



**DRAFT Implementation Plan for Non-Citizen Voting  
November 6, 2018, Board of Education Election**

**I. Introduction**

In the November 8, 2016, Consolidated General Election, San Francisco voters approved Proposition N: Non-Citizen Voting in School Board Elections. Proposition N is a Charter amendment that allows a non-citizen resident of San Francisco who is of legal voting age, not in prison or on parole for a felony conviction, and the parent, legal guardian, or legally recognized caregiver of a child under the age of 19 living in the San Francisco Unified School District to vote for members of the Board of Education.

Non-citizen voting for members of the Board of Education will be available at the next election, scheduled for November 6, 2018, and at every Board of Education election, scheduled every two years, until November 2022. The opportunity for non-citizens to vote in Board of Education elections will expire after the 2022 election unless the Board of Supervisors adopts an ordinance allowing it to continue.

This draft plan does not take into account any supplemental Charter amendments that voters could approve that would change the timing for implementing elections that allow certain non-citizens to vote in School Board elections until after the November, 2018, election.

This draft plan provides information on how the Department intends to incorporate non-citizen voting in Board of Education elections into existing procedural and operational aspects of administering elections. This plan is organized according to the subjects listed below.

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## II. Voter Registration Affidavit and Other Voting Materials

The Department will produce registration and voting materials for non-citizen voters, including a Voter Registration Affidavit, a Voter Notification Form, a vote-by-mail ballot application, and a replacement ballot request form. These documents will be available on the Department's website, *sfelections.org*, at the Department's office in City Hall, and at outreach events conducted by Department staff. The materials will be available in three bilingual versions, each with content in English and one other language—Chinese, Spanish, or Filipino.

The draft Voter Registration Affidavit reflects the information fields required for regular voter registration affidavits under California Elections Code section 2150, and which are applicable to certain non-citizens voting in School Board Elections. The affidavit will be the only means by which non-citizens will register to vote in Board of Education elections. Upon receipt of an affidavit, the Department will process the registration and mail a Voter Notification Form to the voter. If the affidavit does not include all of the required information the registration will be deemed incomplete and the Department will attempt to contact the applicant to collect the missing information.

The voting materials that the Department will create for non-citizen voters will mirror those provided to registered voters who are citizens, with exceptions as applicable under the law.

## III. Website - *sfelections.org*

The Department will create a dedicated page on *sfelections.org* to provide information related to non-citizen registration and voting in Board of Education elections. The page will host the registration and voting documents discussed above, an online version of the vote-by-mail ballot application, Frequently Asked Questions, a calendar of Key Dates and Deadlines, and various lookup tools.

The Voter Registration Status Lookup tool will allow non-citizen voters to check their registration status and ensure that their information is up to date and accurate, including whether they are listed as a polling place or vote-by-mail voter. The tool will also link to information about voting options, key dates and deadlines, the Voter Information Pamphlet and sample ballot, and the vote-by-mail ballot application. The Polling Place and Sample Ballot Lookup tool will enable voters to confirm their polling place address and view their sample ballot. The Provisional Ballot Status Lookup tool will allow a voter who cast a provisional ballot to confirm the receipt and status of the ballot.

This page and the documents hosted on it will be available in English, Chinese, Spanish, and Filipino.

## IV. Voter Outreach and Education

TBD

## V. Election Information Management System

The Department maintains an Election Information Management System (EIMS) to administer records of typical voters, which interfaces with the VoteCal statewide voter database—the State's system of record.

To prevent combining records with different voter eligibility requirements, the Department will implement a supplementary EIMS to separately maintain registration records of non-citizen voters. The system will also integrate voter registration information of such records with all election-related processes, such as generating ballot types, assigning precincts and

polling places, issuing Voter Information Pamphlets and vote-by-mail ballots, generating Rosters of Voters and Street Indices, processing returned vote-by-mail and provisional ballots, and logging voting history for those who voted in Board of Education elections.

Implementing a supplementary EIMS for non-citizen voters will essentially require the Department to administer two simultaneous elections, one for typical voters and one for School-Board-only voters.

For instance, the Department will need to maintain two voter rolls and put measures in place to prevent dual registration; perform separate extractions of vote-by-mail voter files to send to the ballot assembly and mailing vendor; and update street guides in both EIMS that assign voter addresses to specific precincts.

Maintaining records in two separate EIMS will result in the Department's having to make available two separate sets of the Master Voter File (MVF) and the Vote-by-Mail Voter File (VBMVF)—one set listing typical voters and another with School-Board-only voters.

The MVF contains each voter's name, residential and mailing address, date of birth, voting history, place of birth, and other information. Pursuant to CEC section 2194, an iteration of this document that omits confidential information as defined by California Government Code section 6254.4, such as driver's license number, state identification number, Social Security number, and the signature as shown on the voter registration form, is available to persons or groups for election, scholarly, journalistic, political, or governmental purposes. After Department staff confirm that a requestor's application meets this criteria, the Department provides an electronic file containing the non-confidential voter information.

The VBMVF contains information about voters who have applied for a vote-by-mail ballot for a specific election and those who have returned a vote-by-mail ballot. As required under CEC section 15105, prior to processing vote-by-mail ballots, the Department must make this list available for public inspection, from which challenges may be presented for the same reasons as those made against a polling place voter.

## **VI. Voter Information Pamphlet**

The Department will produce a Voter Information Pamphlet (VIP) with information specific to non-citizen voting in the Board of Education contest. This VIP will include a Sample Ballot, information about Board of Education candidates and the voting process. The back cover of the VIP will feature each voter's polling place address, based on the voter's home address, and indicate whether the polling place has an accessible entrance and voting area.

In light of the relatively small amount of content, the Department will produce one VIP with information in all four required languages: English, Chinese, Spanish, and Filipino. A quadrilingual approach to the School-Board-only VIP will serve non-citizen voters as cost-effectively as possible and streamline distribution of the pamphlets in voters' preferred languages.

The VIP will be mailed to each non-citizen registrant and posted on *sfelections.org* by October 8 in accordance with CEC section 13307(b) and MEC section 500.

## **VII. Official Ballot**

The Department will produce a quadrilingual official ballot with only the Board of Education contest for non-citizen voters. All ballot instructions and content will appear in the four required languages: English, Chinese, Spanish, and Filipino.

In addition to paper ballots for use with the optical-scan voting equipment, the Department will produce accessible touchscreen and audio versions of the ballot. Both paper and accessible versions of the ballot will be available at the Department's Voting Center in City Hall and at all polling places on Election Day.

The Department will also provide facsimiles of School-Board-only ballots in Korean and Vietnamese for voters to use as a reference. The facsimiles will be available at the Voting Center in City Hall and at all polling places on Election Day, with copies posted on *sfelections.org*.

## **VIII. Logic and Accuracy Testing of Voting Equipment**

The Department will work with its voting system vendor to make programming changes to allow the voting equipment to read two versions of the official ballot: one with all election contests and one with only the Board of Education contest.

Accordingly, the Department will incorporate the School-Board-only ballots into its Logic and Accuracy testing of all vote-tabulating equipment that is performed prior to each election. Specifically, all equipment that comprises San Francisco's voting system will be tested to ensure the Optech Insight, AVC Edge II, and Optech 400-C machines accurately record and tabulate all votes on both sets of ballots.

## **IX. Voting Options**

The Department will provide the same three voting options to non-citizen voters as to typical voters—voting by mail, voting at the City Hall Voting Center starting 29 days before the election, and voting at the polls on Election Day.

### **a. Voting by mail**

The Department will provide several options to request a vote-by-mail ballot, including online, via telephone or mail, or in person. Requests to vote by mail must be received no later than the legal deadline, which is seven days before an election.

Approximately one month before the election, the Department will mail School-Board-only ballots to non-citizen voters who have requested to vote by mail, along with instructions on how to complete and return their ballots. Voters may mail their ballots to the Department postage free, or return them in person to the Department's office, a drop-off station outside City Hall, or any polling place on Election Day. Voters may also authorize someone to return the ballot for them.

The Department will provide a toll-free telephone number by which voters can confirm receipt and track the status of their vote-by-mail ballots.

The Department will work with its ballot printing and assembly vendor to incorporate daily processing of two sets of voter extracts and issuing two sets of ballot packets into the vendor's schedule and processes.

The Department will also adjust its processes to ensure both sets of vote-by-mail ballot packets can be processed by the mail sorter system.

### **b. Voting at the City Hall Voting Center**

The Department will facilitate voting for typical and non-citizen voters at the City Hall Voting Center during the 29-day voting period prior to and on Election Day, November 6.

The Voting Center is equipped to meet the diverse needs of San Francisco voters. Voters have the opportunity to vote a ballot in English, Chinese, Spanish, or Filipino, each available in paper or accessible touchscreen or audio formats. Voters can also refer to ballot facsimiles in Korean and Vietnamese. Various accessibility tools will be available to help voters cast their ballot privately and independently.

Vote-by-mail voters can also visit the Voting Center to drop off their ballots or exchange a spoiled ballot.

The deadline to register to vote is 15 days before Election Day. However, any eligible voter—typical or School-Board-only—who has missed this deadline will have the opportunity to visit the City Hall Voting Center through Election Day for conditional registration and voting. A conditional registrant will vote a provisional ballot that will be counted after the Department confirms that the voter is eligible to vote and has not cast another ballot.

Non-citizen voters who cast their vote at the Voting Center will be able to track the status of their ballots via a toll-free telephone number provided by the Department.

### **c. Voting at the Polls**

All polling places will be equipped to serve typical and non-citizen voters from 7 a.m. to 8 p.m. on Election Day. All voters will have the opportunity to choose a paper ballot or use an accessible voting machine to cast an audio or touchscreen ballot, in English, Chinese, Spanish, or Filipino.

Voters who have a vote-by-mail ballot will have the opportunity to drop it off—inside its signed and sealed return envelope—at any polling place on Election Day.

Eligible San Francisco residents who come to a polling place to vote in the Board of Education election but have not registered will still have the opportunity to participate. Such prospective voters will be offered the option to go to the Department's City Hall Voting Center to conditionally register and vote a provisional ballot as outlined above. Polling place signs will also provide this information.

Occasionally, there are circumstances that require a voter to cast a provisional ballot. Often it is because the voter goes to a different polling place than the one assigned based on his or her home address and does not wish to go instead to the assigned polling place. Another common reason is that the Department issued a vote-by-mail ballot but the voter is unable to surrender it in exchange for a polling place ballot. Under these circumstances, a poll worker will issue a provisional ballot—a regular polling place ballot with the School Board contest—which the voter will mark, place in a provisional ballot envelope, and deposit in the secure ballot box for transport to the Department after the polls close on Election Night.

## **X. Polling Place Voting Procedures**

Voting procedures for School-Board-only voters will mirror those for typical voters.

Upon arrival at the polling place, a School-Board-only voter will provide his or her name and address to a poll worker, who will find the voter's record in the Roster of Voters (Roster). The Roster is a list of names and addresses of voters who are registered in a precinct.

Each Roster will consist of two sections—one with records of typical voters and another with records of non-citizen voters. For any precincts that have no registered non-citizen voters, the Roster will include a statement that there are no School-Board-only voters registered in the precinct.

After the poll worker finds the record for a non-citizen voter and confirms the name and address, the poll worker will ask the voter to sign the Roster next to his or her name and will issue a ballot secrecy folder and a ballot with only the Board of Education contest. The voter will mark the ballot and insert it into the optical scan voting machine and the votes will be counted.

If the voter requests an accessible ballot, the poll worker will activate a voter card that will bring up a touchscreen or audio ballot with only the Board of Education contest on an accessible voting machine.

If a poll worker cannot find a voter's name in the Roster, the poll worker will ask the voter if he or she is registered to vote. If the person is not registered, the poll worker will direct him or her to the City Hall Voting Center for conditional registration and voting. If the person claims to be registered, the poll worker will administer provisional voting. The poll worker will issue a provisional ballot envelope, which the poll worker and the voter will fill out to provide information that will allow Department staff to establish the voter's eligibility in order to count the ballot. The voter will be asked to state on the envelope whether he or she is eligible to vote on all ballot contests or only the Board of Education contest. Based on the information the voter provides, the poll worker will issue the appropriate ballot. The voter will mark the ballot, place it in the envelope, sign and seal the envelope, remove a detachable receipt with unique sequence numbers that will allow the voter to check the status of the ballot, and deposit the envelope in the secure ballot box.

As required under CEC section 14294, poll workers will maintain a Precinct Street Index, which is a list of names, addresses, and phone numbers, if provided, of voters within a precinct, in order by street address. There is one copy on the Election Table and one copy posted near the polling place entrance. Each time a voter arrives and a poll worker finds his or her name in the Roster, a poll worker draws a line through the voter's name in the Street Index on the Election Table. Poll workers update the posted copy hourly until 6 p.m. to match the copy on the Election Table, to note which voters have voted at the polling place.

Polling place observers may inspect voter signatures in the Roster of Voters, as promulgated in CEC section 14223(b), provided there is no interference with poll workers' duties or inconvenience to voters. Observers and the public may obtain information from the Precinct Street Index that is posted near the polling place entrance.

## **XI. Poll Worker and Election Day Field Support Training**

The Department will develop a class curriculum to train all poll workers on administering voting at the polls to School-Board-only and typical voters. Among other topics, the curriculum will focus on the rights of voters, including resources for language assistance and access, and voting procedures for standard, vote-by-mail, and provisional voting. To ensure training consistency, curriculum will be delivered via a PowerPoint presentation with videos that reinforce voting procedures.

The Department will also develop a Poll Worker Manual that will cover almost every aspect of the training curriculum, including administering voting to non-citizen voters. Every poll worker will receive this manual in class, and it will be posted on *sfelections.org*.

The Department plans to assign nearly 2,500 volunteer poll workers to assist all voters on Election Day. The Department will also organize a robust phone bank so that staff can provide assistance to voters with questions or concerns while the polls are open. Telephone assistance will be available in English, Chinese, Spanish, Filipino, and via interpreter in many other languages.

The Department will also train approximately 85 Field Support staff to provide Election Day assistance to poll workers and to serve as liaisons between polling places and the Department. All field support personnel will be trained to respond to any procedural questions associated with administering voting to non-citizen or typical voters.

## **XII. Closing the Polls and Securing and Transporting Ballots**

Poll workers will follow usual closing procedures, incorporating the School-Board-only materials as appropriate. For example, poll workers will complete a Posted Ballot Statement (PBS) by accounting for both sets of ballots—the ballots with all election contests and the School-Board-only ballots—indicating the number of ballots issued to the poll workers and the number of voted, unused, surrendered, provisional, and vote-by mail ballots that they return to the Department. Poll workers will also count the signatures in both sections of the Roster of Voters and record the totals on the PBS.

As required by SF Charter section 13.107.5, a copy of the PBS will be posted outside each polling place; other copies will remain in the Roster of Voters. The Deputy Sheriffs will follow usual procedures to transport ballots, Rosters, and other materials to the Department's Processing Center at Pier 48.

## **XIII. Election Results**

As previously stated the same voting equipment will be used to tabulate the ballots cast by typical and School-Board-only voters. All preliminary reports of election results and the final election results for the Board of Education contest will include votes from typical and School-Board-only ballots, which will be combined with votes cast by regular voters.

The Department will certify final election results within 30 days of the election, as promulgated by CEC section 15372(a).

## **XIV. Canvass and Retention Period**

The day after the election, the Department will begin the Official Canvass, which is an internal audit of the election required by state law to ensure the accuracy and validity of the results. The Canvass involves numerous processes that verify the accuracy of the voting equipment count, including a hand tally polling place and vote-by-mail ballots cast in one percent of precincts. Ballots cast by typical and School-Board-only voters will be canvassed and stored together.

Upon completion of the Canvass, the Department will certify the election results and will issue the Statement of the Vote of the Election, a statement of all votes cast, including total votes cast by all voters in the Board of Education election.

Upon certification of election results, the Department will secure all voted ballots and other election materials and store them inside its secured warehouse for the 22-month retention period, as promulgated by CEC section 17301-2.