CHAPTER 19
ACCESSIBILITY

Election officials work everyday to make elections more accessible to the public. More than ever before, newly accessible voting machines have facilitated independent voting for voters with disabilities. An added focus on making polling places accessible further serves to help people with disabilities to vote in person on Election Day. There are many accessibility initiatives an election official may consider to continue the trend toward fully accessible elections for all voters.

One in five people in the United States has a disability. The Federal Americans with Disabilities Act (ADA) defines "disability" as an impairment that substantially limits one or more major life activities, a record of such an impairment, or being regarded as having such an impairment.[1]

Some people are quick to imagine persons with visible disabilities—those who use wheelchairs, for example—when they hear the word "disability." Most disabilities, however, are not visible. Different disability types include hearing, speech, vision, dexterity, mobility, and cognitive impairments. Over one-half of all people who have a physical disability are hard of hearing. All of these disability types can manifest in forms from mild to severe in voters with disabilities.

Election officials should be perceptive and try to anticipate the needs of people who may require assistance. Election officials should train their elections office staff and poll workers, who are the public face of election administration, to provide improved accessibility to voters with disabilities.

"Accessibility" is a term that refers to the removal of barriers that make it difficult or impossible for some people with disabilities to use something. It can refer to the built environment (for example, the polling place) or to technology (e.g., the voting systems). By providing accessibility in election administration, election officials ensure that people with disabilities can participate independently in the electoral process. Accessibility supports democracy, civil rights, and the guiding principal of non-discrimination.

Federal laws such as the ADA and the Help America Vote Act (HAVA) ensure that the physical polling place, the voting activity, and the voting systems are accessible. HAVA Section 261 authorizes payments to States and units of local government to ensure access to the polls for individuals with disabilities.[2]

State laws may also be helpful. For example, some State laws govern information technology accessibility ensuring that elections offices' Web sites are accessible for everyone regardless of disability.

Accessibility covers all aspects of running an elections office—registering to vote, accessing a Web site, recruiting and training poll workers, entering a polling place, and casting a secret ballot. Accessibility needs are far-reaching and have been addressed by the EAC in several other chapters in the *Election Management Guidelines (EMG)*.[3]

An election official who considers accessibility initiatives will increase the ability of all voters to participate fully and independently in each step of the voting process. This chapter on accessibility provides many examples of ways to improve accessibility and to incorporate these good practices into all aspects of election administration. The examples discussed in the following pages are from various ju-

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[1] 42 U.S.C. § 12102.

[2] 42 U.S.C. § 15421.

[3] The other chapters include Ballot Building, Polling Place and Vote Center Management, Absentee Voting and Vote by Mail, and Communicating with the Public. In addition, the EAC has published Quick Start Management Guides on Poll Workers and Serving Voters in Long-Term Care Facilities.

risdictions across the country, and they demonstrate that an election official does not need to start from scratch to develop successful accessibility initiatives in their local elections offices. Election officials have already implemented the strategies used in these examples to successfully address accessibility, so that an election official can simply tailor them for his or her community, per State and local laws and regulations.

The content of this chapter was developed in collaboration with Federal agencies and disability or-ganizations, and State and local election officials and other election professionals who have first-hand ex-perience managing elections. The EAC is grateful for their participation to ensure that the guidelines are practical and applicable for jurisdictions regardless of their size and resources. The *Election Management Guidelines* and the *Quick Start Management Guides* are available on line at www.eac.gov.

IMPORTANT REMINDER ★ ★ ★

Jurisdictions are reminded to implement these voluntary practices only after reviewing State and local laws and regulations. Local election officials should contact their State election officials with questions about the legality of a specific policy or procedure in their State.

Managing an Accessible Elections Office

Every aspect of election administration can incor-porate accessibility accommodations. This section will focus on the areas of election administration that occur outside the physical polling place. These programmatic aspects include training, accountabil-ity, outreach, and information and communications technology. Physical polling place accessibility is addressed in the section entitled "Providing an Ac-cessible Voting Experience."

Staff and Poll Worker Training

Reviewing all the training material for full and part-time staff and poll workers is one of the first steps an election official can take to evaluate accessibility accommodations in his or her jurisdiction. The staff and poll workers are the public face of the elections office and a staff well trained on accessibility will improve the voting process for all voters.

Election officials can add training modules about interacting with voters with disabilities to poll worker training programs. For the basics in

building a good system for managing poll workers, election officials can review the EAC's *Successful Practices for Poll Worker Recruitment, Training, and Retention* available at www.eac.gov.

Voters with disabilities may not be aware of available accommodations. Because of this, poll workers and elections office staff can be trained to look for disabilities and to offer help. For example, a voter may report difficulty seeing where to sign at the check-in table. A poll worker trained to identify voters who are visually impaired might offer a mag-nifying glass for the signature sheet. Such an offer could also serve as an opportunity to explain infor-mation about voting systems with screen magnifica-tion options.

Poll workers do not always understand when and how to provide accommodations for voters with disabilities. Election officials should clearly outline the assistance poll workers can provide to voters with disabilities who are in the process of voting. Good communications skills ensure that all voters can understand staff and poll workers.

tip

It is best for poll workers to face people when talk-ing to them as opposed to speaking while looking down at the poll book.

Knowing some basic tenets of disability eti-quette will help an election official, staff member, or poll worker interact with voters with disabilities more effectively. The basics include:

1. Not making assumptions.
2. Asking before helping.
3. Being sensitive about physical contact.

It is better, for example, to offer an arm when leading someone who is blind to a voting station, rather than grabbing the voter's arm and pull-ing the voter. Service animals, such as guide dogs, are allowed in the polling place. Election officials should emphasize during training sessions that it is not appropriate to pet these service animals while they are working. Staff can view etiquette publica-tions with more information freely on the Internet; these also make wonderful inserts in a poll worker training package.

Election officials do not have to create training modules from scratch or by themselves. Disability

organizations may welcome an invitation to present a component of poll worker training on sensitivity to disability issues. In addition, many of the for-profit online poll worker training programs include sections about addressing accessibility issues at the polls. Finally, election officials can find many free, governmental resources on line that they can adapt to their jurisdictions.

Examples of disability etiquette guides include:

Tips on interacting with people with disabilities from United Spinal:

http://www.unitedspinal.org/pdf/Disability Etiquette.pdf

Tips on interacting with people with disabilities from Eastern Paralyzed Veterans Association:

http://ruralinstitute.umt.edu/disability_etiquette.pdf

Examples of training videos:

Oregon's Assisting Voters with Disabilities Training Video

http://www.sos.state.or.us/elections/HAVA/avwd_captions.wmv

North Carolina's State Board of Elections Accessibility Videos

http://www.sboe.state.nc.us/content.aspx?id=57

Accountability

Jurisdictions might consider implementing a procedure for receiving and responding to inquiries and complaints from the public about accessibility. Election officials may not always proactively provide accessible accommodations in all aspects of the voting experience. Those voters who may have encountered an unexpected obstacle, however, are often willing to share these experiences in the hope that the issue is resolved next time.

If staff levels allow, election offices can benefit from one staffer assuming responsibility for all disability issues that arise during election administration in the jurisdiction. This staffer would be responsible for receiving and responding to inquiries and complaints and ensuring that voters with disabilities have all of the information they need to register to vote and use the accessibility features of voting systems.

Disability Outreach

Election officials can leverage many types of outreach to improve the accessibility programs they implement. They might review all printed material available to the public and make sure to offer it in alternative formats, such as large print, audio, and in a variety of languages. For example, some jurisdictions provide large print sample ballots at the polls for voters with vision impairments. If a document can be made available electronically on a Web site, it will allow voters to familiarize themselves with the process before they go to the polling place.

State and local jurisdictions might partner with disability groups to pool resources and develop accessibility solutions. From poll worker accessibility training to checklists for inspecting polling places for accessibility, many resources are already available in the field. Election officials can tailor most of these solutions to fit the needs of just about any jurisdiction. For more information about partnerships that election officials might pursue, refer to chapter 12 of the Election Management Guidelines, *Building Community Partnerships*.

Outreach to Voters

Election officials might consider developing an outreach plan to raise awareness among voters with disabilities about accessible polling places and accessible election programs in the jurisdiction.

The outreach might address the following issues:
★ Do voters with disabilities know how to—
  • Register to vote?
  • Use the accessible voting system?
★ Do voters with disabilities know about various available accommodations, such as—
  • Information in large print on paper?
  • The documents and other information viewable in advance on an election Web site?
★ Do voters with disabilities know to whom to complain if they have a problem?

Outreach to Government

Election officials have many governmental resources at their disposal. For example, many States have a Governor's Commission on Disability that advises the State government on disability issues. Election

officials can check to see what State-specific documentation and advice might be available to them from this governmental entity.

Moreover, many counties have local commissions on people with disabilities. These organizations may help local election officials reach those individuals in the community who need information on the various accessibility accommodations.

Election officials might consider establishing an accessibility advisory board within the jurisdiction if none exists or creating a committee that focuses on election administration. Election officials can schedule regular meetings to solicit input and to gather suggestions and ideas about how to make the voting process and polling places more accessible to individuals with disabilities.

Example:

The elections office in Alexandria, VA works closely with the Alexandria Commission on Persons with Disabilities. The disability community helped perform usability tests on the voting technology when the jurisdiction purchased new equipment. With the commission's backing, the elections office was able to recommend the voting system that the city government ultimately purchased. Election officials noted that partnering with the disability community from the outset, and not as an afterthought, worked best.

Outreach to Nonprofits

The local disability community is another potential partner for election officials looking to promote the awareness of accessibility accommodations. Disability organizations may be able to provide assistance or advice about marketing strategies, usability testing, material reviews, or training.

Disability organizations may also be able to provide assistance in circulating voter registration information and voting materials to voters. They also serve as an excellent resource for recruiting poll workers with disabilities and may have an easier time reaching these individuals than the staff in an elections office.

Disability organizations can help evaluate voting systems as part of the State or local procurement process. If no governmental commission is advising agencies about disability issues, election officials can reach out directly to the disability community to assist with the selection of appropriate equipment. After purchasing equipment and before each election, the disability community may be able to help election officials with design of the ballot and the testing of the audio ballot.

Staff or volunteers at disability organizations may also be able to review draft documents from an accessibility perspective. These materials might include marketing materials, emergency evacuation procedures, voting instructions (including for audio ballots), and/or public service announcements.

Finally, disability organizations may welcome an invitation to review or to help with a component of poll worker training on sensitivity to disability issues.

Information and Communications Technology

Technology related to election administration includes telephones, Web sites, voting systems, and electronic documents (such as an online voter registration application.)

Accessibility guidelines and standards help vendors and election officials design and purchase technologies that people with disabilities can use. For example, the Voluntary Voting System Guidelines allow voting system vendors to develop HAVA-compliant voting systems.

To make Web sites more accessible, elections office Web site designers may use the Electronic and Information Technology Accessibility Standards issued by the U.S. Access Board and Web Content Accessibility Guidelines (WCAG 2.0) developed by the W3C Web Accessibility Initiative. Web designers sometimes use Web accessibility tools to make their jobs easier.

Web accessibility evaluation tools are software programs or online services that help determine if a Web site meets accessibility standards and guidelines. Although Web accessibility evaluation tools can significantly reduce the time and effort needed to evaluate Web sites, no tool can automatically determine the accessibility of a Web site. Some of these tools can be used in combination to address specific aspects of the evaluation process. A limited number of free tools can be found on line.

When posting information on a Web site, election officials can provide accessible materials in a word processor-formatted document or in HTML. Voters with impaired vision who use a text-to-audio screen reader can more easily read documents in these formats.

Providing an Accessible Voting Experience

Election officials can also provide accessible accommodations during the voting experience. Physical access to the polling location, voting technology, check-in procedures, and even the smallest lines can present challenges for some voters with disabilities and elderly people. States and localities have come up with myriad ways to provide accessibility to the polling place, programmatic accommodations for voters at the polls, and innovative methods by which to facilitate the various types of voting (in person, by mail, and early.) This section summarizes those solutions and includes information on voting in long-term care facilities. You can also view the EAC's video on polling place accessibility at www.youtube.com/user/helpamericavote.

Accessibility of the Built Environment (Polling Place)

In order to vote in person, the voter must be able to access the polling place.[4] State and local jurisdictions have made improvements in the accessibility of polling places. Accessibility considerations should start with the path from public transportation or the parking lot to the building entrance, through the building to the voting area, and back to the parking lot or drop-off area.

The Disability Rights section of the Civil Rights Division of the U.S. Department of Justice has issued the ADA Checklist for Polling Places.[5] The checklist is the most comprehensive document for election officials seeking temporary solutions for Election Day. These solutions consider the fact that election officials only control these sites on Election Day and cannot always make major changes to the building. The checklist covers parking areas, passenger drop-off areas, sidewalks and walkways, building entrances, hallways and corridors, and the voting area.

Example from the ADA Checklist:

Parking Problem One:

Parking is available, but no accessible parking is provided or there are not enough accessible parking or van-accessible spaces.

Suggestion:

Find a relatively level parking area near the accessible entrance and then designate the area for accessible parking spaces and adjacent access aisles. Use three parking spaces to make two accessible parking spaces with an access aisle. Traffic cones or other temporary elements may be used to mark the spaces and access aisles. Provide a sign designating each accessible parking space and make sure the access aisle of each space is connected to the accessible route to the accessible entrance.

At some polling places, voters with disabilities may not be able to enter the front door of the building. Election officials should consider all of the potential entrances a voter might use. Wayfinding signage will help all voters find the accessible entrances and navigate any hallways to the polling place. Examples and high-resolution images are available to election officials in the EAC's *Effective Designs for the Administration of Federal Elections* report.

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[4] Government Accountability Office. *Voters With Disabilities:* More Polling Places Had No Potential Impediments Than in 2000, but Challenges Remain. June 10, 2009. GAO-09-685. http://www.gao.gov/new.items/d09685.pdf (accessed July 20, 2010).

[5] http://www.ada.gov/votingprt.pdf (accessed July 20, 2010).

B Wayfinding posters

Accessible entrance
100 and 101 Access

Accessible entrance
130 Information

Information

Restricted entrance
110 No entry

Do not enter

200 Arrow

No cell phones
120 No cell phones

Do not use

The exact specifications for printing accompany these images in the EAC's Effective Designs for the Administration of Federal Elections report.

Programmatic Accommodations

In addition to the built environment's accessibility, programmatic accommodations can make the voting experience easier for voters with disabilities. Election officials can seek inexpensive, tangible solutions, such as providing a chair for individuals who have difficulty standing in a line at the polling place. Similarly, election officials can place a chair near the accessible voting system. Poll workers can post voting instructions in large print and in other languages. Intangible accommodations might include providing assistance at a voting station, if requested.

Acoustics

Loud environments can increase the stress level for everyone, but it is especially stressful to voters who are hard of hearing. Individuals who depend on hearing an audible ballot may need the accessible voting system placed in a quiet area. Officials in one polling place creatively addressed this need by placing the voting system on an accessible stage that was isolated by curtains.

Election officials might consider using inexpensive, portable assistive listening devices (approximately \$120–\$180). These devices may help voters

and poll workers with hearing loss understand speech in noisy situations.

tip

Simple solutions can reduce echo and audio reflection, such as cloth table covers, framing and draperies, rugs on the floor, etc.

Accessibility of Voting Systems

All voting systems have some accessibility features to enhance usability. HAVA requires accessible voting systems for voters with disabilities in all polling places: "The voting system shall…be accessible for individuals with disabilities, including nonvisual accessibility for the blind and visually impaired, in a manner that provides the same opportunity for access and participation (including privacy and independence) as for other voters.…" The EAC publishes Voluntary Voting Systems Guidelines, which help voting system manufacturers design voting systems to meet HAVA's requirements.

The following sections discuss accessibility accommodations for the physical act of casting a ballot at a polling place, voting by mail, early voting, and voting in long-term care facilities.

Polling Place Voting

Poll workers can describe accessible voting systems in a manner that encourages voters to use them. They might refer to the machines as the "accessible voting systems" and offer a demonstration or assistance, if requested by the voter.

People with disabilities use a variety of assistive technologies to address vision, hearing, mobility, dexterity, memory, reading and other functional limitations. These individuals are allowed to bring necessary assistive technology (for example, hearing aids, neckloops, mobility aids, switches, and magnifiers) and are encouraged to use that assistive technology in addition to the accessible voting system.

Poll Workers

Election officials might consider recruiting individuals with disabilities to be poll workers. For some voters, the presence of a poll worker with a disability can make the voting experience more comfortable and might increase the likelihood that they will be receptive to offers of assistance.

Disability organizations are great places to look for potential poll workers with disabilities.

Election officials might consider the following practices to improve conditions for poll workers with disabilities:

★ Split shifts—Some poll workers with disabilities would benefit from having the option to reduce their time at the polls to a shift with more manageable hours.

★ Environmental sensitivities—Some poll workers may be sensitive to substances, such as perfumes and air fresheners.

★ Simple adaptive technologies—Poll workers may have problems with dexterity or be visually impaired. These individuals would benefit from soft-grip tools and magnifying strips at the polls.

To improve the accessibility of future elections, officials might ask poll workers to complete a questionnaire to determine additional needs at the polling place. The responses to the questionnaire may provide ideas and solutions for addressing accessibility needs on the next Election Day.

See the EAC's *Successful Practices for Poll Worker Recruitment, Training, and Retention* for more information about poll workers, available at www.eac.gov.

Voting by Mail

In the past, voting by mail meant that a voter completed a paper ballot and mailed it back to the local election official via the United States Postal Service. For many voters with disabilities, their inability to perform the physical act of filling out the ballot made it impossible to independently vote by mail. These individuals had to compromise their privacy to vote by mail.

Some States are experimenting with new vote-by-mail technology. Oregon offers an alternative-format ballot for voters with disabilities. This type of ballot allows voters with disabilities to complete the ballot on their home computer or on an accessible computer station at the local elections office. After the ballot is complete, the voter can print the ballot and mail it to the local elections office or return it to one of many designated drop sites.[7]

Early Voting

Election officials can make early voting sites accessible for voters with disabilities. Some jurisdictions have a lot of flexibility in designating an early voting site. If possible, election officials with this flexibility can designate sites already determined to be convenient and accessible for voters with disabilities. For example, election officials in Houston, Texas sometimes use shopping malls as large, accessible early voting sites.

Officials in Bexar County, Texas work with a private company to provide American Sign Language videos for deaf voters at early voting sites. All of the explanations about the voting process and the voting systems are converted into videos for deaf voters. If specific questions are not covered in the videos and additional assistance is necessary, election officials can equip the video monitors at the early voting sites with real-time Webcams. When a deaf voter requests assistance, election officials can provide one-on-one assistance via these real-time Webcams.

Voting in Long-Term Care Facilities and Mobile Polling

The need for long-term care is growing at an unprecedented rate. Between 2000 and 2050, the population of individuals age 65 and older will increase by 147 percent according to the U.S. Census Bureau. An estimated 44 percent of older adults will enter a long-term care facility before they die and 23 percent of these individuals will spend at least 1 year there.

Election officials can develop and implement policies and practices that facilitate registration and voting processes for residents of nursing homes, assisted-living facilities, and long-term care facilities,[8] and especially for people with cognitive and other brain impairments.

One such practice, known as mobile polling, entails having election officials bring ballots to convenient and accessible locations, such as long-term care facilities, while skilled, nonpartisan election workers provide assistance when needed, and—where permitted—register voters.

Mobile polling teams should be comprised of a minimum of two staff members (of opposite party affiliations, if required). They must also successfully complete training before providing services. The

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[7] http://www.sos.state.or.us/elections/HAVA/accessibility.shtml.

[8] See the EAC's Quick Start Guide on Serving Voters in Long-Term Care Facilities for detailed suggestions.

training should incorporate some of the aspects of poll worker training and the training described in the EAC's Quick Start Guide on *Serving Voters in Long-Term Care Facilities*. For example, in addition to the elements listed in the long-term care training, it should include, but not be limited to, information on:

★ How to complete a voter registration application, absentee ballot application, and other forms required by State law.

★ Voter identification requirements, if applicable. The training should include how to assist residents with acquiring and/or locating acceptable identification for voting purposes.

★ Where to pick up ballots and supplies; how to manage supplies onsite, including providing security for voted ballots; and how to deliver and return all supplies and voted ballots.

★ How to use voting equipment, if applicable.

tip

Election officials can ask their contacts at long-term care facilities to share the election calendar with all staff members and residents and to display it in general areas of their facility.

Example:

During the 2008 general election, the Vermont Secretary of State's office joined with the University of Pennsylvania and the American Bar Association Commission on Law and Aging to develop a mobile-polling pilot program. The program was well received and highly successful. Information on the Vermont Mobile Polling project can be found on the American Bar Association Commission on Law and Aging's Web site at http://new.abanet.org/aging/Pages/voting.aspx.

Helpful Accessibility Resources

★ American Association of People with Disabilities-
http://www.aapd.com

★ American Bar Association Commission on Law and Aging Voting and Cognitive Impairments
http://new.abanet.org/aging/Pages/voting.aspx

★ Disability and Business Technical Assistance Centers (DBTACs)
http://www.votingaccess.org/

★ The Election Center
http://www.electioncenter.org

★ National Federation for the Blind (Nonvisual Election Technology)
http://www.nfb.org/nfb/HAVA_intro.asp

★ National Institute of Standards and Technology
http://vote.nist.gov

★ United States Access Board
http://www.access-board.gov

★ United States Department of Justice, Civil Rights Division, Disability Rights Section
http://www.justice.gov/crt/drs/drshome.php

★ Web Accessibility Initiative (WAI)
http://www.w3.org/WAI/