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San Diego, California

2009 Professional Practices Program

Ohio ADA Initiative
Ohio Secretary of State

Submitted by:

Jacqueline J. Rothschuh
Elections Assistant Administrator
180 E. Broad Street, 15th Floor
Columbus, OH 43215
(614) 466-2585
jrothsch@sos.state.oh.us
www.sos.state.oh.us
Ohio ADA Initiative

Ohio Secretary of State, Jennifer Brunner made compliance with the American’s with Disabilities Act of 1990 (ADA) a priority for all Ohioans. She was the first chief elections officer of the State of Ohio to provide to the 88 Ohio county boards of elections an easy to use checklist that permits local boards to confirm their compliance with a sometimes daunting federal law.

Secretary Brunner and the state elections staff have instituted a structured process to ensure all 88 counties are diligent in their duties by providing the county boards of elections with information and resources to: assess polling location for ADA requirement compliance; apply for U. S. Department of Health and Human Services (HHS) funds; partner with trained regional liaisons, the ADA Advisory Committee, and outside disability organizations to assist in providing polling location assessments; and provide training material and online poll worker training that county boards of elections can utilize to train their poll workers on ADA accessibility and disabilities awareness.

To ensure the full benefit of these resources, Secretary Brunner hired in 2008 a full-time ADA Coordinator and ADA Specialist in her Elections Division. These positions work within the Secretary of State’s office to bring together elements from each division in a systematic and functional way. This collaboration makes it easy for boards of elections to be aware of ADA requirements relating to their county polling locations and voting systems, and also instructs them on how to apply for and utilize HHS grant funds.

The following is the information provided to county boards of elections as our standard working operation for ADA compliance:

- Memorandum – Availability of Voting Access for Individuals with Disabilities (VOTE) Grant funds from HHS.

- Checklist provided for boards of elections, regional liaisons, ADA Advisory Committee and/ or outside disability organizations to use when conducting polling location assessments for accessibility. Boards of elections are also provided with an example of a “Memorandum of Understanding” to use when partnering with an outside disability organization for polling place assessments.

- Once a polling location has been assessed using the accessibility checklist, boards of elections are able to use the simple two page grant application the Ohio Secretary of State has developed to obtain funding for polling location accessibility improvements.

- Returned grant applications are reviewed by the ADA Coordinator, ADA Specialist, and the ADA Advisory Committee before a grant agreement is approved.

- When all interested parties have signed the grant agreement, the Ohio Secretary of State’s Finance Department will provide a letter to the board of elections stating that a check has been mailed to their county auditor as well as any supporting information and instructions concerning the HHS funds.

- Boards are responsible for expending the funds as they have determined in their grant application.

Each step is documented and audited so the state and the counties are accountable for all HHS funds.

In 2008, 61 out of 88 county boards of elections received HHS funds for polling location accessibility in the amount of $607,470.45, and 8 out of 88 county boards of elections received HHS funds for poll worker training in the amount of $21,556.35 compared to 2007, in which 15 out of 88 county boards of elections received HHS...
funds for polling location accessibility in the amount of $239,696.00 and 3 out of 88 county boards of elections received HHS funds for poll worker training in the amount of $48,373.92.

On May 9, 2008, the Ohio Secretary of State issued Directive 2008-44 – Verification of Handicapped Accessible Polling Locations along with Form 16 (Verification of Handicapped Accessible Parking) and Form 17 (Verification of Handicap Accessible Polling Location), which carries the weight of law and must be followed by all 88 county boards of elections.

The ADA Coordinator and ADA Specialist send to each county board of elections conducting an election, a reminder at least 2 weeks before the verification forms are due, which is 10 days prior to each election held in their county. If a county fails to respond to the directive, a “non-compliance with Directive 2008-44” letter is sent to the county as well as placed in their county file that is maintained by the Secretary of State’s office.

On Election Day, the regional liaisons perform in their respective region, a minimum of 3 spot checks per region, and report their findings. They utilize the checklist that has been developed by the state when conducting the spot checks.

At the March 2008 primary election, there were 24 spot checks conducted, at the August 2008 special election there were 17 spot checks conducted, and during the November 2008 general election, there were 7 spot checks conducted. A total of 97 polling locations were spot checked in 2008. In 2007, the launch of a pilot program by the regional liaisons conducting spot checks resulted in 32 of the 88 counties being checked.

Our accessibility preparedness and partnership extends to training the 88 county boards of elections. The Ohio Secretary of State’s ADA team, which consists of the Director of Elections and Deputy Assistant Secretary of State, Elections Assistant Administrator, ADA Coordinator, and the ADA Specialist, have incorporated a training paradigm to ensure all county boards of elections are provided with uniform instructions and rules regarding ADA compliance.

The following is the paradigm developed as the standard working operation for training:

- Determine the number of regional trainings to be conducted.
- Determine the county in which to conduct the regional training, utilizing the assistance of the regional liaisons.
- Once all locations are confirmed, prepare and e-mail a “Save the Date!” flyer so that boards of elections know to mark their calendars.
- The following week, the actual invitation letter as well as a RSVP form is sent to the county boards of elections.
- One week before the training, a final reminder e-mail is sent to the boards of elections.
- Responses from the RSVP forms are tracked by the ADA Specialist so that an accurate count of those who are attending is kept for the purpose of providing training material.
- After the training is complete, all materials used during the training are placed on the Secretary of State’s extranet site, which is a secure Internet location that only the Secretary of State and the county boards of election personnel have access to.

As a result of The Ohio Secretary of State working diligently in making sure that ADA continues to be a top priority when conducting elections, Ohio county boards of elections are more aware and prepared when it comes to ADA compliance.
MEMORANDUM

To: Ohio Boards of Elections

Fr: David M. Farrell, Dep. Asst. Secretary of State & Director of Elections
    Joy West, ADA Specialist

Re: Availability of Voting Access For Individuals With Disabilities (VOTE) Grant Funds

The U.S. Department of Health and Human Services (HHS) has made limited funds available to the Ohio Secretary of State to assure voters with the full range of disabilities are provided access to polling locations for voting purposes. Boards Of Elections are eligible to receive funding from the Ohio Secretary of State’s Office for two separate initiatives:

- Make polling places (including the path of travel, entrances, exits, and voting areas of each polling facility) accessible to individuals with disabilities. Note: A "Polling Place Accessibility Checklist" is available to assist you in assessing each polling locations' compliance with the Americans With Disability Act (ADA) requirements.

- Train election officials, poll workers, and election volunteers on how best to promote the access and participation of individuals with disabilities in elections for Federal offices.

To apply for funding, Boards of Election should contact:

The Office of the Secretary of State
Attn: Joy West, ADA Specialist
180 East Broad Street, 15th Floor
Columbus, OH 43215
Phone: (614) 728-8361
E-mail: jwest@sos.state.oh.us

An application form and any available supporting information for the appropriate category(ies) listed above will be sent to you upon request.

Once a completed application is returned to the Secretary of State’s Office, the ADA Advisory Committee will review each application on or before the 10th day of every month. With the limited amount of funding available for the entire State, the Committee will make a recommendation to the Secretary of State based upon need and necessity, and you will be notified in writing of any grant awarded.

If you have any questions regarding the process, please feel free to contact Joy West, ADA Specialist, at 614-728-8361.
Polling Place Accessibility Checklist

County ________________________________

Political Subdivision ____________________ Ward ______ Precinct ______

Name and Address of Polling Place _______________________________________

Inspected By ___________________________ Date Inspected __________________

INSTRUCTIONS

Purpose. This form is being used to evaluate Ohio polling places for access by voters with disabilities, as part of the state’s implementation of the Help America Vote Act (HAVA). The accessibility standards used in this survey are established under the Americans with Disabilities Act Accessibility Guidelines (ADAAG) and the Ohio Revised Code.

How to use this form. This checklist is to be completed for each polling site. Follow the route a voter would take on Election Day approaching the building from the curb or parking area, entering the building, and reaching the voting room.

Parking and Drop-Off Areas (ADAAG 4.6) (O.R.C. 3501.29 and 4511.69)

Are an adequate number of accessible parking spaces available? For guidance in determining the appropriate number to designate, the table below gives the ADAAG requirements for new construction and alterations (for lots with more than 100 spaces, refer to ADAAG):

<table>
<thead>
<tr>
<th>Total spaces</th>
<th>Accessible</th>
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<tbody>
<tr>
<td>1 to 25</td>
<td>1 space</td>
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<tr>
<td>26 to 50</td>
<td>2 spaces</td>
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<tr>
<td>51 to 75</td>
<td>3 spaces</td>
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<tr>
<td>76 to 100</td>
<td>4 spaces</td>
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Do all standard accessible parking spaces have 8-foot wide spaces with a 5-foot wide access aisle (2 spaces can share 1 access aisle)?

☐ Yes  ☐ No

Is there at least one “Van Accessible” space provided with an 8-foot space and an 8-foot access aisle? (1 out of every 8 standard accessible spaces must be “Van Accessible”)

☐ Yes  ☐ No

Are all accessible parking spaces, including access aisles, relatively level (2%,1.50 or less) in all directions?

☐ Yes  ☐ No

Is the access aisles part of the accessible route to the accessible entrance?

☐ Yes  ☐ No

Are the accessible spaces on the shortest accessible route to the accessible entrance?

☐ Yes  ☐ No

Do accessible spaces have vertical signage marked with the International Symbol of Accessibility?

☐ Yes  ☐ No

Are there vertical signs reading “Van Accessible” at van spaces?

☐ Yes  ☐ No

Does the distance from the ground to the top edge of the sign measure at least 5 feet? (O.R.C. 4511.69 and 3781.111(C))

☐ Yes  ☐ No

Is there a sign with a notice that states the fine applicable for the offense of parking a motor vehicle in the designated accessible parking space if the vehicle is not legally entitled to park there? (O.R.C. 3501.29(B) and 4511.69 (E))

☐ Yes  ☐ No
Memorandum

To: ______________ County Auditor

From: Veronica Sherman, Director of Finance
       Sonia Klingel, Finance Administrative Assistant

Date: ______________

Re:  HHS Grant Funds For Polling Place Accessibility

The enclosed warrant is for the ______________ Board of Elections (BOE). These funds have been awarded to the County BOE in the form of a sub-grant from federal dollars the State of Ohio received for Polling Place Accessibility through the U.S. Health and Human Services’ Voting Access For Individuals With Disabilities (VOTE) program. This monetary amount has been approved by the Secretary of State’s office from documentation submitted by the BOE.

This money may be deposited in your county federal grant fund provided that there is a procedure in place to track each federal program individually. **Do not co-mingle federal funds with state or county funds.**

Also, in accordance with Federal Regulations your county’s Board of Elections has agreed to expend the HHS funds awarded under this grant **within 30 days of receipt of the HHS grant monies.** Therefore, it is imperative that your county’s BOE is prepared to expend this funding immediately upon receipt. Their prompt use of this funding will ensure proper reporting to the various agencies as required by law.

The grant dollars are to be used exclusively by the Board of Elections for the enhancement to polling locations for individuals with disabilities. This would include improvements to the path of travel, entrances, exits, and the voting areas of each polling facility to ensure accessibility to individuals with the full range of disabilities.

By accepting these funds, the Board of Elections is now subject to both federal and state audits and will be required to provide the Secretary of State with progress reports as requested. Should you have any questions regarding these funds, please contact our Finance Department at (614) 466-6188.

**c:** Appropriate BOE, SOS Director of Elections, SOS ADA Specialist
Save the Date!!!
Polling Place Accessibility Seminars

Brett Harbage, ADA Coordinator, and Joy West, ADA Specialist, for the Secretary of State's Office will travel to various regions of the state to conduct informational sessions on polling place ADA compliance and exactly how to conduct accessibility assessments.

This year we have expanded the seminars into eight regional sessions. It is our intention to work with smaller groups in order to have more interaction during the hands on accessibility assessments. Check the table (below) to determine which seminar you wish to attend. The county in bold text is where the seminar will take place for that region.

Please mark your calendars now to save the date, more information to come!

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If you have any questions regarding these seminars, please contact Joy West at (614) 466-6391 or at jwest@sos.state.oh.us
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**Paulding County Ext. Office**
503 Fairground Dr.
Paulding, OH
419-399-8225

**Terra Community College**
2830 Napoleon Rd.
Fremont, OH
419-334-8400

**Reed Memorial Library**
330-296-2827

**Greene County Media Center**
541 Ledbetter Rd.
Xenia, OH

**State Library of Ohio**
167 E. Main St.
Ravenna, OH

**Pritchard Laughlin Civic Center**
274 E. First Ave.
Columbus, OH
800-686-1532

**Highland Co. Office Bldg.**
1575 N. High St.
Hillsboro, OH
937-393-9961

**Athens Public Library**
30 Home St.
Athens, OH
740-592-4272