



## **Voter Accessibility Guidance for School Elections**

Elections on or after January 1, 2022, must comply with the requirements of Title 13, Chapter 17. Specifically, school districts are required to have an accessible voter interface device available for all electors to use and follow additional guidelines regarding the accessibility of voting locations. The following are considerations for school elections:

### **Are all school districts required to have a voter interface device available?**

Only school districts with less than 200 registered electors are exempt from having a voter interface device available for their elections.

### **Do voter interface devices have to be available for both mail ballot and poll elections?**

Yes. Section 13-3-208, MCA requires voter interface devices be available for both poll and mail ballot elections.

### **Are school districts required purchase their own voter interface device(s)?**

No, school districts must contact their county election administrator and arrange for the use of a machine for their election.

### **Where do I get information on how to program the voter interface device for use in my election?**

The district should work with their county election administrator regarding training. The district may need to contact Elections Systems and Software (ES&S) to purchase the hardware necessary to operate the machine and set up a portal account for programming the election.

### **Other than the device, what do I need to have to use the voter interface device?**

The voter interface device requires the use of two specialized thumb drives and thermal paper for printing ballots.

**Does the voter interface device store elector information or information on how an elector voted?**

No. The device is for ballot marking only. It does collect information on elector's using it, nor does it tally ballots. Once a ballot is printed, the information entered by the elector is no longer available on the device.

**Where does the voter interface device need to be set up?**

For mail ballot elections the device should be set up at the election administrator's office or another location that offers comparable security and accessibility.

**Does the voter interface device need to be set up in an accessible location? What if one is not available at the school?**

Yes, the device needs to be available in an accessible location. If one is not available at the school, the district should contact the county election office to see what options may be available.

**How much space does the voter interface device require?**

The voter interface device should be set up so that any elector may use it independently and privately, including a physical barrier to ensure that the screen is blocked from the view of others.

**Who may use the voter interface device?**

The voter interface device may be used by any elector who requests to use it. It does have features to allow a disabled elector to use it, but no elector who requests to use it should be denied.

**We are thinking about running a special election over the summer. Do I need to have a voter interface device available for this election?**

Yes. Any election conducted after January 1, 2022, must have a voter interface device available.

**We almost always cancel our elections by acclamation. Do I need to worry about setting up a voter interface device?**

Yes. Every school district will be required to create an account with ES&S (or through their county election office) to set up their election. To have a device programmed and ready for operation by the date ballots must be available for electors (not less than 20 days before the election), the district will have to set up their election in the ES&S portal not later than Friday, March 25, 2022 (the day after the end of regular candidate filing).

### **Are there any other new requirements specific to the use of voter interface devices?**

Yes:

- Not more than 30 days before the election the voter interface device must be publicly tested and certified to be operational. Contact the county election office for more information on this requirement.
- Not more than 10 days or less than 2 days before districts must broadcast on radio or television or in a county newspaper a diagram of the voting system and sample ballot, location where the voting system is on public display (contact the county election administrator regarding this requirement), and instructions on how to vote.

### **Are there any other new requirements regarding disabled electors in poll elections?**

Yes.

- If the district is running a poll election the district is required to complete a site survey (may already be done if the school election site is also used for state/federal elections – contact your county election administrator for more information).
- The district must publish a notice no more than 10 days or less than 2 days before the election listing the polling locations for the election and whether each location is accessible or inaccessible (based on the completed survey above).

### **Has the definition of “disability” changed?**

Yes. The definition of disability is now as follows (13-1-101(12), MCA):

“Disability means a temporary or permanent mental or physical impairment such as:

a) impaired vision;

b) impaired hearing;

c) impaired mobility. Individuals with impaired mobility include those who require use of a wheelchair and those who are ambulatory but are physically impaired because of age, disability, or disease.

d) impaired mental or physical functioning that makes it difficult for the person to participate in the process of voting.”

### **How do I contact ES&S?**

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