



North Carolina State Board of Elections

North Carolina NVRA Program

NVRA ADMINISTRATIVE GUIDELINES

The National Voter Registration Act of 1993 mandated that public assistance agencies, disability services agencies and any other agencies designated by state statute were required to offer voter registration services to individuals applying for service. North Carolina adopted this program in 1994. Along with public assistance and disability services agencies, the General Assembly designated the Employment Security Commission and public high schools and libraries as voter registration agencies. The National Voter Registration Act, or NVRA, had other mandates as well: the DMV was also designated as a voter registration agency; it provided for all states to offer a mail-in voter registration form; and it set out guidelines for a voter removal program or list maintenance program. All of these mandates now play a central role in how the North Carolina State Board of Elections conducts elections in this state. The focus of the State Board of Elections' NVRA Program, however, is solely on agency voter registration. Through the efforts of the State Board of Elections and the NVRA Agencies, North Carolina is viewed as a model state for NVRA Compliance. Despite this distinction, there is room for improvement. Some designated agencies are not yet fully compliant and certainly, diligence is required to ensure that high performing agencies remain compliant. Therefore, the mission of the State Board of Elections' NVRA Program is to effectively coordinate, monitor and maintain agency voter registration services at public assistance, disability services, and the ESC agencies in North Carolina.

This mission will take the combined efforts of five integral NC NVRA Partners: (1) the Executive Director of the North Carolina State Board of Elections, the chief elections official in North Carolina; (2) the State Boards' NVRA Coordinator; (3) the designated NVRA agencies; (4) the County Boards of Elections; and (5) the State Board's District Election Technicians, or DET's. It will take all parts working together to ensure that our state and its agencies are in full compliance with the NVRA and that we maintain our model status.

The State's Chief Elections Official

The Chief Elections Official in North Carolina is the Executive Director of the North Carolina State Board of Elections. The Executive Director, by statute, is charged with the responsibility of coordinating all NVRA efforts on behalf of the State Board of Elections. The Executive Director will enter into cooperative agreements with the directors or department heads of the designated NVRA agencies.

The NVRA Coordinator

The Executive Director has designated a NVRA Coordinator to help facilitate the administration of the NVRA Program. The coordinator is the State Board's *Elections Liaison*, the administrator of the state's voter registration program. This person has the responsibility to directly work with the other NC NVRA Program Partners to maintain consistent application of NVRA polices and procedures. The specific responsibilities of the NVRA Coordinator are as follows:

- 1) Maintain extensive knowledge of the NVRA and its relevant statutes, rules, policies, and regulations.
- 2) Report NVRA activity and issues to the Executive Director
- 3) Monitor and communicate any changes of law, policy or updates to the approved NVRA forms and materials to NC NVRA Program Partners: the Executive Director, the NVRA agencies/site coordinators, the county boards of elections, and District Election Technicians.
- 4) Monitor agency voter registration activity
- 5) Prepare reports on NVRA activity to track NVRA compliance and ensure that appropriate reports are placed on the State Board of Elections' website
- 6) Monitor county boards reporting of NVRA activity and the county reporting database.
- 7) Prepare and maintain NVRA forms
 - a) Agency voter registration forms
 - b) Agency transmittal forms
 - c) Voter registration
- 8) Prepare and edit as needed the Agency Voter Registration Manual as well as other NVRA training materials utilized by the State Board of Elections
- 9) Conduct or organize NVRA agency trainings
- 10) Attend NVRA agency conferences, seminars, or directors' meeting as requested to update NVRA agencies on matters related to the act.
- 11) Attend national NVRA conferences or workshops on behalf of the State of North Carolina, as requested by the Executive Director
- 12) In conjunction with the State Board of Elections' District Election Technicians, coordinate agency compliance reviews
- 13) Maintain and monitor compliance review database
- 14) Maintain contact list of NVRA agency site coordinators and state-level directors
- 15) Monitor the use of proper NVRA forms
- 16) Oversee forms orders and requests
- 17) Communicate with NVRA advocates or interested parties regarding the status of North Carolina's implementation of the NVRA.
- 18) Other roles as determined by the Executive Director of the State Board of Elections.

NVRA Agencies

- 1) Offer voter registration services to applicants at time of initial application and renewal or recertification of services or change of address
- 2) Offer all services applicants as described in paragraph (1), the Voter Registration Preference Form.
- 3) Offer all services applicants as described in paragraph (1), the SBOE approved agency voter registration form
 - a) 01: Public Assistance Agencies
 - DSS
 - WIC
 - b) 02: Disability Services Agencies
 - Vocational Rehabilitation Services
 - Division of Services for the Blind
 - Division of Services for the Deaf & Hard of Hearing
 - Division of Services for Mental Health and Substance Abuse
 - c) 03: Employment Security Commission
- 4) Order appropriate voter registration application/update forms based on agency type from the State Board of Elections. Forms may be requested by fax, mail or using the online request form available on the state board of elections' website.
- 5) Provide the same level of assistance to services applicants in filling out the voter registration form that would be offered in completing the agency's own forms, including but not limited to making sure the applicant completes all essential information required to process a voter registration form:
 - a) Signature
 - b) Checkboxes required by HAVA. *See* 42 USC § 15483(b)(4)(A).
 - Are you a U.S. citizen?
 - Are you 18 or older?
 - c) Address
 - d) Name
 - e) Identification Number (Failure to provide a driver's license number or the last 4-digits of a social security number will not delay the processing of an application, however, if the applicant has one of these forms of ID, it is best to provide it. Otherwise, they will have to show ID the first time that they present themselves to vote.)
 - f) Date of Birth
- 6) If a voter registration agency provides services to a person with a disability at the person's home, the NVRA agency must provide voter registration services at the person's home.
- 7) If a voter registration agency mails a services application packet to an applicant, then the NVRA agency should include a voter registration form along with the agency's own forms. The agency representative should initial a preference form for the applicant and indicate on the preference form that a voter registration application was mailed to the applicant. The NVRA agency should then

transmit the initialed application along with other preference forms signed in person by other individuals.

- 8) Transmit voter registration forms and preference forms to county board of elections within 5 days of receipt from clients, with the following exceptions:
 - a) In lieu of preference forms, ESC offices may provide the State Board of Elections the number of declinations of voter registration services received from the ESC claims website.
 - b) WIC offices will retain preference forms in their offices and will keep them under the guidelines of the State records retention schedule.
- 9) Prohibitions
 - a) While assisting in the conduct of voter registration, NVRA agencies may not seek to influence the political party preference of the applicant, either by spoken means or by wearing partisan paraphernalia.
 - b) NVRA agencies may not make any statement to an applicant or take any action the purpose or effect of which is to discourage the applicant from registering to vote
 - c) NVRA agencies must in no way lead applicants to believe that his/her choice to register to vote or his/her choice of party will in any way impact the quality of service he/she receives.
 - d) NVRA Agencies should not knowingly offer voter registration services to a non-citizen. If an agency staff person is unaware of a person's citizenship, they should not assume, but instead offer the person the opportunity to register to vote.

County Boards of Elections

- 1) Enter the appropriate source code into the statewide database when processing an agency voter registration application. By law, the source of an applicant's voter registration is confidential.
- 2) Preference forms must be maintained and tracked in a preference form retrieval system.
 - a) Counties may keep a spreadsheet or some other type of database that lists the person's name, date of birth and the agency source of the preference form that will be used to research provisional ballot applications.
 - b) In lieu of keeping a spreadsheet, counties may create and utilize an organized filing system that will allow the county to research provisional ballot applications.
 - c) Counties must report to the NVRA Coordinator the preference form retrieval system that they will be utilizing.
 - d) Counties will not be required to keep track of preference forms that are being retained by the NVRA agency. If provisional research is needed from an agency that retains its preference forms, then the county board will be required to contact the agency and arrange a time for county board staff to come and review the agency's preference forms.
- 3) County Boards must maintain NVRA voter registration documents in accordance with the state approved records retention schedule.
- 4) Determine that NVRA agencies are transmitting the appropriate voter registration forms and preference forms on a consistent basis, including making sure the agency is using the correct voter registration form.

- 5) Report the number of voter registration forms and preference forms that are being submitted by each NVRA agency. County boards must report a preceding month's transmittals no later than the 7th day of the following month.
- 6) Establish and maintain a cooperative relationship with NVRA agencies in the county. This can be accomplished in a number of ways:
 - a) Accompany DETs on compliance review visits
 - b) Call an NVRA agency when there is a concern about the transmittal of NVRA materials and provide helpful information on how the concerns can be remedied.
 - c) Thank the agency at every opportunity when they are doing a great job.
- 7) Report any problems or concerns with any agency to the NVRA Coordinator
- 8) Other Roles as determined by the Executive Director of the State Board of Elections

District Election Technicians

- 1) Conduct annual compliance review visits to:
 - a) Establish and maintain a cooperative relationship between State Board of Elections and NVRA agencies
 - b) Determine whether agencies are offering voter registration services to clients at time of initial application, renewal or recertification of services or change of address
 - c) Determine whether agencies are using proper NVRA materials:
 - Current Voter Registration Application
 - Preference Form
 - Agency Transmittal Form
 - NVRA Agency Manual
 - NVRA Agency Poster
 - d) Determine agency site coordinator
 - e) Determine that agency is submitting NVRA materials to county boards of elections within 5 days of receipt
 - f) Serve as a resource of individualized NVRA education and training to agency staff
 - g) Visit can be announced or unannounced at the DET's discretion, unless Executive Director believes that an unannounced visit is merited.
 - h) Other roles as determined by Executive Director
- 2) Report compliance review results to NVRA Coordinator
- 3) Communicate any non-compliance issues to NVRA Coordinator
- 4) Conduct compliance follow-up visits on agencies as needed
- 5) As determined by the Executive Director and organized by the NVRA Coordinator, conduct a Compliance Enforcement visit on NVRA agencies that are refusing to comply with the National Voter Registration Act. If there is strong concern that an agency is not in compliance or is refusing to

cooperate with the State and County Boards of Elections, the DET may be asked to conduct unannounced compliance reviews.

- a) Serve notice of non-compliance to NVRA agency
 - b) Prepare a summary of non-compliance issues as confirmed on enforcement visit
- 6) Along with the County Board of Elections, organize and conduct training sessions for agency department heads and site coordinators and report scheduling of the training session and the results to the NVRA Coordinator
 - 7) Other Roles as determined by the Executive Director of the State Board of Elections