

# ELECTION OFFICIALS

## Summary

An election official is defined as “an individual who is charged with any duties relating to the conduct of an election.” §5.02(4e), Wis. Stats. County, municipal and school district clerks are election officials, as are election inspectors, chief inspectors, special registration deputies (SRD), special voting deputies (SVD), tabulators, greeters, and canvass board members. Election officials perform a very important public service by enhancing the high quality and integrity of our elections. It is important that you, as a municipal clerk, ensure there are qualified and well-trained individuals for these positions. Chapter 7, Wis. Stats., prescribes the selection, training, and duties for election officials.

## Election Inspectors

Election inspectors, sometimes called “poll workers,” staff the polling place on Election Day. Election inspectors’ duties include setting up the polling place, preserving order, registering electors, recording electors, issuing ballots, monitoring voting equipment, counting votes, and properly completing the required forms.

### *Number of Election Inspectors*

1. Each polling place should have seven (7) inspectors.

The governing body may increase the number where more than one voting device is used or polling places are combined.

2. By ordinance, the governing body may provide for the selection of alternates or for the selection of two sets of inspectors to work at different times on Election Day. Alternate officials may be appointed to maintain adequate staffing of polling places.
3. The governing body of the municipality may reduce the number of election inspectors by resolution. However, no polling place may have fewer than three (3) election inspectors.

### *Qualification of Election Inspectors*

Election inspectors must meet the following criteria:

1. If lists of election inspector nominees are made available by the two political parties whose candidates for governor or president received the largest number of votes in the previous general election, inspectors must be affiliated, as determined by the party, with one of the two parties. When the political party is not involved in the nomination of inspectors, appointments are made without regard to party affiliation.
2. Inspectors must be able to read, write and understand the English language. As municipal clerk, you may administer an examination, if required by the governing body, to all persons nominated as election inspectors to prove their ability to read, write and understand the English language, and their general knowledge of the election laws.
3. Inspectors are required to receive training from the municipal clerk within the two years preceding the election event at which the inspector intends to work. The content for training is provided by the State Elections Board.
4. An inspector may not be a candidate for any office to be voted on at an election at which they serve.
5. Election inspectors must be qualified electors of the municipality and ward served by the polling place in which they work, unless the clerk chooses to reassign them to work in another ward or polling place in the municipality.

### *Selection and Appointment*

1. Party nominations:
  - a. The statutory party committeeperson is responsible for identifying qualified people who are willing to serve as election inspectors.
  - b. In the absence of a committeeperson, the voluntary county party chair is responsible.
  - c. The committeeperson or party chair must submit to the Mayor, Village President or Town Board Chairperson a list of at least as many names for each polling place as the number of inspectors required.
  - d. Individuals on the list may be designated as first choice nominees.
  - e. The list must be presented no later than November 30 of odd numbered years, and may be supplemented at any time.
2. If the lists are not submitted or if an insufficient number of names are provided by the political party representative, the Mayor, Village President

or Town Board Chairperson should nominate qualified individuals to submit to the governing body. Any nomination made due to lack of availability of names may be made without regard to party affiliation. §7.30(4)(c), Wis. Stats.

3. The State Elections Board encourages municipalities when possible to recruit election inspectors from minority and disability communities.
4. The nominations are presented to the presiding officer of the governing body in December of odd-numbered years.
5. The governing body appoints the inspectors for a two-year term at either a regular meeting or, at a special meeting designed for that purpose, before December 31 of odd-numbered years.
6. If nominations were made by political parties, each polling place should have one more election inspector from the party that received the largest number of votes in the previous general election (for example, two Democrats and one Republican, or vice versa).
7. Election inspector terms run from January 1 of an even-numbered year through December 31 of the subsequent odd-numbered year.

As a municipal clerk, you should contact the appropriate statutory committee-person or voluntary county party chairperson before the first week in November and advise him or her of their responsibility to submit a list of nominees to the Mayor, Village President or Town Board Chairperson. Do not hesitate to recommend election inspectors who have proven to be effective workers.

### *Filling Vacancies*

Permanent vacancies are filled by the municipal clerk from the list submitted by the statutory party committee-person or by the voluntary county party chairperson. If there is no list, then the municipal clerk may fill the vacancy without regard to party affiliation.

Temporary vacancies created by a candidacy, illness or other temporary causes can be filled by the municipal clerk to serve for one election only.

### *Training Election Inspectors*

1. Election inspectors are required to attend training every two years, and must have attended training within two years of any election at which they serve.

- a. It is the responsibility of the municipal clerk to see that all election inspectors are provided with adequate training for the performance of their duties.
  - b. You may remove an inspector for failure to attend required training sessions.
  - c. Absence from training is neglect of duty, one of the grounds for dismissal.
2. The State Elections Board has developed a training curriculum for municipal clerks to use to train their inspectors, which is available on the agency website.

## Chief Election Inspectors

The municipal clerk designates one of the inspectors as chief inspector for the polling place. This individual acts as liaison between the election inspectors and the municipal clerk and is in charge of the polling place on Election Day.

### *Training of Chief Inspectors*

Chief inspectors are required to attend “Baseline” training in order to be initially-certified. Attending Baseline training certifies the attendee as a chief inspector for the current term. In order to recertify for the following term, a chief inspector must attend at least six hours of State Elections Board-approved continuing election education during the current term. (Attendance at Baseline training also counts three hours toward recertification for the following term.) Please see the agency website for a list of approved methods of accumulating hours toward recertification of chief inspectors.

## High School Student Election Inspectors

State law permits certain qualified high school students to work at the polls on Election Day. §7.30(2)(am), Wis. Stats. Students may decide for themselves to serve as election inspectors or in response to a school sponsored initiative. Civics, government or political science teachers may see this as an opportunity for a real life learning experience. Student organizations may find this to be an attractive form of community service and an interesting learning opportunity. Allowing

students to work as election inspectors provides an opportunity for students to become involved in the election process and also offers clerks another resource for filling election inspector positions. Students with foreign language skills can serve at polling places where voters may need assistance understanding the ballot, voting equipment and other election-related materials. In many locations, Hmong and Spanish speaking voters need special assistance. Municipal clerks are encouraged to work with their local high schools to enable students to serve as election inspectors.

### *Qualifications*

A student qualifies to serve as an election inspector if the student:

1. Is 16 or 17 years of age;
2. Is enrolled in grades 9 to 12 in a public or private school;
3. Has at least a 3.0 grade point average or the equivalent;
4. Has the written approval of the student's parent or guardian; and
5. Has the written approval of the principal of the school in which the student is enrolled, if the student has less than a 3.0 grade point average.

### *Written Authorization*

Before a student may be appointed as an inspector, the municipal clerk shall obtain written authorization from the student's parent or guardian and from the principal of the school where the student is enrolled, if the student has less than a 3.0 grade point average. Upon appointment, the municipal clerk shall notify the principal of the school where the student is enrolled of the date of the election at which the student will serve.

### *Restrictions*

1. A student may only serve as an inspector at a polling place if at least one inspector, other than the chief inspector, is a qualified elector of the municipality.
2. A student may not serve as chief inspector at a polling place.
3. A student serving as an election inspector may not challenge any person offering to vote.

## Special Registration Deputies

There are two types of Special Registration Deputies (SRDs):

1. SRDs who register voters before the registration cut-off (20 days before the primary or election).
2. SRDs who register voters at the polling place on Election Day.

### *Registering Voters Prior to the Registration Cut-Off*

1. SRDs who register voters before the registration cut-off must:
  - a. Be qualified electors of the state.
  - b. File an Application for Special Registration Deputy Appointment with the municipal clerk or the State Elections Board.
  - c. Attend training and file an oath.
2. SRDs are appointed for one election cycle.
3. If the municipal clerk makes the appointment, the SRD may only register individuals who reside in the municipality of the appointment.
4. If the State Elections Board makes the appointment, the SRD may register voters from anywhere in Wisconsin.

For more information, please refer to the information on training and appointing SRDs on the agency website.

### *Election Day*

A municipality may, by resolution of the governing body, authorize the use of SRDs at the polling place on Election Day. Utilizing an SRD to carry out the registration duties, particularly at high-turnout elections, eases the inspectors' workload.

An Election Day SRD must be a qualified elector of the municipality. However, a non-resident clerk or deputy clerk may serve as an SRD in case of a vacancy.

### *Training*

Election Day SRDs are required to attend training every two years, and must have attended training within two years of any election at which they serve. The State

Elections Board has developed a training curriculum for municipal clerks to use to train Special Registration Deputies, which is available on the agency website.

## Special Voting Deputies

Special Voting Deputies (SVDs) conduct absentee voting at nursing homes, community-based residential facilities (CBRF) and qualified retirement homes. SVDs are the exclusive method by which absentee voting may be conducted in nursing homes, and CBRFs and retirement homes for which nursing home procedures have been adopted.

A person who is appointed an SVD must:

1. Be a qualified elector of the municipality.
2. Must attend training.
3. May not currently be employed by the facility.
4. May not have been employed by the facility within two years of the appointment.
5. May not be an immediate family member of anyone currently employed by the facility or employed by the facility within two years of the appointment.

### *Selection and Appointment*

1. Nominations for special voting deputy positions may be submitted by the two dominant political parties at the same time as election inspector nominations are submitted. If no nominations are submitted, then the municipal clerk may appoint qualified electors of the municipality of his or her choosing, without regard to party affiliation.
2. The two deputies designated to conduct absentee voting at each facility should be affiliated with different political parties whenever possible.
3. SVDs are appointed by the clerk for one election cycle.

### *SVD Training*

Special Voting Deputies are required to attend training every two years, and must have attended training within two years of any election at which they serve. The

State Elections Board has developed a training curriculum for municipal clerks to use to train Special Voting Deputies, which is available on the agency website.

## Greeters and Tabulators

### *Greeters*

Each municipality may appoint one additional inspector regardless of party affiliation to act as a greeter and substitute for other officials as necessary on Election Day. Greeters may not participate in the canvass after the polls close.

### *Tabulators*

Not less than 30 days before an election, the governing body may, by resolution, authorize the municipal clerk to select and employ tabulators. Tabulators are to assist and be under the direction of the election inspectors after the polls close.

## Oaths of Office

1. All election officials are required to take and file an oath.
2. Municipal clerks administer the oath of office at the time of appointment or at a training session to:
  - a. Election Inspectors (including Chief Inspectors).
  - b. Special Registration Deputies.
  - c. Special Voting Deputies.
3. The oath must be filed before the commencement of the official's duties.
4. The oath is valid for the entire two-year term of the appointment.
5. Substitute inspectors may be given the oath by another inspector, preferably the chief inspector, on Election Day at the polling place.
6. The following oaths may be obtained from the agency website or directly from the State Elections Board.
  - a. *Official Oath (Form EB-154)*: Filed by Election Inspectors, Chief inspectors and Election-Day Special Registration Deputies.



- b. *Oath of Special Voting Deputy (Form EB-155)*: Filed by Special Voting Deputies.
- c. *Oath of Special Registration Deputy (Form EB-156)*: Filed by Special Registration Deputies registering voters before the registration cut-off (20 days before the election).

## Removing Election Officials

As municipal clerk, you have the authority to dismiss an inspector summarily if he or she is found to lack the qualifications for the position, neglects his or her duties during an election, electioneers, or commits official misconduct. However, in the interest of fairness, a hearing before the governing body is recommended before dismissal. Where it is found that an inspector has intentionally failed to properly endorse a ballot or intentionally given a voter a ballot not properly endorsed, that inspector should be suspended immediately by the chief inspector pending the filing of formal charges by the District Attorney. The chief inspector needs to inform the municipal clerk of such an action. The clerk fills the temporary vacancy for that election, and schedules a hearing before the governing body to hear the case before taking final action.

## Frequently Asked Questions

1. *What if a trained election inspector is not available to work at an election, and I have to use an inspector who has not been trained within the last two years?*

In the event that an inspector position cannot be filled by an individual who meets the training requirements, an inspector who has not received training may be appointed to serve as an inspector, but not as a chief inspector, Special Registration Deputies or Special Voting Deputies. The appointment of an untrained individual is for a specific election only, and the untrained individual may only be appointed once in a two-year period.

2. *What should I do if there is an emergency and I do not have a certified chief inspector?*

You should contact an Elections Specialist at the State Elections Board who will direct you on the actions to be taken. The State Elections Board

recommends arrangements are made to have alternate trained chief inspectors available in case of emergency.

3. *What is “Baseline” training?*

Baseline training is a three-hour chief inspector training course on basic election-day administration conducted by State Elections Board staff or by trained Wisconsin Municipal Clerks Association (WMCA) members. Baseline training is required for initial certification as a chief inspector.

4. *I have a person who is interested in becoming a certified chief inspector. What does the person have to do to qualify as a certified chief inspector for the current term?*

The individual may accomplish certification by attending the Baseline training. Attendance at Baseline training will certify the new chief inspector for the current term. The newly-certified chief inspector is eligible to serve at all subsequent elections during the current term.

5. *My chief inspector is certified for the current term. What else must he or she do in order to recertify for the next term?*

In order to recertify for the next term, the inspector will need to accumulate six hours of State Elections Board-approved training during the current term.

6. *I received a list of election inspector nominees from a political party. Several of the names on the list were marked “first-choice nominee.” What is a “first-choice nominee”?*

A political party submitting a list of election inspector nominees may designate certain individuals on the list as “first-choice nominees.” The governing body must appoint each first choice nominee. If the governing body believes there is good cause not to appoint this nominee, it may request the State Elections Board to authorize non-appointment.

## List of Related Forms and Publications

All forms and publications are available on the agency website or can be ordered from the State Elections Board.

### *Forms*

- EB-129: Authorization to Serve as Election Inspector (High School Students)
- EB-154: Official Oath (Filed by Election Inspectors, Chief inspectors and Election-Day Special Registration Deputies)
- EB-155: Oath of Special Voting Deputy (Filed by Special Voting Deputies)
- EB-156: Oath of Special Registration Deputy (Filed by Special Registration Deputies registering voters before the registration cut-off)
- EB-158: Application for Special Registration Deputy Appointment
- EB-159: Certificate of Special Registration Deputy Appointment
- EB-160: Notification of Registration for Special Registration Deputy

