

FAIR ELECTIONS LEGAL NETWORK

IMPORTANT INFORMATION FOR STUDENT TEAM LEADERS SUPERVISING VOTER REGISTRATION DRIVES

Before undertaking any voter registration activities in your state it is important to understand all relevant laws, rules and practices – then make sure you comply. One useful approach is to contact your local election board and arrange to meet with the appropriate officials – *usually* the senior staff responsible for voter registration. When doing a drive on a **college campus** you should find out **what county the campus is located in** and contact those officials. **Make sure to exchange contact information** in case you have additional questions and so you can check (several weeks ahead of the registration deadline) to make sure the forms you submit are being processed.

The best way to determine who the appropriate officials are to meet with is to *visit the website of the local county election authorities* – usually the county clerk or county board of elections. In some states, the local election authority is part of a municipality or township.

You should bring a list of *pertinent questions* and make sure each is answered to your satisfaction. Be sure to familiarize yourself with and ask the following:

1. Who is eligible to register to vote:
 - How old must that person be?
 - Are there specific residency requirements, (the duration that a person must live in the precinct in which s/he wants to register)?
 - Are convicted felons or non-felons eligible to vote and under what circumstances?
2. Important Deadlines:
 - Are there *special requirements for applications submitted by registration groups (do applications collected by a group in a registration drive have to be submitted within a certain number of days after being collected)?*
 - When do all registration applications have to be submitted in order to be processed in time for the November 2008?
 - Is it sufficient if applications are *postmarked* by that date or do they have to be *actually received* by the appropriate election authority?
 - If a voter has *moved* to a new residence within a precinct, county, or elsewhere in the state are they required to update their information before the registration deadline? If so, can they use the voter registration application to do so?
3. Election Day Registration (EDR):
 - Does this state have EDR; if so, what is the registration process?
4. Special Rules that Apply to Voter Registration Groups:

Groups:

 - Is my organization, or its individual registration workers, required to register with any state or local election office?
 - If so, what is the procedure? How long must we wait before beginning registration activities?
 - Are there special rules that depend on the location of our registration activities (shopping mall, door-to-door, college campus)?
 - Are we *prohibited from photocopying* completed applications or portions of them?
 - Are we *prohibited from retaining or sharing* personal information provided by the applicant such as *driver's license or social security numbers, date of birth, etc.?*

Individual Workers:

 - Are there age, citizenship, residency or other requirements for voter registration workers?
 - Are individual workers required to obtain some sort of certification by the state or county before registering voters?
 - Must individual workers undergo training? If so, what does it consist of, who performs it and how frequently is it offered? Must it be performed by the state or can my organization train me? Must I obtain proof of training?
 - Are there **restrictions on paying registration workers or offering incentives** based on the number of registrations collected, and if so, what?

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5. Voter Registration Forms:

- Is my organization required to use a *specific state registration application*? If so, how do we obtain that form? Is there a *limit* on the number of forms that we can request?
- Does the form have a *detachable receipt* that is required to be given to the registrant? What obligation is there on our end with respect to the receipt and/or any corresponding number or tracking information on it?
- Can my organization photocopy blank registration forms and use them to register voters?
- May we use the federal mail in form?

Treatment of Incomplete or Inaccurate Forms:

- May individual registration workers *fill in incomplete information* on the form, or *provide assistance* to the registrant filling out the form? *If so*, are there *restrictions* on what information we can fill in or on assistance our workers provide?
- If a form contains *questionable information*, do we have a *duty to turn it in* anyway? Should we *flag* such forms for your office?

Acceptance of Forms By Officials:

- What sections of the registration form *must be completed* for your office to accept it?
- If your office *rejects a form* for incompleteness or some other reason, does it notify the applicant and does *my organization have a duty* to complete it or notify the registrant?

6. Special Considerations for Student Voters:

Voter Registration:

There should not be different rules for registering students vs. non-students. But many students do have difficulty registering to vote in their college communities, particularly if they live on campus. If you encounter problems trying to register student voters contact a legal resource group such as FELN for help.

- Ask officials if they encourage or discourage student registration in their county, including on campuses located within their county.
- Make sure you know the *typical mailing address* and *typical physical address* for students living on campus. In most cases states will not accept a mailing address like a P.O. Box as a voter's residence. Voter registration applications allow an applicant to provide both a physical address and a mailing address so that the voter can receive his or her voter registration card. Students should put on the voter registration form the *actual physical address of their dorm or other on-campus housing and their mailing address*.
- *Many returning students may reside at a different address in the fall than they resided at in the spring. These students will need to re-register to vote at their current school residence.*
- Registering to vote in a state other than where the student resided with his or her parents *could* jeopardize certain *state grants of financial aid* in a few states, including Pennsylvania and Delaware.
- If students are concerned about registering to vote at their school address, they can register at their parents' address if they consider this to be their permanent residence. Then they can apply to for an absentee ballot – information about obtaining absentee ballots is found on Headcount's website and most state election officials' websites.

The Polling Place/Voter ID:

Most students will need to provide identification when they go to vote. This can be problematic for students who often do not have a driver's license issued by the state where they are registering to vote or with an address that matches the address where they are registering to vote.

Many state laws include student identification as an acceptable ID to prove identity at the polling place, but students often encounter problems when they try to use their student IDs. When you meet with officials, be sure to ask:

- Are student IDs from public and private institutions acceptable?
- Must a student ID display a current address?
- Since most student IDs do not display an address, will your office accept other documents that do display an address, such as a grade sheet or utility bill issued by the institution?
- If there are no specific laws or rules addressing student IDs, what is the actual practice within the state and this county?

7. Criminal Penalties for Non-Compliance:

- Does the state election code impose civil or criminal penalties on voter registration groups for non-compliance with applicable voter registration laws?
- If so, do the penalties apply to the organization, its officers and staff as well as volunteer workers?

If you would like more information, please contact FELN:

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