The Secretary of State may remove or suspend any member, director, deputy director, or other employee of the board for:

- Neglect of duty.

⁷¹[R.C. 3501.15.](#)

- Malfeasance (negligent action), misfeasance (illegal action), or nonfeasance (nonaction) in office.
- Willful violation of election laws in [Title 35 of the Revised Code](#).
- Any other good cause.⁷²

Fill vacant chairperson, director, or deputy director positions the same way as original selections, with people from the same party as the outgoing officer. If the board can't fill vacancies this way, the Secretary of State will fill them for the board.⁷³

⁷²[R.C. 3501.16](#).

⁷³[Art. II, Sect. 38 Ohio Const.](#); [R.C. 3501.16](#); State ex rel. Hughes v. Brown (1972), 31 Ohio St. 2d 41.

TRAINING REQUIREMENTS

The Secretary of State has a training program on election rules, procedures, and laws. Each member and employee must:

- Complete the training program within six months after starting.
- Update their knowledge once every four years or more often as required.⁷⁴

Failure to meet these requirements will affect reappointment.

The requirements are considered minimum. Board members, directors, and deputy directors may need more training to keep up with election changes, especially in even years.

New Officials Training

Newly appointed members, directors, or deputy directors must:

- Complete at least six hours of “New Election Official Training” within six months of appointment.⁷⁵
- Get eight more credits of training in their first full year.
- Earn a total of 14 credits.

The New Election Official Training Program:

- Is held at locations chosen by the Secretary of State.

Who is Required to Take Training?

Members of boards of elections:
Anyone appointed by the Secretary of State to a county board of elections under [R.C. 3501.07](#).

Employees of boards of elections: For [R.C. 3501.27\(D\)](#), “employees of boards of elections” means **only directors or deputy directors**. The board may require other employees to take the same training.

Newly appointed members, director, or deputy director: Someone who has never served before or previously served but has had at least a four-year break.

Incumbent or reappointed members, director or deputy director: Someone who has served and will continue with no break or had a break of less than four consecutive years.

⁷⁴[R.C. 3501.27\(D\)](#).

⁷⁵[R.C. 3501.27\(D\)](#).

- May include virtual courses and participation in Secretary of State programs may also be required.
- Awards a certificate of completion by the Secretary of State.

Continuing Education

Incumbent or reappointed officials must attend and complete at least eight credits of training each calendar year.

Extra hours don't carry over to the next year. This ensures up-to-date knowledge of election law changes.

Incumbent and reappointed members may attend the New Election Official Training Program if there is enough space. However, they will not get continuing education credits for attending.

In addition to the hourly requirements listed above, all board members, directors, and deputy directors must complete annual cybersecurity training as required in Chapter 3, Security. Boards must train all staff yearly on both cyber and physical security.

Approved Continuing Education Training Programs

The board may need to attend specific events, trainings, or meetings throughout the year. Mandatory events will be marked as such in the invitation. Appendix A of this manual includes a list of programs that count for training credits.

Training Exemptions

The Secretary of State may exempt someone from training for two reasons:

- Physical inability to attend (illness, weather emergency, etc.).
- Other good cause.

Training Costs and Fees

No registration fee will be charged for the Secretary of State's New Election Official Training Program. Participants pay their own travel, lodging, and meals unless otherwise provided by the Secretary of State. [Attorney General's Opinion No. 2046 \(1930\)](#) states that the county treasury may pay expenses for meetings called by the Secretary of State.

Section 2.06 Board Office Operations

FACILITIES

The board must provide:

- Suitable rooms for offices and records.
- Necessary furniture and supplies.⁷⁶

The board may lease offices for up to 15 years. Before signing a lease:

- Give county commissioners 30 days written notice.
- Include all terms and conditions of the lease.
- Give county commissioners up to 30 days to decide on the proposed lease.

If they reject the lease, the board can immediately seek another one using the same process.⁷⁷

The board can also adopt a resolution in accordance with [R.C. 133.18](#), requesting that the county commissioners let voters decide on issuing bonds to:

- Buy real estate.
- Build a suitable building with needed furniture and equipment.⁷⁸

The board may have permanent or temporary branch offices anywhere in the county. If the board allows voters to vote at a branch office, they cannot vote at any other branch or board office.⁷⁹

For office security requirements, see [Chapter 3, Section 3.02](#).

If the board office plans to move, alert the Secretary of State's office 12 months in advance so they can help with obtaining internet service and checking physical security and Americans with Disabilities Act compliance. See the **Board Move Checklist** at the end of this chapter.

⁷⁶[R.C. 3501.10\(A\)](#).

⁷⁷[R.C. 3501.10\(A\)](#).

⁷⁸[R.C. 3501.10\(A\)](#).

⁷⁹[R.C. 3501.10\(C\)](#).

BOARD HOURS

Set regular office hours based on the board's needs.⁸⁰ It must have extended hours for voter registration before a primary or general election and for early in-person absentee voting.

Extended Hours for Voter Registration

The board's main office, or at least one branch, must remain open until 9 p.m. on the last day to register before a primary or general election.⁸¹

Extended Hours for Early In-Person Absentee Voting

See [Chapter 7, Section 7.04](#) for required hours for early in-person absentee voting. Early in-person voting starts the day after registration closes.

HUMAN RESOURCE MANAGEMENT

Pay and Benefits

The board sets the pay of the director, deputy director, and other employees with at least three board votes, subject to budget availability. Don't send tie votes or disagreement regarding staff pay to the Secretary of State.⁸²

Create personnel pay and benefit policies for:

- Wages.
- Sick leave.
- Vacation time.
- Comp time.
- Other staff matters.

Get county employee policies from the county commissioners or the county auditor. Federal employment rules should also be available from these offices or the state auditor.

⁸⁰[R.C. 3501.10\(B\).](#)

⁸¹[R.C. 3501.10\(B\).](#)

⁸²[R.C. 3501.14.](#)

The board may provide insurance for board members and their families with the county commissioners' approval.⁸³

For Human Resources (HR) questions, talk to the county prosecutor or commissioners.

For retirement system questions, talk to the Ohio Public Employees Retirement System (OPERS) agency or private legal counsel.

Hiring Family Members

Ohio ethics law forbids board members and employees from:

- Authorizing a family member's employment.
- Using their position to get a family member hired.⁸⁴

This means board members cannot take any part in hiring their family members as board employees.⁸⁵

Board members cannot hire relatives of board members, directors, and deputy directors, except as PEOs (including rovers, scouts, and similar temporary positions).⁸⁶

If a board member's relative is being considered and that member properly steps aside, the other members may hire PEOs who are family members of officials or employees.

The individual must not:

- Take part in hiring their own family member.
- Make decisions about their family member's job terms.

Officials cannot delegate hiring to a subordinate so that a family member can be hired.

Ohio ethics laws apply after the family member is hired. Officials cannot:

- Take part in decisions affecting their family member's job ([R.C. 2921.42\(A\)\(1\)](#)).

⁸³[R.C. 3501.141](#).

⁸⁴[R.C. 2921.42\(A\)\(1\)](#).

⁸⁵See OEC Advisory Op. 80-001. "Family member" is defined as spouse, domestic partner, mother, father, step-mother, step-father, brother, sister, step-brother, step-sister, half-brother, half-sister, brother-in-law, sister-in-law, grandmother, grandfather, mother-in-law, father-in-law, child, step-child, son-in-law, daughter-in-law, or other family member living in the same household.

⁸⁶[OEC Informal Opinion Letter 1992-INF-1009-1](#).

- Participate in any decision directly affecting a family member's employment ([R.C. 102.03\(D\)](#)).

As public servants, always consider how hiring family members might look to the public.

Section 2.07 Board Finance, Advertising, and Records

BUDGET AND EXPENDITURES

Appropriations for Elections Board

The board must prepare and submit a budget estimating the next fiscal year's election cost and submit it to the county commissioners.⁸⁷

Expenses Paid by the County Commissioners

Certain expenses are paid by the county and can't be charged to other entities. The costs of these expenses are paid from the county treasury. Those expenses are listed later in this section.

Form of Payments

Pay expenses using vouchers signed by the board chairperson (or acting chairperson) and director (or deputy director), with warrants of the county auditor. Don't commit to spending money unless the board has enough funds.

When submitting budget estimates each year, give each subdivision an estimate of how much the board will withhold, per precinct, during the next fiscal year for a special election (e.g., August Special Election) if they ask.⁸⁸

Court Action for Additional Funds

If county commissioners don't give the board enough money, the board may apply to the court of common pleas within its county. The court will set the amount necessary to be appropriated, and that amount shall be appropriated by the county commissioners..⁸⁹

⁸⁷[R.C. 3501.11\(O\)](#); [R.C. 3501.17](#).

⁸⁸[R.C. 3501.17](#).

⁸⁹[R.C. 3501.17\(A\)](#).

Establish Elections Revenue Fund

If a majority of the board requests it, the county commissioners may create an election revenue fund. This fund holds money for the board's expenses under [R.C. 3501.11](#). The fund cannot pay regular salaries from this fund, only overtime.⁹⁰

The county commissioners can transfer money to this fund from any other lawful source. After a majority vote of the board of county commissioners, they can rescind an election revenue fund and move the money to the county general fund.

Chargebacks and Payments for an August Special Election

Chargebacks

"Chargebacks" means billing political subdivisions for their share of election costs. The law outlines what can and cannot be "charged back" to the appropriate subdivisions.

Payments for an August Special Election

Political subdivisions must prepay part of August special election costs.⁹¹

For each special election:

1. Estimate the cost for one question or race per precinct.
2. Divide that cost by the number of registered voters in the county.
3. Give this estimate to the Secretary of State and county commissioners at least 15 business days before the filing deadline for that special election using Secretary of State [Form 76](#).⁹²
4. The board must also give an estimate to any political subdivision wanting to be on the ballot at the special election. To calculate the estimate, use one of the following methods:

"Political subdivision" and **"subdivision"** in this context means any entity that can levy taxes or receive tax money, such as:

- Board of County Commissioners.
- Township trustees.
- City or village councils.
- School boards.
- Other boards, commissions, or authorities.

⁹⁰[R.C. 3501.17\(I\)](#).

⁹¹[R.C. 3501.17\(J\)\(2\)](#).

⁹²[R.C. 3501.17\(J\)\(1\)](#).

- a. Multiply the number of registered voters in the political subdivision and the cost estimate.
- b. Multiply the number of precincts in the political subdivision and the cost estimate.

The political subdivision must pay 65 percent of this estimate, not less than 10 business days after the filing deadline for that special election. The payment must be made to the county elections revenue fund.⁹³

Within 60 days after the special election:

- Tell each political subdivision their actual cost (this may be by email or U.S. mail).
- If the political subdivision paid too little, it must pay the balance within 30 days.
- If the political subdivision paid too much, the board must notify the county commissioners, and they must refund the difference within 30 days.⁹⁴

The “true and accurate cost” is determined the same way as costs are determined for a chargeback for that election.

Items Never Charged to Subdivisions

These costs stay with the county:

- pay for board members, director, deputy director, and regular staff (except overtime)
- office rent, furniture, and equipment for the board
- office supplies for the board
- acquiring and maintaining polling locations
- voting booths, guardrails, and polling place equipment
- tally sheets, maps, flags, ballot boxes
- all other permanent records and equipment

⁹³[R.C. 3517.01\(J\)\(2\).](#)

⁹⁴[R.C. 3517.01\(J\)\(3\).](#)

- costs for state and county elections
- all other expenses not chargeable to a political subdivision

Items That Can Be Charged to Subdivisions, Special Election Only (No Primary or General Election)

Charge the subdivision the entire cost of special elections, including:

- PEO pay.
- Temporary office staff pay.
- Contractor pay for voting equipment work.
- Polling place rental, heating, and lighting.
- Moving equipment, including voting machines, marking devices, and automatic tabulating equipment.
- Printing and delivering ballots.
- Instruction cards and supplies such as notices, supply envelopes, secrecy sleeves, pens, and tape.
- Registration lists required under section [R.C. 3503.23](#).
- Absentee voting supplies including envelopes and postage.
- Provisional voting supplies.
- Other election supplies, including paper trail supplies (see [R.C. 3506.01\(H\)](#)).
- Advertising.
- All other expenses for odd-numbered year primaries and elections.

Special Circumstances

Special Election with Even-Year Primary or General Election

If a special election is held on the same day as an even-year primary or general election, charge the subdivision only for:

- Ballots.
- Advertising ([R.C. 3501.17\(D\)](#)).

Special Election with Odd-Year Primary or General Election

If a special election is held on the same day as an odd-year primary or general election, charge the subdivision for:

- Ballots and advertising for the special election.
- Plus the subdivision's share of candidate election costs ([R.C. 3501.17\(D\)](#)).

State Constitutional Amendments

For a special election held on a primary day for state constitutional amendments proposed by the general assembly:

- The state pays for ballots and advertising.
- The state reimburses counties for all expenses from opening precincts only for the special election.

For precincts that are open for other elections in addition to the statewide special election, costs are handled according to [R.C. 3501.17](#).

If a subdivision also has a special election on the date of a primary election, split costs between the state and subdivision based on a ratio of the number of issues placed on the ballot by each.

This split happens only if state funds are available.

If a primary election is also happening in the subdivision, costs follow regular rules (see [R.C. 3501.17](#)).

When a precinct opens only for a statewide ballot issue, the state pays the entire cost.⁹⁵

⁹⁵[R.C. 3501.17\(E\)](#); [R.C. 3501.17\(F\)](#).

Suggested Chargeback Steps

Contact the county auditor for tax schedule deadlines to process chargebacks for the targeted tax duplicate. Most will give the board a preferred submission date for reporting the chargeback costs.

Suggested steps for tracking and preparing chargebacks:

1. Beginning in January and moving forward, mark each paid invoice with PSC (Political Subdivision Charge) or CC (County Charge). Enter each PSC invoice in a chargeback book at the end of the month.
 2. After each election, list each subdivision to be charged with its precinct count.
 3. Calculate advertising costs separately for each subdivision.
 4. Calculate ballot costs separately for each subdivision. Charge the total cost of ballots in odd-numbered years and for all special elections.
 5. Calculate other costs for each precinct (like transportation of voting equipment, PEO pay, polling place rental, postage, and supplies).
 6. If a precinct has items for multiple entities, split the cost:
City and county 1/2 each
County, village, and township 1/3 each
County, village, township, and school district 1/4 each
County, city, township, school district A, and school district B 1/5 each
 7. Tell the county auditor the total for each subdivision to withhold the charges from moneys due at the next tax settlement.
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PREPARING AND ADVERTISING BIDS

Supplies Other Than Ballots

For contracts over \$25,000 for supplies (other than official ballots) needed under [R.C. 3501.30](#), either:

- Publish one notice in a newspaper with county circulation.
- Mail notices to responsible suppliers in the state.

The board may require each bid to include a bond, with:

- At least two individual sureties or a surety company.
- Double the amount of the bid.
- Terms to ensure performance and cover the excess costs if the bidder fails to complete the contract.

The contract must be awarded to the lowest and best bidder.⁹⁶

Consult Legal Advisor

Ask the county prosecutor if the board should have written contracts with the successful bidder.

OUTSOURCING REQUIRED MAILINGS OTHER THAN ABSENTEE BALLOTS

Boards will sometimes need to mail notices to voters. The board may have to use an outside vendor to print and mail the notices (not absentee ballots). The board must:

- Have a contract with the vendor reviewed by the county prosecutor that includes:
 - Instructions and requirements for the production of the notices.
 - Information on how data files are provided to the vendor.
 - Timelines and deadlines for production, proofing, and mailing.
 - Sign-off procedures requiring the director's approval before final production.
 - The vendor's commitment to fix errors promptly and within deadlines.

⁹⁶[R.C. 3501.301](#).

- Check sample proofs to ensure data maps correctly.
 - Test enough notices against the board data file.
 - Verify data is mapped appropriately in the right places on the notice.
- Make sure information meets all requirements.

If the notice follows a directive, give the vendor a copy before entering the contract and make sure the notice meets the directive's requirements.

PUBLICATION OF LEGAL ADVERTISEMENTS

Format of Ads

Legal ads must be:

- Compact without unnecessary spaces, blanks, or headlines.
- Printed in at least six-point type.
- Type set in proper proportions (capital letter "M" no wider than it is high).

All ads or notices about proposed constitutional amendments, ballot language, arguments, referenda, or laws proposed by initiative petitions must be in newspapers published in the English language only.⁹⁷ Forms related to the publication of legal advertisements are available on the Secretary of State's [website](#).

Place of Publication

Publish legal ads in general circulation newspapers (newspapers that bear a title or name and are regularly issued, with at least a weekly circulation) that meet all of the following requirements:

- Printed in English with at least eight broadsheet pages or 16 tabloid pages.
- Contains at least 25 percent editorial content (local news, politics, sports).
- Published continuously for at least three years.
- Can add subscribers.

⁹⁷[R.C. 7.10](#); [R.C. 7.101](#); [R.C. 7.12](#).

- Circulated by mail or carrier in the board's area, proven by filing of [USPS Form 3526](#), or by proof of an independent audit of the publication within the last 12 months.⁹⁸

Reducing Costs of Publication

[Ohio Attorney General Opinion No. 91-059](#) says counties may share costs of advertising by using large metropolitan newspapers circulated in multiple counties. A newspaper is published in a county when it is circulated there, regardless of where it's printed. However, that doesn't automatically make it a "general circulation" newspaper. This must be considered on a case-by-case basis under the previous guidelines. Contact the county prosecutor for help.

Another way to save is to print inserts with legal ads to be included in local newspapers.

Timing of Publication

Voter Registration

Six weeks before any election, publish notices in newspapers of general circulation advertising the places, dates, times, methods, and qualifications for registration.⁹⁹

Election

At least 10 days before an election, either post notices of proclamation in the courthouse and city hall or publish once in a county newspaper.

If no newspaper is published in the county, use one with general circulation in the county.¹⁰⁰

Other

For tax levies and certain questions and issues, publication times vary based on the:

- Revised Code.
- Ohio Constitution.
- Local charter.

⁹⁸[R.C. 7.12.](#)

⁹⁹[R.C. 3503.12.](#)

¹⁰⁰[R.C. 3501.03.](#)

Requirements range from one notice to four consecutive weeks' notice before the election. Check the [Ohio Ballot Questions and Issues Handbook](#) and relevant section(s) of the Revised Code, Ohio Constitution, or charter for ad requirements.

ONLINE PUBLICATION

Post information from legal notices, emergency changes to polling places, or other important notices on the board's website and social media accounts.

Online posting adds to, but cannot replace, legal obligations to post in a newspaper.

PUBLIC RECORDS

The Ohio Public Records Act lets anyone ask to see or copy public records.¹⁰¹ The board is a public office under this law.

A public record is a record kept by a public office.¹⁰² A record is "any document, device, or item, regardless of physical form or characteristic, including an electronic record, created or received by or coming under the jurisdiction of any public office of the state or its political subdivisions, which serves to document the organization, functions, policies, decisions, procedures, operations, or other activities of the office."¹⁰³

The board must:

- Organize records so they can be available for public records requests.
- Create and adopt a policy for handling public records requests.

The Secretary of State's office can't advise boards on Ohio Public Records Act questions. Instead, contact the county prosecutor. The [Ohio Sunshine Law Manual](#) can help.

The [Ohio Secretary of State's office has a records retention schedule](#) that sets the minimum time the board must keep election records. For unlisted records, work with the county prosecutor to create a retention schedule and ask the prosecutor about the proper disposal of records.

¹⁰¹ [R.C. 149.011](#); [Ohio Sunshine Laws 2025: an Open Government Resource Manual](#).

¹⁰² [R.C. 149.43\(A\)\(1\)](#).

¹⁰³ [R.C. 149.011\(G\)](#).

Section 2.08 Legal Counsel and Law Enforcement

COUNTY PROSECUTOR

Under Ohio law, the board's legal counsel is the county prosecutor.¹⁰⁴ The board may ask for written opinions or instructions on matters connected with the board's official duties. The prosecutor must:

- Prosecute actions the board directs.
- Defend suits where the board is a party.

The board cannot hire other legal counsel at county expense without approval from the county commissioners and the court of common pleas.¹⁰⁵

MUNICIPAL LEGAL COUNSEL

Cities and villages have their own lawyers, such as city attorneys, law directors, or village solicitors.¹⁰⁶ In charter municipalities, their legal counsel interprets their charter.

Generally, defer to a charter municipality's interpretation of its charter. However, the board still must fulfill its duties under the election laws. Consult the prosecutor.

SECRETARY OF STATE

As Ohio's Chief Election Officer, the Secretary of State oversees:

- Election administration.
- Voter registration.
- Election conduct.¹⁰⁷

The Secretary issues instructions through:

- Directives.
- Advisories.

¹⁰⁴[R.C. 309.09.](#)

¹⁰⁵[R.C. 305.14.](#)

¹⁰⁶[R.C. 705.11](#); [R.C. 733.51.](#)

¹⁰⁷[R.C. 3501.04](#); [R.C. 3501.05.](#)

- Other communications¹⁰⁸ (such as methods for registering voters, maintaining, correcting, and updating voter registration records, and conducting and canvassing elections).

These instructions guide the board on proper election methods.

The election attorneys on the Secretary of State's staff are the Secretary's legal counsel. They can clarify the guidance the Secretary provides to boards through directives, advisories, and other communications. However, they cannot give legal advice on a board's specific situation; board legal counsel is the county prosecutor.

CONFLICTING OPINIONS

The board often consults both the Secretary of State's office for guidance and the prosecutor for legal advice on a particular issue

The Supreme Court of Ohio holds that when an election statute has two equally reasonable interpretations, the Secretary of State's interpretation gets more weight.¹⁰⁹

LAW ENFORCEMENT AND ELECTIONS

The board and its staff are essential to every election. The board must be allowed to do its duties to ensure fair, orderly, and efficient elections.

As election officials, board members and employees must:

- Prevent violence and disorder at the polls.
- Call on the sheriff or police to help enforce the law.
- Request the arrest of violators.¹¹⁰

Law enforcement must respond immediately to such requests.¹¹¹

The law ([R.C. 3501.34](#)) says that the police or sheriff must provide forces at polling places when requested by the board or Secretary of State. On Election Day, they must have a special force ready for emergencies or duties at polling places. At least one

¹⁰⁸[R.C. 3501.053](#).

¹⁰⁹*State ex rel. Herman v. Klopfeisch*, 72 Ohio St.3d 581, 586 (1995).

¹¹⁰[R.C. 3501.33](#).

¹¹¹[R.C. 3501.33](#); [R.C. 3501.34](#).

officer shall work at each precinct when requested. Officers shall have access to polling places and must arrest violators of Title 35 of the Revised Code.

Officers must obey voting location managers asking for help enforcing election laws.¹¹²

Ohio's election laws prohibit:

- Hindering voters from entering or leaving a polling place.
- Loitering or soliciting voters in the neutral zone.¹¹³

On Election Day, the board may ask law enforcement to:

- Keep polls open.
- Transport ballots.
- Help voting location managers.

On election night, law enforcement may help secure:

- Ballots.
- Election records.
- Equipment.
- Supplies.¹¹⁴

When asked to assist in securing ballots, law enforcement should help board employees lock all ballots and election materials in a safe place with double locks securing the door where they are stored.

Give one key to the director or a board member of the same party.

Give the second lock's key to the deputy director or a board member of the opposite party.

Keep additional or duplicate keys with the individuals who have control of the original keys.

¹¹²[R.C. 3599.31](#).

¹¹³[R.C. 3501.30\(A\)\(4\)](#); [R.C. 3501.35](#).

¹¹⁴If the office of Sheriff is on the ballot, to avoid appearance of impropriety, the Sheriff should send a deputy or another representative who is not a candidate on the ballot.

This double-lock system prevents one party from controlling access to ballots and election materials.

Section 2.09 Election Administration Planning and Contingency Plans, After Action Reviews

ELECTION ADMINISTRATION PLANS¹¹⁵

The board must submit an election administration plan (EAP) to the Secretary of State's office:

- 75 days before each presidential primary.
- 120 days before each general election in even-numbered years.¹¹⁶

Each board must use the EAP Template when drafting its EAP. The EAP template and submission instructions are provided to the board by email at least 60 days before the deadline. Unless a new template is provided, boards should continue working from their current EAP. Updated templates will be distributed only when revisions are made.

¹¹⁵[R.C. 3501.11\(BB\)](#).

¹¹⁶[R.C. 3501.11\(BB\)](#).

The board may add more content, but it must include at least what's in the template. The response "not applicable" is unacceptable.

The EAP must be signed by:

- Board members.
- The director.
- The deputy director.

The board must submit its EAP electronically as:

- An unrestricted PDF file.
- A second PDF, with permitted redactions (must cite legal authority and be approved by the county prosecutor)

The Secretary of State's office will use the redacted file for public records requests for copies of an EAP.

CONTINGENCY PLANS

Various problems can happen on Election Day. No law allows postponing or suspending an election for severe weather (flood, blizzard, tornado).

The only provision for postponing an election ([R.C. 161.09](#)) says that in an emergency resulting from enemy attack, the governor may postpone any state or local election up to six months. If an election can't be held because of an enemy attack, the current officeholders continue serving until their successors are elected.

EAP Template Contents

The EAP must contain these 13 sections:

1. Precinct Election Official Recruitment, Training, and Accountability
2. Resource Allocation
3. Pre-Election Day and Election Day Communication Plan
4. Materials
5. Contingencies and Continuity Planning
6. Security
7. Voter Registration
8. Absentee Ballots
9. Polling Locations and Accessibility
10. Ballot Preparation
11. Pre-Election Testing
12. Reconciliation and Audits, and
13. Master Calendar

The board should work with public officials and agencies to create contingency plans for various situations. Adopt plans that comply with the Homeland Security Act to help prepare in case there is a disturbance at a polling place.

Include contingency planning in the board's election administration plan. Even for elections not requiring an EAP, the board still needs to have one in place.

AFTER ACTION REVIEWS

Each board is required to conduct an after-action review (AAR) within 45 days after each election. The review should identify:

- What went well.
- Areas for improvement.
- Corrective actions.

Within the 30 days before each election, the board must review recent AARs to ensure that corrective actions were taken. Also, reinforce any previous strengths to ensure continued success.

An After Action Review (AAR) is a structured debriefing process that analyzes past events to identify lessons learned and improve future performance. It promotes continuous learning by helping teams understand what happened and how to refine their strategy.

Section 2.10 Ohio Election Integrity Commission and Election Integrity Unit

This section outlines the responsibilities of boards of elections under the new election integrity framework established by House Bill 96. The legislation replaces the former Ohio Elections Commission process with the Ohio Election Integrity Commission and Election Integrity Unit (EIU), establishing updated procedures for investigating and resolving election and campaign finance violations and clarifying boards' reporting responsibilities.

ROLES OF THE BOARDS OF ELECTIONS

When the boards of elections become aware of a suspected violation of election and campaign finance laws, it must submit a complaint alleging the violation to the Election

Integrity Unit (EIU) pursuant to R.C. 3517.16(A)(2). This means election officials are required to report such potential violations to the EIU. To do so, boards will visit the [Ohio Election Integrity Commission website](#), complete the designated complaint form, and include a certification that the information provided is true and correct to the best of the filer's knowledge, information, and belief. Election officials are required to file complaints when violations of campaign finance laws or applicable election statutes are found.

Examples of violations to report include, but not limited to:

- Failure to file required campaign finance reports
- Failure to file complete and accurate campaign finance reports
- Conversion of campaign funds for personal use
- Acceptance of prohibited contributions
- Use of campaign funds for prohibited purposes

For campaign finance complaints, boards shall attach a copy of (1) the committee's most recent designation of treasurer, (2) the most recent campaign finance report, (3) documented communications with the committee, and (4) any other relevant supporting documentation. A list of election law violations, possible penalties, and code citations can be found at the end of the Campaign Finance Handbook in Chapter 15. Once a complaint is filed, the matter is handled by the EIU and, if applicable, the Commission.

FILING FEES

The following table shows the total cost for each filing fee pursuant to R.C. 3513.10. Filing fees collected by the board of elections pursuant to R.C. 3513.10(B) must be paid to the Ohio Election Integrity Commission Fund by the County Auditor.

Type of Candidate	Total Filing Fee	Amount Paid to OEIC
For district office, including members of the United States House of Representatives and members of the General Assembly	\$85	\$35
For court of appeals judge	\$80	\$30
For court of common pleas judge	\$80	\$30
For county court judge	\$80	\$30
For municipal court judge	\$80	\$30
For county office	\$80	\$30
For city office	\$45	\$25
For village office	\$30	\$20
For township office	\$30	\$20
For member of local, city, or exempted village board of education or educational service center governing board	\$30	\$20

Chapter 2 Checklist:

Board of Elections Organization and Operations

This checklist is not complete, but covers the major responsibilities in Chapter 2. Always refer to the full Election Official Manual, Ohio Revised Code, and Secretary of State directives.

Board Organization

- ☐ Hold an organizational meeting within five days after Secretary of State appointments.
- ☐ Select a temporary chair to run the meeting.
- ☐ Choose a director (needs three votes).
- ☐ Choose a deputy director from the opposite party of the director (needs three votes).
- ☐ Select a chairperson from the opposite party as the director.
- ☐ Send [Form 308](#) and [Form 350](#) to the Secretary of State.
- ☐ Make sure all members and employees complete ethics forms.

Staff Requirements

- ☐ Create clear job descriptions for the director and the deputy director.
- ☐ Get background checks for all permanent employees.
- ☐ Have all staff take oaths of office.
- ☐ Set pay rates with at least three board votes.
- ☐ Create personnel policies (wages, leave, benefits).
- ☐ Avoid hiring family members except as poll workers.

Training

- ☐ New officials: Complete six hours of New Election Official Training within six months.

- ❑ New officials: Get eight more credits in the first year (14 total).
- ❑ Experienced officials: Get eight training credits each year.
- ❑ All officials: Complete annual cybersecurity training.
- ❑ Train all staff on security practices each year.

Office Setup

- ❑ Set regular office hours.
- ❑ Plan for extended hours during voter registration and early voting.
- ❑ Make sure facilities meet all requirements.
- ❑ Give 30 days' notice to commissioners before signing leases.

Meetings

- ❑ Create a schedule of regular meetings (monthly recommended).
- ❑ Post notice of all meetings.
- ❑ Keep detailed minutes of all meetings.
- ❑ Send approved minutes to Secretary of State within 10 days.
- ❑ Follow Open Meetings Act requirements.
- ❑ Start and end all meetings in public session.

Financial Management

- ❑ Prepare annual budget for commissioners.
- ❑ Track which expenses can be charged back to subdivisions.
- ❑ Properly advertise for bids on contracts over \$25,000.
- ❑ Calculate proper chargebacks after elections.
- ❑ Get August Special Election prepayment if needed.
- ❑ Follow proper voucher procedures for all payments.

Legal Requirements

- ❑ Publish required notices for voter registration and elections.
- ❑ Post notices on the board website and social media.
- ❑ Create a public records policy.
- ❑ Follow the records retention schedule.
- ❑ Consult with the county prosecutor on legal matters.
- ❑ Send tie votes to Secretary of State within 14 days.
- ❑ Properly investigate any alleged violations.

Election Planning

- ❑ Submit the election administration plan 75-120 days before major elections.
- ❑ Create contingency plans for various emergencies.
- ❑ Develop a master calendar of all deadlines.
- ❑ Conduct AARs within 45 days after elections.
- ❑ Review previous AARs before each election.
- ❑ Implement corrective actions from previous AARs.

Security

- ❑ Use double locks on ballot storage.
- ❑ Have keys held by officials of different parties.
- ❑ Train staff on cyber and physical security annually.
- ❑ Contact law enforcement for security help when needed.

Hearings and Investigations

- ❑ Consult with the prosecutor before hearings.
- ❑ Send proper notice to all parties.

- ❑ Arrange for a court reporter.
- ❑ Swear in all witnesses.
- ❑ Document all evidence.
- ❑ Be impartial and focus only on evidence presented.
- ❑ Report findings to prosecutor when appropriate.

Board of Elections Location Move

Secretary of State/Board Coordination Checklist and Timeline

When your Board moves locations, there are a number of details related to Secretary of State security requirements, Americans with Disabilities Act compliance, and dedicated IT circuits that must be completed before the move takes place.

Providing information and meeting with Secretary of State representatives early in the process helps ensure a smooth transition to your new location and minimizes rework, delays, or possible changes.

One Year Before the Move

Complete and Submit Board of Elections Location Move Management Form to Help@OhioSoS.gov.

- ❑ Complete as much information as you know when planning the move.
- ❑ Notify your regional liaison about the planned move and tentative dates.
- ❑ If your county is considered small or rural, coordinate with Secretary of State IT to hold the AT&T site location meeting as soon as possible, as last-mile local carrier installations can delay your move.

9 Months Before the Move

Send proposed site plans (building plans for new buildings or remodeling plans for existing buildings) to Help@OhioSoS.gov.

- ❑ Make sure to highlight secure areas/rooms, tabulation, and server rooms in the plans.

If the Secretary of State team notes any areas of risk or that may not meet Secretary of State requirements, your board will be notified early in the process so adjustments can be made.

If there is a project plan for the move, share it with Help@OhioSoS.gov to aid in Secretary of State resource scheduling.

Discuss the planned move date with Secretary of State's Elections Division to ensure the move will not interfere with an election.

6 Months Before the Move

Schedule Secretary of State Physical and Cyber Security, Secretary of State IT, and ADA meetings.

Meetings should be at the planned new location site or, if the new location is being built, at your board of elections to review the site plans.

Holding these meetings early in the move process can help with room layout, camera placement, and other security and ADA requirements.

- ❑ Schedule DHS site review.
- ❑ Provide monthly updates on move progress to Help@OhioSoS.gov.
- ❑ Confirm the status of the circuit installation with Secretary of State IT.
- ❑ Rural areas or those requiring last-mile local carrier connections may take longer to set up than locations in an urban or suburban setting.

3 Months Before the Move

Participate in a stakeholder meeting with Secretary of State IT, Security, Elections, and your regional liaison.

This meeting serves as a touch base to confirm plans and timelines are still on target or make adjustments if an aspect of the move has fallen behind schedule.

1 Month Before the Move

- ❑ Coordinate turn-on with Secretary of State IT.
- ❑ Schedule or coordinate the Palo Alto move.

Day of Move

- ❑ Test secure connection with Secretary of State IT.
- ❑ Celebrate your new board of elections space!