Best Practices:

Accessibility for Voting by Mail

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Contents

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Introduction

An increasing number of states and voters have begun to utilize alternative means of voting, particularly outside of the polling place. Despite the differences in terminology and methodology used to describe voting outside of a polling place, the process must be accessible. According to the EAC's Disability and Voting Accessibility in the 2020 Election survey conducted by Rutgers University, voters with disabilities were more likely to vote by mail. Voters with disabilities encountered fewer barriers when voting by mail in 2020 as compared to previous elections. Despite the increases in accessibility, voters with disabilities were more than twice as likely to report difficulty voting by mail (5% vs. 2%). They were almost five times as likely to either require assistance or encounter problems (14% vs. 3%) compared to voters without disabilities.

These voters represent approximately one-sixth of the American electorate. This growing demographic encompasses many voters, including those with mobility, visual, communicative, physical, or cognitive impairments. Voters with disabilities face unique obstacles when exercising their right to vote.

The rights of people with disabilities to vote privately and independently with equal access to voter registration and the electoral process are secured through the Help America Vote Act of 2002 (HAVA), Title II of the Americans with Disabilities Act (ADA), the National Voter Registration Act (NVRA), and the Voting Accessibility for the Elderly and Handicapped Act. These laws have created a series of rights that ensure voters with disabilities can access all portions of the electoral process in a manner that is accessible to them. Under HAVA, voters with disabilities have the right to be able to mark, cast, and verify their ballot privately and independently.

Title II of the ADA requires state and local governments to ensure that people with disabilities have equal access to government services and information, including the voting process. Additionally, the Voting Accessibility for the Elderly and Handicapped Act requires polling places to be accessible.

This guide highlights the primary barriers to voting by mail and provides best practices to help ensure voters with disabilities have equal access to this crucial voting option. Election officials, policymakers, and advocates can utilize this guide's checklists and best practices to better serve the disability community.

Scope

Election officials must consider a broad range of accessibility needs to serve voters, including those with visible and invisible disabilities. Many challenges exist, including harnessing a wide range of assistive tools, maximizing available technology, and ensuring voters can vote with confidence. Elections officials can often enhance accessibility with small, practical, and cost-effective adjustments. This document is designed to provide election officials with recommendations, considerations, and best practices to ensure that all voters can vote privately and independently.

Goals

The recommendations in this guide are intended for election officials, who are responsible for ensuring accessibility in elections. These checklists and best practices will help election officials improve the accessibility of voting by mail. The EAC recognizes there are external and perceived concerns that impact voter behavior. While the ADA and HAVA codify accessibility standards in many aspects of elections,

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states have wide-ranging laws and requirements that govern the voting process. After reviewing applicable federal, state, and local laws, elections offices may want to adopt the practices described in this guide that best fit the needs of voters.

EAC grant funds can be use by states and units of local government to ensure access to the polls for individuals with disabilities. The laws that govern accessibility throughout the elections process are vital requirements but can also improve the voting experience for all. Below are some questions election officials should consider to ensure accessibility in the vote by mail process:

- Have paper-based request forms and informational documents been field-tested to ensure accessibility, usability, and plain language?
- Does your state offer online vote by mail ballot request and delivery? Is that process accessible, including all fillable forms and security features?
- Are voting processes, training, outreach, election information, and post-election activities accessible?
- How do you inform advocacy organizations, elderly populations, and the greater public about accessible voting options?
- What needs to be communicated with people with different access needs to ensure accessibility while maintaining individuals' privacy and independence?
- What voting options are available to mail-in or absentee voters?
- How might these options assist voters who may have difficulty casting a ballot by mail?
- Are staff trained to be considerate of a wide range of individuals with disabilities, including those with physical, cognitive, and mobility challenges?
- Are there alternative options to paper vote by mail ballots?

Voting by Mail

Voting by mail is available in all states. However, how voters request, receive, and return their mailed ballots varies significantly across the country. In most states, voting by mail requires voters to make a formal written or online request for a ballot to be mailed. Some states also require voters to provide a reason for requesting a mailed ballot, a witness signature, or other documentation before being issued a ballot. The election office then processes the application and mails the ballot to the voter. The voter receives and casts the ballot per the established procedures, and the elections office then processes the returned ballot to determine its validity. If valid, election officials tabulate the ballot, and its votes are included in the official results. Despite differences in processes, the most effective way to ensure accessibility is to provide multiple options to request, complete, and deliver ballots. These options should be communicated in an accessible manner.

The U.S. Access Board provides resources on developing accessible printed materials and websites. Election officials can find more information at https://www.access-board.gov/ict/ or contact the Access Board at 800.872.2253 (v), 800.993.2822 (TTY), or 508@access-board.gov. Additionally, the U.S. Department of Justice issued guidance on website accessibility at http://www.ada.gov/websites2.htm.

Requesting a Ballot

States provide mail ballots to voters through two processes. Either states mail ballots to all eligible registered voters or states require registered voters to request mail ballots. In states that mail all eligible voters a mail ballot, there are no additional steps, following voter registration, that need to be taken to request a mailed ballot. However, in states that allow voters the option to receive a remote accessible vote by mail ballot (RAVBM) or other alternative remote voting options, election officials should provide voters with information about how to request an alternative ballot using an accessible application process.

The process for requesting a mail-in ballot often relies on paper forms. Paper forms, however, may be inaccessible to some voters. In states that require voters to request mail ballots, there may be additional steps that should be evaluated for accessibility including disability excuse forms, affidavits of assistance, permanent absentee forms, or alternative ballot request forms. Forms should be concise, and only include essential questions. If a signature is required, alternative signature options such as affixing a signature digitally or using a signature stamp should be communicated to voters, if allowable by law in that jurisdiction. Regardless of the application process, the most effective way to ensure accessibility is to provide multiple options to request a mailed ballot. Some accessible ballot request options include:

- Electronic ballot request options (email, online portal, or other computer-based options)
- Verbal requests by telephone
- Large print versions of paper forms

Elections offices and their websites are important tools for disseminating information. According to "Disability, the Voting Process, and the Digital Divide" a national survey commissioned by the EAC and conducted by Rutgers University, election office websites are the top choice of voters with and without disabilities for getting information about the voting process or where to vote. The study was designed to help election officials better understand how to communicate with voters with disabilities by determining where and how voters prefer to receive information while focusing on computer and internet usage. In addition to election websites being the preferred place for voters to get information, voters with disabilities expressed more confidence in election offices as a trusted source of information than that of the other sources surveyed.

The elections office's website and informational materials should explain how mail voting works in the jurisdiction, what the accessible options are for requesting a mailed ballot, if there are alternative remote ballot voting options, and provide contact information for the office. Websites should comply with Section 508 of the Rehabilitation Act and should be written in plain language. Plain language makes it easier for the voters to read and understand their voting options. Information online must also be available in other forms for voters without access to the internet.

For more information about how to write in plain language so that voters can find what they need, understand what they find and use what they find to meet their needs, see: https://www.plainlanguage.gov/guidelines/.

Accessible Ballot Request Options	
Are online mailed ballot applications Section 508 compliant?	☐
Are there alternative methods to request a mailed ballot, such as verbally over the phone or a large print version?	☐
Do mailed ballot application instructions use plain language?	☐
Are only the essential questions included on mailed ballot application forms?	☐
Are there accessible signature options for voters, such as affixing a signature digitally or with a stamp?	☐
Have the accessible options for requesting a mail-in ballot been communicated to voters?	☐

Ballot Marking

Most mail-in and absentee voting processes rely on paper ballots. While paper ballots offer many advantages for both voters and election administrators, they may present barriers to voters with disabilities. According to The EAC's "Disability and Voting Accessibility in the 2020 Elections"[1] survey, the most common barrier faced by voters with disabilities was the ability to read their ballots.

Alternative ballot options, such as braille, large print, or ballots delivered online or by email, can remedy this barrier. In states that allow remote alternative vote by mail ballots (RAVBM), the voter has an option to download a ballot or have a ballot sent electronically that they can then use their own assistive technology to read and mark their mailed ballot privately and independently.

Where accessible ballot marking options exist, election officials should clearly communicate these options to voters. When creating instructions, election officials should use plain language and visual aids. Simple visual aids can demonstrate how to fill in the oval or connect the lines to indicate selections on the ballot.
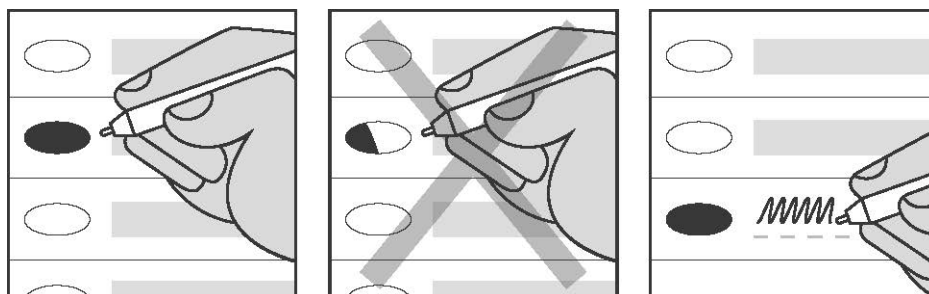

Figure 1 - Ballot marking instructions

Example alt text: A black and white image showing how to properly mark a ballot by filling in the oval completely next to a voter's choice. The image also shows how not filling in the oval completely is incorrect and that a voter should fill in the oval next to a write in choice if voting for a write in candidate.

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[1]https://www.eac.gov/sites/default/files/voters/Disability_and_voting_accessibility_in_the_2020_elections_final_report_on_survey_results.pdf

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Assistive technology cannot interpret meaning from icons and images, so alternative text, known as "alt text," should be applied to images to ensure equal access. For more information about how to apply alt text and to make documents Section 508 compliant, see: https://www.section508.gov/training/.

Accessible Ballot Marking	
Are alternative accessible formats available for ballot marking, such as a ballot delivered electronically?	☐
Are alternative accessible formats compatible with assistive technology?	☐
Do the instructions for how to make selections using a mailed ballot use plain language?	☐
Do images, icons, and pictures used in ballot marking instructions have alt text?	☐
Have alternative accessible options for ballot marking been communicated to voters?	☐

Ballot Return

According to the EAC's Disability and Voting Accessibility in the 2020 Elections study, returning the ballot was the second most commonly reported barrier for voters with disabilities during the vote by mail process.   There are three different ways a mail/ absentee ballot can be returned:
- By mail
- In person (drop box)
- Electronically

There could be barriers to accessibility for any of these processes depending on the disability. Returning the ballot by mail or in person can present barriers to individuals with physical or intellectual disabilities. An electronic return option may present barriers to voters with sensory disabilities or fine motor coordination disabilities. It is necessary to evaluate the return options and ensure there are accessible methods to return a mail ballot and that the options are communicated to voters in an accessible manner.

There are multiple components to returning a mailed ballot that need to be analyzed to ensure accessibility. These requirements vary by state, but may include:
- Privacy sleeves
- Affidavits of assistance
- Signature requirements
- Restrictions on who is authorized to return the ballot on behalf of the voter

Some states and jurisdictions allow voters to track the status of mailed ballots electronically. A barcode on the ballot envelope is scanned at various points, creating a record of when a ballot has been mailed to a voter, when it has been received by the elections office, and information about whether there are any defects that would prevent the ballot from being counted. Most ballot tacking solutions include a public interface for a voter to check the status of their ballot. Ballot tracking portals should be tested to ensure they are Section 508 compliant and accessible to all voters.

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Accessible Ballot Return	
Are there options to return ballots that do not require physically manipulating the ballot, such as fax, email, or other electronic return?	☐
Are there accessible ballot tracking options?	☐
Have the accessible options for returning mailed ballots been communicated to voters?	☐

Ballot Envelopes

Paper ballots and accompanying documents must be placed in an envelope. Limiting the number of pieces of paper to only the necessary documents can increase accessibility. Typically, the voter must sign the envelope, and in some jurisdictions, a witness must also sign the ballot envelope and additional identifying information must be provided. When possible, election officials should use envelopes with accessibility features including tactile indicators for the signature line to prevent ballots from being rejected. There are several ways to improve the accessibility of ballot envelopes, including:

- Writing all instructions on the envelope in plain language.
- Using large characters and high contrast colors.
- Including icons to illustrate key instructions on the envelope.
- Using tactile markers to indicate required fields, including highlighting where the voter is required to sign.

Election officials should also consider soliciting feedback from voters about the usability and functionality of the envelopes. Community organizations may be able to provide helpful feedback that can then be incorporated into future envelope designs.

> Most states require voters to sign mailed ballot envelopes to confirm their identity. Signature matching can disproportionately result in rejections for non-matching signatures of voters who are blind, low vision or have limited dexterity. Elections offices should have a second round of verification for signatures initially flagged for further inspection, to reduce wrongly rejected ballots.

For a more detailed explanation of accessible font styles, size, and color contrast, the EAC commissioned research from the AIGA Design for Democracy Project. This Center for Civic Design guide can help increase useability and accessibility for ballots and other print materials: https://civicdesign.org/fieldguides/designing-usable-ballots/.

Accessible Envelope Features	
Do the instructions on mailed ballot envelopes use plain language?	☐
Does the envelope text use large characters with high contrast colors?	☐
Are there icons that accompany the instructions?	☐
Are there tactile markers to indicate a signature line?	☐

Does the envelope include a checklist to assist voters?	☐
Have you conducted usability testing and incorporated feedback from voters?	☐

Drop Boxes

Once the envelope is signed, the ballot is typically returned to the elections office through the mail or by placing the ballot in a drop box. Ballot drop boxes can provide voters with a secure and convenient method to return their ballots, where permitted by law. Ballot drop boxes offer an alternative option to voters who physically cannot bring their ballot to a clerk or put an absentee ballot in the mail themselves. According to the EAC's Disability and Voting Accessibility in the 2020 Elections study, voting by mail or using a drop box was the second most popular voting option, chosen by almost one-third (32%) of people with disability. The survey also reported that 79% of voters with disabilities found ballot drop boxes easy to use. However, voters with vision or cognitive impairments were less likely to use drop boxes. Detailed instruction on how to locate ballot drop boxes or partnering with wayfinding apps, may improve the experience of voters with vision or cognitive impairments.[2]

Drop boxes should be designed and installed with accessibility in mind. The physical design and location of ballot drop boxes must adhere to the requirements of the Americans with Disabilities Act (ADA). It is important that the path of travel to a ballot drop box and the surface where it is located are also accessible. Placing ballot drop boxes on grass or gravel can be a barrier to voters that use mobility devices. An accessible pathway should not only be wide enough to accommodate mobility devices, and free from obstacles, but should also not be placed in the direct path of vehicles that may not see a voter in a wheelchair. The physical design of a ballot drop box is important to ensure a voter can cast their ballot confidentially and independently. Physical features such as the height of the ballot slot must be considered in conjunction with placement. Placing a drop box on an elevated surface can compromise accessibility by putting the ballot slot out of reach of a voter with a disability. Below are some of the key technical accessibility requirements for ballot drop boxes:

- The path of travel to the ballot drop box should have a slope of no more than 2 degrees and be clear of all obstructions from the parking lot or curb.
- The ballot slot should be no higher than 48 inches from the ground.
- A voter should not have to reach more than 15 inches to place their ballot into the slot.
- If there is a door (or cover) on the ballot slot, this should take no more than 5 lbs. of force to open.
- If there is a door (or cover) on the ballot slot, it should be able to be opened and closed with a closed fist (without grasping, pinching, or twisting of the wrist).
- All gaps and cracks in the drop box should be sealed.

Additionally, ballot drop boxes should have accessible signage to help voters locate and use the drop box. All text-based signage should use text with large characters and high color contrast. Other methods of accessible signage include tactile notifications, such as raised lettering and braille, or sound indicators, including locator tones, auditory announcements, and auditory locators.

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[2] https://www.loc.gov/nls/resources/general-resources-on-disabilities/gps-and-wayfinding-apps/

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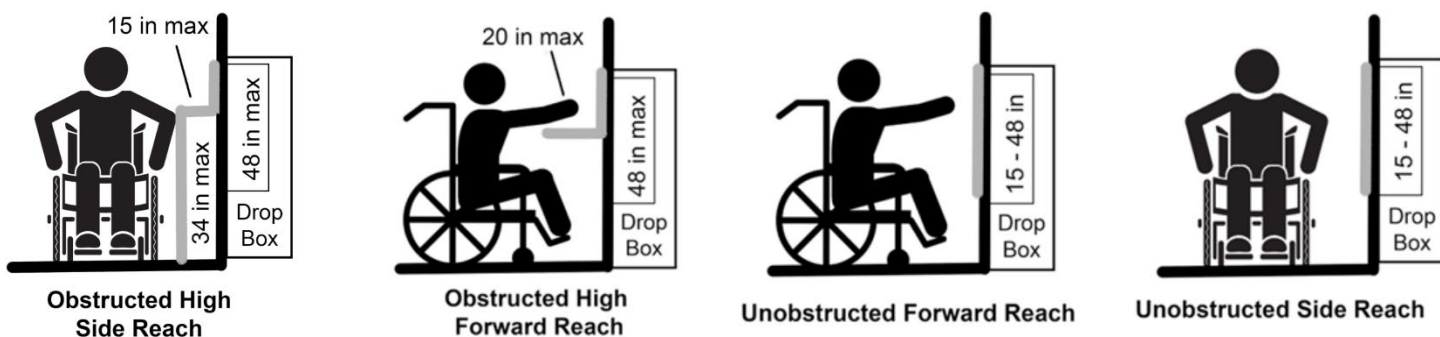| Accessible Ballot Drop Boxes	
Is the path of travel to the drop box free from obstructions and the slope less than 2 degrees?	☐
Do drop box signs use tactile notifications, including raised lettering and braille?	☐
Do drop boxes provide sound indicators, including locator tones, auditory announcements, and auditory locators?	☐
Do drop box signs use text with large characters and high contrast?	☐
Is the ballot slot no higher than 48 inches from the ground?	☐
Is the ballot slot within 15 inches of the voter's reach?	☐
Is the door (or cover) on the ballot slot take no more than 5 lbs. of force to open?	☐
Is the door (or cover) on the ballot slot able to be opened and closed with a closed fist (without grasping, pinching, or twisting of the wrist)?	☐
Are all gaps and cracks in the drop box sealed?	☐

Figure 2 - Diagram of accessible drop box configurations

Ballot Verification

Once election officials receive a voter's ballot, they review the envelope to ensure that the ballot is marked as received and that all required information is present. If there is an error on the ballot envelope, such as if the signature on the envelope does not match the signature on the voter registration application or it is missing a witness signature, election officials may need to contact the voter to correct, or "cure," this error, if allowable by law. The curing process requires two steps: 1) notification and 2) correction. Both parts of this process should be accessible. Providing multiple notification methods, including electronic mail, telephone, SMS text messaging, and mail, increases the chances that a disabled voter will be notified in a method accessible to them.

Accessible Ballot Verification	
Are there accessible ways to notify voters if ballot there are elements that need to be corrected before a ballot can be accepted for counting, such as electronic mail, telephone, SMS text messaging?	☐
Are there alternative accessible methods available for voters to cure ballots that do not require the use of paper forms?	☐
Have the accessible options for ballot verification been communicated to voters?	☐

Case Studies and Best Practices

Washington County, Oregon – Accessible Ballot Delivery and Marking

Paper ballots may be a barrier to accessibility for voters with disabilities. Paper can be made more accessible by increasing font size or adding tactile features. For example, Washington County provides two different forms of alternate format ballot (AFB) to voters with disabilities, 1) Large Print and 2) an HTML Ballot. The Large Print Ballot is printed in size 18 font, which may be helpful for voters with certain vision impairments. The HTML Ballot can be accessed online or on a mailed CD. For more information about this program, go to:
https://www.co.washington.or.us/AssessmentTaxation/Elections/VAP/alternate-format-ballot-request.cfm.

California – Alternative Signature Requirements

Signature requirements may present a barrier to accessibility for blind voters, voters with mobility impairments, voters with intellectual disabilities, or voters with other disabilities. California allows voters to provide a mark or use a signature stamp to address this issue. Before a voter can use the stamp, voters must either use the stamp to register to vote in the presence of an election official or register online after having used the stamp at the Department of Motor Vehicles. The stamp must be approved, and a copy of the stamped signature sent to the Secretary of State. In addition to the mark or signature stamp, a voter must have a witness write out the voter's name and their own name somewhere near the signature line.

Colorado – TXT2CURE

During the 2020 election cycle, Colorado deployed a novel strategy that allowed voters to fix signature discrepancies using a smartphone. Once a voter was notified of a signature discrepancy, they could text "Colorado" to 2VOTE (28683). The voter receives a link as a reply where they are required to entire their Voter ID number from the rejection notice. To finish the cure process, the voter must affirm they returned a ballot for the election, sign the affidavit on their phone, take a photo of an acceptable form of ID, and submit.

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Additional Resources

- [Best Practices for Accessible Voter Registration](#)[3]
- [Best Practices for Accessible In-Person Voting](#)[4]
- [Fact sheet: Disability and Voter Turnout in the 2020 Elections](#)[5]
- [U.S. Election Assistance Commission Quick Start Guides:](#)[6]
  - [Ballot Drop Boxes](#)[7]
  - [Making Voting Accessible](#)[8]
  - [Voting by Mail](#)[9]
- [U.S. Election Assistance Commission Voting Accessibility Resources for Election Officials](#)[10]

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[3] https://www.eac.gov/best-practices-accessible-voter-registration
[4] http://www.eac.gov/best-practices-accessible-person-voting
[5] https://www.eac.gov/sites/default/files/document_library/files/Fact_sheet_on_disability_and_voter_turnout_in_2020_0.pdf
[6] https://www.eac.gov/election-officials/quick-start-guides
[7] https://www.eac.gov/sites/default/files/electionofficials/QuickStartGuides/Ballot_Drop_Boxes_EAC_Quick_Start_Guide_508.pdf
[8] https://www.eac.gov/sites/default/files/electionofficials/QuickStartGuides/Making_Voting_Accessible_EAC_Quick_Start_Guide_508.pdf
[9] https://www.eac.gov/sites/default/files/electionofficials/QuickStartGuides/Voting_by_Mail_EAC_Quick_Start_Guide_508.pdf
[10] https://www.eac.gov/election-officials/voting-accessibility

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Glossary

Accessibility: The measure of physical or electronic usability by an individual with any specific need.

Accessibility Requirements - The set of laws, statutes and procedures that govern the voting process to ensure that voting is accessible to individuals with disabilities.

Absentee Ballot - A ballot cast by a voter other than in-person on election day. Some jurisdictions use the term synonymous with mailed ballots while other jurisdictions use the term synonymous with early voting.

Absentee Ballot Request Form - A form used by a voter to request an absentee ballot.

Absentee Mail Process - A series of actions or steps taken when voting using

Affidavit For Absentee Ballot - A form used by a voter to request an absentee ballot that is confirmed by oath or affirmation.

Alternative Format - Providing a different way of accessing information, such as an accessible ballot. Americans With Disabilities Act (ADA) The ADA is a civil rights law that prohibits discrimination against individuals with disabilities in all areas of public life and all public and private places that are open to the general public.

Application for Ballot By Mail (ABBM) - A document used to request a ballot be mailed to a voter.

Ballot Cast - The final action a voter takes in selecting contest options and irrevocably confirming their intent to vote as selected. Examples include when a ballot has been deposited by the voter in the ballot box, mailbox, drop box or electronically submitted for tabulation.

Ballot Drop Box - A locked container, either indoor or outdoor, where voters can return an absentee ballot for collection directly by an election official.

Mail Ballots (Noun) - A ballot cast by a voter other than in-person at a voting location. Mail or mailed ballots are typically sent to voters but can be issued over the counter from an election's office. Depending on the jurisdiction, mailed ballots can be returned by mail, in a drop box, or in-person. Mailed ballots are synonymous with vote-by-mail and absentee ballots.

Mail Ballots (Verb) - The process of mailing ballots to voters using the U.S. Postal Service.

Mail-In Voter Registration Form - A form used by a voter to request that a ballot be mailed to them. Mailed Ballot Election An election that is conducted entirely with the use of mailed ballots and either does not offer in-person voting options or has limited in-person voting options.

Signature - A person's name written in a distinctive way as a form of identification in authorizing. This can also be made by a mark.