



POLLING PLACE ACCESSIBILITY PROGRAM

**SONOMA COUNTY
REGISTRAR OF VOTERS OFFICE**

COUNTY OF SONOMA
Registrar of Voters Office (ROV) Procedures:
Polling Place Accessibility Program

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COUNTY OF SONOMA
Registrar of Voters Office (ROV) Procedures:
Polling Place Accessibility Program

I. Background

The Registrar of Voters maintains a detailed database of facilities used as polling places in previous elections. Currently, the database lists 580 sites which include active and inactive polling places. A polling place is considered “active” if it is readily available to be assigned to a precinct as a polling site for a given election. Polling places may be designated “inactive” if the site becomes unavailable for regular use, is deemed to be a low preference site given available, preferred alternatives, or fails to receive an “Accessible” determination following an on-site accessibility inspection. Of the 580 sites, 367 are currently active. For the November 2, 2010 General Election, 186 active polling places were assigned to serve 248,527 voters throughout Sonoma County.

Before a facility is included in the pool of active sites to be considered for assignment as a polling place, ROV staff conducts an on-site inspection which requires evaluating the site using the Polling Place Accessibility Checklist (“Checklist”). The Checklist was revised March, 2010, and included in the California Secretary of State’s Polling Place Accessibility Guidelines. The Guidelines cite and rely on relevant Federal and State election law, and were prepared to assist local elections staff in understanding and implementing accessibility requirements of the Federal “Voting Accessibility for the Elderly and Handicapped Act.” In 2010, ROV staff was trained to use the Checklist by the Department of Rehabilitation; the revised Checklist has been in use since April, 2010.

II. Purpose

The Sonoma County Registrar of Voters Office Polling Place Accessibility Program (“Program”) was created to provide direction to ROV staff responsible for conducting facility inspections and determining the accessibility status of that site as a polling place. Moreover, it specifies practices and procedures that, when implemented, ensure consistent application of accessibility standards that result in polling place accessibility and, thus, voter participation in the elections process.

The Program is designed to ensure compliance and consistency, and provide a written record of ROV procedures. Specifically, it identifies accessibility standards and dictates practices for facility identification, inspection methodology, documentation, and Election Day implementation. The Program also includes protocols for mitigation (i.e. temporary modification of barriers), decision-making and oversight, and training.

III. Standards

The Program is designed to promote and comply with the standards set out by applicable Federal and State law, in addition to other governing bodies and recommended practices by stakeholders. Sonoma County ROV relies on the documents listed below to monitor, evaluate, and revise the Program as needed.

A. California Secretary of State Polling Place Accessibility Guidelines

These guidelines adopted in March, 2010 provide guidance to help understand federal and state requirements for physically accessible polling places. The guidelines also discuss related practices and requirements and suggest strategies to elections officials for complying. See Appendix A.

B. Polling Place Accessibility Checklist

The Checklist provides the technical details necessary to determine accessibility of a given facility. ROV staff utilizes the Checklist to survey specific areas of a facility, document findings, assess the facility's compliance with accessibility standards, and identify potential modifications that will be required for use as a polling place. See Appendix B.

C. California Elections Code

California law specifies certain requirements and/or restrictions regarding the selection process of polling places including location, building type, and accessibility. See Appendix G for relevant excerpts.

D. The California Association of Clerks and Election Officials (CACEO) Voters with Specific Needs Subcommittee

The subcommittee provides a forum for elections officials to identify solutions to accessibility barriers as well as strategize how to educate the public and legislators regarding the needs of physically disabled voters. Sonoma County ROV regularly attends monthly subcommittee meetings and special trainings, as scheduled. ROV actively participates in the development of consistent statewide strategies for compliance with relevant laws and regulations.

E. County/Department Policies

Sonoma County established an ADA Coordinator to act on behalf of the County and related entities. The liaison acts as the primary contact person for the public and county agencies seeking assistance and information regarding accessibility. The Coordinator also manages the grievance procedure for the County. In addition, the Clerk-Recorder-Assessor Department's Accessibility Guide (2011) summarizes the County's policies, lists information to access related documents or resources, provides customer service tips, and identifies accessibility liaisons within the department. Voter Grievances will be initially directed to the Asst. Registrar of Voters. If the matter cannot be resolved informally, the voter will be provided information regarding the County's grievance procedure. See Appendix H.

IV. Oversight

A. ROV Management

The Elections Manager coordinates the Program, and the Asst. Registrar of Voters is responsible for overall ROV compliance with SOS guidelines and California/Federal laws. ROV Management will ensure timely decisions regarding accessibility determinations.

All Checklists which document any evidence of non-compliance at a polling place are forwarded to the Elections Manager who conducts the initial review of the findings. The Elections Manager will consult with the surveyor(s) as needed to clarify findings and evaluate photographic evidence. The Elections Manager adds the Checklist to the next VAAC meeting agenda and coordinates gathering of relevant information to facilitate the VAAC review. If scheduling constraints do not allow a timely determination by the VAAC, the Elections Manager and Asst. Registrar of Voters may act on behalf of the VAAC to expedite a timely decision.

All Checklists which document full compliance will be presented to the Elections Manager by the staff that completed the survey. No further oversight is required, and the information may be documented in all relevant places (See Section V).

B. Voter Accessibility Advisory Committee

The ROV Voter Accessibility Advisory Committee (VAAC) meets monthly and is chaired by the Elections Manager. Members may include representatives from community-based organizations that serve people with disabilities, community volunteers, voters, and ROV staff. Periodically, guest members are invited to observe and/or address specific questions or concerns. Historically, the VAAC has assisted ROV in the selection process for accessible voting equipment, advised on outreach activities to the elderly and voters with disabilities, facilitated ROV invitations to public educational events, and assisted in member recruitment. The VAAC will also participate in oversight of polling place accessibility determinations. The VAAC will act as a review panel; the Chair or her designee will present a list of polling places which have failed to meet accessibility standards per the Checklist; the VAAC will review findings and a proposed mitigation plan before rendering a recommendation of "Accessible," "Not Accessible," or "Pending." The VAAC may recommend approval or amendments to the mitigation plan, or advise further research to locate a more suitable location. If the VAAC recommends further research, ROV staff will explore availability of alternate sites and conduct surveys where possible. "Pending" polling places are automatically scheduled on the subsequent VAAC meeting agenda until a determination is reached.

VAAC meetings will have a standing agenda item of "Polling Place Checklist Review" to expedite decisions. In the event a VAAC meeting is cancelled or a decision must be made prior to the next VAAC meeting due to an imminent

election, the Elections Manager and Asst. Registrar of Voters will act on behalf of the VAAC. Any decisions made on behalf of the VAAC will be presented at the next regularly scheduled VAAC meeting for ratification.

C. Training

ROV staff will attend SOS-sponsored accessibility training as needed to stay current with best practice. Staff attendance will be prioritized based on responsibility for conducting site surveys; however, interested staff are encouraged to attend training, pending available resources, in order to increase ROV capacity and flexibility to conduct surveys in a timely manner. Interested staff is also encouraged to participate in special meetings, training, or conference calls that increase skill and knowledge needed to effectively administer the Checklist. ROV Program goals include increasing the number of staff who are trained and experienced in conducting accessibility surveys using the Checklist. ROV will conduct in-house training and mentoring of staff assigned to assist with surveys.

V. Site Surveys

A. Methodology

ROV staff will conduct polling place surveys in teams of two; a survey may be conducted by one staff person if scheduling and staffing constraints would jeopardize the timely completion of the survey. ROV staff will conduct surveys with appropriate, calibrated equipment including a distance measuring wheel, tape measure, digital level, and door pressure gauge. The areas in the Checklist are surveyed in logical order, i.e. as a voter may encounter them. For example, the parking area is surveyed first, followed by the path of travel, etc. Observations and measurements are documented as they occur; all measurements taken are recorded in the "Notes" section of the Checklist. Based on their findings, the survey team may record recommended modification(s) which will be needed to mitigate each identified barrier. The modifications may be listed at the end of each Checklist Section, and then transferred to the Checklist Summary (cover page).

Survey teams will carry supplies to document barriers and record proposed modifications, including a digital camera, safety cone(s); signage; door wedge; door stop; Call Box.

B. Identification of potential sites

Facilities may be considered for use as a polling place only after a Checklist has been completed for that site. New sites may be considered for use as a new polling place for several reasons including: a community member/building owner offers the site as a polling place; the prior polling place is no longer available; accessibility modification(s) needed are excessive or not feasible; the polling place is no longer in the precinct due to a boundary change; the VAAC and/or ROV staff would like to identify additional options for a precinct. If the suggestion is initiated by a site owner or other responsible person, a Polling

Place Permit is sent to obtain written permission as well as site-specific information. Once the completed Permit is received, the survey team is alerted to schedule a survey to evaluate the facility.

If the suggestion to use a particular facility is initiated by ROV, a telephone call or site visit is conducted to explore interest. If verbal permission is obtained, a Polling Place Permit is sent to obtain written permission as well as site-specific information. Once the completed Permit is received, the survey team is alerted to schedule a survey to evaluate the facility. California law allows ROV to use certain tax-exempt, public, or school buildings with implied permission (See Appendix G).

If a given facility can accommodate more than one polling place, a single Checklist may be used for all polling places at that facility, but each polling place will have a unique identifier (“ID” number).

C. Frequency

All polling places are surveyed using the Checklist prior to first use, and every four years thereafter. If ROV learns of significant structural changes to a facility/polling place, staff may conduct a survey prior to the expiration of the current survey in order to ensure continued compliance and maintenance of accurate records.

D. Specifications

ROV survey teams will use the SOS Polling Place Accessibility Guidelines and Polling Place Checklist (revised March, 2010) to understand the current required standards, evaluate a particular facility, and to document findings. ROV staff will adhere to the standards set out in the Guidelines and Checklist when comparing requirements to observations/measurements, and recommending modifications and a mitigation plan.

E. Documentation of findings

For each Checklist item that requires measurement (i.e. slope, distance, weight), survey teams will record each and all measurements taken. If the polling place significantly exceeds the standard in a particular item (e.g. far exceeds minimum distance required), staff may so indicate by noting a “+” after the minimum measurement in the notes section of that item (e.g. 60”+). For each Checklist item that requires a “Yes” or “No” answer, staff will check the appropriate box. If a Checklist item is not applicable, “N/A” will be indicated. Upon completion of the Checklist, staff will transfer all relevant information to the Checklist Summary (See appendix C).

Checklist Summaries which show a facility is fully compliant in all areas (i.e. the site requires no modification) may be deemed “Accessible” by the team completing the survey in consultation with the Elections Manager. Staff may proceed with entering survey findings into EIMS. Checklist Summaries which

show a facility is non-compliant in at least one area (i.e. the site requires modification) will be forwarded to the Elections Manager for VAAC review. Prior to submitting the completed Checklist Summary, staff transfers Checklist modification notes to the "Election Day Mitigation Plan" area of the Summary.

ROV survey teams will photograph each facility for identification purposes. In addition, barriers discovered during the survey will be photographed and accompanied by a photograph of recommended mitigation(s).

F. Retention of documents

Original Checklists are retained in a master binder for reference, as needed. Information in the Checklist, along with site-specific identification data, may be maintained in EIMS indefinitely. Site information, use history, photographs, equipment lists and instructions are retained for each polling place as long as deemed necessary by ROV. Changes to certain data in EIMS are made to ensure the most current information is available. Checklist data and photographs, and mitigations used for each site are updated as new Checklists are completed, or as needed (e.g. contact person changes).

VI. Mitigation of Barriers

ROV institutes temporary modification of polling places in an attempt to increase the accessibility of the facility on Election Day. "Standard" voter services provide a consistent effort among all polling places to improve access and participation. Site-specific modifications may also be required to enhance voter services in order to remove barriers unique to a polling place facility.

A. Voter Services (standard)

1. Vote by Mail (VBM) – voters may request a VBM ballot each election, or opt to become a "permanent" vote by mail voter so a ballot is automatically mailed for each eligible election (permanent VBM status is removed by request, or if the voter fails to vote in a specified number of consecutive statewide elections per current law). VBM voters are not faced with situational, environmental, or personal barriers that could hinder a trip to a polling place on Election Day, thus discouraging participation. In addition, California law allows the VBM voter to designate an authorized person to hand deliver his/her ballot if there is not sufficient time to return it by mail.
2. Audio tapes/CD – visually impaired voters may request to receive audio tapes with recordings of State Initiatives, and a CD with recordings of local measures (produced by ROV), if applicable. Interested voters contact ROV and are placed on a mailing list, and will automatically be mailed tapes/CDs for each eligible election. Voters remain on the list until they request to be removed.
3. Disabled Access Unit (DAU)/eSlate – the Hart eSlate/DAU is Sonoma County's HAVA-compliant voting system, and has been in use since June, 2006. A DAU is placed in each polling place and provides visually and physically disabled voters the ability to vote privately and independently

via audio capability, Braille markings, tactile input switches, sip-and-puff capability, and accessible dials and buttons.

4. Curbside voting – in some cases, voters may be unable to access a polling place because the facility is deemed inaccessible, or due to personal circumstances or limitations. Consistent with E.C. 14282 (c), poll worker offer this service outside (near) the polling place. The poll worker confirms the voter’s eligibility, provides a ballot to the voter, then returns the ballot to the ballot box (Inside the polling place) for the voter. The voter signs the Curbside Roster to document the assistance. This service is available at all Sonoma County polling places on Election Day.
5. Visual/manual aides – ROV provides each polling places with the same set of basic supplies to be used to facilitate the voting process, including for voters with disabilities. Each supply kit includes a signature guide to assist blind voters locate where to place their signature, a Styrofoam ball which (when attached to a Mark-A-Vote pen) improves a voter’s grip when marking a ballot, and a magnifying sheet for voters who may more easily read enlarged print.
6. Personal assistance – California law permits voters to enlist up to two people, of any age, to assist in marking a ballot. The voter may choose the person(s) consistent with the restrictions in E.C. 14282; the assistant may be a poll worker. Poll workers must record the name of a voter who received assistance (E.C. 14283).

B. Site-specific modification

1. Restrooms – because elections officials are not required to provide restroom facilities to voters on Election Day, ROV notifies voters that restrooms are closed to voters. A sign indicating the closure is placed in a conspicuous location inside all polling places.
2. Threshold – if a threshold transition is too great per the Checklist guidelines, a door “wedge” may be placed adjacent to the threshold to reduce the height of the transition.
3. Path of travel – if the path of travel surface, slope, and clearance are inaccessible per the Checklist guidelines, a “Call Box” may be placed at the nearest accessible point to the polling place along the path of travel. The Call Box is equipped with an accessible button which, when depressed, sounds an alarm and alerts the poll worker that a voter requires assistance.
4. Door pressure/hardware – if the force or grip required to open a door is inaccessible per the Checklist guidelines, the door may be propped open to allow a voter to enter and exit without manipulating the door or its hardware. A temporary door stop will be provided if needed.
5. Parking – polling places which provide on-site parking must also provide accessible parking; the type (van/auto) and number of spaces is specified in the Checklist guidelines. If a polling place is out of compliance with parking space and signage guidelines, cones will be used to delineate parking spaces and/or accessible aisles. If needed, “Van Accessible”

signage will be used to distinguish van spaces. If adjacent accessible aisles are not compliant with Checklist guidelines, cones and signage will be used to delineate and alert all drivers to keep that area clear.

6. Signage – additional directional signs made with non-glare laminate may be secured along the path of travel to assist a voter in finding the accessible route to the polling place.

C. Application of *de minimus* standard

A “*de minimus* departure” standard was established to evaluate polling places that are slightly out of technical compliance. Polling places that meet the *de minimus* standards will be considered individually by the appropriate ROV oversight body, which will consider the overall Checklist results before recommending a designation. Polling Places which do not meet the Checklist guidelines but are within the departure standard may be classified as “Accessible.” The list below describes *de minimus* departure standards currently used by ROV in Sonoma County.

1. Path of travel – in areas without hand rails that have a slope greater than 5%, that section of pathway is not longer than 4 feet
2. Landings, parking spaces, access aisle – slope is 3% or less
3. Landing width/length – landings are at least 54 inches in both directions
4. Cross slope – cross slope is 3% or less
5. Ramp slope – slope is 9% or less
6. Ramp width – width is at least 44 inches
7. Door pressure – door pressure measures 7lbf or less
8. Doorways – with a double-door entry, the doorway is slightly too narrow with only one door propped open
9. Handrails – mounted between 33 and 39 inches; the gap between the handrail and a wall is between 1 and 2 inches

VII. Site Selection: Decision-making Process

A. Data Review

Checklist Summaries which show a facility is fully compliant in all areas (i.e. the site requires no modification) may be deemed “Accessible” by the team completing the survey in consultation with the Elections Manager. Staff may proceed with entering survey findings into EIMS.

Checklist Summaries which show a facility is non-compliant in at least one area (i.e. the site requires modification) will be forwarded to the Elections Manager for VAAC review. Prior to submitting the completed Checklist Summary, survey staff transfers Checklist modification notes to the “Election Day Mitigation Plan” area of the Summary. The Elections Manager compiles relevant documents and evidence, and adds the Checklist to the subsequent VAAC meeting agenda (See IV.B. for exceptions).

B. Mitigation plan

ROV staff complete the Checklist and recommend modifications for each barrier identified. Taken together, these modification recommendations become the “mitigation plan” for that facility. The VAAC evaluates the relevance and effectiveness of the mitigation plan given the resources, tools, legal options available, and context. The VAAC may amend the mitigation plan in order to enhance accessibility.

C. Considerations

The VAAC reviews the Checklist in concert with the appropriate guidelines and standards, ROV *de minimus* standards, and survey team’s mitigation plan. The VAAC may also consider extenuating circumstances in their determination such as impact on voter participation.

D. Determination

The VAAC evaluates the relevance and effectiveness of the mitigation plan. The VAAC may concur and recommend a designation of “Accessible” for the site as a polling place. The VAAC will document if the *de minimus* standard influenced the recommendation. The VAAC may recommend a designation of “Not Accessible” with the option to continue or discontinue use as a polling place depending on findings and extenuating circumstances. Whenever the VAAC supports continued use of a polling place despite a designation of “Not Accessible,” all evidence, discussion, findings of efforts to locate a suitable location shall be documented on the “Substantial Compliance Form” on the back of the Summary page (See Appendix D). The VAAC may recommend a designation of “Pending” if there is agreement that further research and/or review is needed to make an informed decision. A Checklist that receives a “Pending” shall also specify actions to take prior to the next VAAC (e.g. ROV research options in a geographic area). The Checklist will be scheduled on the subsequent VAAC meeting agenda until resolution.

VIII. Implementation of Accessibility Program

A. Supplies/instructions/diagrams

Once a polling place is approved for use, the mitigation plan details are transferred to EIMS. Photographs, site information, required (accessibility) supplies, and survey dates are updated. The EIMS Polling Place “Equipment List” shows which supplies (and quantities of each) are assigned to that polling place. All accessibility supplies listed in the mitigation plan will be specified in the EIMS Polling Place “Equipment” field, in addition to a description of how and why they are to be used (“Equipment Instructions”). The list and selected photographs will be used as training materials to illustrate how to implement the mitigation plan. All training materials will be placed in an envelope identified by polling place name and labeled “Compliance Plan” (“CP”) and packed with other training supplies.

B. Roles and responsibilities

1. ROV staff – ROV staff ensure timely completion of surveys, accurate documentation of findings, and transfer of data to the appropriate forms and EIMS. Staff will create a CP packet for each polling place with training instructions and/or visual aids for use by poll workers (Inspectors) on Election Day. ROV management monitor implementation of mitigation plans and reserves the option to make precinct board staffing changes if needed to ensure successful implementation of the mitigation plan.
2. Field Support Officer (FSO) – act as “roving” elections officials and conduct site visits on Election Day, offer expert advice, and provide replacement supplies. FSO’s will inspect polling places and complete a written evaluation of the set up. FSO’s will also inspect compliance with mitigation plans by requesting the Inspector produce the site’s CP packet; the FSO will ensure the instructions were followed. FSO’s may ask poll workers to correct errors immediately.
3. Poll Workers – attend poll worker training (required for Inspectors) and review Election Day instructions. Follow HAVA requirements and each required modification as specified in the CP (if applicable). Promptly report functional problems with implementation of accessible equipment on Election Day.

C. Training

Poll workers will be provided instruction and set up guides related to HAVA requirements, and reminded of their legal obligation to facilitate setting up the polling place. All methods of ROV training will include references to accessibility, working with voters with disabilities, and setting up mitigation plans on Election Day, if applicable. All poll workers responsible for setting up the polling place (Inspectors) must attend a training class prior to Election Day, and may be tested on their understanding of requirements; remedial training may be provided as needed.

APPENDIX A:

SOS Polling Place Accessibility Guidelines

APPENDIX B:

Polling Place Survey

APPENDIX C:

Polling Place Survey Summary

APPENDIX D:

Substantial Compliance Form

APPENDIX E:

Sample EIMS “Polling Place Sites” Equipment List

APPENDIX F:

California Elections Code (selected excerpts)

APPENDIX G:

**Sonoma County Clerk-Recorder-Assessor
Accessibility Guidelines**

APPENDIX H:

Glossary

**Sonoma County Registrar of Voters Office
Polling Place Accessibility Checklist: SUMMARY**

Polling Place ID: _____

Survey Completed By: _____ Date: _____

Polling Place Name: _____ Pct #: _____

Polling Place address: _____ City (code): _____

Contact Person: _____ Telephone: _____

Type of Facility:

- | | | |
|---|--|--|
| <input type="checkbox"/> Apartment | <input type="checkbox"/> Fire station | <input type="checkbox"/> Private Residence |
| <input type="checkbox"/> Business | <input type="checkbox"/> Garage | <input type="checkbox"/> School |
| <input type="checkbox"/> Church | <input type="checkbox"/> Library | <input type="checkbox"/> Senior Citizen Facility |
| <input type="checkbox"/> Club/Lodge/Association | <input type="checkbox"/> Mobile Home Park Facility | <input type="checkbox"/> Historical Building |
| <input type="checkbox"/> Other non-public building (specify): _____ | | |
| <input type="checkbox"/> Other public building (specify): _____ | | |

Describe the general terrain around the polling site area:

- flat hilly desert sloped concrete gravel rocky
 other: _____

Are tables available? yes no

Are chairs available? yes no

Survey Area:	Election Day Mitigation Plan (e.g. wedge, temporary parking signs, accessible pathway signs, etc.):
1. Parking	
2. Path of Travel	
3. Doors & Hallways	
4. Voting Area	
5. Signage	
6. Ramps/Curbs	
7. Lifts/Elevators	
8. Restrooms	Post sign: "CLOSED TO VOTERS;"

Staff: Transfer modification/supplies notes to EIMS for Election Day supplies list

POLLING PLACE DETERMINED TO BE: **ACCESSIBLE *** **NOT ACCESSIBLE**

** See reverse for explanation of determination; In some cases, a polling place, while determined to not be fully accessible following an on-site inspection, may be made accessible to elderly voters and voters with disabilities through the use of temporary modifications.*

DETERMINATION OF SUBSTANTIAL COMPLIANCE (MITIGATION PLAN)

VAAC REVIEW DATE(S):

VAAC RECOMMENDS:

- APPROVAL OF MITIGATION PLAN**
- MODIFY MITIGATION PLAN** (specify changes below)
- PENDING** (specify reasons below; include date for VAAC follow-up)

Additional comments:

Mitigation Plan reviewed and approved by:

Name/title _____
date

Name/title _____
date

Accessible: capable of being reached without great difficulty, or without any difficulty; in elections, offers full access to polling places for elderly voters and voters with disabilities.

Call Box: temporary alert system utilized at a polling place to provide remote notification from outside the polling place that a voter needs assistance; typically placed in a path of travel which may be inaccessible to some voters, when activated by the voter, will send an alert to the poll worker requesting assistance.

Curbside voting: a service by poll workers in which ballot materials are brought to the voter outside (near) the polling place because of access barriers or temporary personal restrictions which prevent the voter from entering the polling place.

DAU: acronym for Disabled Access Unit; an accessible voting booth that houses the eSlate which is an electronic accessible voting system which provide disabled voters the ability to vote privately and independently; equipped with devices such as sip and puff, tactile input switches, and audio capability.

EIMS: Election Information Management System; a database used to manage information needed in the administration of elections and maintenance of voter files.

eSlate: an electronic accessible voting system which provide disabled voters the ability to vote privately and independently; equipped with devices such as sip and puff, tactile input switches, and audio capability.

Mitigation: in elections, temporary modifications used to remove barriers or increase access by elderly voters and voters with disabilities.

Wedge: a device that is placed adjacent to a door threshold in order to decrease the height of a transition from one surface to another.