



Poll worker Guidance on the Rights of Voters with Disabilities

The Americans with Disabilities Act (ADA), the Voting Rights Act, the Voting Accessibility for the Elderly and Handicapped Act, and the Help America Vote Act establish certain rights for voters with disabilities to ensure that voting is accessible to them. This handout is intended as guidance for poll workers on what the rights of voters with disabilities look like in your polling location.

Who do these laws apply to?

Voters with disabilities include those with mobility impairments, voters who are blind or have low vision, voters who are d/Deaf or hard of hearing, voters with intellectual disabilities, and voters with any other disability. This also includes invisible disabilities that may not be apparent to poll workers.

The Right to the Modification of Policies or Procedures Because of a Disability

1. The ADA requires public entities to modify their voting policies, practices, and procedures when such modifications are necessary to avoid discrimination on the basis of a voter's disability.
 - For example, a voter who cannot tolerate extreme temperatures due to multiple sclerosis can be given a place to wait inside the polling place on a cold or hot day.
 - If pets are not permitted inside a polling place, the Board of Elections must modify its policies to allow service dogs to accompany their handler.
 - A person with an intellectual disability who chooses to have another person assist them can bring a family member with them to vote.

The Right to Vote While Under Guardianship

2. A voter who has a guardian has the legal right to vote in Ohio.

The Right to Architectural Access to Voting Locations and Voting Machines

3. Voters with mobility impairments have the right to physical access to polling places. This means that they should be able to enter, use, and exit the polling location independently with no architectural barriers.
 - Voters with a physical disability might not be able to stand while voting. Voters have a right to vote from a non-standing position, and extra chairs should be made available for this purpose.

The Right to Accessible Voting Machines

4. Polling places must have voting machines that are accessible to those with disabilities, including voters who use wheelchairs and those who are blind or have low vision, that offer equal opportunities for access and participation to those who do not have disabilities. Election workers must be trained on how to use these machines.
 - In Ohio, voting equipment offers audio ballots, braille and tactile lettering, zoom screen/ large print text, screen/ text color contrast, screen height or tilt adjustments, sip/ puff navigation, and touch screen navigation.
 - The machines should be set up in a way that prevents other voters or poll workers from seeing the screen as the voter is using it and maintains the right to a private ballot.

The Right to Communication Aids

5. Communication with voters with disabilities must be as effective as that provided to others. Officials must provide auxiliary aids and services, or communication aids, to voters with disabilities at every stage of the process.
 - For example, Election workers should have pens and paper or captioning devices to communicate with those who are d/Deaf and can communicate with written notes.

The Right to Curbside Voting

6. In Ohio, voters who are physically unable to enter their voting location also have the right to curbside voting or voting from their car. When a person wishes to curbside vote, they may send another person into the polling location to inform poll workers or use any other method of notification set up. Then, two poll workers from opposite political parties can bring out a ballot to the individual. Some polling locations have developed more accessible systems to use curbside voting, such as designating a parking spot for curbside voters and listing a phone number they can call to alert poll workers that they have arrived to vote. Speak to your polling manager to find out how your location is operating curbside voting this election.

The Right to Assistance in Voting

7. Voters with disabilities have a right to assistance in voting from any person they choose to bring with them. They also have the right to get assistance from two precinct election officials from each of the major political parties.

These rights have been established to offer equal access to voters with disabilities – to ensure that they are able to exercise their rights to vote. By offering and providing these accommodations in a non-judgmental and respectful manner, poll workers are not only upholding the law, but they become part of the pursuit to give equal voting access to all.