

United States Election Assistance Commission Public Hearing on
Pollworker Recruitment, Training, and Retention

Recruitment, Retention, and Training of College Pollworkers

May 25, 2006

**The Center for Election Integrity
Cleveland State University**

Abigail Horn, Project Lead and Assistant Director, Center for Election Integrity
Dora Rose, Legal Consultant, Center for Election Integrity

The Center for Election Integrity (CEI) at Cleveland State University is a partnership of the Cleveland-Marshall College of Law and the Maxine Goodman Levin College of Urban Affairs. It draws upon the long standing expertise from both colleges in electoral and regulatory law, public administration and civic education. CEI provides research, training, consultation, and public education to assist transparent, legal, efficient and accurate elections nationwide.

The Center for Election Integrity of Cleveland State University was awarded this EAC contract in October 2005 to research effective practices and subsequently to develop a guidebook on the Recruitment, Retention, and Training of College Pollworkers. This is a multi-step initiative and I will provide a quick overview before we discuss some of our findings to date.

Why College Pollworker Programs?

The Help America Vote Act (HAVA) brought to the forefront a major issue that has been plaguing many election jurisdictions across the United States: a shrinking pool of qualified pollworkers and an increasingly technology-driven Election Day system. Recruiting college students to serve as pollworkers helps address this problem on many levels:

- College students are well educated and used to learning new things.
- College students tend to be comfortable with computers and other new technologies and may bring skills to help solve technology-related problems.
- College students are generally younger and have the energy and enthusiasm to make it through a long day at the polls.
- College students are generally physically able to carry needed supplies and set up heavy equipment.
- College students often have flexible schedules.
- College students are more likely to vote and adopt a lifelong commitment to civic involvement if they are encouraged and integrated into the democratic system at an early age.

However, there is a major caveat. College students are not a panacea to the pollworker shortage problem. College students are an excellent resource but they are not likely to make up the core group of pollworkers for most election jurisdictions. They are not always registered to vote in the same state where they study, most will only work for one or two elections, classes and assignments can conflict with working a full Election Day, etc. We will discuss these limitations further within this presentation.

Overview of the project

Project Working Group (PWG). We have a seven person working group that provides external advice on the project. They were selected for their individual areas of expertise and experience as well as an attempt to have bi-partisan or non-partisan input. They review all of our contract deliverables for content and provide their input based upon their knowledge.

Members include election officials from around the country, professors and administrators from colleges and universities that have implemented college pollworker programs, and a college student to provide a student's perspective.

We held our first PWG meeting on Friday, March 3 in Washington, DC at the EAC offices. All participants were asked to review our Effective Strategies/Best Practices document prior to the meeting. The discussion was extremely rich in which the working group provided valuable input and gave their overall approval and encouragement for the work completed to date. The PWG will continue to communicate by email and teleconferences when needed. Our next meeting in person will be this fall, either before the November elections or after, depending on member scheduling and project needs.

Collection of Effective Strategies. We have collected lessons learned and effective strategies from existing college pollworker programs from around the country. There are surprisingly few on-going, structured programs. Several election jurisdictions try to recruit college students but do not have a formal partnership with the schools. A few states have or are developing statewide initiatives. For our strategies, we reviewed:

- Materials from the 15 schools that had EAC grants in 2004 to run college pollworker recruitment programs
- New Millennium Best Practices state survey (July 2003)
- NACO Pollworker Recruitment, Training and Retention Survey (April 2006)
- Materials from other independent programs.

We then followed up with hundreds of phone calls to many of the above programs to learn more about their strategies and experiences. We used a structured interview to parallel collect information. We also held focus groups (explained below) to further assess our findings. Given the lack of broad experience running college pollworker programs, we are not comfortable using the term "best practices" as they have not been implemented enough to compare outcomes. Our criteria for inclusion in the guidebook are strategies that are:

- Practical
- Feasible

- Sustainable

Our project working group, the focus groups, and the upcoming pilot projects are all set up to help determine if our strategies meet these three criteria.

Focus Groups. We completed focus groups in four sites in February and early March. Where applicable, we had one focus group with students that had participated as pollworkers in the past and one with students that have not been pollworkers. We also did in-depth interviews with participating college administrators and election officials. The findings by and large reiterated the best practices and strategies we had already documented. Our goal was to test if the strategies were practical and feasible. The findings were integrated into our Effective Strategies document that serves as the basis for our Guidebook.

The focus groups were selected to reflect regional diversity and a diversity of school types (state universities, private colleges and community colleges).

State Statute Compendium of Requirements to be a Pollworker. We collected all of the relevant state statutes on pollworkers from the 50 states, Washington, DC and four territories. That data was synthesized into individual state sheets which summarize the requirements including: place of residency, registration status, age, political affiliation and training. These state summaries will be available on the EAC's webpage. A quick reference chart for the data will be included in our Guidebook. Multiple efforts were made to confirm all of the data with every state and territory. Most has been confirmed and that which has not, is identified in the chart. Several states have pending legislation that could change their requirements. The EAC should treat the Compendium as a living document that will need updating every year.

The most interesting findings from the Compendium are the potential legal impediments to implementing college pollworker programs. These are discussed in detail below. Also, it's important to note that there are also some discrepancies between state policy and how some counties administer their pollworker programs in practice. We will advise all schools that wish to run a college pollworker program to review the regulations with their local election jurisdiction and to determine local variations.

Guidebook. We have completed the first version of our *How to Recruit College Pollworker Guidebook* based upon our findings above. We worked with an adult education expert to design the presentation of the information. Our objective was to make the guidebook as user-friendly, easy to read, and helpful as possible. It is written for two audiences: election officials looking to recruit more college students as pollworkers and colleges/universities interested in involving their student body in the electoral process in a meaningful way. The strategy is to create a partnership between election jurisdictions and local schools to implement the program together.

Pilot Programs. We are about to begin three college pollworker pilot projects. The goal of these pilots is to field test the guidebook and gather feedback on how to improve it. Participants will be asked to provide input such as: what may be missing, what is most helpful, what is not clear, what worked best.

In order to select our three sites to field test the guidebook, we are using the following criteria:

- A strong interest expressed by both the election official and the school (this will favor projects that are likely to lead to long-term relationships).
- Large and small jurisdictions should both be represented (this can also be expressed as Urban and Rural).
- Community college/State School/4-year Private should all be represented.
- Minority populations represented

The three pilot sites have been proposed but they are not yet confirmed. They will begin in late June.

Based upon the structured, in-depth feedback we receive from these pilot projects, we will document the additions and changes necessary for the guidebook before the EAC distributes it nationally.

Preliminary Findings

Below are a number of the findings from our research, interviews, and focus groups.

- Start early. For a new program, it is advised to start planning in January to allow a full 10 months before the general elections. This allows time for the election jurisdiction and the partner school to develop a strong working relationship before the mad rush of final election preparations.
- Identify a campus champion and one main liaison from the election jurisdiction to implement the program. These two individuals will serve as the program's main designers and advocates. It will also facilitate communication between institutions.
- Clarify how many pollworkers are needed and all requirements for the students. Clarify the process from the beginning to end. Consider signing a Memorandum of Understanding between the two institutions that establishes clear roles and expectations.
- Promote a college/university policy of excused absences on Election Day for any student pollworker. Encourage faculty not to schedule exams or assignments on Election Day.
- Take advantage of students' special skills. They express particular interest in Election Day jobs that require them to be active, moving between precincts, and using special technical or language skills they may have to really feel they have contributed something vital to the electoral process.
- Recruitment materials should stress the important role a pollworker plays in ensuring the fundamental right to vote and having one's ballot count. Pollworkers are at the forefront of ensuring the integrity of the electoral process.

- Retaining students from their initial interest through Election Day can be challenging. Make it easy for students to apply and keep in close contact with them. They may be easily discouraged so try to make the application process a one-step process, let them know their application was received and tell them the expected timeline for training and placement. If possible, provide reminders for training and Election Day (e-mail is fine).
- The best way to recruit students is through personal contact. Being asked to participate by a professor, friend, trusted advisor, the student life director or student leader has shown to be very persuasive for students.
- Raise campus-wide awareness of the opportunity. Introduce a “cool factor.”
- The two best incentives for convincing students to be pollworkers are: money and extra credit/class credit.
 - Recruitment materials should let students know that working on Election Day is a paid opportunity. For some cash-starved students, that’s all the convincing it will take.
 - Work with faculty to integrate working the polls into their class curriculum – either as an extra credit option, as a service learning assignment, or as an integral part of a specially designed class on the electoral/political process.
- Offer pollworker training on campus, scheduled around students’ class schedules. Bring examples of Election Day equipment and materials to make the training as hands on as possible including role playing. Encourage the students to ask lots of questions to ease any concerns they may have about serving. Include a discussion of etiquette and inter-generational communication.
- To retain students for future elections, keep track of their email addresses and cell phones. Students often change addresses each year so the traditional approach of sending a snail mail request to past pollworkers is not effective.
- Election officials and schools should evaluate their programs post-election to see how they can improve the process. Election jurisdictions should track how many student applications they receive each year, how many actually serve, and how students heard about the program (this data can easily be requested on the application form). Knowing how well different recruitment methods worked is useful so future efforts can focus on the most effective pathways. Knowing how many students you can expect to serve based upon how many applications you receive is also vital planning information.

Unfortunately, recruiting college pollworkers is not the panacea for nationwide pollworker shortages. There are multiple legal and structural impediments to using college students in this capacity that need to be addressed before students can become a major force on Election Day.

Legal Impediments

The two main statutory obstacles to college students becoming pollworkers are registration and residency requirements. Requirements for affiliation with political parties, or the practice of choosing pollworkers primarily from nominations by political

parties, may also pose a problem. Finally, many statutes obligate pollworkers to serve for a term of years, which may be difficult for college students to fulfill.

Residency and Registration: In most states, a pollworker must be a registered voter of the state.¹ Some students do not want to register where they are going to college, but prefer to maintain their registration where they grew up and vote absentee. On the flip side, some states do not consider college students to be bona fide residents, and restrict them from registering to vote.²

Even in-state students may encounter problems with becoming pollworkers, because statutes often require that pollworkers be voters in the precinct, or at least the county, where they serve. Approximately thirty states have statutory preferences for pollworkers to be residents of the precincts in which they work.³ Without more empirical research, it is hard to know whether those statutory preferences are honored in administrative practice, or whether county residence is the real limiting factor. Only one state, California, allows any state resident to be a pollworker anywhere in the state. Only five states⁴ will allow any state resident to be a pollworker anywhere in the state if there are insufficient numbers of county residents available.

A conundrum exists even where states allow students to register in the jurisdiction where the college is located. Almost all of those students will be voters in one precinct. Only three or four pollworkers are needed in any one precinct. If the state follows the protocol to give preference to residents of the precincts, there may be very few spots available for college pollworkers. This may not be a significant issue in those jurisdictions which are most in need, and whose statutes authorize them to choose from the larger pool of county residents.

An ethical dilemma exists in asking a college student to be a pollworker in a precinct, county, or state that will not allow the student to register to vote.⁵ Ironically, three of

¹ There are only three states where you do not have to be a registered voter to be a pollworker: Georgia, Idaho, and Washington. It is possible that registration is not required in Alabama, but we are waiting for confirmation of our statutory interpretation. Hawaii will accept unregistered pollworkers if there are insufficient numbers of registered voters available.

² The right to register and vote is predicated on satisfying a state's requirements for bona fide residency. In most states, bona fide residency is determined by physical presence and the intent to make a place home. Some jurisdictions have either constitutional or statutory "gain or loss" provisions, stating that a student should not be deemed to have gained or lost a residence for voting purposes by reason of his presence or absence while at school. The most common interpretation of gain and loss provisions is that the student's physical presence is itself no evidence of intention, and that further inquiry into a student's intentions and community connections must be made. When such inquiries are made, the investigator must be careful not to violate the equal protection clause, which precludes states from subjecting students to more rigorous registration requirements than are generally applied to other citizens.

³ A few states strictly require that pollworkers be precinct residents. Several others will allow a very limited number of pollworkers in a precinct to be from outside the precinct.

⁴ Arizona, Alaska, Colorado, Maryland and Minnesota.

⁵ Professor Michael O'Laughlin, of the Institute of Public Affairs and Civic Engagement at Salisbury University, has conducted empirical and statutory research regarding the laws and administrative practices that restrict the ability of college students to register to vote where they attend school. He found that as of 2004, the states which have the most restrictive practices are: Arkansas, Arizona, Hawaii, Idaho,

the states where there is no voter registration prerequisite for pollworkers, Hawaii, Idaho, and Washington, also have very strong restrictions against allowing college students to register in the jurisdictions where they attend school. Therefore, states which present the most open fields in terms of placing college students as pollworkers may also refuse them the right to vote. Restrictions against the registration of college students are generally based on the premise that their residence is not “bona fide” because their presence is temporary and the college community is not the locus of their primary concern. A willingness to be a pollworker in the community is strong evidence vitiating against the rationale that restricts college students from registering to vote.

There are two possible legislative solutions to the residency and registration problem for out-of-state students: either legislation explicitly permitting college students to register where they attend college, or legislation permitting college students who are not registered to act as pollworkers anywhere in the county or state. Of course, the latter course carries with it the ethical quandary of using college student labor for the benefit of the community without giving them the concomitant right to exercise a franchise in that community. For students who are in-state, legislators might follow Delaware’s innovative lead. Normally pollworkers in Delaware must be residents of their election district, unless insufficient numbers require the appointment of county residents. 15 Del. Code Ann. §4701(a). However, Delaware’s statute carries a college student exception where Delaware residents who are registered voters and who are enrolled as at least half-time students in colleges or universities within the respective county, may be appointed as election officers for that county. 15 Del. Code Ann. §4701(a) (2). Once again, however, if Delaware is a restrictive registration state (*see supra*, FN 5), then this legislation does not address the problem of students being required to vote in their parents’ county, and not being able to vote in the county where they serve as pollworkers.

Political Party Affiliation: Another hurdle that the college student pollworker program may encounter involves the requirement for affiliation with a political party.⁶ Often, even where affiliation is not explicitly required, pollworkers are chosen first from party lists and unaffiliated candidates are chosen only when there

Mississippi, Montana, Oregon, South Carolina, Tennessee, Virginia and Washington. O’Laughlin, M. & Weiler, M. “Democracy and College Student Voting (Revised Edition).” June 1, 2004. The Institute for Public Affairs and Civic Engagement. Salisbury University. http://www.salisbury.edu/community/pace/programs/studentvoting/DemCollStuVoting6_2004.pdf. Other evidence shows that Delaware, New York and Texas may also have restrictive practices. “Barriers to Student Voting.” Brennan Center for Justice at NYU School of Law. http://www.brennancenter.org/programs/dem_vr_student_voting.html; Weiser, J. “Delaware Rules Keep Students from Voting.” Sept. 27, 2004. Op. Ed. in *Delaware News Journal*. http://www.brennancenter.org/presscenter/oped_2004/oped_2004_0928.html

⁶ Only seven states have methods by which they choose pollworkers that do not either require a political party affiliation, or give preference to the nominees of political parties. Those states are: California, Connecticut, the District of Columbia, Florida, Georgia, Mississippi, and Nevada.

are insufficient numbers of party members available to serve. In a vast majority of states, the college pollworker program might have to work with the political parties to get students nominated for positions. This requirement could be a problem for some colleges and universities that prefer to not be involved in a partisan process.

Term Requirements: Twenty-three states have term requirements, ranging between one and four years, that might be very difficult for college students to complete. It is unclear how assiduously these terms are enforced. Wisconsin, with a two year term, explicitly states that pollworkers “shall serve at every election in the ward during their term of office.” Wis. Stat. § 7.30(6) (a). Some states appear to interpret the terms as the period of time during which the pollworker is certified, but do not expect the pollworker to be available for every election during their term. Certain states have a practice of sending out notices to certified election workers to see if they are available for an election. Pennsylvania is the only state where the poll judges and inspectors are elected for four year terms. Those elected officials in turn appoint clerks and machine operators on an election-by-election basis.

A number of states have terms only for the pollworkers in positions of highest authority, and appoint workers with less authority for each election. This would provide a role for college pollworkers, but unfortunately they might be relegated to less interesting work.

Additional Hurdles for College Pollworker Programs to Overcome

No National Elections. There is naturally more excitement on campuses about national elections, especially a presidential election, than local and state elections. It is easier to recruit students as pollworkers when they are engaged in the political drama of a presidential race.

Election officials want pollworkers to work multiple elections. Jurisdictions generally prefer training workers whom they will be able to use over and over. Students are seen as one-shot workers or, at best, providing a maximum of four years of service and are thus less worth the recruitment and training investment. Jurisdictions also generally prefer to have workers who can work both the primary and the general elections. Some states have primaries when students are not on campus.

Major Time Commitment. Most students name time commitment as the biggest hurdle to being a pollworker. They worry about missing classes, work, and, in some cases, childcare. The 12 or more hours commitment on Election Day is too much to handle. Although not yet widely tested, most students welcome the option to split shifts. They believe only having to serve a half day will increase participation. Jurisdictions that permit split shifts may want to consider pitching this to students.

Conflicting Schedules. Students will often miss multiple classes by serving as a pollworker. They need to be assured of an excused absence by their professors and

that they will not be penalized for missing their classes. The best solution is to get faculty cooperation at the onset.

Faculty Cooperation. Offering class credit or service learning opportunities is a great way to encourage students to volunteer as pollworkers. However, this takes time and effort on the part of faculty who may not welcome the additional work. Give them plenty of lead time so they can integrate the credit or assignment into their curriculum before classes begin. Make sure they know there is someone else on campus who can be the trouble shooter and liaison with election officials so when a student has a problem, the faculty member doesn't feel burdened trying to solve it.

Political Party Buy-in. Some states require political parties to recruit, select, and place pollworkers. Parties may be resistant to using new people with whom they are unfamiliar. They prefer local people who have been part of the political system for years. Schools have successfully recruited students only to find the local political parties were not necessarily interested in placing them all at polling sites. Buy-in from local and state political parties is extremely important in these situations. Typically, by the week before elections, if the parties haven't filled all pollworker positions, then the election jurisdiction can fill them.

Want to Work with Friends. Many students want to work with friends. Their reasons are varied: they prefer the social aspect of working with a friend; they don't want to spend 12 hours with strangers; or they are too intimidated to go alone. They believe signing up in pairs would be an attractive option. Being asked to work by a friend can also be a big incentive. Some jurisdictions have found that if friends were not placed together at the same precinct, they both dropped out. However, many election jurisdictions don't want to place students with friends because they fear the students will not pay attention to the job. They also want to have experienced workers overseeing new workers.

No Shows. As a group, college students are perceived to be unreliable, and some experiences indicate they have a higher no-show rate than the general population. To counteract this hurdle, programs must emphasize the importance of the commitment and help students fulfill their commitment through frequent reminders.

Transportation. Students frequently do not have cars, and if public transportation is not available, they need help getting to and from their poll assignment. A 45-minute commute at 5:30 am can be a major disincentive to showing up.

Tracking Student Participation/Verifying Which Students Worked on Election Day. If you are providing extra credit or it is required for a class, you need a reliable method of confirming that a student worked. Students should get a "proof of service" form signed by the polling site leader and the election jurisdiction should provide a list of student pollworkers to the school as soon as possible.