

# HOW TO COMPLY with the NATIONAL VOTER REGISTRATION ACT

A TOOLKIT FOR: NVRA AGENCY STAFF, NVRA COORDINATORS, AND ELECTIONS OFFICIALS

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### How to Comply with the National Voter Registration Act (NVRA)

A Toolkit for Voter Registration Agency Staff, NVRA Coordinators, and Elections Officials **Table of Contents** 

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### **How to Use this Resource Manual**

A Toolkit for Voter Registration Agency Staff, NVRA Coordinators, and Elections Officials

**Thank you for using the NVRA Toolkit.** Answer the questions below to determine which sections of the Toolkit are right for you.

#### 1. Do you help people

- (a) Fill out applications for benefits or services...
- (b) Recertify benefits or services... or
- (c) Submit a change of address...

...at any of the following programs or in any of the following offices?

- Armed Forces Recruitment Offices
- California Student Aid Commission
- County Welfare Offices that accept applications and administer benefits for:
  - CalFresh
  - CalWorks
  - ► Medi-Cal
  - ► WIC
  - General Assistance/General Relief
  - ► In-Home Supportive Services
- Covered California
- Dept of Developmental Services Regional Centers
- Dept of Rehabilitation, Vocational Services
- Dept of Social Services
  - ► CalFresh Program
  - Office of Deaf Access
  - ▶ Office of Services to the Blind, Assistance Dog Special Allowance Program
- Dept of Tax and Fee Administration offices that provide services to the public
- Franchise Tax Board offices that provide public access for income tax instruction and assistance
- Independent Living Centers
- Offices for students with disabilities at:
  - ▶ California Community Colleges
  - California State University
  - University of California
- State and County Mental Health Providers
- Private entities under contract with any of the above to provide NVRA-related services

If so, **you have an obligation to provide voter registration to clients** under state and federal law. This toolkit will tell you how. Please read all content for agency staff (pages 3-9).

2. Every office subject to the NVRA is required to identify one person who ensures compliance with the office's voter registration responsibilities. Are you that person?

**You are an "NVRA coordinator."** Please read all the content for agency staff (pages 3-9) and all content for NVRA coordinators (pages 10-16).

**3.** Do you handle NVRA compliance for your county elections office? Do you handle requests from agencies asking for voter registration cards? Do you prepare reports for the state on voter registration card returns?

You are the NVRA coordinator for the county elections office. Please read all content for elections officials (pages 17-26).

# When & How to Provide Voter Registration Services

The National Voter Registration Act (NVRA) was passed more than 20 years ago to increase the political participation of populations that have historically been underrepresented in our democracy. When you meet the terms of the NVRA, you are often providing someone the first opportunity of their lifetime to take part in the political process that governs their benefits, their services, and in many ways, their everyday lives.

The NVRA requires you to provide voter registration services every time a person:

- Applies for benefits or services,
- Renews or recertifies benefits or services, or
- Submits a change of name or address.

Voter registration services also apply to remote transactions, such as those conducted by mail, by phone, or by internet. Voter registration services must be provided to adults applying for benefits or services on behalf of a minor.

#### What does "voter registration services" mean?

Voter registration services must be offered in the same format as your agency's own forms. If your agency offers paper forms, then you are required to offer voter registration services using paper forms. If your agency offers electronic forms, then you are required to offer voter registration services electronically.

During transactions that require voter registration services you need to:

1) Provide the voter preference form
questions. The voter preference form
questions ask clients if they would like to
register to vote and makes clear that their
benefits and services will not be affected by

- their answer. Completed voter preference form responses, whether in paper or electronic form, must remain on file in your office for two years.
- 2) Provide the voter registration application. Offer assistance in filling out the voter registration card, or the online voter registration application, unless the client declines to register to vote in response to the voter preference form questions. You must provide assistance with registering to vote to the same degree you provide assistance with your agency's own forms. You must also accept completed voter registration cards and mail them on behalf of the client. Voter registration cards are pre-addressed and postage paid, and should be mailed daily.
  - ➤ Your office may be required by law to have voter preference forms and voter registration cards in languages other than English. Ask your office's NVRA coordinator what your "required" languages are, or consult page 13 of this document. If a client interacts with you in one of the required languages, provide forms in that language.
  - ▶ You do not play any role in screening your clients for eligibility to vote. Provide voter registration opportunities to all clients; it is the client's responsibility to familiarize himself or herself with eligibility criteria, which are on the voter registration application. Additionally, county elections offices work to ensure that only those who are eligible to vote join the voter rolls.



If you suspect a client is a non-citizen, you may say, "You must be a United States citizen 18 years of age or older to vote" when handing the client the voter preference form and voter registration card.

Remember that by law you are **not allowed to influence clients' political party preference** when providing voter registration assistance. You are also **not allowed, by law, to discourage clients from registering to vote**. You can, however, encourage clients to register.

### **NVRA Implementation in California**

Offices offering public assistance and offices primarily serving people with disabilities have a responsibility under the NVRA to provide voter registration opportunities to clients. These are known as "Voter Registration Agencies" (VRAs). VRAs in California include:

#### Public assistance agencies, including:

- California Student Aid Commission (CSAC)
- County welfare offices that accept applications and administer benefits for:
  - CalFresh
  - CalWORKs
  - ► General Assistance/General Relief
  - ► Medi-Cal
  - ▶ WIC
- Covered California, California's health benefit exchange
- Private entities under contract with Public Assistance Agencies to provide NVRA-related services

### State-Funded agencies primarily serving persons with disabilities, including:

- County welfare offices that accept applications and administer benefits for In-Home Supportive Services (IHHS)
- Department of Developmental Services Regional Centers
- Department of Rehabilitation offices that provide vocational rehabilitation services
- Department of Social Services (DSS):
  - ▶ Office of Deaf Access (to provide services to the deaf)
  - Office of Services to the Blind, Assistance Dog Special Allowance Program
- Independent Living Centers

- Offices for students with disabilities at:
  - ► California Community Colleges
  - California State University
  - University of California
- State and county mental health and behavioral health departments
- Private entities under contract with Disability
   Service Agencies to provide NVRA-related services

### Other agencies designated by the state under NVRA, including:

- Franchise Tax Board district offices
- California Department of Tax and Fee Administration offices
- Private entities under contract with these agencies to provide NVRA-related services

### SB 35 Writes NVRA Best Practices into State Law

o ensure that California agencies fully comply with the NVRA, the state legislature passed

Senate Bill 35 (Padilla, 2012), which writes NVRA best practices into state law and is making the state a leader in NVRA implementation.

#### Under SB 35, VRAs in California must:

- Notify county elections offices of each office or site in the county so that voter registration cards can be provided to those sites and properly tracked;
- Designate state and local NVRA coordinators;
- Provide an annual training for every employee who provides voter registration services;
- Offer forms in languages other than English as required by Section 203 of the federal Voting Rights Act; and
- Offer applicants an online voter preference form and a link to California Online Voter Registration if the agency offers enrollment, renewal, or change of address transactions online.

### **Commonly Held Misconceptions**

There are many common misconceptions about registering to vote and voting. Here is the truth:

- People with disabilities often decline to register because they believe they will not be able to cast a ballot on Election Day. People with disabilities have the same right to vote as any other citizen. Federal law requires that every polling place be accessible to people with disabilities. Resources will always be on hand to assist people with visual impairments.
- People do not need to speak English in order to register to vote.
- If an individual is on probation or parole in California, he or she can vote
- People do not need to be able to read or write in order to register to vote.
- People should re-register if they have moved or changed their name.
- People often do not remember if they are registered to vote. When in doubt, register! There is no penalty for re-registering.

Remember, your responsibility is to provide voter preference forms and voter registration cards. You do not need to screen your clients for eligibility to vote. If you have questions, there are resources available. You can always contact your office's NVRA coordinator or the California Secretary of State's office.

## Mailing Completed VRCs Close to an Election

The law requires you to mail completed voter registration cards within 10 days of receipt and within 3 days of receipt if close to a voter registration deadline. It is the best practice (and easy!) to mail them every day. Voter registration cards are pre-addressed and postage is prepaid.

The voter registration deadline for an election is 15 days before Election Day. If a client submits a completed voter registration card to your agency before the voter registration deadline, it is considered timely.

When the voter registration deadline nears, voter registration cards should be mailed daily in an envelope with a note that identifies your agency and explains that the registration included is timely.



# Voter Registration Checklist Once a client has filled out a voter registration card ("VRC"), ask yourself:

Does the registrant need to answer Question 6 on the VRC?  Question 6 is <i>optional</i> . If registrants know the address, city, or county where they previously resistered, they can answer this question. If they do not, they can leave it blank.
<b>Does the registrant have a language preference other than English?</b> In the "Optional" section of the VRC, <b>registrants can choose their language preference.</b> If the registrant chooses one, he or she will receive a State Voter Information Guide before Election Day in that language. If the registrant does not choose one, he or she will receive a guide in English.
<b>Did the registrant sign the form?</b> Registrants must sign the VRC to finalize their registration. However, if the registrant cannot or does not have a signature, any mark will count. If the registrant uses a mark instead of a signature, you must write the registrant's name next to the mark and then sign your name as well. The registrant may also sign his or her name with a signature stamp that is registered with the DMV.
Did the registrant detach the reciept?  The bottom third of the VRC is a receipt for the registrant.
<b>Did I fill out the form for the registrant?</b> If you filled out the VRC on behalf of the applicant <b>then you need to sign</b> on the right side whe it says, "Did someone help you fill out or deliver this form?" If you only checked the VRC to make sure it was complete, or just answered questions from the registrant, then you do not need to sign the form.
Did I get the VRC in the mail on time?  The easiest way to ensure that VRCs are always mailed on time is to place them in the mail on a daily basis. Voter registration cards are self-addressed with prepaid postage and can be placed with your outgoing mail.
The voter registration deadline is 15 days before an election. When the registration deadline nears, VRCs should be mailed daily in an envelope with a cover letter or note in the envelope that identifies your agency and explains that the registration included is timely.

### Frequently Asked Questions

#### You should be prepared to answer the following FAQs about voting:

### "What if I don't have a driver license, a state-issued ID, or Social Security number?"

You can register to vote even if you do not have a California ID or Social Security number as long as you meet the other eligibility requirements. Just leave those fields blank.

#### "Will I need an ID when I vote?"

California does not have a voter ID requirement. However, if you are voting for the first time and you did not provide your driver license number, California ID number, or the last four digits of your Social Security number when you registered to vote, you may be asked to show proof of residence when you go to the polls on Election Day. A number of documents, such as a utility bill, suffice as proof of residence. If you don't have a government-issued ID, check with the county elections office before Election Day to determine what to bring to the polls.

#### "Do I need to re-register if I have moved or changed my name?"

Yes. If you have moved since you last registered, your election materials (county voter information guide, etc.) will go to the wrong address and you may encounter problems at the polling location on Election Day. If you have changed your name, you should re-register with your new name in order to avoid problems on Election Day. If you wish to change your political party, you should also re-register.

### "What if I don't know if I was previously registered to vote?"

If you are unsure if you are registered to vote, simply register to vote. If you are unsure where you are registered to vote, simply register again at your current address.

#### "Can I be registered to vote in two counties at the same time?"

If you have moved to a new county and were registered in your previous county, you need to re-register. There is no penalty for re-registering in your new county without cancelling your previous registration. The two counties will communicate with each other, and the former county will cancel your old registration. When you have registered in your new county, you may only vote in that county. Voting twice is a felony.

### "What if I need a voter registration card in a language that is not available in this office?"

You can register to vote online in ten different languages at <u>registertovote.ca.gov</u>. You may also contact your county elections office to see if they have a voter registration card in the language you need.

#### "Do I have to choose a political party?"

No. If you do not wish to register with a party, you should choose "No Party Preference" or leave the section blank.

#### "Will my polling location be accessible to people with disabilities?"

All polling locations are required by law to be accessible to people with disabilities. Additionally, all polling locations are required by law to have at least one accessible voting machine for people with disabilities. A guide to voting with a disability is available from Disability Rights California at: <a href="https://www.disabilityrightsca.org/pubs/541201.pdf">www.disabilityrightsca.org/pubs/541201.pdf</a>.

#### "I have a criminal conviction. Can I vote?"

Only people who are currently serving a state or federal prison term for the conviction of a felony are ineligible to vote. Please read the eligibility information under question 10 on the voter registration card. A person's right to vote is automatically reinstated when they have completed their prison term—reregistration is necessary, however. If you wish to know more visit the Secretary of State's website here: <a href="https://www.sos.ca.gov/elections/voting-resources/voting-california/who-can-vote-california/voting-rights-californians">https://www.sos.ca.gov/elections/voting-resources/voting-california/who-can-vote-california/voting-rights-californians</a>.

#### "Will registering to vote put me in the jury pool?"

Yes. But if you are on file with the DMV for any reason, you are already in the jury pool.

#### "Do I need an address to register to vote?"

No. Question 4 on the voter registration card allows you to describe where you live if you do not have a formal address. You may use a P.O. box as your mailing address, but not as your home address.

#### "Will I get information about what is going to be on the ballot?"

Yes. You will be mailed a county voter information guide prior to Election Day. It will give you information about all of the candidates and county ballot initiatives you will be voting on.

#### "Do I have to vote for everything?"

No. You can vote for as much or as little as you'd like on the ballot.

#### "Is there a penalty for not voting?"

No. It is your right to not take part in the democratic process.



#### **Additional Resources**

There are a variety of resources that can help you learn about the NVRA and your voter registration responsibilities.

#### This Toolkit is available at:

www.sos.ca.gov/elections/voter-registration/nvra/training/ training-and-resources-nvra-agency-staff/

#### VRA Staff Training Slideshow is available at:

https://www.sos.ca.gov/elections/voter-registration/nvra/training/training-and-resources-nvra-agency-staff.

**Disability Rights California** (Information for voters with disabilities):

www.disabilityrightsca.org/pubs/PublicationsVoting.htm

### Secretary of State's Guide to Voting Rights of People with Disabilities:

www.sos.ca.gov/elections/voting-resources/voters-disabilities/

**Let Me Vote** (Information for voters with criminal convictions):

www.letmevoteca.org

### Secretary of State's Guide to Voting Rights of People with Criminal Convictions:

www.sos.ca.gov/elections/voting-resources/new-voters/who-can-vote-california/voting-rights-californians/

Secretary of State's Elections Hotline (800) 345 - VOTE (8683)

By providing voter registration assistance, you are giving many people their first opportunity to participate in California's democracy!



President Lyndon Johnson signs the Voting Rights Act in 1965.

# Responsibilities for NVRA Coordinators

n important part of your agency's ability to fulfill its voter registration requirements is designating an employee responsible for the agency's compliance with the NVRA and SB 35. This employee is known as the "NVRA coordinator."

Luckily, being an NVRA coordinator does not require adding more hours to the clock. Your responsibilities can be easily managed through regular communication with your county elections office, putting systems in place at your workplace, and training employees on how to follow those systems.

#### Your responsibilities as an NVRA coordinator are to:

- Confirm that the county elections office knows you are a Voter Registration Agency (VRA) and has your agency's name correct in its files.
- Inform your county elections office of all offices and sites in the county where your agency distributes voter registration cards.
  - The county elections office is not required to identify agencies with voter registration responsibilities under the NVRA; this responsibility falls on you.
  - ➤ The county elections office needs to know all the offices and sites within your agency so that it can track the number of completed voter registrations that come from each. The California Secretary of State collects all of that data and puts it into one monthly report, which can be found here: <a href="www.sos.ca.gov/elections/voter-registration/nvra/reports/sb35-nvra-monthly-reports">www.sos.ca.gov/elections/voter-registration/nvra/reports/sb35-nvra-monthly-reports</a>.

### **Best Practices Tip**

Establish a relationship with the NVRA coordinator at your county elections office. Open lines of communication will make NVRA compliance much easier.

 Order voter registration cards from your county elections office.\* Your county elections office should have its own NVRA coordinator who can inform you about the best way to order cards, whether by phone, email, or an online form.

\*UC, CSU and Community College Student Disability Offices, California Student Aid Commission and Assistance Dog Special Allowance Program order cards directly from the Secretary of State.

- Have on hand both required forms: voter preference forms, which ask an applicant if he or she would like to register to vote and contain mandatory disclaimer language; and voter registration cards in all languages determined by a formula in the Voting Rights Act. When in doubt about your language requirements, check page 13 of this toolkit or contact your county elections office.
- Keep in mind that the languages required for voter registration may be different from the languages required by Medi-Cal and other state programs.
- Determine a system for how voter registration cards received from applicants will be mailed to the county elections office. Please see below for further instructions.

### **Best Practices Tip**

The California Secretary of State recommends mailing completed registration cards daily in order to avoid confusion and compliance concerns.

### **Best Practices Tip**

Many people don't know that they must re-register when they move or change their name in order to avoid problems on Election Day. Train your staff so they are prepared to inform clients of this little known fact.

#### Responsibilities for NVRA Coordinator, cont.

- Every year, train every employee who provides voter registration opportunities to clients on the NVRA and SB 35. Training materials are available from the Secretary of State here: <a href="www.sos.ca.gov/elections/voter-registration/nvra/training/">www.sos.ca.gov/elections/voter-registration/nvra/training/</a>.
- Make sure to train new employees as they come on board. New employees may complete a selfguided training using the materials available on the Secretary of State's website here: <a href="https://www.sos.ca.gov/elections/voter-registration/nvra/training">https://www.sos.ca.gov/elections/voter-registration/nvra/training</a>
- Provide an online voter preference form and the opportunity to register to vote online if you provide the opportunity to apply for benefits or services online, recertify benefits or services online, or submit a change of address online. If the client does not answer the voter preference form question, you must mail the client a voter registration card.

### **Best Practices Tip**

Draft an internal NVRA policy so staff always know your office's practices and have a document to refer to when they have questions.

### **Ordering and Submitting VRCs**

Student Disability Offices at Community College, CSU and UC campuses, California Student Aid Commission and Assistance Dog Special Allowance Program order VRCs from the Secretary of State's office. All other VRAs order VRCs from their county elections office. VRCs carry a unique serial number on the bottom right. This number is used to track the VRCs that have been sent to each VRA office or site. When a completed VRC is returned, no matter who mails the card or where it is mailed from, the serial number indicates which VRA office or site receives "credit" for the registration.

# Offering the Online Voter Registration Application

When a client responds "yes" to the online voter preference form question indicating they would like to register to vote now, your agency must provide a link to the California Online Voter Registration application (COVR) using your agency's unique URL. The unique URL is issued by the Secretary of State's office and is a hyperlink to COVR that is exclusively tied to your agency. The unique URL will count the number of voter registrations completed online by your clients.

### **Best Practices Tip**

Each county elections office has a different process for ordering voter registration cards. Some have online order forms; others require you to send an email directly to a designated staffer in their office. Ask your county elections office to explain its procedure.

### Your agency may offer the unique URL in a number of ways, including:

- As a pop-up box or a new tab, containing your agency's unique URL;
- 2. In an email sent to the client containing your agency's unique URL; or
- 3. By including a hyperlink to your agency's unique URL on the online VPF.

If your agency has not received a unique URL from the Secretary of State's office, it may be requested by emailing nvra@sos.ca.gov.

### **Best Practices Tip**

Remember, languages required by the Voting Rights Act may be different from the languages required by Medi-Cal and other state programs.

#### Getting "Credit" for Your Office's Registrations

Many VRAs order voter registration cards at a central location and then distribute them to a network of satellite sites. This results in all registrations from all sites being credited to only the central location. You must coordinate with your county elections office to make sure it can track the voter registration cards going to each site. There are multiple ways to do this. For example, you can order cards to a central location, distribute them to your sites as needed, and then inform the elections office which cards have gone to which sites. Or some agencies have each site order cards directly from the elections office. Ask your county elections office for its preference.

#### **Submit Completed Registrations on Time**

When a client hands your office a completed voter registration card, you have 3 days to mail it to the county elections office. A completed voter registration card is

easy to mail. Voter registration cards in California are postage-paid and require no envelopes. Simply tear off the bottom third as the registrant's receipt, fold the card in half, seal it, and drop it in the mail.

In order to vote in an election, a voter must register to vote 15 days before Election Day. When it is five days or less until the voter registration deadline, you are responsible for mailing the completed voter registration cards within five days - rather than the normal 10 days - of receiving them. Since it can get confusing to have to constantly determine if a voter registration card should be mailed, the Secretary of State recommends that offices drop completed voter registration cards in the mail daily. If a client submits a completed voter registration card to your agency before the voter registration deadline, it is considered timely. When the voter registration deadline nears, voter registration cards should be mailed daily in an envelope with a note that identifies your agency and explains that the registration included is timely.

# Languages Other than English Under the Voting Rights Act

RAs may be required to have voter registration materials available in languages other than English. All VRAs should take the following steps to ensure they are in compliance with the law.

Step 1: Determine the language requirements for your county.

The federal Voting Rights Act sets a formula used by the Census Bureau to determine which counties must provide voting materials in which languages. Ask your county elections office what your required languages are or consult the table on page 13. Note that the language requirements required by the Voting Rights Act may be different than the languages required by Medi-Cal and other state programs.

Step 2: Ensure all of your agency's offices or sites have both voter preference forms and voter registration cards available in the languages required for your county.

Agencies must always stock voter preference forms and voter registration cards in the required languages even if they do not normally receive applications in those languages.

 Voter registration cards will be available in all required languages from your county elections office. This is not the case for voter preference forms; those must be printed out in all required languages, and are available on the Secretary of State's website: <a href="https://www.sos.ca.gov/elections/voter-registration/nvra/training/voter-preference-forms">https://www.sos.ca.gov/elections/voter-registration/nvra/training/voter-preference-forms</a>.

Step 3: Provide translated voter registration materials whenever a client requests services in languages other than English required for your county.

VRAs should provide a translated voter preference form and voter registration card whenever a client requests services in a required language. If a client requests assistance in a language that is not required by your county, remember that the client can register to vote online in ten languages at the Secretary of State's website at

www.registertovote.ca.gov.

#### Language Requirements by County

VRAs should provide a translated voter preference form and voter registration card whenever a client requests services in a required language. A current list of required languages is available on the Secretary of State's website: <a href="https://www.sos.ca.gov/elections/voting-resources/language-requirements">https://www.sos.ca.gov/elections/voting-resources/language-requirements</a>.



### Summary of How NVRA/SB 35 Tracking Works

The system for tracking NVRA voter registration cards created by SB 35 (2012) is the only way to ensure transparency and accountability under the NVRA in California.

### **Best Practices Tip**

Check the NVRA/SB 35 reports on the Secretary of State's website monthly to see how many voters your office registered. If you think there are discrepancies, contact the NVRA coordinator at your county elections office.



**Step 1**: Offices accepting applications for public benefits programs and offices serving people with disabilities are called **"Voter Registration Agencies" (VRAs)**. Each VRA chooses a staff member to serve as an **"NVRA coordinator"**. If an agency has multiple sites or offices, each site or office should have its own NVRA coordinator. NVRA coordinators order voter registration cards (VRCs) in all required languages:

- Country tracked VRAs order VRCs from their county elections office
- SOS Tracked VRAs, which include Student Disability Offices at Community College, CSU and UC campuses, California Student Aid Commission and Assistance Dog Special Allowance Program, order VRCs from the Secretary of State's office.

**Step 2**: **The county elections office, or SOS, sends blank VRCs** to VRAs. Each VRC has a unique serial number on the bottom right. This number is used to track VRCs and indicates which VRA office or site receives "credit" for the registration.

**Step 3**: **VRAs give VRCs to clients**, and when requested, help clients fill them out. VRAs then put the completed VRCS in the mail. VRCs are postage-paid.

**Step 4**: County elections offices **send a monthly report** to the Secretary of State's office listing the number of registrations from each county tracked VRA office/site. The Secretary of State's office provides the number of registrations received from each SOS tracked VRA office/site.

**Step 5**: The Secretary of State is California's chief elections officer and is responsible for California's compliance with the NVRA. The Secretary of State **compiles all NVRA reports and publishes monthly statewide reports on its website**. Each month, the public can see the number of completed voter registrations generated by each VRA in the state.

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 T. DIMP Value Equation. Tests you all Months (Joseph Joseph J

retary of State NVRA Reports by County and Category
the National Voter Registration Act, every two years the Secretary of State compiles reports to the
sission (EAC) containing overall data for California. The reports are based on mortfly county repo
Secretary of State's office and can be viewed below.

### **Ensuring Your Office Receives Credit for Completed Registrations**

For county tracked VRAs, your county elections office submits a report each month to the Secretary of State that shows how many voters each of your agency's sites registered to vote. The report is available online at <a href="https://www.sos.ca.gov/elections/voter-registration/nvra/reports/sb35-nvra-monthly-reports">https://www.sos.ca.gov/elections/voter-registration/nvra/reports/sb35-nvra-monthly-reports</a>. The Secretary of State's office reports online voter registration totals by agency category each month. These totals are available on report #5A, which may be found on our website at: <a href="https://www.sos.ca.gov/elections/voter-registration/nvra/reports">https://www.sos.ca.gov/elections/voter-registration/nvra/reports</a>.

For SOS tracked VRAs, the SOS office issues reports #8 and #9 that show how many voters each of your agency's sites registered to vote. The reports are available online at <a href="https://www.sos.ca.gov/elections/voter-registration/nvra/reports/sb35-nvra-monthly-reports">https://www.sos.ca.gov/elections/voter-registration/nvra/reports/sb35-nvra-monthly-reports</a>.

These reports can be used as a tool to help you improve compliance. When you look up a report, check for the following:

- 1. Make sure all of your agency's sites are listed, as required.
- See how many voters each site registered. If you see something unusual in the report, for example if you believe your office registered more voters than are appearing in the report, contact your county elections office.
- 3. If you identify a site that consistently outperforms other sites, find out if there is something you can learn from that site and share with your other sites.
- 4. If you notice sites that consistently register fewer voters than other sites, contact or visit those sites to see if there is something they are doing differently that may explain their performance.
- 5. If the report lists offices for your agency that are closed or no longer exist, contact your county elections office to have them removed.

County	Types of Offices	Office Name, Office ID Number	Number
Type of	Pub. Assist. (PA), Disability Agency (DA), Armed Forces (AF), Other (O)	Your agency must have all of its sites listed separately	of VRC's received
. **	PA	Dept. of Social Services (North County)	8
Agency	PA	Dept. of Social Services (South County)	5
	PA	Dept. of Social Services (West County)	6
	PA	Dept. of Social Services (East County)	12
	PA	In-Home Supportive Services (North County)	3
	PA	In-Home Supportive Services (South County)	1
	PA	WIC Community Clinic	1
	PA	WIC General Hospital	2
	PA	WIC County Office	4
	PA	WIC City Office	3
	PA	C-IV Voter Registration Card Mailing	15
	PA	Health Benefit Exchange- Covered CA	20
PA Total			80
	DA	Dept. of Rehabilitation North Branch	2
	DA	Dept. of Developmental Serv. Regional Center	2
	DA	Independent Living Center	1
	DA	County Mental Health	1
	DA	Behavioral Services Mental Health	1
	DA	Office of Deaf Services	3
DA Total			10
	AF	Army Recruitment Office	1
AF Total			1
	0	Board of Equalization District Office	1
	0	Franchise Tax Board District Office	2
O Total			3
		Undistinguishable	0

There are a variety of resources that can help you learn about the NVRA and your voter registration responsibilities.

### **ADDITIONAL RESOURCES**

#### NVRA Section of the Secretary of State's website:

www.sos.ca.gov/elections/voter-registration/nvra/

**NVRA Training on the Secretary of State's website**: www.sos.ca.gov/elections/voter-registration/nvra/training/

#### This Toolkit is available at:

https://elections.cdn.sos.ca.gov/nvra/training/pdf/sos-nvra-toolkit.pdf

#### Chapter 4 of the Secretary of State's NVRA Manual:

https://www.sos.ca.gov/elections/voter-registration/nvra/laws-standards/nvra-manual/chap-4/

### Secretary of State's Guide to Voting Rights of People with Disabilities:

www.sos.ca.gov/elections/voting-resources/votersdisabilities/

**Disability Rights California** (Information for voters with disabilities):

www.disabilityrightsca.org/pubs/PublicationsVoting.htm

### Secretary of State's Guide to Voting Rights of People with a Criminal History:

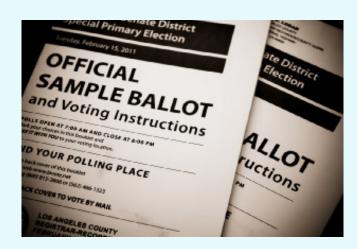
https://www.sos.ca.gov/elections/voting-resources/voting-california/who-can-vote-california/voting-rights-californians

**Let Me Vote** (Information for voters with criminal convictions):

www.letmevoteca.org

#### Secretary of State's Elections Hotline

(800) 345 - VOTE (8683)





# Roles & Responsibilities: A Guide for Elections Officials

The California Elections Code codified into state law many requirements of Section 7 of the National Voter Registration Act (NVRA) and made a number of best practices that modernize and improve the implementation of the NVRA in California. (See, Elections Code section 2400 through 2408; Senate Bill (SB) 35 (Chapter 505 of the Statutes of 2012).) For purposes of this toolkit, "SB 35" and the California Elections Code are one and the same.

The purpose of **this section is to outline all roles and responsibilities** under federal and state law for Voter Registration Agencies (VRAs), county elections officials, and the Secretary of State.

The NVRA requires the Secretary of State to designate as Voter Registration Agencies all (1) "public assistance" offices, (2) "state-funded programs primarily engaged in providing services to persons with disabilities," (3) armed forces recruiting offices, and (4) other offices as chosen by the Secretary of State. (52 U.S.C. § 20506.)

#### Voter Registration Agencies must:

- Provide clients with a voter preference
  form and voter registration card upon every
  application for benefits or services, renewal of
  benefits or services, and change of address.
  Unless a client declines to register to vote on the
  voter preference form, the VRA must provide the
  same level of assistance in filling out the voter
  registration card that it provides for filling out its
  other forms.
- Identify an employee who is responsible for the agency's compliance with the NVRA and SB 35,

- commonly known as an "NVRA coordinator." The Secretary of State recommends that an agency with multiple sites in a county designate an NVRA coordinator at each site.
- Inform their county elections official of all
  offices and sites within the county that accept
  applications for benefits or services, renewals of
  benefits or services, and changes of address.
  - ► County elections officials are not required by law to identify all VRAs in their counties; this responsibility falls on the VRAs themselves.

    County elections officials may be proactive in this regard if they wish to bring their county into full NVRA compliance more quickly.
- Order voter registration cards from their county elections office, except for Student Disability Offices at Community College, CSU and UC campuses, California Student Aid Commission and Assistance Dog Special Allowance Program, which order cards directly from the Secretary of State.
- Have voter preference forms and voter registration cards on hand in all languages determined by a formula in Section 203 of the Voting Rights Act.
- Mail all completed voter registration cards
  to their county elections officials within 3
  days of receiving them. When close to a voter
  registration deadline mail all completed voter
  registration cards within five days. To avoid
  confusion, the Secretary of State recommends
  that voter registration cards be mailed daily.
- Train annually every employee who provides voter registration opportunities to clients on NVRA and SB 35 requirements.

 Provide the opportunity for clients to register to vote online if the agency provides the opportunity to apply for benefits or services online, recertify benefits or services online, or submit change of address online.

#### County elections offices must:

- Designate an NVRA coordinator responsible for coordinating with the Secretary of State and with VRAs in the county to administer voter registration responsibilities under the NVRA.
- Provide voter registration cards to VRAs upon request.
- Maintain a record of the number of VRCs provided to, and received from, each VRA office/ site in the county.
- Some agencies have an arrangement with the Secretary of State whereby they receive state voter registration cards instead of county voter registration cards. In those cases, the Secretary of State will periodically email your office with serial numbers issued to those agencies. You must track those serial numbers and create a line item in your SB 35 report for those agencies.
- Report the number of VRCs received from each VRA office/site in the county to the Secretary of State within 10 days of the start of each month.
- Submit a second report grouping all registrations into one of five categories to the Secretary of State, which the Secretary of State compiles in a biennial report to the federal Elections Assistance Commission.
  - ➤ The five categories are: public assistance agencies, state-funded agencies serving people with disabilities, armed forces recruitment offices, other agencies designated by the State under the NVRA,

and an "unable to distinguish" category.

- **Assist** VRAs with training, upon request.
- Protect the confidentiality of the VRA which a voter registered through and ensure its identity is not disclosed to the public.
- Accept as timely any completed registration that is received by a VRA on or before the 15-day voter registration deadline.

#### Secretary of State must:

- Ensure that California follows the NVRA.
  - ► The Secretary of State is California's statewide NVRA coordinator and is ultimately responsible for California's compliance with the NVRA.
- Prepare training materials that describe the responsibilities of county elections officials and VRAs, and communicate to relevant parties best practices for complying with SB 35 and the NVRA. (Available at: <a href="https://www.sos.ca.gov/elections/voter-registration/nvra/training.">https://www.sos.ca.gov/elections/voter-registration/nvra/training.</a>)
- **Contact VRAs** that are not complying with the requirements of SB 35.
- Post monthly reports online listing the number of registrations produced by each VRA office/ site in California. (Available at: <a href="https://www.sos.ca.gov/elections/voter-registration/nvra/reports">https://www.sos.ca.gov/elections/voter-registration/nvra/reports</a>.) The Secretary of State is also required to report data to the federal Election Assistance Commission.



# Best Practices for Tracking NVRA Registrations

his section identifies best practices for establishing and operating a system that can track voter registration cards received from VRAs.

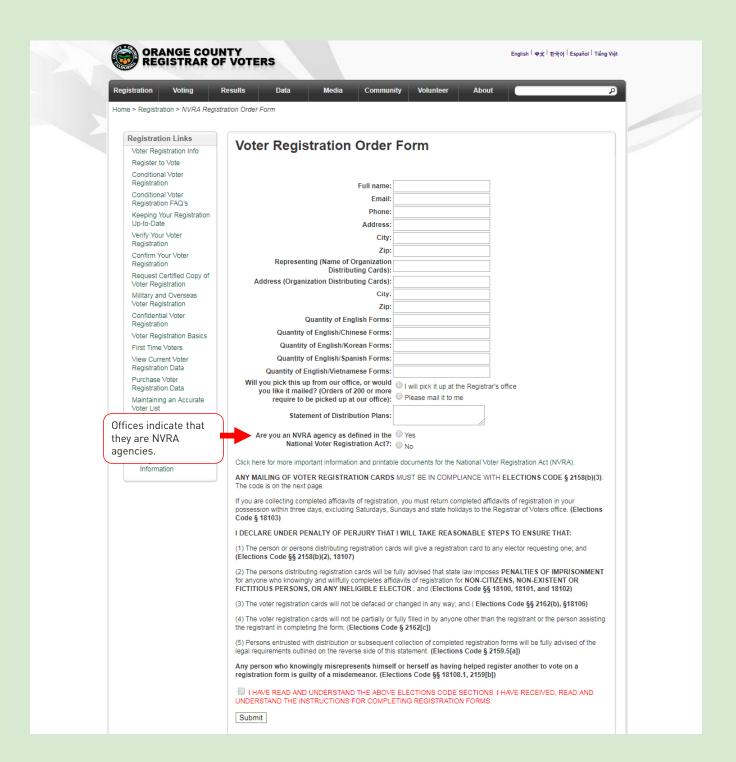
#### Best Practices for Operating a SB 35 Tracking System

- To reduce workload for county elections staff, county elections offices can create online forms that enable VRAs to easily and quickly order voter registration cards in all required languages. Orange County has a highly effective online form, displayed on page 20.
- To reduce workload for county elections staff and to streamline NVRA compliance, county elections offices should utilize the full power of their voter databases when tracking voter registration cards sent to VRAs. See San Bernardino County as an example, explained in detail on pages 21-24.
- County elections offices should maintain lists of all NVRA coordinators (i.e. the voter registration point people at VRAs) in their counties, along with their contact information. Periodically contact the VRAs in your county to keep the list of coordinators current.
  - ▶ While the law requires VRAs to make themselves known to county

- elections officials, in practice this often does not happen. Many county elections offices research VRAs in their counties (see pages 25-26) and do proactive outreach.
- County elections offices should host annual workshops on NVRA compliance. A single workshop can be held for all NVRA coordinators in the county, or separate workshops can be held by agency type to better address specific needs and concerns.
- Many VRAs have a central office with a network of satellite sites. County elections offices must track the voter registration cards that go to each satellite site. This can be done in one of several ways:
  - ▶ By having an NVRA coordinator at each site request voter registration cards for their site;
  - ▶ By having an NVRA coordinator at a central office order cards for all sites, distribute them to individual offices/sites as needed, then inform the county elections office which cards were sent to which sites;
  - ▶ By having an NVRA coordinator at a central office order cards for all sites, distribute them to individual offices/sites as needed, and then have the individual offices/sites inform the county elections office of which cards they have received (as in San Bernardino County, illustrated on pages 21-24).
- VRAs have slightly different responsibilities
   when close to an election. County elections
   offices should send a notice to the VRAs in their
   counties informing them of election deadlines
   for regular and special elections as they
   approach.

### **Example: Orange County Voter Registration Card Order Form**

The Orange County Registrar of Voters office hosts an order form for voter registration cards on its website. The form allows for users to order voter registration cards in all required languages in Orange County without submitting multiple requests. The form can be used by any member of the public, but requires VRAs to identify themselves to make NVRA tracking easier for the Registrar.

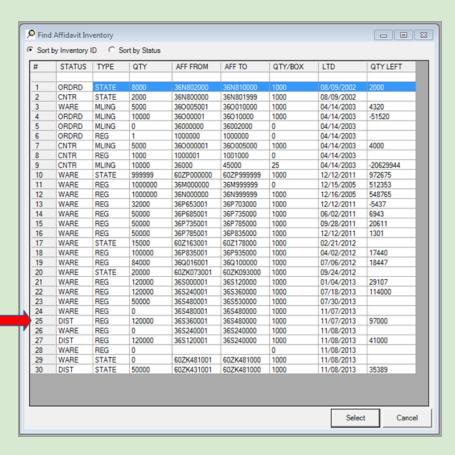


# Example: San Bernardino County NVRA Tracking & Data Management System

The San Bernardino County Elections Office operates its database of voters using the DIMS system. With minimal effort, San Bernardino County uses DIMS to track the voter registration cards sent to each VRA office/site, how many have been returned, and when each VRA in the county is running low and in need of replenishment.

The San Bernardino County Elections Office gets from DIMS a **monthly report of NVRA registrations in the county** and, because of careful planning by the Elections Office's IT department, this report is generated in exactly the same format as the monthly report the Elections Office must submit to the Secretary of State. The submission of that report is simply a matter of copying and pasting by the Elections Office's internal NVRA coordinator. The San Bernardino County Elections Office estimates that tracking NVRA registrations across the county takes 90 minutes per month.

The screenshots below illustrate how San Bernardino County's NVRA tracking system works. Contact information for the San Bernardino County Elections Office is at the bottom of page 24. Its staff is happy to field questions and requests for assistance.



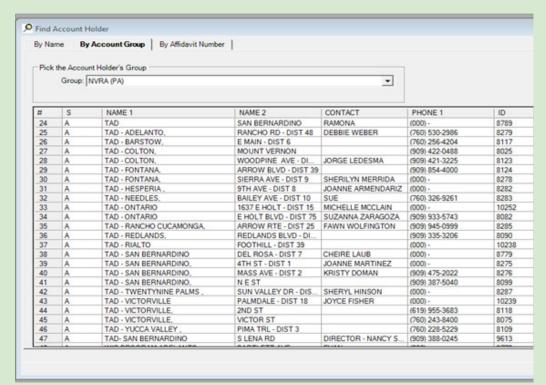
#### **Voter Registration Card Inventory**

This screenshot shows the San Bernardino County Elections Office's inventory of blank voter registration cards. Line 25 contains the following information:

- the Office has distributed 120,000 voter registration cards (see column 3)
- carrying serial numbers 36S360001 through 36S480000 (see columns 4 and 5),
- in boxes of 1,000 voter registration cards each (see column 6),
- on November 7, 2013 (see column 7). (The San Bernardino County Elections Office notes that some dates displayed here are in the process of being corrected.)

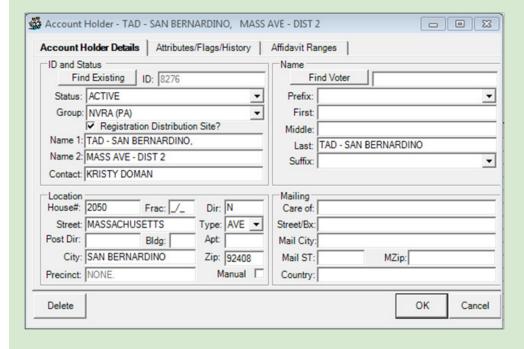
Column 8 is an automatically updating number. Precisely 120,000 cards were distributed to a central warehouse of San Bernardino's social services agency, which oversees a variety of social services programs. Whenever an individual office or site within the agency receives a box of cards from the central warehouse, it sends the San Bernardino County Elections Office a form (see Voter Registration Card Received Form, page 24) indicating the serial numbers of the cards now in its possession. The San Bernardino County Elections Office notes in its NVRA tracking system that the cards are now possessed by an individual office or site, and an equivalent number of cards is automatically deducted from column 8 on this screen.

Thus, column 8 of line 25 indicates that the social services agency warehouse still has 97,000 cards, and has distributed 23,000 to individual offices and sites around the county.



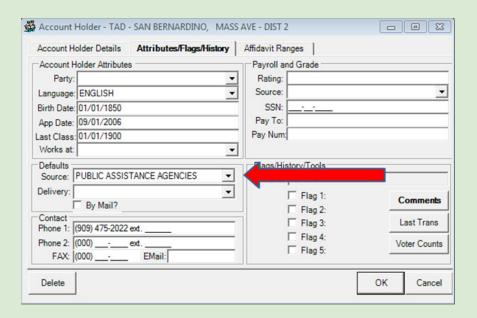
#### List of "Account Holders" (i.e. VRA Offices)

Elsewhere in DIMS, the San Bernardino County Elections Office can access a list of all VRA offices or sites in the county, along with contact information for the name of each VRA coordinator.



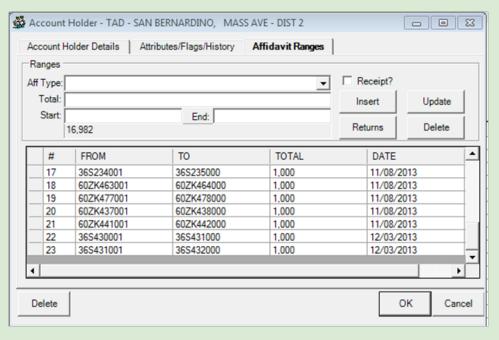
#### Individual "Account Holder" **Profile** (Tab 1: "Account Holder" Details)

Each line in the list of "Account Holders," i.e. VRA offices or sites, can be clicked to open up an in-depth profile of the "Account Holder." Each account profile has three tabs at the top. The first tab stores contact information.



### Individual "Account Holder" Profile (Tab 2: Attributes/Flags/History)

The second tab identifies the type of agency. The drop-down options are: public assistance, disability, armed forces, or other. These options track with the monthly report that must be submitted to the Secretary of State, enabling the monthly report to be automatically generated.



### Individual "Account Holder" Profile (Tab 3: Affidavit Ranges)

When the San Bernardino County Elections Office receives notice that an individual VRA office or site has received a box of voter registration cards from a central location, the NVRA coordinator at the San Bernardino County Elections Office clicks on the third tab of the "Account Holder" profile and enters the range of serial numbers the individual VRA office or site has received. If the numbers entered are a duplicate of numbers entered for another office, the system will produce an error message.

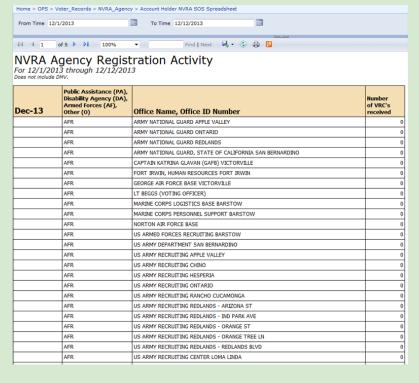
The screenshot to the left indicates that the Mass Ave. location of the San Bernardino social services agency received 2,000 cards on 12/03/2013 and 5,000 cards on 11/08/2013.

Once a certain number of voter registration cards are entered in an "Account Holder" profile like this one, the corresponding line in column 8 on the screenshot shown on page 24 will automatically decrease by an equal number.

#### Voter Registration Card Log TAD District: San Bernardino (District 02) • Month/Year: Dec 2013 Voter RegistrationCards (SBDNOES) come in boxes of 1,000, please list each box separately Voter Registration Card Number Range **Date Received** Office Assistant (OA) Name From To 11/19/13 36 S 431001 36 S 432000 Kristy Doman 36 S 431000 11/19/13 36 S 430001 Kristy Doman

On the **first working day of the month** designated staff will email the log for the previous month to the:

- Registrar of Voters (ROV) at <u>voterregistrations@sbcountyelections.com</u>, and
- District Primary and Back Up contacts.



### Voter Registration Card Received Form

The NVRA coordinators at all social services offices and sites have been trained to submit the form at left to the San Bernardino County Elections Office whenever they receive blank voter registration cards from their central office.

On November 19, 2013, the social services office in District 02 received two boxes of 1,000 blank voter registration cards from the social services centralized warehouse. The form below was filled out by the NVRA coordinator in the office, and then emailed to voterregistrations@sbcountyelections.com.

#### <u>Automatically Generated Monthly</u> Reports

DIMS automatically generates a monthly report for San Bernardino County detailing how many completed voter registrations have been received from each VRA office or site. (Screenshot from that report, left.) This report is generated in the same format that the Secretary of State requires for its monthly report; as a result, submitting the SOS report is simply a matter of copying, pasting, and emailing.

If a generic voter registration card is received by the San Bernardino County Elections Office (i.e. it has no serial number), but the NVRA coordinator in the San Bernardino County Elections Office knows the VRA office from which the card came, the NVRA coordinator attaches a sticker with a new serial number and credit is given to the appropriate office.

#### Effectively Tracking NVRA/SB 35 Registrations Can Take Very Little Time

The San Bernardino County Elections Office reports that tracking NVRA voter registrations, using the system described here, takes less than 90 minutes per month. Depending on the number of blank voter registration cards being distributed in any particular month, data entry into DIMS takes 15 to 60 minutes per month. Generating a monthly report, copying and pasting it into the Secretary of State's spreadsheet, and emailing it to the Secretary of State takes 15-20 minutes per month.

The San Bernardino County Elections Office would be happy to field questions about its system. For more information, contact the internal NVRA coordinator, who developed and operates the system described here. Contact: San Bernardino County NVRA team at voterregistrations@sbcountyelections.com.



### NVRA Agencies: How They Are Organized and How to Find Them

B 35 (Padilla, 2012) requires county elections officials to maintain a record of voter registration cards sent to and received from agencies designated as VRAs. This document outlines which agencies, offices, service providers, and nonprofit entities qualify as VRAs.

While it is the legal responsibility of VRAs to make themselves known to their county elections office, the Secretary of State recommends that county elections offices proactively identify and reach out to the VRAs that exist within their counties.

#### Federal Law

The NVRA places voter registration responsibilities on (1) government "public assistance" agencies/offices, (2) government agencies/offices "providing services to persons with disabilities," (3) armed services recruitment offices, and (4) other agencies/offices as designated by the Secretary of State. (52 U.S.C. § 20506.) In California, the fourth category includes district offices of the Franchise Tax Board and the California Department of Tax and Fee Administration.

#### **State law**

California state law mandates that any entity "under contract" with a VRA with voter registration responsibilities also shares those responsibilities. (Cal. Elec. Code. § 2401(b)(2).) Most frequently, this impacts nonprofits, community groups, and individual practitioners that provide mental health services or alcohol/drug programming under contract with county departments, and nonprofits and community groups that administer Women, Infants, and Children (WIC) programs. This also applies to Regional Centers and Independent Living Centers.

#### **Definitions**

"Public Assistance" Agencies are:

- County offices that accept applications and administer benefits for:
  - CalFresh
  - ▶ CalWorks
  - Medi-Cal
  - ► WIC
  - ► General Assistance/General Relief
- Covered California
- California Student Aid Commission
- Dept of Social Services
  - ► CalFresh Program

Agencies "Providing Services to Persons with Disabilities" are:

- County Welfare Offices that accept applications and adminster benefits for In-Home supportive Services (IHSS)
- Dept of Social Services
  - Office of Deaf Access
  - Office of Services to the Blind, Assistance Dog Special Allowance Program
- Dept of Rehabilitaion, Vocational Services
- Independent Living Centers

- Dept of Developmental Services Regional Centers
- State and County Mental Health Providers
- University of California, offices for students with disabilities
- California State University, offices for students with disabilities
- California Community Colleges, offices for students with disabilities

These agencies may have different names depending on what county they are located in. For example, public assistance services are provided at the county level by departments variously named Human Services, Social Services, Transitional Assistance, and other titles. Mental health services are often provided through Behavioral Health departments. In-Home Supportive Services can be housed at a department called Aging and Independence Services or Adult Protective Services, or at a generalized social services department. WIC programs are often run by hospitals, nonprofits and community groups, colleges, and community health centers, all of which have the same NVRA responsibilities of an office run directly by county government.

There are a number of ways to identify the VRAs in your county.

Start by looking at your existing list of VRAs. Try emailing or sending a letter to those agencies, addressed to the NVRA coordinators, asking them to confirm where they have sites in the county and who their current NVRA coordinator is.

Local agencies can also be found online. Most of these agencies have a centralized office whose website has a locator tool to find service providers in the 58 counties in California. For example, a search of the Department for Developmental Services website will yield a "Lookup

Regional Centers by County" tool [www.dds.ca.gov/RC/RCLookup.cfm]. If you find agencies that you believe are VRAs that are not having their registrations tracked by site, try sending a letter or email addressed to the NVRA coordinator at the office.

Once you have identified the offices in your county who you believe are VRAs, consider hosting a training or workshop for those agencies' NVRA coordinators. This way you can train all of the NVRA coordinators at once, and give the agencies the information they need to properly register voters. Contact the Secretary of State's NVRA coordinator (nvra@sos.ca.gov) or the ACLU (voting@acluca.org) for more information on how to host an NVRA workshop.

### In Conclusion: Thank you!

Thank you for all your hard work to ensure full and accurate NVRA compliance in your county. This is an excellent means of maintaining accurate and up-to-date voter rolls and a cost effective way to expand voter registration!





### SOS NVRA Contact Information:

Email: NVRA@sos.ca.gov Phone: (916) 657-2166

Website:

www.sos.ca.gov/elections/voterregistration/nvra/ The Secretary of State of California's NVRA works with public assistance offices and offices serving people with disabilities, county elections offices, and the Secretary of State to improve implementation of the NVRA across California.

If you have any questions or concerns, or would like assistance in implementing the NVRA at your agency or in your county, please contact us.