



# The National Voter Registration Act County DSS Office Procedures in North Carolina

## Introduction

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### HOW TO USE THIS DOCUMENT

Provided in this document is a summary of County DSS Office procedures for the administration of the National Voter Registration Act in North Carolina. This document is meant to assist the Local NVRA Point Person, County DSS Office Director and other agency staff in the development of their agency's voter registration protocol. Each section gives specific requirements and information concerning the administrative processes, agency transmittal, compliance, and materials for the NC NVRA Program.

For each section described below, please consider the following questions/considerations when developing your agency's voter registration services protocol:

- Administrative Process – Voter Registration Services & Covered Transactions
  - Who communicates the appropriate NVRA information in your office? Who is responsible for remote transactions, recertification, change of address, and recoding in NC FAST?
  - List and describe the process of how In-Person and Remote Transactions are performed within your office (i.e. the role of various office staff, workflow of in-person and remote transactions, recertifications, change of address, and recording the process in NC FAST).
- Transmitting voter registration activity to the county boards of elections (CBE)
  - How does your agency transmit completed voter registration information to the CBEs? How often is the information being transmitted? Are you transmitting this information at least once a month? If not, how often are you transmitting this information?
  - Document how your agency transmits completed voter registration applications to the CBEs (method of transmittal, the day of transmittal, frequency of transmittal, etc.)
- Oversight & Compliance
  - How are you ensuring that the staff complies with NVRA protocol? Identify the Local NVRA Coordinator and describe the agency's ability to monitor staff regarding compliance with NVRA (list how training will be administered and how often, describe how compliance will be measured or monitored (i.e. reviewing NVRA data on the State Board of Elections' website), document the workflow process regarding complaints and corrective actions.
- Materials & Supplies

- Who is responsible for the ordering of NVRA material and supplies? Does your staff know how and where to locate electronic versions of the NVRA supplies?
- Provide direction to staff regarding the ordering of NVRA materials and supplies. Advise staff of the location of the electronic versions of NVRA supplies.

County DSS office voter registration protocol should be signed by the Local NVRA Coordinator and County DSS Office Director. When there are changes in personnel or policy, the agency's protocol document must be updated accordingly.

## Duties of County DSS Offices

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### ADMINISTRATIVE PROCESS – VOTER REGISTRATION SERVICES & COVERED TRANSACTIONS

#### Provide Voter Registration Services during *Covered Transactions*

- **Covered Transactions**
  - Under the NVRA, voter registration agencies MUST offer voter registration services to each person applying for service or assistance, renewing or recertifying eligibility, or submitting a change of address. These interactions with agency applicants are referred to as *covered transactions*.
- **Covered Clients**
  - When offering voter registration services, the NVRA covers only those United States citizens who are at least 16 years of age.
  - Under North Carolina law, no one can apply to register to vote if he or she is ineligible because of age, citizenship status, lack of residence for the required period, or due to felony conviction (**GS § 163-82.20(i)**).
- **Ask the NVRA Question (Voter Preference Question)**
  - When offering voter registration services, county DSS Staff must ask every covered applicant the *NVRA Question*: “If you are not registered to vote where you live now, would you like to apply to register to vote here today?”
  - This is THE question required under NVRA and should not be altered or shortened.
  - The *NVRA Question* must be asked of all covered applicants whenever they apply for new benefits, apply to renew their current benefits, or change their address related to their existing benefit application.
- **Provide Voter Registration Services during *In-Person Covered Transactions*** (covered transaction that takes place at a county DSS office)
  - Direct each client to review the NVRA Information Sheet (Laminated Form)
  - Ask each client the *NVRA Question*.
    - Staff must record the answer in NC FAST: “yes”, “no”, or leave as default to “Please Select” if the client doesn’t answer.

- Give every client a voter registration application automatically, without regard to his/her response to the *NVRA Question*.
- Offer to assist the client in completing the coded NC Voter Registration Application (voter registration application) if the client answers “yes” to the *NVRA Question*.
- If the client completes a voter registration application, staff must review it for completeness of all mandatory fields, including name, date, date of birth, address(es), identification number, eligibility confirmation, and client signature.
- **Provide Voter Registration Services during Remote Transactions** (covered transactions that take place through telephone, facsimile, mail, or electronically)
  - **Covered Transactions Taking Place via ePASS:** County DSS staff must mail a voter registration application and *DSS Cover Letter* to all Clients using ePASS for a covered transaction if the client has:
    - Indicated that they want to register to vote in ePASS
    - Failed to answer the Voter Preference Question in ePASS
  - **Telephone Covered Transactions:** Caseworkers must mail the *DSS Cover Letter* and a NC Coded Voter Registration Application to any client conducting a *covered transaction* by telephone that is a stand-alone transaction (i.e., a transaction that does not serve as a follow up to an ePASS or *In-Person Transaction* for application or renewal).
  - **Communication by Mail:** If a client indicates on an application returned by mail that they desire to register to vote or update their registration, mail the client a voter registration application and *DSS Cover Letter*.
  - Caseworkers that have contact with clients by remote methods are required to offer assistance to clients and provide such assistance to those that do not decline the offer. Assistance to clients consists of helping to complete voter registration materials, including identifying for the applicant the following required fields on the voter registration application: name, date, date of birth, address(es), identification number, eligibility confirmation, and client signature.
- **Provide Voter Registration Services during Recertifications**
  - NC FAST has a section to capture voter registration data regarding Recertifications. Use the *New Recertification* section to record the client’s response to voter registration services
  - Regarding *ex Parte Medicaid recertifications*, at the time the client is made aware of the outcome of their renewal application, the agency may enclose a voter registration application and DSS Cover Letter with the mailed notification.
- **Provide Voter Registration Services due to a reported Change of Address**
  - When a change of address is reported as part of an *In-Person Transaction* that is separate from other covered transactions, caseworkers are required to provide the client with a coded NC Voter Registration Application, to show the client the laminated form and to offer the client assistance in completing the voter

registration application. Caseworkers must also note that voter registration serves were requested and provided to the client in NC FAST.

- When a *change in address* is reported through a *Remote Transaction* caseworkers are required to send, by U.S. Postal Service mail, a coded NC Voter Registration application and a DSS Cover Letter to each, regardless of the method by which the address change is conducted, i.e. by telephone, fax, email or Internet.
- **Record the Distribution of the Coded NC Voter Registration Application**
  - Staff should use the drop-down box in the *Evidence Queue* in NC FAST to confirm that they either provided a paper voter registration application during an In-Person Transaction or mailed the required voter registration application to the clients following a transaction in which a mailing is required. Caseworkers have the following dropdown options: “*Voter registration provided to/handed to client*” or “*Voter registration mailed to client.*”

## Duties of County DSS Offices

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### TRANSMITTING VOTER REGISTRATION ACTIVITY TO THE COUNTY BOARDS OF ELECTIONS

#### Agency Transmittal

- Any voter registration application completed at a voter registration agency shall be accepted by that agency in lieu of the applicant mailing the application themselves. Any such application so received shall be transmitted to the appropriate board of elections *not later than five business days* after the agency receives it from the voter.
- County DSS offices should use the *Agency Transmittal Sheet* to transmit voter registration applications to the county boards of elections. When completing the form be sure to complete the following fields:
  - Name of the county where your county DSS office is located
  - The source type, which is “01” for county DSS offices
  - Full name of your county DSS office
  - Agency staff name and position of the individual responsible for completing and submitting the *Agency Transmittal Form*
  - The number of voter registration applications that are being transmitted to the county board of elections
- Ensure that the transmittal date recorded on the *Agency Transmittal Form* matches the date of when the completed voter registration applications are sent to the county board of elections
- County DSS Offices should not transmit Preference Forms to the county board of elections office.
- Method of delivery options for the *Agency Transmittal Form* and completed Voter Registration Applications are:

- In-person delivery
- Mail (US Postal Service)
- Courier
- County Mail
- Email transmission is no longer a valid method of delivery

## Duties of County DSS Offices

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### OVERSIGHT & COMPLIANCE

#### Local NVRA Point Person

- Each county DSS office must designate a *Local NVRA Point Person* who will be responsible for assisting the State Board of Elections (SBOE) in the implementation of NVRA duties, along with identifying and finding solutions to any implementation problems.
- The position, individual's name, and their contact information must be provided to the DHHS Division of Social Services Civil Rights Coordinator and the SBOE NVRA Coordinator.
- When there is a change in the Local NVRA Point Person, county DSS offices will:
  - Provide updated position, name, and contact information to the DHHS Division of Social Services Civil Rights Coordinator and SBOE NVRA Coordinator
  - Ensure designated staff review the NVRA webinars
  - Inform staff on how to obtain properly coded NC Voter Registration Applications, NVRA posters, *DSS Cover Letters* and *NVRA Information Sheets* to complete their NVRA responsibilities in a timely fashion

#### NVRA Semi-Annual Report

Twice a year the SBOE will contact the local NVRA Point Person at each county DSS office and county board of elections office to review the data and analysis for that particular county. The review will help to identify any current or potential issues regarding compliance with the NVRA. The local NVRA Point Person should review the information provided, report any observations or necessary corrections, and keep the related documents on file according to agency's retention policy.

#### NVRA Implementation, Compliance Issues & Complaints

- SBOE will investigate decreases in voter registration activity or any reported NVRA implementation issues with the affected county board of elections, the DHHS NVRA Point Person, and the Local NVRA Point Person.
  - All three individuals will use their best efforts to coordinate remedial action.
- Complaints made by the public regarding voter registration must be forwarded by the receiving agency to the following:
  - Local NVRA Point Person

- DHHS NVRA Point Person
- State Board of Elections NVRA Staff
- Individual Corrective Actions
  - If the SBOE, CBE, County DSS Office, or a Third Party Contractor determines that an identifiable client did not receive a voter registration application as required, the issue must be reported to the Local NVRA Point Person in the relevant office **no later than five (5) business days** from the date of the discovery. Ex parte Medicaid renewals and recertifications are excluded from this additional measure.
  - Within fourteen (14) days of receiving such notice, the Local NVRA Point Person must send a remedial mailing to the client and enclose a coded NC Voter Registration Application and explanatory notice. The explanatory notice should advise the client that:
    - They are receiving the mailing because they may not have been offered the opportunity to apply to register to vote
    - The mailing does not affect the individual's registration status if the individual is already registered to vote at the individual's current address
    - Receipt of the mailing does not indicate any information about the individual's eligibility to register to vote
    - Clearly explains the eligibility rules for registering to vote
    - Assistance in completing the voter registration application is available from the SBOE or the client's county DSS office
  - The letter should be retained based on the office's retention policy.

## Duties of County DSS Offices

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### MATERIALS & SUPPLIES

#### Ordering NVRA Supplies & Materials

- The Local NVRA Point Person for your county DSS Office must contact the SBOE when your agency is low on:
  - Coded NC Voter Registration Applications (code "01" for Public Assistance agencies; place an order online through the NVRA Resource Page)
  - NVRA Information Sheet (Laminated Forms)
  - DSS Cover Letters
  - NVRA Posters
- The Local NVRA Point Person should contact the SBOE NVRA Coordinator regarding delivery issues of above items.
- NVRA Supplies and materials are also available in electronic format for printing by county DSS offices.
  - <https://www.ncdhhs.gov/divisions/social-services/county-staff-information/training#program-compliance> (DHHS)
  - <https://www.ncsbe.gov/Voter-Registration/NVRA> (SBOE)