



Wisconsin Elections Commission

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DATE: March 23, 2021

TO: Wisconsin County Clerks
Wisconsin Municipal Clerks
City of Milwaukee Elections Commission
Milwaukee County Elections Commission

FROM: Richard Rydecki, Assistant Administrator
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SUBJECT: Frequently Asked Questions Related to Accessibility

Q: My municipality has less than 7,500 people. Do I still need accessible voting equipment?

A: Yes, every polling place, no matter the size, must have accessible voting equipment set up and available for use by voters when the polls open on Election Day. Some types of voting equipment serve as an accessible voting machine for people with disabilities and also tabulate ballots. Machines such as the Sequoia Edge and the Dominion Image Cast Evolution serve both purposes and need to be set up and functional to meet accessible voting requirements.

Municipalities who use different voting systems may have a tabulator that is separate from the accessible voting machine, but the ADA-compliant device must be available.

All polling places must have accessible voting equipment, but municipalities under 7,500 voters are not required to have an optical scan tabulator. (HAVA §301(a)(3)(A), Wis. Stat. §§ 5.41(1) and 5.25(4)(a)).

Q: We just have the Dominion Image Cast Evolution (ICE) at our polling place. I thought that this was just a tabulator, am I correct?

A: No, the ICE serves as both an accessible voting machine and a tabulator. The machine can pause tabulation and serve as Direct Recording Equipment for a voter. Clerks and poll workers should be familiar with how to access the accessible features on these machines.

Q: A voter is requesting to use the accessible voting equipment, but I don't think they have a disability. Can I refuse the voter?

A: No, accessible voting equipment can be used by any voter and is not just for people with disabilities. Sometimes, clerks place signage on their accessible voting equipment with the international symbol of accessibility: ♿ or label them as "Voting for People with Disabilities." While labeling the machine with a sign can be helpful, this practice can also inadvertently discourage other voters from using the machine. You may choose to label your machine with just

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a sign with “Accessible Voting Equipment” printed on it and make sure your poll workers know the machine is available for use by all voters.

It is helpful for all poll workers to use the accessible voting equipment at their polling place to become familiar with the machine. Additionally, more people using the machine promotes ballot anonymity as there will be more accessible ballots in the pool of total ballots cast. You can ask voters if they want to use the accessible machines, and some polling places even offer accessible voting machines as the main voting option and have a few paper ballots for voters who do not want to use the machine. You are not required to promote the use of the accessible voting machines, but poll workers should know the machine is available and understand how to activate it and explain how it works to a voter.

Q: We don’t usually have anyone who uses the accessible voting equipment. Do we still have to set it up and turn it on?

A: Yes, all polling places must have accessible voting equipment turned on and set up, including headphones and tactile devices. Please include training for poll workers regarding how to use the machine so they can assist or answer questions from voters. (HAVA §301(a)(3)(A)), Wis. Stat. §§ 5.41(1) and 5.25(4)(a)).

Q: Should I have accessible voting equipment at my in-person absentee voting location?

A: It depends on if your accessible voting equipment is also a tabulator. If you have the Sequoia Edge, you are unable to use it at in-person absentee voting locations because tabulation cannot occur prior to Election Day. If you have other equipment, such as the ES&S ExpressVote, it is possible to use accessible voting equipment at your in-person absentee voting locations, but it is not required. It may be a good idea to promote accessibility and to reduce having to print multiple ballot styles at each in-person absentee voting location (if you have more than one).

Q: Since we have curbside voting, does my polling place still have to be accessible?

A: Yes, all polling places are required to be accessible by Wis. Stat. § 5.25(4)(a). Additionally, all public buildings, such as polling places, must follow the Americans with Disabilities Act. If a voter is unable to access your polling place due to violations of the ADA, they may choose to file a complaint with the Wisconsin Elections Commission or file a lawsuit. Curbside voting is required by law to be offered at each polling place and accessible voting equipment is not considered a substitute for curbside voting options.

Q: A voter said they can enter the polling place, but they would rather do curbside voting. Is this acceptable?

A: Curbside voting is for individuals who are unable to enter the polling place. You cannot ask the voter if they have a disability, but if a person has requested a curbside ballot, you can say, “Are you unable to enter the polling place because you have a disability?” If they are unable to enter the polling place due to a disability, they may vote curbside. If the voter states that they can enter the polling place, they should do so. (Wis. Stat. § 6.82(1)(a)).

Q: I saw one of my indefinitely confined voters and they don't appear to have a disability. Can I remove them from the indefinitely confined list?

A: No, being indefinitely confined does not require someone to be completely or permanently unable to leave their home. Additionally, some disabilities and illnesses are intermittent or invisible, so you may not always be able to tell if someone is indefinitely confined. Wisconsin law permits voters to self-certify and make their own determinations on their indefinitely confined status.

You may use the clean-up process outlined [here \(elections.wi.gov/node/7302\)](https://elections.wi.gov/node/7302) if you suspect that someone's status may have changed. This process does not allow you to remove anyone with a non-response, but does provide tools for you to contact the voter and ask them to confirm or update their status.

If the voter does not return their absentee ballot for April, then you will send the indefinitely confined letter available on WisVote. If they do not respond, you may remove their absentee request from the permanent list.

Q: My poll worker says they can't wear a face mask due to a disability. What should I do?

A: Do not ask your poll worker for proof or for details about their disability, but it is important to remind the poll worker that if health reasons prevent them from wearing a mask, they may decide not to work the April election to maintain their safety. However, if they want to be a poll worker, then we suggest that you accommodate them while minimizing risk for others that they be at the polls on election day. You may consider placing the poll worker outside to greet people or watch for curbside voting. Additionally, they could do independent work away from any voters or other poll workers where interaction with others would be minimal.

Q: A voter is refusing to state their name and address, but I think they are able to. What should I do?

A: The accommodation for having an assistant state a voter's name and address is for people who are unable to state their name and address. It does not require someone to be completely unable to speak. Some people have difficulty saying certain words or saying numbers out loud, so please just assist the voter in stating their name and address if they say that they are unable to. If you are going to state the voter's name and address, please use the voter's address from the poll book as the address on their ID may not be current which is acceptable. (Wis. Stat. § 6.79(8)).

Additional Resources:

[Polling Place Set-up Guide](#)

The polling place set-up guide outlines basic information for setting up a polling place to allow voters with disabilities to participate in the election process without necessary assistance. The guide reviews the five polling place zones with tips to make them accessible.

[Election Day Accessibility Checklist](#)

The Election Day Accessibility Checklist was created by Disability Rights Wisconsin to allow a poll worker to review the polling place quickly on Election Day to ensure that it is accessible. The checklist reviews various areas of the polling place, as well as poll worker interactions with voters.

[Quick Fix Guide](#)

The Quick Fix Guide highlights common accessibility issues and easy and/or low-cost ways to eliminate barriers. This is a great tool to use to supplement the polling place set-up guide and the election day accessibility checklist.

[Supply Order Form \(see below\)](#)






Please return your supply order form as soon as possible to elections@wi.gov. These supplies are available to municipalities at no cost for their accessibility needs.










Polling Place Accessibility Supplies

Wisconsin Elections Commission

County	
Municipality	City/Town/Village of <i>circle/highlight</i>
Clerk/Recipient Name	
Clerk/Recipient Phone Number	
Shipping address (Please no P.O. Boxes)	
Address is a:	<input type="checkbox"/> Business/Municipal Building What is the building called? (Ex. Town of Springfield Community Center, Bloomington City Hall, etc.) _____ <input type="checkbox"/> Private Residence

Indicate the Quantity Needed in the Table Below

	Item	# Needed
	Van-Accessible sign, 6" x 12"	
	Window Decal, 6" x 6"	
	Signature Guide, 5" x 8" total Typoscope cutout 5/8" x 6" Signature cutout 1/2" x 2 1/2"	
	Signature Guide, Credit Card sized, 2.12"x3.37" total	
	Page Magnifier, 7" x 10"	

	Wireless Doorbell, Up to 500' Range, 433 MHz	
	Cone, 12"	
	Accessible Entrance At Rear, 12" x 18"	
	Ring Bell for Assistance Sign, 12" x 18"	
	Accessible Right Arrow Sign, 12" x 18"	
	Accessible Left Arrow Sign, 12" x 18"	
	"Regular" Accessible Parking Signs, 8" x 12"	
	Curbside Voting, Please Call: [], 9" x 12" (Empty box for you to put a phone number in. We suggest using hardware numbers, Sharpie, etc.)	
	Curbside Voting Sign (no phone number), 9" x 12"	

Please send the completed form to the WEC Help Desk at elections@wi.gov or with your completed survey. Supplies are available free of charge to municipalities.