



HARRIS COUNTY ELECTIONS  
ADMINISTRATOR'S OFFICE

# ADA MANUAL

## ELECTION WORKERS: UNDERSTANDING AMERICANS WITH DISABILITIES ACT (ADA)



# NEW FOR THIS ELECTION

## ADA CHECKLISTS ON EPOLLBOOK

Instead of receiving the ADA Checklist for your location at Supply Pickup, election judges will access their location's ADA Checklist through the ePollBook.

- Just like in the past, the checklist will identify the temporary remedies required for your polling location and instructions on how to implement the remedies.
- Each screen will identify a single remedy and who is responsible, either the judge or a vendor. If the remedies are substantial (like installing a temporary ramp), an outside vendor will deliver and install them.
- For each remedy, instructions and photos will be displayed to show you exactly how the temporary remedy should be implemented. The ePollBook will also include a diagram to show you exactly where each temporary remedy should be implemented.
- You must follow the instructions and diagram and take a photo to verify that each remedy is correctly in place.

The Harris County ADA staff will be able to check the photos and notes to ensure compliance. For Early Voting locations, judges will need to complete the ePollBook checklist on the first morning of Early Voting and on each Monday after that. Between those checks, judges are responsible for continuously ensuring that all the remedies stay in place, but do not need to record it in the ePollBook except on the first day and the following Mondays.

# OBJECTIVE

To provide training to Harris County election workers that enables them to sufficiently execute elections and provide an equal voting experience to voters with disabilities.



# OVERVIEW

Judges and their staff play important roles on Election Day to serve all voters and to make the voting process for those with disabilities free from discrimination.

Your role as an election worker is extremely important, as an extension of Harris County. As the third largest county in the nation, Harris County takes voting very seriously and seeks to make each voting center (polling place) accessible to all voters of varying abilities.

This manual will focus on implementing measures to align with the Americans with Disabilities Act standards as it pertains to elections and voting accessibility.

Judges must adhere to certain requirements to enable equal access to the voting process by all citizens. This manual will address your role in ensuring that Harris County complies with the Americans with Disabilities Act.





# AMERICANS WITH DISABILITIES ACT (ADA)

The Americans with Disabilities Act (ADA) is a federal civil rights law that prohibits discrimination against persons with disabilities and protects their rights to be involved in everyday activities – including exercising their right to cast their ballot.

## TITLE II

There are five sections within the ADA, and this manual will focus on Title II of the Act as it applies to public entities. Title II of the ADA protects the rights of persons with disabilities to participate in Harris County's programs, services and activities. Individuals with disabilities must be able to access programs, services and activities without barriers to access or discrimination.

As an Election Judge, you are an extension of Harris County and are offering a public service to all voters of the County. As a representative of a public entity, it is your role as an Election Judge or clerk to ensure that those with disabilities are given the same opportunity to exercise their right to vote as individuals without disabilities.

All voters have the right to:

- Be treated courteously and with respect
- Vote independently and privately
- Have access to an accessible voting facility and voting station
- Request and receive assistance from a person of their choice, including election workers
- Be provided reasonable modifications to Harris County's policies, practices, or procedures

These standards pertain to the environment you provide during an election and specifically to the facility in which voting will be held. This manual will outline the facility requirements and the role you play in making the voting center accessible to persons with disabilities.



## HARRIS COUNTY IS REQUIRED TO

1. Ensure qualified persons with disabilities have an equal right to participate in all of the benefits offered in the voting program
2. Choose accessible voting centers
3. Conduct the voting program without discrimination and with full integration of people with disabilities

# POLLING PLACES

## Elements Typically Found at Polling Places That Must Be Accessible

### PARKING

Parking space requirements:

- At least one accessible parking space that is also van accessible
  - Includes adjacent access aisle
  - A minimum 16' wide, including the space and access aisle



- Surface slope must not exceed 1:48 (2.08%)
- No obstructions (E.g. no curb ramps in access aisle, height clearances)
- Sign stating "Van Accessible" & International Symbol of Accessibility
- Stable, firm & slip-resistant surface



### THE JUDGE'S ROLE

If there are accessibility barriers in the parking area, you must follow all instructions in your checklist to remediate those barriers.

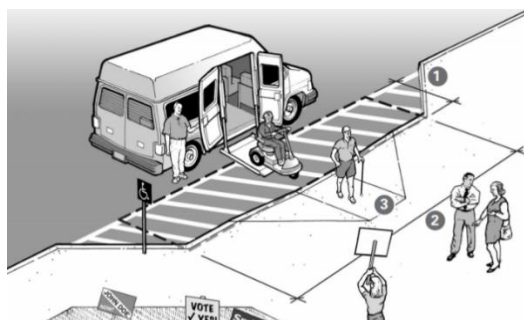
#### Reminders for how to create an access aisle:

1. Place cones at the **bottom** of the adjacent space to create an access aisle. This will prevent cars from parking in the new access aisle
2. Place the temporary sign at the head of the space. The sign can be taped on the existing sign or on a cone or chair if no sign post exists
3. Do **NOT** place the curbside voting buzzer in the parking space or access aisle



### PASSENGER LOADING ZONE / DROP-OFF AREA

Passenger loading zone requirements:



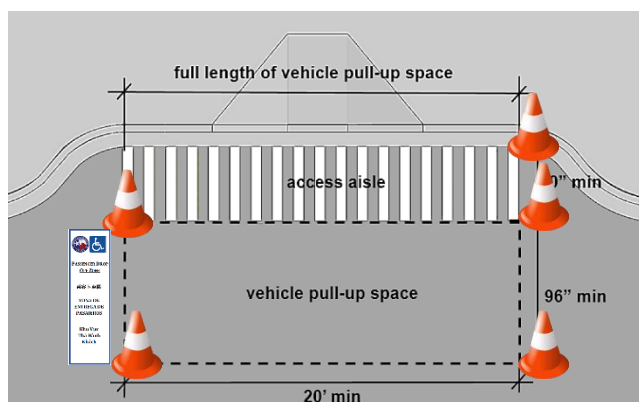
- 8' vehicle space and 5' Access aisle
- Surface slope not to exceed 1:48 (2.08%)
- Clear of obstructions
- Connected to an accessible route
- Judges will not be asked to create a drop-off area if one does not already exist

### THE JUDGE'S ROLE

If an existing drop-off area is noncompliant, you must follow all instructions in your checklist to remediate those barriers.

#### Reminders for how to create an access aisle:

1. Place cones at the **bottom** of the new access aisle to prevent cars from blocking it
2. Place cones at corners of temporary pull-up space
3. Post temporary sign at head of the pull-up space



## ACCESSIBLE ROUTES (EXTERIOR & INTERIOR OF BUILDING)

There may be multiple routes at the polling place that must be accessible:

- From parking
  - From drop-off area
  - From public transportation stop
  - From public sidewalk
  - Interior of the building
- Requirements for all routes:
    - At least 3' wide and continuous
    - Stable, firm & slip resistant (no gravel or grass)
    - Clear of any obstructions or obstacles (no benches or signs blocking the route)
    - No openings or gaps greater than 1/2"
    - No level changes greater than 1/2"

## THE JUDGE'S ROLE

If accessibility barriers in any route, you must follow all instructions in your checklist (located on the ePollBook) to remediate those barriers.

### Reminders for how to place mats and plates:

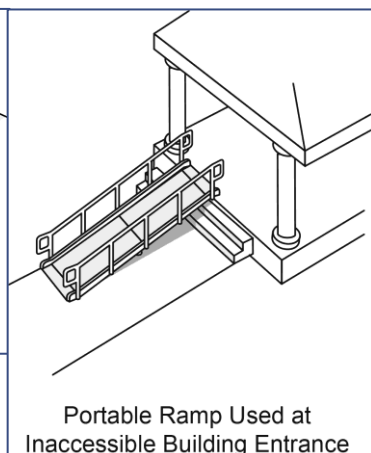
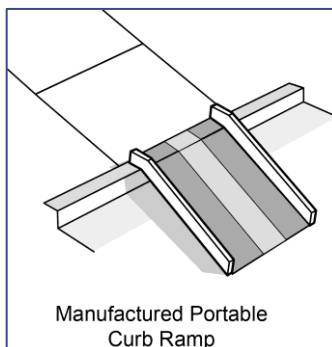


1. Mats and plates and small changes in level must be placed over openings or gaps greater than 1/2"
2. The metal plate should be placed first over the gap, and then the rubber mat placed over the metal plate
3. Place mats and plates **horizontally** to ensure that there is a minimum 3' wide route
4. Ensure mats ends lay **flat** to prevent tripping
5. Larger openings (that would cause the mat to "sink" when applying pressure) may require a more stable solution such as a metal plate

## RAMPS & CURB RAMPS

Different types of ramps may exist inside or outside the polling location. Below are requirements for each type of ramp:

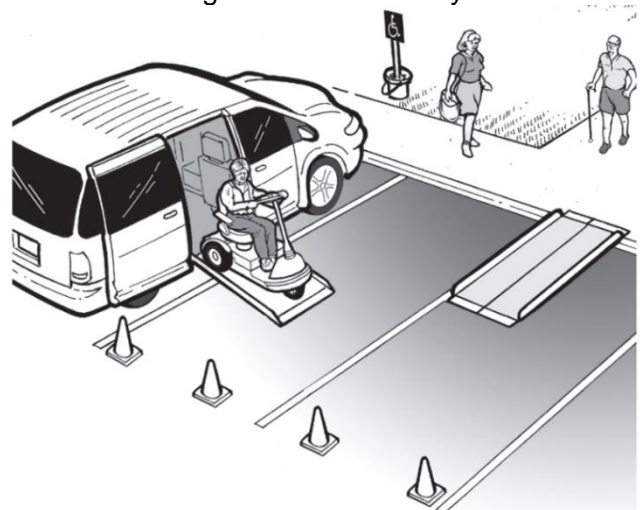
- **Ramp:** Running slope may not exceed 8.33%
  - Must have level landings
  - Must have handrails & edge protection if the ramp is greater than 6" high
- **Curb Ramp:** Running slope may not exceed 8.33%
  - Must have level landings



## THE JUDGE'S ROLE

You must follow all instructions in your checklist.

1. Your checklist will identify whether Harris County is installing a temporary ramp
2. You must make sure the temporary ramp is installed & remains in place during the election.
3. If the ramp is missing or there are any issues with the ramp, **call the ADA Coordinator**
4. If necessary, place **cones** to block off the ramp so that it does not get hit or blocked by a car



A van parked in a temporary accessible parking space marked with traffic cones to create the access aisle and accessible route and a temporary ramp provides access to the sidewalk



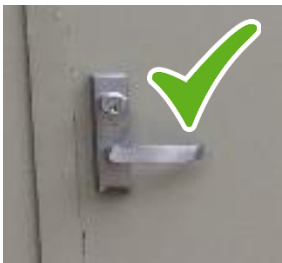
## ENTRANCES & DOORS

Requirements for entrances and doors:

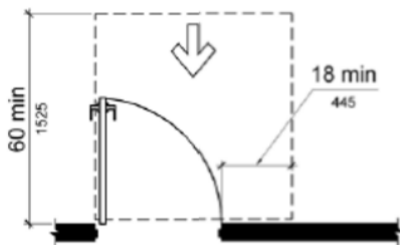
- Must have a minimum clearance of 32" wide



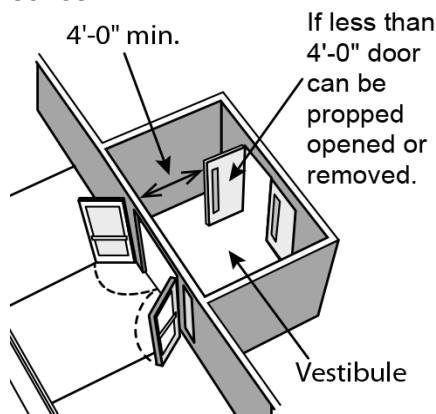
- The area in front of each door must be level (must not have slopes greater than 2.08%)
- Door hardware must have a lever or pull handle – doorknobs are not compliant



- There must be at least 18" clearance to the pull side of the door



- There must be at least 4' between doors in a series



## THE JUDGE'S ROLE

If there are accessibility barriers at any door or entrance, you must follow all instructions in your checklist to remediate those barriers.

If a door does not comply with the requirements to the left, in many instances, you will be asked to prop the door open.

### Reminders for propping open doors:

1. If your checklist directs you to prop open a door, you must keep the door propped **during the entire election**.
2. If the door cannot be propped open, station an election worker outside to open the door for voters **during the entire election**
3. Do **NOT** prop open the door with a large object (e.g. a trashcan) that obstructs the width or clearance at the door.

### Reminders for door width issues:

1. If one side of a double-door is too narrow, you must prop **both** doors open to ensure that there is 32" of clearance
2. If there is a center post (divider between the two doors), you may need to **remove the center post**. Talk to the facility manager if you have questions or need help

### Reminders for inaccessible entrances:

1. Where the main entrance or any other entrances used by voters are inaccessible, signs **must** be posted at the main entrance and any other inaccessible entrances directing voters to the accessible entrance

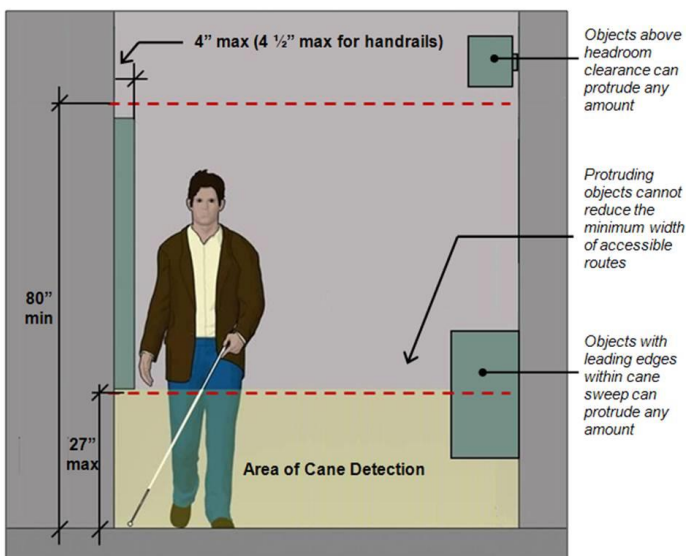
### Reminders for interior doors:

1. The same rules for exterior doors apply to doors **inside** of the polling place along the route to the voting area
2. In addition, doors inside the polling place cannot require more than 5 lbs. of force to open. If the door requires more than 5 lbs. force to open, prop the door open

## PROTRUDING OBJECTS

Requirements for entrances and doors:

- When people who are blind or low vision use a cane to detect hazards, only objects located at 27" above the floor or lower are detectable
- **Wall-mounted** objects more than 27" high must not protrude more than 4" into the accessible route
- **Post-mounted** objects more than 27" high must not protrude more than 12" into the accessible route
- Objects that **hang** over the accessible route (like the underside of stairs) must be at least 80" above the accessible route



## THE JUDGE'S ROLE

If there are protruding objects, you must follow all instructions in your checklist to remediate those barriers.

### Reminders for protruding objects:

1. Place a cone or other similar object below the protruding object or over-hanging object **or to either side of protruding object. It may be necessary to place cones on either side of protruding object to ensure that a person can still use it (like water fountains).**





## LIFTS & ELEVATORS

Requirements for lifts and elevators:

- Elevator car door opening must be at least 36" wide
- Hallway call buttons and car controls (buttons) must be within 54" from the floor



- Must be visible and audible signals in the hallway and inside elevator indicating arrival and direction of the elevator

## THE JUDGE'S ROLE

1. Prior to opening the polls, you must **test** to make sure that lifts and elevators necessary to access the voting area are **operational**. You must also make sure that they are operational throughout the entire election. If they are not operational or you encounter issues, **call the ADA Coordinator**.
2. If there are accessibility barriers or issues with the elevator or lift, you must follow all instructions in your checklist.
3. Your checklist may direct you to station an election worker to operate the elevator or lift and assist voters with disabilities. Make sure the worker is stationed at the elevator or lift **during the entire election**.

## VOTING ROOM/AREAS

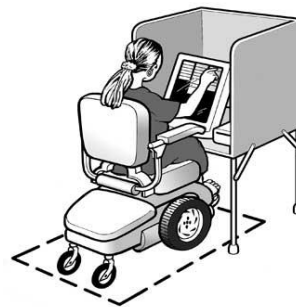
A variety of facility types are used as voting centers. Additionally, a variety of voters who have disabilities will enter voting centers on Election Day. It is imperative that the voting centers are able to accommodate each voter without issue or barriers.

The voting room/area must have:

- A route with a width of at least 36" wide in and through the voting area
- All floor surfaces along the route must be free of obstacles and be stable, firm and slip-resistant
- Floor coverings, such as cardboard, and electrical cords should be removed or firmly affixed to the floor.
- At least one Disabled Access Unit (DAU) and one other voting station must provide adequate clear floor space, such as a circle that is at least 60" in diameter, to allow a voter using a wheelchair or other mobility device to maneuver.
- Voting machines should be positioned so that the highest operable part is no higher than 48"

## THE JUDGE'S ROLE

1. Prior to opening the polls, you must set up the voting area to meet all of the requirements specified (to the left).
2. Throughout Election Day, you must make sure that the accessible route remains compliant and free of barriers.



- It is very important to familiarize yourself with the voting room and to understand the flow of traffic throughout the room.

# COMMUNICATING WITH INDIVIDUALS WITH DISABILITIES

As a judge, you will encounter individuals with and without disabilities. Some voters may not exhibit obvious physical disabilities but it is imperative that the voting centers and voting area are able to accommodate all people.

- Asking questions is a good thing to do. Asking questions in a respectful way is even more important.
- Ask if a voter would like assistance. They may decline your offer; do not pressure him or her to accept.
- Do not make any generalizations or assumptions of the individual's level of functioning.
- Give your attention and speak to the individual who is requesting assistance, even if the voter has a companion or is utilizing an interpreter.
- Do not touch the voter or any mobility device without their expressed consent.

When a voter chooses the aid of a companion or an interpreter, the person aiding the voter is required to complete an affidavit stating their intent to help. An election worker may also serve as an aid to the voter.



All voters are entitled to cast their ballot regardless of disability, but there are still protocols that need to be followed. Texas law does not generally permit voters to cut in line. But you can assist in other ways. For instance, you may offer a chair to a voter with disabilities and select an election worker to hold that voter's place in line.

Texas law permits an election officer to give voting order priority to individuals with a disability that substantially impairs the person's ability to ambulate.

- A person assisting an individual with a mobility impairment may also, at the individual's request, be given voting order priority.
- Disabilities and conditions that may qualify you for voting order priority include paralysis, lung disease, the use of portable oxygen, cardiac deficiency, severe limitation in the ability to walk due to arthritic, neurological, or orthopedic condition, use of a wheelchair, arthritis, foot disorder, the inability to walk 200 feet without stopping to rest, or use of a brace, cane, crutch, or other assistive device.
- Voters who wish to be given voting order priority, and be accepted for voting before others in line to vote at that polling place may indicate this to any election officer serving at the polling place. The presiding election judge will determine whether the voter and the voter's assistant, if applicable, will be brought forward to the front of the line.

# CURBSIDE VOTING

"If a voter is physically unable to enter the polling place without personal assistance or likelihood of injuring the voter's health, on the voter's request, an election officer shall deliver a ballot to the voter at the polling place entrance or curb." (TEC 64.009)

## BUZZER ALERT SYSTEM

Each poll will be equipped with a temporary alert system. It will include:

- Wireless alert system (buzzer & receiver)
- Posts and bracket for mounting
- Sign to identify curbside voting area
- Carrying case



## BUZZER ASSEMBLY

1. Open the carrying case and remove all pieces. Lift up the foam to retrieve the base and curbside voting sign, which is securely stored underneath.
2. Carefully place base on ground to start assembly.
3. Retrieve the octagonal weight from on top of the eSlate caddy and place on top of the circular base.
4. Remove the two pieces of the mounting post and screw one post into the other. Extend the telescoping end of the post (has bracket with buzzer attached to it) to its full length. With post extended, twist and tighten both rings until set.
5. Place post onto base. Securely screw the post into place by turning the entire post clockwise until tight.
6. Remove the two screws and wing nuts from enclosed plastic bag. Align the holes of the curbside voting sign with the holes of the bracket.
7. Insert screws through holes on sign and bracket. Fasten with wingnuts on back.

## BUZZER PLACEMENT

1. The buzzer must be accessible to the driver from within the car.
2. The buzzer cannot block accessible parking, accessible routes, or curb ramps.
3. The outside components of curbside voting include the buzzer and the curbside voting area. They can be in the same location, but they do not have to be.
4. Accessible parking spaces cannot be used as the curbside voting area, and the buzzer cannot be placed in or next to the accessible parking space.
5. The curbside voting area may be designated in the first parking space closest to the door after the accessible parking spaces. Directional signs are included in your supplies. Please use them to ensure that voters who need curbside voting can easily identify the buzzer.

## BUZZER ALERT SYSTEM RECEIVER

Plug in receiver in area where election worker can monitor all day long.

## CURBSIDE VOTING INSTRUCTIONS

1. Place **signage** informing voters of possibility of voting curbside, designated location for curbside voting, and how a voter is to notify the official that she is waiting curbside;
2. Station curbside voting area in an area close to the entrance (typically at the curb closest to the entrance) that **does not block** curb ramps, accessible pathways, or accessible parking spaces and in a location that allows the curbside voter to obtain information from candidates and others campaigning outside the polling place.
3. Prior to opening the poll, **test** the buzzer to ensure it is functioning. If not, **call the ADA Coordinator**. You may need to relocate the buzzer.
4. Provide a **prompt** response from election officials to acknowledge the voter.
5. Provide timely delivery of the same info that is provided to voters inside the polling place.
6. Deliver to the voter the portable voting system that is accessible & allows the voter to cast her ballot privately and independently.



# CURBSIDE VOTING BUZZER LOCATION

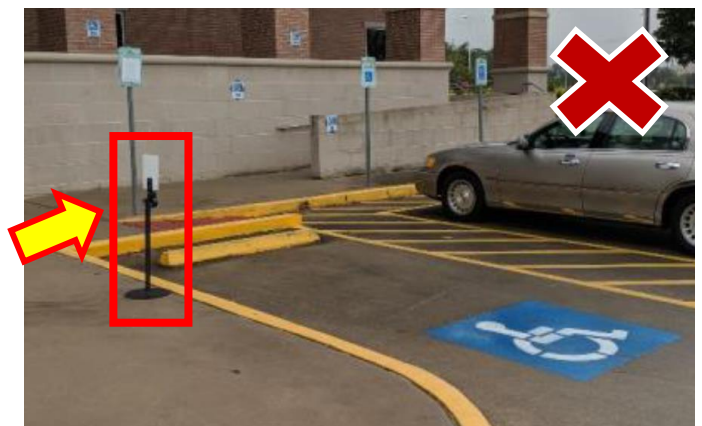
## DIRECTIONS:

- **DO NOT** station in the van accessible parking space (do not place at head, next to, or inside space or access aisle)
- **DO NOT** station in an area that cannot be reached by a person from their car
- Station in an area close to entrance that does not block curb ramps, accessible routes, or accessible parking spaces
- Station in a location that allows the curbside voter to obtain information from candidates (typically at the curb closest to the entrance) and others campaigning outside the polling place
- Station in a location reachable from person in their car (driver side)
- If there is no area where the voter can both push the buzzer and vote curbside, place the buzzer in an accessible area reachable by car and then direct the voter to park their car somewhere else and provide curbside voting there.
  - For example, place the buzzer at the edge of the curb close to the entrance and then ask the curbside voter to park in a parking space that is **not** an accessible parking space. Provide curbside voting at that parking space.
- If the buzzer is not functioning, you must **station an election worker** at the curbside voting area (next to buzzer and sign) during the entire election so a voter can request curbside voting.

## CORRECT LOCATION OF BUZZER



## INCORRECT LOCATION OF BUZZER



# DISABILITY COMPLAINTS

Harris County Election Department has a grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by Title II of the ADA.

## PROCEDURES

- A complaint may be filed orally or in writing.
  - Election staff will be provided the Disability Complaint Form (attached below) in your packets. The form can also be found online at [harrisvotes.com](http://harrisvotes.com).
  - An oral complaint will be reduced to writing by the complainant or, if requested, another person identified by the complainant, including Harris County personnel (including election judges, election clerks, employees, contractors) or the ADA Coordinator and should be provided to the complainant for signature, if possible.
  - Should a complaint arise at a polling location regarding anything that allegedly discriminates against persons with disabilities, the Election Judge or other election worker should document, through the use of the Disability Complaint Form:
    - Description of the complaint
    - Polling location on which the complaint was made
    - Name, address, contact information and signature of the complainant
    - Any documentation or information related to the complaint.
  - It is recommended that a complaint be filed within thirty (30) days after the complainant becomes aware of the alleged violation, but there is no deadline for filing a complaint.
    - In cases of employment related ADA complaints, the procedures established by the Grievance Procedure for Harris County employees will be followed where applicable.
  - An investigation, as may be appropriate, will follow the filing of a complaint.
    - The investigation shall be conducted as directed by the ADA Coordinator. These rules contemplate informal but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint.
- A written determination (or where appropriate, another format accessible to the complainant such as large print, Braille, or audio tape) as to the validity of the complaint and a description of the resolution, if any, shall be issued by the ADA Coordinator.
    - A copy shall be forwarded to the complainant no later than twenty (20) calendar days after its issuance.
    - The response will explain the position of Harris County and offer options for substantive resolution of the complaint.
  - The ADA Coordinator shall maintain the files and records of Harris County relating to the complaints.
  - The complainant can request an appeal in instances where he or she is dissatisfied with the resolution.
    - The request for reconsideration should be submitted to the Elections Administrator within seven (7) calendar days of the date the determination was received by the complainant. The Elections Administrator shall consider the complainant's appeal.
    - Within twenty (20) calendar days after receipt of the appeal, the Elections Administrator or his or her designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

## SEND COMPLAINTS TO:

ADA Coordinator, Angel Ponce  
1001 Preston, 4th Floor, Houston, Texas, 77002  
713-755-6965, [ada@vote.hctx.net](mailto:ada@vote.hctx.net)

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These policies and procedures will be included in the Election Training Manuals, the Greeter Script, any documentation regarding voting procedures for new workers, Voter Assistance Manual, and in the judge's packet. Questions will also be added to the poll worker survey form to document any ADA related complaints.



## **A. Terms Used in This Policy**

As used in this ADA policy, the following terms have the indicated meaning:

- **Disability**: A physical or mental impairment that substantially limits one or more major life activities of the individual, a record of such an impairment, or being regarded as having such an impairment.
- **Major life activities**: Term includes caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, sitting, reaching, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, interacting with others, and working. Term also includes the operation of a major bodily function, including but not limited to, functions of the immune system, special sense organs and skin, normal cell growth, and digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, hemic, lymphatic, musculoskeletal, and reproductive systems.
- **Substantially limits**: In accordance with the ADAAA final regulations, the term “substantially limits” shall be construed broadly in favor of expansive coverage, to the maximum extent permitted by the terms of the ADA. “Substantially limits” is not meant to be a demanding standard. The determination of whether an impairment substantially limits a major life activity requires an individualized assessment, and an impairment that is episodic or in remission may also meet the definition of disability if it would substantially limit a major life activity when active. Some examples of these types of impairments may include epilepsy, hypertension, asthma, diabetes, major depressive disorder, bipolar disorder and schizophrenia. An impairment, such as cancer that is in remission but that may possibly return in a substantially limiting form, is also considered a disability.
- **Qualified individual**: An individual who, with or without reasonable modifications to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by Harris County.

The examples provided in the above terms are not meant to be all-inclusive and should not be construed as such. They are not the only conditions that are considered to be disabilities or reasonable modifications covered by the ADA/ADAAA policy.

## **B. Polling Place Site Selection**

Harris County shall provide accessible polling places in order to have an accessible voting program. Harris County shall select facilities to be used as polling places that do not exclude qualified individuals with disabilities from or deny them the benefits of the polling place, or otherwise subject them to discrimination. In order to meet this obligation, Harris County staff must comply with the following requirements:

a. **ADA Polling Place Checklist**

Prior to selecting any facility for use as a polling place (including early voting and countywide polling places), a trained surveyor must conduct an accessibility survey of the facility. Use of the proper survey instrument and recording and documentation methods will be required of any surveyor.

The ADA Coordinator will ensure that the survey instrument conforms with the 2010 ADA Standards for Accessible Design.<sup>1</sup> Surveys shall not be overwritten or deleted. Surveyors must create a new survey for each subsequent survey.

Surveys must include the following:

- Name of surveyor(s)
- Date of survey
- Polling place unique identifier (surveyor shall perform quality assurance of the polling place unique identifier to avoid duplication, different names, different addresses for same polling place, etc.)
- Measurements of each feature in the survey form (e.g., width of parking space, slope of curb ramp)
- Photographs of each element of the polling place and of each measurement
- The identification of all appropriate remedial measures (e.g., mats, wedge ramps, traffic cones, etc.)
- Measurements (including slope measurements) and photographs of each remedial measure as it will be implemented on Election Day
- Satellite photo identifying accessible parking, if applicable, and route to accessible entrance
- Documentation of whether elevators and/or lifts are operational
- Location and general dimensions of voting room.
- Automatic or manual identification as compliant, non compliant but remediable with temporary measures (NCR), non compliant and not remediable with temporary measures (NCNR)
- No survey questions marked “NA” where “NA” would be inappropriate

The ADA Coordinator or Lead Surveyor shall ensure that all surveys are accurate by performing quality assurance reviews at least once per year. If a survey is inaccurate, a new survey will be conducted prior to the facility’s use in any subsequent election.

If any Harris County employee learns of a change in a facility that may affect its accessibility (e.g. construction or renovations), that employee must notify the ADA Coordinator, and or Lead Surveyor, and a new accessibility survey must be conducted of the facility prior to its use in any subsequent election. Harris County shall also conduct new surveys of at least 10% of its polling places every year so that all polling places are resurveyed every ten years.

<sup>1</sup> 28 C.F.R. § 35.104, as set forth in appendices B and D to 36 C.F.R. Part 1191 and the requirements contained in 28 C.F.R. § 35.151

## **b. Site Relocation**

If a polling place is determined to be NCNR (Non Compliant, Non Remediable), Harris County will not use the polling place without prior United States approval.

A replacement ADA accessible polling location will be sought in the same geographical area. Prior to selecting any replacement facility for use as a polling place, a trained surveyor must conduct an accessibility survey of the facility. *See* Section B(a).

## **c. Ensuring Accessible Entrances are Unlocked**

Where the main entrance or any other entrances used by voters are inaccessible, signs must be posted at the main entrance and any other inaccessible entrances directing voters to the accessible entrance. Instructions to ensure that all ADA accessible entrances are unlocked and that such signs are provided at the main entrance and any other inaccessible entrances will be provided to the following:

- To facility managers
- To Election Judges/poll workers
- To Election Day Surveyors

All election staff who receive calls from the public, election judges, and poll workers during elections shall be provided information on the location of accessible entrances for each polling place so that they may provide such information to callers. Such staff should also be trained on how to contact election judges and poll workers when a member of the public identifies that the accessible entrance is unclear, locked, or otherwise unusable.

## **d. Emergency Situations where sites are no Longer Available**

When an emergency situation makes an accessible polling place unavailable, Harris County will select a new polling place in accordance with the Harris County Site Relocation procedures. *See* Section B(b). Harris County will promptly provide notice of the change to the United States. Harris County will communicate with the United States to ensure that it agrees with the relocation. When relocation is not feasible and the United States agrees that it is not feasible, Harris County will provide absentee voting and effective curbside voting.



**e. When Political Parties or Subdivisions Reject Sites**

If a political subdivision rejects an available county-designated polling place and instead provides its preferred polling place at its own expense pursuant to Texas Election Code § 43.034(c) and the political subdivision's preferred polling place is not accessible and cannot be made accessible on Election Day through the use of temporary measures, Harris County will provide absentee voting and effective curbside voting. When such a political subdivision notifies the County that it is providing its preferred polling place at its own expense, the County shall notify the United States within five (5) days and confer with the United States regarding remediation.

If a political party obtains consent from the Texas Secretary of State to reject an available county-designated polling place pursuant to Texas Election Code § 43.034(c) and the political party's preferred polling place is not accessible and cannot be made accessible on Election Day through the use of temporary measures, then Harris County will provide effective curbside voting and absentee voting. When a political party notifies the County that it has obtained the Secretary of State's consent to reject a county-designated polling place location, the County shall notify the United States within five (5) days and confer with the United States regarding remediation.

**f. Temporary Remedies**

The Lead Surveyor, and/or a trained surveyor, will create a checklist of temporary measures to be implemented at each polling place that requires remediation (those identified as NCR) for each Election which will include clear instructions and diagrams for how the measures are to be implemented. The information will also include notes on why the measures are necessary, how the measures must be implemented, and a description of the role of Harris County's Election Day Surveyors (EDSs). Photos will be implemented in future elections. This information will be provided to the individuals responsible for implementing the temporary measures (Harris County employee, contractor, vendor, or election judge) and to the Election Day Surveyors (EDSs).

EDSs will be required to inspect implemented temporary measures and ensure that each is implemented properly. EDSs must take appropriate measurements of implemented temporary remedies (e.g. slope of temporary ramps, width of temporary access aisle) and photographs of the temporary remedies and measurements. Photographs will be labeled with details of location.

Election judges and poll workers will need to follow the instructions of EDSs regarding implementation of temporary measures during an Election. When a judge or poll worker appears to not understand the process or how to implement a temporary remedy, EDSs will note which individuals do not understand or failed to implement a remedy appropriately.

Some measures that may be provided as temporary remedies are:

- Portable ramps (including curb ramps) up to and including ramps six feet long, with side edge protection.
- Portable wedges or wedge ramps.
- Floor mats.
- Traffic cones.
- Relocating furniture or other moveable barriers.
- Door stops.
- Propping open doors.
- Unlocking doors.
- Signage, including parking and accessible entrance directional signage.
- Portable buzzers or door bells.
- Removing astragals (center door posts) that are not a permanent part of the structure from doorways.

**g. Texas Secretary of State**

The Harris County Elections Department will comply with all requirements of the Texas Election Code and instructions from the Texas Secretary of State.

The Lead Surveyor, or an Elections Division surveyor, will review information/reports provided by the Texas Secretary of State related to accessibility barriers at polling places. If a Texas Secretary of State report on the accessibility of a polling place differs from Harris County's survey and/or checklist of temporary measures, indicating that the survey or checklist may be incorrect or incomplete or that the temporary measure was not implemented properly during an election, the Lead Surveyor will notify the ADA Coordinator. If a new accessibility survey must be conducted, that survey will be completed prior to the use of the facility in subsequent elections. If a temporary measure was not implemented properly during an election, the Lead Surveyor or other Elections Division trained personnel will contact the person responsible for implementing that temporary measure (e.g. the election judge) and provide guidance and training on how to implement the temporary measure properly.

**C. Inward Looking ADA Policies**

Policy to be included in the Harris County Elections Department Policies and Procedures, Procedure No. 39

**a. Purpose**

The Americans with Disabilities Act (ADA), as amended, is a federal law that requires public entities, including Harris County, to not discriminate against qualified individuals with disabilities on the basis of disability in their services, programs, or activities. The ADA provides protection for persons with disabilities so that they are treated equally.

Title II of the ADA requires public entities to ensure that persons with disabilities have an equal opportunity to vote, including the opportunity to vote privately and independently at their neighborhood polling place. This is done, in-part, by ensuring that polling locations are accessible to all persons. Voters with disabilities also have the right to reasonable modifications of policies, practices, or procedures, to the removal of architectural and communication barriers to the voting process, and to auxiliary aids and services and effective communication.

It is the policy of the Harris County Elections Department to comply with all federal and state laws concerning discrimination against persons with disabilities and to act in accordance with regulations and guidance interpreting such laws. Furthermore, it is Harris County policy to not discriminate against qualified individuals with disabilities in its services, programs, or activities, including its voting program. This includes selecting accessible polling places (including early voting and countywide polling places), implementing temporary measures to ensure that polling places are accessible, providing its voting program in the most integrated setting, providing reasonable modifications to individuals with disabilities, providing appropriate auxiliary aids and services and effective communication to individuals with disabilities, and removing architectural barriers.

It is Harris County's policy that for any voter who requires assistance to vote by reason of blindness, disability, or inability to read or write may be given assistance by a person of the voter's choice, other than the voter's employer or agent of that employer or officer or agent of the voter's union.

It is Harris County's policy to provide effective communication to persons with communication disabilities (e.g., vision, hearing, and speech disabilities), including voters, whether during early voting or on Election Day. Any such requests can be made to the Harris County Elections Department by calling 713-755-5792 or contacting the ADA Coordinator at 713-755-6965.

**b. Procedures**

Harris County shall not exclude qualified individuals with disabilities from participation in or deny them from benefits of its voting program, or subject them to discrimination, on the basis of disability.

Training will be provided to each Harris County employee, contractor, and vendor and election judges and poll workers on Title II of the ADA, including information on voting room and area requirements under the 2010 ADA Standards, temporary remedial measures necessary, why they are needed and how they are implemented, how to solve errors in implementation, how to document implementation of temporary measures using a checklist or compliance review form, interacting with individuals with disabilities and making reasonable modifications necessary to ensure qualified persons with disabilities are provided an equal opportunity to vote, and the policies, practices and procedures of Harris County.

Polling locations are inspected by trained Harris County surveyors using the 2010 ADA Standards for Accessible Design to ensure that locations are compliant either through permanent or temporary measures. When temporary modifications are required, Harris County will provide documentation to the individuals who will implement temporary measures (including staff and/or election judges). The documentation will include clear instructions and diagrams for the remedial measures to be implemented by the election judge, and a description of the role of Harris County's Election Day Surveyors (EDSs).

Harris County will designate County personnel (or contractors) as EDSs to review compliance at the polling place locations where temporary measures are to be implemented on Election Day. Harris County will provide at least ten teams of two members each in each countywide election. For each election that is not countywide, Harris County will field a number of teams that is similarly proportionate to the size of the election. The EDSs shall review compliance with as many polling place locations in each election as is reasonable, with a minimum of twenty (20) polling places reviewed in each election for each team. All Early Voting locations shall be reviewed by the EDSs at least once during each election. Any polling place location found by the EDSs to be non-compliant in an election shall be reviewed by EDSs in the subsequent election. The EDSs shall review polling places where temporary measures are to be implemented on a rotating basis so that they are not reviewing the same polling place locations in a subsequent election, except for those found to be non-compliant.

EDS will be provided with forms to complete with clear instructions and diagrams for implementation of remedial measures. EDSs must take appropriate measurements of implemented temporary remedies (e.g. slope of temporary ramps, width of temporary access aisle) and photographs of the temporary remedies and measurements. Photographs will be labeled with details of location.

If polling places are determined to be inaccessible and cannot be made accessible, Harris County will reject the location and continue searching for an accessible location.

Some measures that may be provided as temporary remedies are:

- Portable ramps (including curb ramps) up to and including ramps six feet long, with side edge protection.
- Portable wedges or wedge ramps.
- Floor mats.
- Traffic cones.
- Relocating furniture or other moveable barriers.
- Door stops.
- Propping open doors.
- Unlocking doors.
- Signage, including parking and accessible entrance directional signage.



- Portable buzzers or door bells.
- Removing astragals (center door posts) that are not a permanent part of the structure from doorways.

Harris County employees, contractors, vendors, election judges, and poll workers will be required to gather and document any ADA complaint during every election and provide this information to the ADA Coordinator. Harris County will publish complaint procedures and forms on its website and provide notice of the proper procedure for submitting ADA related complaints. Election judges will be provided complaint process notices to post at the polling place during each election.

When an individual with a disability requests a reasonable modification, Harris County will provide such reasonable modifications to ensure that people with disabilities have an equal opportunity to enjoy its programs, services, and activities.

- When interacting with individuals with disabilities, Harris County employees are required to make reasonable modifications necessary to ensure that qualified individuals with disabilities are afforded an equal opportunity to participate in Harris County's voting program.
- Harris County does not need to provide reasonable modifications that would fundamentally alter the nature of the service, program, or activity or constitute an undue financial or administrative burden.
- If a Harris County employee believes that a requested modification would constitute a fundamental alteration or undue financial or administrative burden, the employee must not deny the request but must submit the requested modification to the ADA Coordinator for review.
- The ADA Coordinator will decide after considering all resources available for use in the funding and operation of the service, program, or activity. The ADA Coordinator's decision must be accompanied by a written statement of the reasons for reaching that conclusion.
- If an action would result in such an alteration or burden, Harris County shall take any other action that would not result in such an alteration or such burdens but would nevertheless ensure that individuals with disabilities receive the benefits or services provided by the public entity.
- Harris County employees may also direct individuals with disabilities who require reasonable modifications to the ADA Coordinator directly.

The ADA Coordinator and Harris County are responsible for implementing this policy.

ADA Coordinator: Angel Ponce  
 Phone Number: 713-755-6965  
 Email: [ada@vote.hctx.net](mailto:ada@vote.hctx.net)

## **D. Outward Looking ADA Policy (Policy to be included in the Judge's Handbook)**

### **a. Purpose**

The Americans with Disabilities Act (ADA), as amended, is a federal civil rights law that requires public entities, including Harris County, to not discriminate against qualified individuals with disabilities on the basis of disability in their services, programs, or activities. The ADA provides protection for persons with disabilities so that they are treated equally.

Title II of the ADA requires public entities to ensure that persons with disabilities have an equal opportunity to vote, including the opportunity to vote privately and independently at their neighborhood polling place. This is done, in-part, by ensuring that polling locations are accessible to all persons. Voters with disabilities also have the right to reasonable modifications of policies, practices, or procedures, to the removal of architectural and communication barriers to the voting process, and to auxiliary aids and services and effective communication.

It is the policy of the Harris County Elections Department to comply with all federal and state laws concerning discrimination against persons with disabilities and to act in accordance with regulations and guidance issued interpreting such laws. Furthermore, it is Harris County policy to not discriminate against qualified individuals with disabilities in its services, programs, or activities, including its voting program. This includes selecting accessible polling places, implementing temporary measures to ensure that polling places are accessible, providing its voting program in the most integrated setting, providing reasonable modifications to individuals with disabilities, providing appropriate auxiliary aids and services and effective communication to individuals with disabilities, and removing architectural barriers.

It is Harris County's policy that for any voter who requires assistance to **vote** by reason of blindness, disability, or inability to read or write may be given assistance, as legally permitted, by a person of the voter's choice, other than the voter's employer or agent of that employer or officer or agent of the voter's union.

It is Harris County's policy to provide effective communication to persons with communication disabilities (e.g., vision, hearing, and speech disabilities), including voters, whether during early voting or on Election Day. Any such requests can be made to the Harris County Elections Department by calling 713-755-5792 or contacting the ADA Coordinator at 713-755-6965. *See* Harris County Elections Department

### **b. Procedures**

Harris County shall not exclude qualified individuals with disabilities from participation in or deny them from benefits of its voting program, or subject them to discrimination, on the basis of disability.

Training will be provided to each election judge and poll worker on Title II of the ADA, including information on voting room and area requirements under the 2010 ADA Standards, temporary remedial measures necessary, why they are needed and how they are implemented, how to solve errors in implementation, how to document implementation of temporary measures using a checklist or compliance review form, interacting with individuals with disabilities and making reasonable modifications necessary to ensure qualified persons with disabilities are provided an equal opportunity to vote at a polling location, and the policies, practices and procedures of Harris County.

Polling locations are inspected by trained Harris County surveyors using the 2010 ADA Standards to ensure that locations are compliant either through permanent or temporary measures. When temporary modifications are required, documentation will be provided to election judges on required modifications. Election judges must implement all temporary measures identified for them to implement in this documentation. The documentation will include notes on why the measures are necessary, how the measures must be implemented, diagrams for how to implement them, and a description of the role of Harris County's Election Day Surveyors (EDSs). EDSs will be required to inspect your modifications and ensure that each is implemented properly.

If polling places are determined to be inaccessible and cannot be made accessible, Harris County will reject the location and continue searching for an accessible location. If remediation and relocation to an accessible polling place location are infeasible, Harris County will comply with Title II's program accessibility requirements, and provide absentee voting and effective curbside voting.

Some measures that may be provided as temporary remedies are:

- Portable ramps (including curb ramps) up to and including ramps six feet long, with side edge protection.
- Portable wedges or wedge ramps.
- Floor mats.
- Traffic cones.
- Relocating furniture or other moveable barriers.
- Door stops.
- Propping open doors.
- Unlocking doors.
- Signage, including parking and accessible entrance directional signage.
- Portable buzzers or door bells.
- Removing astragals (center door posts) that are not a permanent part of the structure from doorways.

Election judges and poll workers will be required to gather and document any ADA complaint at a polling place during every election and provide this information to the ADA Coordinator. Harris County will publish complaint procedures on its website and provide notice of the proper procedure for submitting ADA related complaints. Election judges will be provided complaint process notices to post at the polling place during each election.

When an individual with a disability requests a reasonable modification, Harris County will provide such reasonable modifications to ensure that people with disabilities have an equal opportunity to enjoy its programs, services, and activities.

- When interacting with individuals with disabilities, election judges and poll workers are required to make reasonable modifications necessary to ensure that qualified individuals with disabilities are afforded an equal opportunity to participate in Harris County's voting program.
- Harris County does not need to provide reasonable modifications that would fundamentally alter the nature of the service, program, or activity or constitute an undue financial or administrative burden.
- If an election judge or poll worker believes that a requested modification would constitute a fundamental alteration or undue financial or administrative burden, the election judge or poll worker must not deny the request but must call the ADA Coordinator and submit the requested modification to the ADA Coordinator for review.
- The ADA Coordinator will decide after considering all resources available for use in the funding and operation of the service, program, or activity. The ADA Coordinator's decision must be accompanied by a written statement of the reasons for reaching that conclusion.
- If an action would result in such an alteration or burden, Harris County shall take any other action that would not result in such an alteration or such burdens but would nevertheless ensure that individuals with disabilities receive the benefits or services provided by the public entity.
- Election judges and poll workers may also direct individuals with disabilities who require reasonable modifications to the ADA Coordinator directly.

The ADA Coordinator and Harris County, including election judges and poll workers, are responsible for implementing this policy.

ADA Coordinator: Angel Ponce  
Phone Number: 713-755-6965  
Email: [ada@vote.hctx.net](mailto:ada@vote.hctx.net)



## **E. Job Descriptions Regarding ADA Matters**

### **a. ADA Coordinator**

Harris County will designate an employee to serve as an ADA Coordinator for the Elections Department . The ADA Coordinator will be trained in and knowledgeable about the ADA and will investigate any complaint that the County, election judges, or any other person under the authority or control of Harris County receives alleging that the County's voting program discriminates against persons with disabilities. The ADA Coordinator will also implement complaint procedures, respond to requests for reasonable modifications and effective communication, and implement all necessary processes for supporting the Disability Advisory Committee. The ADA Coordinator will also oversee all ADA-related work performed by the Lead Surveyor. The name and contact information of the ADA Coordinator will be published on the Harris County website and all polling places in an election.

### **b. Surveyors**

Surveyors are Harris County designated personnel hired to review the accessibility of facilities to be used as polling locations. They will complete accessibility surveys using the 2010 ADA Standards, complete Harris County's survey instrument, recommend and implement temporary measures, and take appropriate photographs and notes of all elements of the polling place and temporary measures necessary to ensure accessibility during elections.

### **c. Lead Surveyor**

The Lead Surveyor is a Harris County designated employee hired to review the accessibility of facilities to be used as polling locations, conduct accessibility surveys, and supervise all surveyors. The Lead Surveyor will complete accessibility surveys using the 2010 ADA Standards, complete Harris County's survey instrument, recommend and implement temporary measures, and take appropriate photographs and notes of all elements of the polling place and temporary measures necessary to ensure accessibility during elections. The Lead Surveyor will be trained in and knowledgeable about the ADA. The Lead Surveyor will create and implement the County's remediation plan related to the accessibility of its polling places, oversee or conduct quality assurance reviews of accessibility surveys and oversee or conduct quality assurance reviews of the implementation of temporary measures.

### **d. Election Day Surveyors (EDSs)**

Election Day Surveyors (EDSs) are Harris County designated personnel hired to review the accessibility of polling locations where temporary measures are implemented on Election Day. EDSs will review compliance during every election. They will review polling places where temporary measures are implemented and

document their compliance reviews with detailed photographs and a checklist. Election judges and poll workers will need to follow the instructions of EDSs regarding implementation of temporary measures during an Election.

EDSs will inspect to verify that temporary remedies, such as signage and curbside options, are prominently displayed. EDSs must take appropriate measurements of implemented temporary remedies (e.g. slope of temporary ramps, width of temporary access aisle) and photographs of the temporary remedies and measurements. Photographs will be labeled with details of location.

Harris County will provide at least ten teams of two members each in each countywide election. For each election that is not countywide, Harris County will field a number of teams that is similarly proportionate to the size of the election. The EDSs shall review compliance with as many polling place locations in each election as is reasonable, with a minimum of twenty (20) polling places reviewed in each election for each team. All Early Voting locations shall be reviewed by the EDSs at least once during each election. Any polling place location found by the EDSs to be non-compliant in an election shall be reviewed by EDSs in the subsequent election. The EDSs shall review polling places where temporary measures are to be implemented on a rotating basis so that they are not reviewing the same polling place locations in a subsequent election, except for those found to be non-compliant.

When a judge or poll worker appears to not understand the process or how to implement a temporary remedy, EDSs will note which individuals do not understand so that the ADA Coordinator, or his/her designee, may conduct follow-up with the individuals.

**e. Poll Workers**

Poll workers consist of any qualified persons working as an election worker at an election polling location. Poll workers may be assigned different duties, including greeter, JBC operator, ePollBook Operator, Presiding Judge, Alternate Judge, bilingual interpreter, and assistant. Poll workers will be hired by Harris County, either as temporary staff or contractors, and must comply with Harris County policies. Poll workers must take the Oath of Office prior to working an election polling location. All poll workers should be trained in all procedures for interacting with individuals with disabilities and making reasonable modifications necessary to ensure that qualified individuals with disabilities are afforded an equal opportunity to participate in Harris County's voting program.

**f. Warehouse Personnel**

Personnel responsible for maintaining proper inventory to fulfill ADA needs will be trained in the use of the electronic system used for documentation of surveys

and where to access temporary measures needed to be given to poll workers. This personnel will have contingency plans for remedies that are needed such as using longer ramps. They will also be trained on how to document findings at polling location on delivery date, such as new construction or alterations that may affect the accessibility of the polling place or the designated voting room being changed. Warehouse personnel will be familiar with the grievance process for submitting complaints on polling place accessibility. Warehouse personnel must report all information relevant to the accessibility of Harris County's voting program to the ADA Coordinator or Lead Surveyor in a timely manner so that such issues can be resolved prior to each election.

## **F. Training Regarding ADA Matters**

### **a. Trainers**

Trainers will be knowledgeable about Title II of the ADA as it applies to elections and about any materials that trainees will need to know with regards to ADA accessibility, including temporary remedy procedures and documentation, the grievance process, sensitivity training, quality control measures by EDSs and services available to voters such as the curbside voting process and other voting assistance protocols.

### **b. Election Day Surveyors (EDSs)**

Prior to each election, Harris County will provide training to all EDSs to address temporary measures including why they are needed and how the measures must be implemented, proper use of surveying tools, how to resolve errors in the implementation of temporary measures on Election Day, how to document the implementation of temporary measures on Election Day using checklists or compliance review forms, and what the EDSs are required to do to implement the requirements of Title II of the ADA. Training will also include that EDSs must complete surveys with all mandatory fields and document all temporary remedies needed at each polling place.

EDSs will be allowed to access surveys for validation and will incorporate their observations, as necessary, in new survey forms given new information on Election Day.

### **c. Permanent Staff**

Harris County Elections Department full time staff will receive annual training from Subject Matter Experts regarding polling place accessibility requirements under the 2010 ADA Standards, temporary remedial measures (why they are necessary, how they are to be implemented, and the role of the EDSs). Full time staff will also receive training from a qualified trainer on interacting with individuals with disabilities, what services are available to voters, and how to properly assist a voter with a disability, making reasonable modifications necessary to ensure that qualified individuals with disabilities are afforded an equal opportunity to participate in Harris County's voting program, and Harris County's revised policies, practices, and procedures, including Harris County's procedures for curbside voting, polling place selection and relocation, and gathering, tracking, and retaining information on complaints or grievances. All elections staff who

receive calls from the public, election judges, and poll workers during elections shall be provided information on the location of accessible entrances for each polling place so that they may provide such information to callers. Such staff will be trained on how to contact election judges and poll workers when a member of the public identifies that the accessible entrance is unclear, locked, or otherwise unusable. Additional training is available from the United States, in collaboration with the Experts, and upon request from Harris County on the surveying process and the application of the 2010 Standards to polling place locations.

The Administrator of Elections will be responsible for compliance with ensuring that training is provided to permanent staff.

**d. Contractors**

Contractors will receive the same training as Harris County Elections Department full time staff. If a contractor does not interact with the public, voters, election judges, or poll workers and instead only implements temporary remedies, that contractor need only be trained by the Subject Matter Experts regarding polling place accessibility requirements under the 2010 ADA Standards and temporary remedial measures including why they are needed and how the measures must be implemented, proper use of surveying tools, how to resolve errors in the implementation of temporary measures, how to document the implementation of temporary measures using checklists or compliance review forms, and what the contractors are required to do to implement the requirements of Title II of the ADA. Training will also include that these contractors must complete surveys with all mandatory fields and document all temporary remedies needed at each polling place.

**e. Training Materials Review**

Upon request from Harris County, the United States may assist in preparing or reviewing training materials. Training materials will be reviewed periodically, at least once every two years, to ensure compliance with the state and federal laws.

**f. Training Videos**

Harris County may tape initial training to use for employees hired after the initial training.

**g. New Employee ADA Training**

Taped versions of training may be used for employees hired after the initial training. Harris County will provide staff training by an approved trainer on an annual basis.

**h. Election Judge and Poll Worker Training**

Election judges and poll workers will be trained on Title II of the ADA as it relates to elections, what is required for compliance with Title II, voting room setup, how to implement temporary measures, the Election Day procedures and supplies for ADA compliance (Curbside voting, HAVA compliant voting equipment, ramps,



door handles, proper signage, and more), protocols for assisting voters with disabilities, sensitivity training, the posting of all required materials, providing reasonable modifications for voters with disabilities, and the voter grievance process.

## **G. ADA Grievance, Investigation and Resolution Policies**

To be included in the Harris County Elections Department Policies and Procedures, Procedure No. 39; Harris County Elections Department's Election Day Training Manual; Harris County Elections Department's Early Voting Training Manual; and Election Day notice and kit

Harris County Elections Department has a grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by Title II of the Americans with Disabilities Act ("ADA"). Title II states, in part, that "no otherwise qualified disabled individual shall, solely, by reason of such disability, be excluded from participation in, be denied the benefits of or be subjected to discrimination" in the programs, services, or activities of a public entity. This includes Harris County's voting program.

Complaints should be addressed to: ADA Coordinator, Sashi Nisankarao, 1001 Preston, 4<sup>th</sup> Floor, Houston, Texas, 77002; 713-755-6965. Email: [ada@vote.hctx.net](mailto:ada@vote.hctx.net)

- A complaint may be filed orally or in writing. An oral complaint will be reduced to writing by the complainant or, if requested, another person identified by the complainant, including Harris County personnel (including election judges, poll workers, employees, contractors) or the ADA Coordinator and should be provided to the complainant for signature, if possible. The complaint should identify the name of the person filing it (the complainant) as well as the complainant's address, and briefly describe the alleged violation of the regulations under Title II of the ADA and the location (e.g. polling place) about which the complaint is being made.
- It is recommended that a complaint be filed within thirty (30) days after the complainant becomes aware of the alleged violation, but there is no deadline for filing a complaint. In cases of employment related ADA complaints, the procedures established by the Grievance Procedure for Harris County employees will be followed where applicable.
- An investigation, as may be appropriate, will follow the filing of a complaint. The investigation shall be conducted as directed by the ADA Coordinator. These rules contemplate informal but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint.
- A written determination (or where appropriate, another format accessible to the complainant such as large print, Braille, or audio tape) as to the validity of the complaint and a description of the resolution, if any, shall be issued by the ADA Coordinator. A copy shall be forwarded to the complainant no later than twenty (20) calendar days after its issuance. The response will explain the position of Harris County and offer options for substantive resolution of the complaint.
- The ADA Coordinator shall maintain the files and records of Harris County relating to the complaints filed, including Harris County's investigations and final determinations of the complaint and any appeals.

- The complainant can request an appeal in instances where he or she is dissatisfied with the resolution. The request for reconsideration should be submitted to the Elections Administrator within seven (7) calendar days of the date the determination was received by the complainant. The Elections Administrator shall consider the complainant's appeal. Within twenty (20) calendar days after receipt of the appeal, the Elections Administrator or his or her designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.
- The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as filing of an ADA complaint with the responsible federal department or agency. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies.
- These rules shall be construed to protect the substantive rights of interested persons to meet appropriate due process standards, and to assure that Harris County complies with the ADA and implementing regulations.

Complaint Form will be available at [www.harrisvotes.com](http://www.harrisvotes.com).

**a. Complaint Submitted by Election Judges and Poll Workers**

Should a complaint arise at a polling location regarding anything that allegedly discriminates against persons with disabilities, the Election Judge or poll worker should document, through the use of a complaint form, a description of the complaint, the polling location on which the complaint was made, gather the name, address, contact information and signature of the complainant, and any documentation or information related to the complaint for submission to the Harris County Elections Department (Attention: Rachel Brown, ADA Coordinator).

**b. Complaint Documented by Harris County Staff**

Should a complaint be made to any Harris County Elections Department personnel alleging that the County's voting program discriminates against persons with disabilities, the clerk will accept and document the phone calls and emails received prior to, during, and/or after an election. The complaint form should include, if available, a description of the complaint (public phone lines, Harris County Elections Department email addresses, via the website, voice messages, audio files, or written description of verbal complaints), the polling location on which the complaint was made, and the name, address and contact information of the complainant. Complaints should be forwarded to the ADA Coordinator, Sashi Nisankarao.

## **H. Accessibility Outreach**

- Brochure on how HCEAD can meet the needs of our voters with disabilities
- Harris County will produce a brochure on how the Harris County Elections Department can meet the needs of our voters with disabilities. The brochure will include information on the accessibility of polling places for persons with disabilities and the availability of other programs available. Other offerings will include Curbside Voting, available when the polling place is not physically accessible or for persons who are physically unable to enter the polling place without assistance or likelihood of injuring themselves, and Ballot by Mail, in

which eligible persons may cast a ballot through the mail. The brochure will also inform voters with disabilities of reasonable modifications and auxiliary aids or services available pursuant to the ADA and/or Voting Rights Act (e.g. assister of the voter's choice, large print or Braille ballots, American Sign Language interpretation) and the processes that must be followed to request and obtain such modifications and services. The brochure will also provide an overview of the complaint procedure process and the identity and contact information of the ADA Coordinator.

### **Curbside Voting Procedures**

Harris County offers curbside voting at all polling locations during every election. Harris County will provide effective curbside voting.

Effective curbside voting includes:

- (1) signage outside of the location informing voters of the availability of curbside voting, the location of the curbside voting, and how voters can notify the official that they are waiting curbside;
- (2) a curbside voting location that allows the curbside voter to obtain information from candidates and others campaigning outside the polling place;
- (3) a method for the voter with a disability to announce her arrival at the curbside voting location without requiring the voter to bring a companion or get assistance from another voter (a temporary doorbell or buzzer system at the curbside voting location would be sufficient, but not a telephone system requiring the use of a cell phone or a call-ahead notification);
- (4) a prompt response from election officials to acknowledge their awareness of the voter;
- (5) timely delivery of the same information that is provided to voters inside the polling place; and
- (6) a portable voting system that is accessible and allows the voter to cast her ballot privately and independently.

Harris County will provide election judges and poll workers with all materials and training necessary to provide effective curbside voting, including the items listed above (signage, identification of where curbside voting should be held, temporary doorbell/buzzer or directions for curbside voting greeter, etc.).

#### **c. Resources and forms – online and by phone**

- i. Harris County will publish a Notice to Voters with Disabilities on its website and at every polling place for each election that notifies voters of the name and contact information for the Elections Department's ADA Coordinator.
- ii. Harris County will also make available, at [www.harrisvotes.com](http://www.harrisvotes.com), a complaint submission form which can be mailed, emailed or faxed to our office for prompt investigation and resolution.

- iii. Harris County will also publish at [www.harrisvotes.com](http://www.harrisvotes.com) information regarding any available services and assistance options, including information on Curbside Voting, Ballot by Mail and the grievance process.

**d. Disability Advisory Committee for Countywide Voting Centers Accessibility Plan**

- i. Comprised of Harris County staff, community members, and disability rights advocates.
  - 1. Harris County will seek partnerships with local advocacy and disability rights groups for feedback and evaluation.
- ii. Disability Advisory Committee will meet at regular intervals (to be determined).
- iii. Outreach and education will be offered to voters and disability rights organizations on available services.
- iv. Harris County will seek counsel on polling location accessibility, selection, and quality, and also on other accessibility related aspects of Harris County's voting program.
- v. Harris County will seek collaboration on public signage and messaging.

**e. Election Day Materials**

Harris County will provide the below notices at each polling place during each election. Elections Department staff will ensure that Election Judge packets dispersed for each election include the below notices along with instructions for where to post the notices:

- i. Notices regarding the complaint collection and review process.
- ii. Notices notifying voters of the name and contact information for the Election Department's ADA Coordinator.
- iii. Curbside voting location signage and process.
- iv. Signage directing voters to alternate accessible entrances.
- v. Directional signage inside building to mark accessible pathway to the voting room.
- vi. Notices regarding the grievance process.
- vii. Notices regarding voting assistance options.








# Harris County Elections Administrator's Office

## Disability Complaint Form

This form is intended to be used by a voter with a disability, or someone on his/her behalf, who believes they have encountered obstacles to voting in any election or have been discriminated against in violation of the Americans with Disabilities Act. This form is intended as means by which to convey any perceived impediments to access, and form a basis for which a solution may be found. If you have questions about this form, or need assistance with the complaint, please contact the ADA Coordinator Sashi Nisankarao, at 713-755-6965 or [ADA@vote.hctx.net](mailto:ADA@vote.hctx.net).

The Harris County Elections Administrator committed to resolving accessibility issues promptly. You should receive a response within fifteen (15) days of receipt of this complaint by the Office. You may submit the form in the following ways:

Online		<a href="https://www.harrisvotes.com">https://www.harrisvotes.com</a>	E-mail	@	<a href="mailto:ADA@vote.hctx.net">ADA@vote.hctx.net</a>
By Mail		Harris County Elections Administrator P.O. Box 1525 Houston, Texas 77251-1525	At the Poll		Please let the Election Judge at the Poll know that you would like an ADA Complaint Form
By Phone		713-755-6965	By Fax		713-755-2617
First Name		Last Name		Today's Date	
Street Address				City	Zip
Phone Number			E-Mail		
This Form is being filled out by:	Self	Someone on behalf of voter.		HC Election Judge, Poll Worker, or Staff	
		Name _____ Phone _____ E-mail _____		Name _____ Title _____ Contact Info _____	
Poll Location & Address				Date of Visit to the poll	



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What challenges or discrimination did you encounter voting at the above referenced polling location?

1. Issues with accessible parking
2. Issues with getting into the polling place or getting to the voting area (accessibility of polling location)
3. Issues with accessible voting station or machine
4. Issues with curbside voting
5. Issues with obtaining assistance by a person of the voter's choice
6. Inability to vote independently and privately
7. Issues with effective communication or auxiliary aids or services
8. Issues with election judge, poll workers, Harris County employees, or other staff
9. Other

Please describe these challenges or issues in more detail:

Please list the names and contact information (phone number, e-mail address, etc.) of any witnesses. If applicable, please also include their relationship to you.

Did you speak to any election judges, poll workers, or employees at the poll about the challenges you encountered? If so, please list their name(s) if you know it (them).

What, if any, accommodations were made to address the challenges you encountered at the polling location?
What accommodation or changes would you suggest be made at this polling location?
Do you have any other comments or suggestions related to your voting experience?

*Thank you for taking the time to contact us about your experience as a voter in Harris County.*

**In Office Use**

Received by:	Received on:
Complaint Method (mail, fax, email, etc.):	Comments:
Assigned investigator:	Date Assigned:
Contacts with Voter/Complainant:	Date of Contact:
Determination. If steps need to be or were made to address/remedy the complaint, please describe in detail:	
Date Voter/Complainant Requested Appeal:	Appeal Assigned to:
Appeal Determination. If steps need to be or were made to address/remedy the complaint, please describe in detail:	





**HarrisVotes.com**  
**713-755-6965**

Follow us: @HarrisVotes



Harris County Elections Administrator  
1001 Preston, 4th Floor | Houston, TX 77002