Best Practices:

Accessible Voter Registration

Table of Contents

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Introduction

It is estimated that voters with disabilities represent roughly one-sixth of the American electorate. This growing demographic encompasses a broad range of voters, including those with mobility, visual, communicative, physical, or cognitive impairments. Voters with disabilities face unique obstacles in voting.

The right of people with disabilities to vote privately and independently with equal access to voter registration and the electoral process is 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 work to ensure voters with disabilities can access all portions of the electoral process in a manner that is accessible to them. HAVA grants the right for voters with disabilities 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 people with disabilities have equal access to government services and information, including the voting process. The NVRA mandates that participating states provide voter registration options at offices that offer services to individuals, including those with disabilities. The Voting Accessibility for the Elderly and Handicapped Act requires polling places be accessible.

This guide will highlight the primary barriers to accessibility in the voter registration process and provide best practices to help ensure voters with disabilities have equal access to this crucial first step of the voting experience. The checklists and best practices in these guides can be utilized by election officials, policymakers, and advocates.

Scope

To carry out fully accessible elections, election officials must take a broad view of accessibility needs within their electorate. Access needs must take into account a broad range of disabilities, including both 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. Yet elections officials can often enhance accessibility with small, practical, and cost-effective adjustments. This document is designed to provide election officials with recommendations on accessibility considerations and best practices to ensure that all voters can vote privately and independently.

Roles and Responsibilities

Elections are administered by a mix of full-time and part-time staff adhering to local, state, and federal regulations. In addition, this staff often includes temporary members who have received minimal training. Below are examples of staff responsibilities for ensuring accessibility throughout the elections process:

- Election Officials: Responsible for setting an overall strategy to meet the accessibility requirements set forth in HAVA, ADA, NVRA, and other laws.
- Poll Workers: Serve on the frontlines, provide assistance to voters exercising the right to vote. To adequately help voters with disabilities, poll workers must be carefully trained in methods of assistance and technology.
- Elections Website Managers: Accountable for developing and overseeing the accessibility and usability of an election office's website. Ensures the site incorporates accessibility standards and functions with assistive technology.

Goals

The recommendations contained in this guide are intended for election officials who are responsible for ensuring accessibility in elections. These best practices, checklists, and diagrams will help to remedy inaccessibility in the voter registration process. 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, states have wide-ranging laws and requirements when it comes to the voter registration process. After reviewing applicable federal state and local laws, election offices may want to adopt the practices described in this guide that best fit the needs of their voters.

Crucial changes may be necessary, but adjustments to enhance accessibility in registration can be practical and cost-effective. HAVA Election Security Funds, administered by the EAC, can also be used to improve voter registration processes and systems, while making them more accessible. The laws that govern accessibility throughout the elections process are vital requirements but can also serve to improve the voting experience for all. Below are some questions to keep in mind as you implement initiatives to ensure accessibility in voter registration:

- Have paper-based registration forms and informational documents been field tested to ensure accessibility, usability, and plain language presentation?
- What agencies are responsible for voter registration? Are they communicating effectively with people who have different access needs while maintaining the voter's privacy and independence?
- Does your state offer online voter registration? Is that process, including all fillable forms and security features, accessible?

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Signature Requirements

Signature requirements may present an accessibility barrier to blind or low vision registrants and registrants with physical disabilities. Accessible options for signatures include physical marks indicating a signature line, electronic signatures, stamps, and affidavits of assistance.

- How do you inform advocacy organizations about available online voter registration options
- What are the voter registration deadlines and how are they communicated?
- Are election workers trained in appropriate etiquette for assisting people with disabilities, including those with physical, cognitive, and mobility challenges?
- If your state offers same-day voter registration, is that process accessible?
- Are poll workers fully trained in ways to assist people with disabilities with registering to vote?

- Does your state have electronic or automatic voter registration? Are all steps of the process including opt-in or opt-out accessible within that system?
- Can young voters preregister? How do you reach individuals in this group who have disabilities?

Accessible Voter Registration

There is a persistent gap in the participation rates of voters with and without disabilities. This disparity begins with the voter registration rate. A recent EAC study with Rutgers University showed a three percent difference in the registration rates of disabled and non-disabled voters. Inaccessible registration processes can exacerbate this problem. Even the smallest detail, such as an inaccessible web form, can deter a voter from participating.
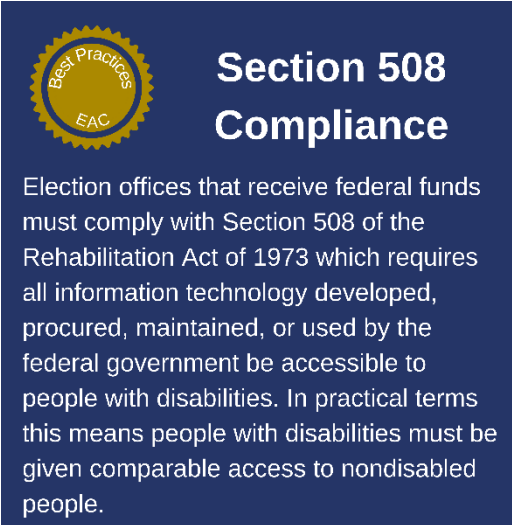
Election officials and advocacy groups should continue to work together to resolve issues that inhibit voter participation, keeping in mind that fully accessible elections begin with accessible voter registration.

Section 508 Compliance

Election offices that receive federal funds must comply with Section 508 of the Rehabilitation Act of 1973 which requires all information technology developed, procured, maintained, or used by the federal government be accessible to people with disabilities. In practical terms this means people with disabilities must be given comparable access to nondisabled people.

To ensure that different aspects of access are considered, people with disabilities should be included throughout the process, from decision-making and development to testing and implementation. Organizing a testing group that represents a diverse set of needs is essential to ensuring effective policy. A cross-disability focus group can offer suggestions and inform better policy decisions. In addition, the available voter registration options should be communicated in an accessible manner through different platforms.

The following checklists can help you ensure the voter registration process is fully accessible.

Checklist 1 - Overview

Voter Registration Checklist

Best Practice for Accessibility	Completed?
Have the accessible options for registration been communicated?	☐
Are the instructions clear?	☐
Do the instructions use plain language?	☐
Are only the essential questions included on the form?	☐
Are the signature requirements accessible?	☐
Are alternative formats available?	☐
Have individuals with disabilities been consulted?	☐

In Person Voter Registration

After communicating what registration options are available to eligible voters, the next step is to design an accessible voter registration form. The form should use plain language, provide clear instructions, and include only essential questions. Alternative forms such as large print should be available. In-person registration may occur in local election offices. State officials should consider providing their local election officials with sample registration forms in braille. The registration form should allow voters to sign in a method that is accessible to them while adhering to state law. Similarly, designated NVRA state agencies that provide in-person electronic registration opportunities simultaneous to customer interaction should ensure the accessibility of voter registration forms.

Plain Language

Forms, instructions, and communications should be written on an eighth-grade reading level to make it easier for the public to read, understand, and use. Reading level is determined by the number of syllables, words, and sentences in a text.

One of the most important factors to consider is how and where people with disabilities register to vote. According to findings from a recent EAC-Rutgers study, these individuals are more likely to register in person at town halls, registration offices, public assistance agencies, polling places, and registration drives. This demonstrates the ability for public and private entities to meet people where they are. However, some of these in person voter registration activities are being conducted by volunteers. For that reason and because state training requirements vary by state, the in-person voter registration process should be as clear and concise as possible. The goal should be to register voters quickly and accurately.

Checklist 2 – In Person Registration

In Person Registration Checklist

Best Practice for Accessibility	Completed?
• Are alternative formats of instructions and forms available?	☐
• Are the instructions and forms clear?	☐
• Does the form use plain language?	☐
• Is the voter registration location accessible?	☐

Online Voter Registration (OVR)

Online forms are often a solution to the inaccessibility of paper forms. It is important to keep in mind, however, that access to the internet and the devices capable of completing online forms are a significant barrier. Voters with disabilities may not have internet access, a smartphone, or a computer.

Even when available, online forms often have some level of digital inaccessibility. Some websites encounter issues with screen reading technology or require the use of a keyboard or mouse. Other websites might be written with complex language or include graphics without alt-text (a descriptor to tell website viewers the nature or content of an image to aid accessibility). All websites and portals should be fully reviewed for accessibility and compatibility with screen reading technology.

Additionally, if the process is not fully electronic, such as requiring a voter to print a completed registration form to sign prior to submission, the use of paper can be a barrier. People with disabilities may have difficulty interpreting or manipulating paper documents and envelopes.

Checklist 3 – Online Registration

Online Registration Checklist	
Best Practice for Accessibility	**Completed?**
• Is the website screen reader accessible?	☐
• Is the voter registration form electronically fillable?	☐
• Can the form be submitted online?	☐
• Is the website compatible with assistive technology?	☐

Voter Registration at a Designated Government Agency

State agencies covered by the National Voter Registration Act (NVRA) implement their voter registration data collection and transfer in several ways, including using a variety of electronic or automated methods. When designated agencies collect registration data electronically and then transfer the information to election officials, the accessibility concerns depend on how the prospective registrant transmits their information. If the applicant is responsible for completing the form independently and electronically, the device deployed should be accessible and compatible with assistive technology. If the applicant is required to give their information to an interviewer, the interviewer should be able to communicate with the applicant in an accessible manner such as American Sign Language (ASL).

Checklist 4 – Registration at a Designated Government Agency

Government Agency Registration Checklist	
Best Practice for Accessibility	**Completed?**
• Are the devices compatible with assistive technology?	☐
• Can interviewers communicate in an accessible manner?	☐
• Is the device compatible with personal assistive devices?	☐

Glossary

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

Assistive Technology: An item used to increase, maintain, or improve the functional capabilities of persons with disabilities.

Automated Voter Registration: Voter registration system whereby eligible voters are given the option to register to vote electronically whenever they interact with government agencies.

Automatic Voter Registration (AVR): Under an automatic voter registration system, eligible voters are automatically registered to vote whenever they interact with government agencies (e.g., departments of motor vehicles).

Eligible to Vote: A person who meets the requirements set forth in a political subdivision for being able to vote.

Eligible Voters: The universe of all voters who, if they cast a ballot, would have the legal right to have eligible contests on that ballot tabulated. This would include those who do not appear in the list of eligible voters because they live in a same-day registration or no registration state and did not or could not register ahead of time.

Inaccessible: In the context of technology and/or websites, inaccessible pertains to the difficulties an end user may face when trying to access content.

Mail-In Voter Registration Form: A form used by a voter to request that a ballot be mailed to them.

National Voter Registration Act Of 1993 (NVRA): This act, commonly known as the "Motor Voter Law," requires that states offer the opportunity to register to vote at their motor vehicle licensing offices (known as the DMV in many states). The law also requires states to offer voter registration at offices that provide public assistance or state-funded programs primarily engaged in providing services to persons with disabilities, and armed services recruitment offices. NVRA also provides guidelines on registration list maintenance and sets limits on how voters can be removed from the rolls.

Screen Reader: Software that reads the content of a computer screen aloud. Screen readers only convey text, so all graphics must have alternative text descriptions using alt-text, captions, transcripts, or other methods.

Web Accessibility: The principle that all web users should have access to information available on the Internet.

Resources and References

The references provided below include additional data about the accessibility barriers faced by voters with disabilities during the voter registration process. The resources can be used to aid compliance with the technical aspects of the checklists and best practices. Contact advocacy organizations for insight into local accessibility barriers and assistance with useability testing.

References:

- Achieving Accessibility for Election Websites and Sample Ballots: A Toolkit for Disability Advocates
- Disability and Voting Accessibility in the 2020 Election: Final Report on Survey Results
- Enhancing Accessibility in U.S. Elections
- Fact sheet: Disability and Voter Turnout in the 2020 Elections
- How Voters with Disabilities are Blocked from the Ballot
- The Americans with Disabilities Act and Other Federal Laws Protecting the Rights of Voters with Disabilities

Resources:

- Digital Accessibility Tools:
  - Adobe Acrobat Pro DC Accessibility Checkers
  - Functional Accessibility Evaluator
  - WAVE Web Accessibility Evaluation Tool
  - Web Content Accessibility Guidelines (WCAG) 2.0
- Advocacy Organizations:
  - American Association of People with Disabilities
  - American Council of the Blind
  - Association of University Centers on Disabilities
  - ARC
  - Developmental Disabilities Councils
  - Independent Living Research Utilization
  - National Federation of the Blind
  - Nation Association of the Deaf
  - National Council on Independent Living
  - National Disability Rights Network