

HELP AMERICA VOTE ACT (HAVA) VOTING ACCESS ANNUAL REPORT – STATES

OMB Number: 0970-0327

STATE: Virginia **FISCAL YEAR: 2010** (October 1, 2009 – September 30, 2010)

FISCAL YEAR 2010 AWARD AMOUNT: \$84,945

REPORT SUBMITTED BY: Sherry Confer Deputy Director
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Mandate Area 1

- ❖ To ensure full participation in the electoral process for individuals with disabilities.

Goal/Activity outlined in the FY2010 EAID plan (application):

Description of activities in the EAID plan (application) carried out to completion	<p>Provide VOPA’s HAVA public service announcement to at least five (5) media outlets or radio stations prior to the state general election in November 2009.</p> <p>VOPA distributed VOPA’s HAVA PSA to five radio stations located in the Eastern shore and Hampton Roads area running from October 26, 2009 until November 3, 2009. The stations report having 1,197,200 listeners</p> <p>Represent five (5) individuals denied access to vote.</p> <p>VOPA staff provided representation for two individuals who had identified accessibility issues at their respective polling sites. These were located in Roanoke and Nelson County. VOPA staff conducted surveys of both polling locations and sent letters requesting corrective action to the registrars. The registrars responded by addressing and fixing the noted concerns.</p> <p>Ensure that Transition Plans for children include educating them on their right to vote</p> <p>VOPA staff worked with four individuals who were still in the secondary education system developing transition plans to provide them with education on their voter rights and registration.</p> <p>In addition, VOPA staff visited 249 Assisted Living facilities that receive auxiliary grant funding and provided presentations on Voter Rights and an opportunity to register to vote and/or fill out an absentee ballot application.</p>
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	There were 1959 individuals in attendance at these presentations. Staff distributed 2894 Voter Registration forms and 2657 Absentee ballot application forms. Staff assisted 246 individuals to register to vote and 164 individuals to fill out absentee ballot applications.
Description of activities that displayed innovation which can be shared as “best practices” with other states	VOPA represented a student who had successfully completed a private residential placement and was trying to re-enroll in public school. He was denied enrollment and had never had a transition plan. VOPA represented the student and was successful in getting him enrolled in a part-time summer academic program, (extended school year). At the first IEP meeting, a transition plan was developed that included educating him about his right to vote.
Description of activities in the EAID plan (application) NOT carried out to completion & the barriers and/or reasons	VOPA had set a goal of representing five individuals who had identified accessibility issues at their polling sites. VOPA was contacted by two individuals who identified specific accessibility issues at their polling sites.
Description of Significant Barriers and/or road blocks to carrying out activities & possible solutions	In an effort to have greater outreach into the community and identify accessibility issues that people may be encountering at their polling sites VOPA will develop a presentation specifically addressing the accessibility guidelines of the Americans with Disabilities Act and present it in conjunction with future Voting Rights presentations.
Description of collaborative efforts with other organizations or groups	VOPA worked collaboratively with the State Board of Elections and the registrars in Roanoke and Nelson County to address the identified accessibility issues and resolve them. VOPA represented a student who already had an IEP but he and his parent did not feel it included adequate transition planning. VOPA, the student, the parent and a school representative collaborated about options for expanding the transition services section of the IEP. His IEP now has more Transition Services as a part of it. The IEP Team helped to identify services in the area that could be utilized as the student continues to prepare for life after high school. The student will participate in a Transition Skills class which has an entire section devoted to voting rights.
Total amount of HAVA funding expended on activities in Mandate Area 1	\$39,590

Mandate Area 2

- ❖ To provide education, training and assistance to individuals with disabilities that will promote their participation in the electoral process.

Goal/Activity outlined in the FY2010 EAID plan (application):

<p>Description of activities in the EAID plan (application) carried out to completion</p>	<p>Develop a “Train the Trainer” curriculum on “Voting Rights and Accessibility” that addresses the history of voter disenfranchisement of individuals with disabilities, voting rights, voter registration, capacity, and polling site accessibility. Partner with at least two (2) community organizations or providers to provide training for staff and clients, and who agree to provide further trainings for consumers in their extended community.</p> <p>VOPA researched the history of voting rights and accessibility issues specifically identifying the history of the voter disenfranchisement of people with disabilities, voting rights, voter registration, individual capacity and polling site accessibility. VOPA developed a power point presentation addressing these issues. VOPA also developed a flyer to advertise the presentation to different community groups.</p> <p>VOPA provided a Train the Trainer session at the Lynchburg Center for Recovery and Wellness in September 2010 for staff, consumers, and members of the public. The object of the training was to give individuals the tools and skills to train other people in their community about Voting Rights.</p> <p>VOPA provided a Train the Trainer session at the Piedmont Center for Independent Living in September 2010. There were people present from both the Center for Independent Living in Danville and the local Community Services Board (the public provider of mental health, mental retardation and substance abuse services).</p> <p>Provide two (2) trainings for staff and clients at state institutions regarding voter rights and responsibilities with specific focus on an individual’s capacity to vote.</p> <p>VOPA provided voter rights training in one state operated mental health institution in August 2010 for staff and residents. VOPA assisted two people with voter registration and absentee ballot requests.</p> <p>VOPA provided voter rights training for individuals at a state operated ICF/MR for both staff and residents. VOPA spoke with two individuals about registering to vote and provided voter rights packages and voter registration forms.</p> <p>Provide five (5) trainings to staff and clients at nursing homes regarding voter rights and responsibilities with specific focus on an individual’s capacity to vote.</p>
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VOPA informed residents at five nursing homes located across the Commonwealth about their voter rights and provided an opportunity for residents to register to vote and fill out an absentee ballot request. In attendance at these presentations were approximately 80 individuals. VOPA distributed 55 voter registration forms and 50 absentee ballot applications to interested individuals at the nursing homes.

Provide a training on voting rights to eight (8) consumer or advocacy groups regarding voting accessibility and registration, and assist participants with voter registration as needed.

VOPA provided Voter Rights, Responsibilities, Registration and Identification Requirements trainings at eight community based consumer groups. In attendance at these groups were approximately 124 individuals. VOPA staff distributed 38 Voter Registration forms and 23 Absentee ballot application forms. Presentations were provided for Clinch Center for Independent Living in Grundy, Junction Center for Independent Living in Norton, and Safe Haven Day Support Center in Richmond in May. In June, presentations were provided at the Petersburg Area Rehabilitation Center and at the Eastern Shore Center for Independent Living in Exmore. In August and September presentations were provided at The Virginia Supportive Housing Coalition in Norfolk, the Millhouse Club House in Richmond, and the Blue Ridge Club House in Charlottesville.

Inform residents of Assisted Living Facilities of their voting rights through ten (10) visits to facilities or community-based facilities providing services to ALF residents, and assist residents with voting registration as needed.

VOPA visited more than 10 identified Assisted Living Facilities located across the Commonwealth to discuss voting rights. In March 2010 a presentation was provided at Candis Adult Care in Roanoke. In August 2010 a presentation was provided at the Grayson House in Independence. In September 2010 presentations were provided at Beulah House in Dublin, Carrington Place in Wytheville, English Meadows Adult Care in Christiansburg, Wheatland Hills in Christiansburg, Evansham Manor in Wytheville, Fairview home in Dublin, Showalter Center in Blacksburg, Wheatland Hills in Radford and the Wybe and Mariet HE Kroon Health Center in Blacksburg.

VOPA expanded this objective near the conclusion of FY10 with the intention of completing the expanded objective early in FY11 (prior to the November 2010 election). VOPA determined to visit every assisted living facility (ALF) in the state that received supplemental funding for people with disabilities (known as auxiliary grants) VOPA targeted 316 facilities in total.

All VOPA staff were trained on individual voter registration rights, accessibility concerns, and absentee ballots. VOPA then wrote to every ALF in the target group, informing them that we would be meeting with residents to inform them of their rights and would bring materials to assist individuals

	<p>to register or to request absentee ballots.</p> <p>VOPA began the statewide visits in late September 2010 (FY10) and concluded them in mid October (FY11).</p>
Description of activities that displayed innovation which can be shared as “best practices” with other states	Not Applicable
Description of activities in the EAID plan (application) NOT carried out to completion & the barriers and/or reasons	Not Applicable
Description of Significant Barriers and/or road blocks to carrying out activities & possible solutions	<p>VOPA was denied access to some ALFs and in some facilities denied access to residents. In one instance, when contacting the ALF administrator VOPA staff were treated rudely several times on the phone. A letter was sent confirming the presentation date noting that if there was no response, VOPA would proceed. Staff arrived at the location and an individual who said he rented a room at the building claimed no knowledge of the named administrator. Staff recontacted the administrator and she claimed she didn't know if she had gotten our letter or not; “she gets lots of letters every day”. When we tried to re-schedule the presentation, she hung up on us.</p> <p>In another instance, staff was denied access to an ALF and the administrator called our staff a liar when we noted we had called several times and a letter had been sent regarding our desire to present on voting rights. She claimed that she had the right to deny our access to residents and asked VOPA to leave. She stated the only way she would let us in to meet with individuals was for us to come back with the police.</p> <p>VOPA is evaluating these events and others to determine next steps.</p>
Description of collaborative efforts with other organizations or groups	<p>VOPA staff collaborated with the Division of Licensing Programs at the Department of Social Services to inform Assisted Living Facilities across the Commonwealth that receive auxiliary grant funding that we would be providing outreach and presentations regarding voting rights to their residents.</p> <p>VOPA staff collaborated with staff at the Lynchburg Center for Recovery and Wellness to schedule a presentation, identify other potential community groups that might be interested in the presentation and send out flyers to them. VOPA staff collaborated with staff at the Piedmont Center for Independent Living to schedule a presentation, identify other potential community groups that might be interested in the presentation and send out flyers to them.</p>

Total amount of HAVA funding expended on activities in Mandate Area 2	\$60,229
<p>Mandate Area 3</p> <ul style="list-style-type: none"> ❖ Participate in advocacy and education efforts revolving around HAVA implementation efforts in Virginia. <p>Goal/Activity outlined in the FY2010 EAID plan (application):</p>	
Description of activities in the EAID plan (application) carried out to completion	Not Applicable
Description of activities that displayed innovation which can be shared as “best practices” with other states	Not Applicable
Description of activities in the EAID plan (application) NOT carried out to completion & the barriers and/or reasons	Not Applicable
Description of Significant Barriers and/or road blocks to carrying out activities & possible solutions	Not Applicable
Description of collaborative efforts with other organizations or groups	Not Applicable
Total amount of HAVA funding expended on activities in Mandate Area 3	Not Applicable

Mandate Area 4

- ❖ Training and education of election officials, poll workers, and election volunteers regarding the rights of voters with disabilities and best practices in working with individuals with disabilities.

Goal/Activity outlined in the FY2010 EAID plan (application):

<p>Description of activities in the EAID plan (application) carried out to completion</p>	<p>Develop a Disability Awareness training specifically addressing accommodations for individuals with disabilities who are exercising their right to vote. By July 30, 2010, provide a training to five (5) registrars located across Virginia.</p> <p>VOPA worked with the Secretary of the State Board of Elections to provide training at a workshop for registrars and election volunteers regarding Disability Awareness voting accommodations. Due to scheduling conflicts VOPA staff ultimately met directly with the registrars in Fairfax county, Richmond, Henrico, Chesterfield, Norfolk, Alexandria and Hanover County to collaborate on training of polling site volunteers for the November 2010 elections.</p> <p>Develop fact sheet on retaining voting rights in guardianship proceedings and distribute to fifty (50) guardians ad litem for adults and to the Supreme Court for distribution to the bench.</p> <p>VOPA developed a fact sheet that addressed the importance of being able to retain the right to vote and applicable law and requested that when a guardianship hearing occurs to consider allowing an individual the right to retain their ability to vote. This was distributed to 50 guardian ad litem and forwarded to the Virginia Supreme Court. The Supreme Court responded by saying that they would distribute the flyer at all future Guardian ad litem trainings.</p>
<p>Description of activities that displayed innovation which can be shared as “best practices” with other states</p>	<p>Many of the calls that VOPA has received in the past have addressed concerns regarding how polling site staff interact with members of the community who have a disability. Although there are no specific legal violations VOPA decided to take action based on community feedback about this as a concern. The training includes a brief overview of voter disenfranchisement issues for people with disabilities and the consequent implementation of HAVA. It reviewed some of the scenarios regarding the interactions of poll workers with people with disabilities, some of which are similar to complaints our Office received. VOPA provided some protocols and guidelines to address these issues.</p>
<p>Description of activities in the EAID plan (application) NOT carried out</p>	<p>Not Applicable</p>

to completion & the barriers and/or reasons	
Description of Significant Barriers and/or road blocks to carrying out activities & possible solutions	Not Applicable
Description of collaborative efforts with other organizations or groups	VOPA initially worked with the State Board of Elections to provide a workshop. When it became evident that was not feasible the State Board of Elections suggested that VOPA visit registrars directly to provide them information for training their polling site volunteers directly. VOPA collaborated with seven registrars to review and disseminate the 'Disability Awareness' materials.
Total amount of HAVA funding expended on activities in Mandate Area 4	\$21,405
<p>Mandate Area 5</p> <ul style="list-style-type: none"> ❖ To assist individuals with disabilities in filing complaints under the State-based administrative grievance procedure required by HAVA and represent individuals with disabilities in any hearing that may be held regarding the complaint. <p>Goal/Activity outlined in the FY2010 EAID plan (application):</p>	
Description of activities in the EAID plan (application) carried out to completion	Not Applicable
Description of activities that displayed innovation which can be shared as "best practices" with other states	Not Applicable
Description of activities in the EAID plan (application) NOT carried out to completion & the barriers and/or reasons	Not Applicable

Description of Significant Barriers and/or road blocks to carrying out activities & possible solutions	Not Applicable
Description of collaborative efforts with other organizations or groups	Not Applicable
Total amount of HAVA funding expended on activities in Mandate Area 5	Not Applicable
<p>Mandate Area 6</p> <ul style="list-style-type: none"> ❖ To provide assistance to States and other governmental entities regarding the physical accessibility of polling places. <p>Goal/Activity outlined in the FY2010 EAID plan (application):</p>	
Description of activities in the EAID plan (application) carried out to completion	<p>By March 1, 2010, identify up to three (3) school districts where schools also serve as voting sites and conduct accessibility surveys of voting sites. Obtain corrective action as appropriate.</p> <p>In FY 2009-2010, VOPA conducted accessibility surveys of public schools serving as voting sites in Mathews and Orange Counties. VOPA created a survey tool based on the requirement set out in the Americans with Disabilities Act Accessibility Guidelines (ADAAG) and chose school districts in areas of the Commonwealth that were relatively underserved.</p>
Description of activities that displayed innovation which can be shared as “best practices” with other states	Not Applicable
Description of activities in the EAID plan (application) NOT carried out to completion & the barriers and/or reasons	Not Applicable

Description of Significant Barriers and/or road blocks to carrying out activities & possible solutions	Not Applicable
Description of collaborative efforts with other organizations or groups	VOPA collaborated with the school districts to schedule and conduct the surveys. After the surveys were completed, VOPA sent technical assistance letters to the two districts informing them of areas of the schools that did not comply with the ADA or ADAAG. VOPA asked that the districts make the modifications to the schools necessary to ensure that they are accessible prior to the 2012 elections. To date, Orange has committed to do so, VOPA is still awaiting a resolution from Mathews County.
Total amount of HAVA funding expended on activities in Mandate Area 6	\$10,742
<p><i>Mandate Area 7</i></p> <ul style="list-style-type: none"> ❖ To obtain training and technical assistance on voting issues, including education regarding accessible voting equipment and systems. Once educated, the information may be used to inform others of the availability of accessible voting equipment and its use. <p><i>Goal/Activity outlined in the FY2010 EAID plan (application):</i></p>	
Description of activities in the EAID plan (application) carried out to completion	Not Applicable
Description of activities that displayed innovation which can be shared as “best practices” with other states	Not Applicable
Description of activities in the EAID plan (application) NOT carried out to completion & the barriers and/or reasons	Not Applicable

Description of Significant Barriers and/or road blocks to carrying out activities & possible solutions	Not Applicable
Description of collaborative efforts with other organizations or groups	Not Applicable
Total amount of HAVA funding expended on activities in Mandate Area 7	Not Applicable

Continuity of the activities

VOPA will continue to provide information and referral, training and education about voting rights for people with disabilities. Outreach in FY11 will again include assisted living facilities. PAVA efforts will also include an investigation at an institution and voting accessibility surveys.

Citizen feedback on voter accessibility issues within your state

In FY2010, VOPA provided information and referral services to 1821 individuals who contacted the Office with questions about voting.

Information regarding the HAVA program and VOPA's Goals and Focus areas are published on our website. The VOPA Governing Board has adopted a tri-annual schedule for reviewing our program goals and objectives; the FY11 Goals and Focus areas are the second year of this cycle. We solicited public comment through a public survey posted on our website. This survey ran from July 12 to September 9, 2010. VOPA received 68 public comments from consumers, family members and professionals. The VOPA Governing Board has an established policy and practice to receive public comment at each quarterly meeting of the Board and that Board Committees may receive public comment at their meetings at their discretion. Also, the Governing Board develops and implements a detailed public comment process based on the tri-annual planning cycle and staff recommendations; these decisions are reflected in the Board's meeting minutes which are also posted on the VOPA website. All VOPA Board and advisory council meetings are advertised as open to the public and include receipt of public comment as an agenda item. Any public comment received is considered in the priority planning process for the development of VOPA's goals, focus areas and objectives.

Funding carried over from previous fiscal years –

FY 2007 - \$70,000
 FY 2008 - \$84,754
 FY 2009 - \$84,945

Explanation of spending trend (use of funds and/or lack of funds used, particularly any funds sent back to treasury)

HAVA funds are also used to cover administrative cost that occur including office supplies, printing, and other expenses necessary for office operations in addition to voting rights advocacy.