



# Election Officials' Guide to Language Access: A Summary



## YOU NEED TO KNOW:

### Voting Rights Act Protections Applicable Nationwide

**Section 208:** Any person who needs assistance as a result of blindness, disability, or the inability to read or write can receive assistance from a person of their choice, as long as it is not an agent or officer of the voter's employer or union.

**Section 4(e):** Jurisdictions must ensure the ability to vote successfully of all native-born Americans who attended schools in which the predominant language of instruction was not English (primarily, individuals of Puerto Rican origin).

**Section 2:** Voting practices or procedures that discriminate on the basis of membership in a language-minority group are prohibited.

## YOU NEED TO KNOW:

### Voting Rights Act Protections Applicable in Limited Areas

**Section 203:** Certain jurisdictions that meet population and literacy requirements must provide live voting assistance and any election-related information they make available in English in the covered language(s) as well.

In addition to federal requirements, state and local laws mandate language assistance-related actions in some jurisdictions around the country.

# Best Practices for Language Assistance in Elections

Proactively building an effective language assistance program minimizes the potentially significant costs of noncompliance: negative publicity, poor relations with community leaders, and expensive litigation. Moreover, by providing high quality assistance, administrators increase registration and turnout, and sustain democracy.

## 1. Customize Language Assistance for Your Community

- Assess voters' linguistic abilities and direct resources to where they are most needed, keeping in mind that dearth of requests for assistance can indicate lack of awareness that help may be available rather than lack of need.
- Consult regularly with language-minority-serving institutions in the community, and solicit their participation in community advisory committees, to understand needs. Obtain feedback and advice from a broad cross-section of potential voters
- Communicate proactively with language-minority voters through in-language media and organizational intermediaries to ensure voters take advantage of available materials and assistance.

## 2. Develop In-House Language Expertise

- Employ full-time bilingual staff with confirmed linguistic abilities.
- Recruit bilingual poll workers and conduct separate training tailored to them, including review of in-language voting materials and in-language role-playing of commonly-encountered situations.
- Maximize staff capacity by identifying "master pollworkers" and enlisting them as supervisors responsible for supervising particular polling places on Election Days.

## 3. Integrate Language Accessibility into All Operations and Elections

- Train all election staff - not only bilingual employees - on language assistance procedures and materials and bias awareness.
- Ensure that all materials and communications produced in English are also available in other languages commonly spoken in the jurisdiction, and that bilingual assistance is available in a full range of formats, at all elections and year-round. Working off of checklists of all documents and signage in use will help with achieving comprehensive accessibility.
- Obtain manual translations custom-created by qualified personnel well in advance of elections to allow for time for review, testing, and any necessary revisions.
- Publicize availability of assistance and materials before Election Day.
- Be prepared with backup plans and personnel in case you encounter challenges in providing language assistance. Community-based organizations may be able and willing to help fill in any gaps in capacity.

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# Best Practices for Language Assistance in Elections (cont.)

## 4. Evaluate Your Efforts and Make Evidence-Based Adjustments

- Seek language-minority voters' feedback in cooperation with language-minority community-serving organizations, and institutions such as churches and schools.
- Monitor polling place and election operations, accept and promptly investigate complaints, and discipline employees who impede language assistance and voting.
- Keep records of efforts undertaken, including advertisements and notifications placed; employees recruited; and voters served.

## 5. Go Beyond Minimum Legal Requirements

Examples of successful initiatives to provide voluntary language assistance where it is not required by federal, state, or local law include:

### Translating Voter Registration Forms Into Uncovered Languages:

The Pennsylvania Department of State worked with local language-minority-serving organizations to translate the State's voter registration form into five languages. New York City also recently translated the New York registration form into eleven new languages. Most of the translations created by these jurisdictions were not required by law to be offered.

### Recruiting Bilingual Workers Fluent in Uncovered Languages:

Although its efforts are not required by law, the city of Detroit works to recruit and place Bengali-speaking pollworkers at targeted sites.

### Organizational Contacts:

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