

**Department for the Blind and Vision Impaired  
Vocational Rehabilitation Program**

**Policy and Procedures Directive  
DS-PPD-18-02  
June 13, 2018**

To:           Rehabilitation Teachers  
              Regional Managers

Cc:           Ray Hopkins, Commissioner  
              Rick Mitchell, Deputy Commissioner for Services

From:       Jane Ward Solomon, Director of Instructional Programs and Services

This Policy and Procedures Directive (PPD) serves to inform staff that the policy and procedure listed below is a new RT policy and procedure. This Policy Directive supersedes any previous PPD's as well as any policy manual references. Implementation of this PPD should occur immediately.

**CHAPTER 1.1 updated June 8, 2018  
Voter Registration**

**National Voter Registration Act (1993)  
Help America Vote Act (2002)**

The purpose of the National Voter Registration Act (NVRA) is to increase the number of citizens registered to vote and to establish safeguards that ensure a citizens' right to vote. The Act is designed to increase the number of Americans registered to vote by requiring many public agencies to provide registration opportunities to their clients in conjunction with other services. The Help America Vote Act was passed to strengthen the NVRA.

In addition to the Department of Motor Vehicles, the National Voter Registration Act of 1993 requires that individuals be given the opportunity to APPLY TO register to vote (or to change their voter registration data) in elections for federal and/or state office when applying for (or receiving) services or assistance from certain other state agencies designated by statute.

DBVI is (per [Code of Virginia 24.2-411.2](#)) a state-designated voter registration agency for federal and state elections. As such, the ES/RT/VR staff person will ensure that the Commonwealth of Virginia Voter Registration information is provided to the applicant during application. Regardless of whether the applicant chooses not to register, has

already registered, and wishes to register to vote, the ES/RT/VR staff person will complete the Voter Registration Agency Certification form and place it in the case file. Signatures of the applicant and the ES/RT/VR staff person are required on the form. The individual has the right to refuse to sign the form. In that situation, the ES/RT/VR staff person will document that the individual “declined to sign” on the signature line of the form. The counselor is still required to sign the form themselves. The ES/RT/VR staff person will also document the decision to register or not in the Application section in AWARE. Should the individual choose to complete the Voter Registration Form for DBVI to submit, the ES/RT/VR staff person should send the completed, signed form to DBVI’s agency representative.

The ES/RT/VR staff person must provide individuals applying for services with the same level of assistance, including bilingual services where necessary, in completing a voter registration and/or certification form as would be provided in completing any other DBVI forms, unless the individual refuses such assistance [42 D.S.C. §§ 7(a)(4)(A)(ii) and 7(a)(6)(C)].

The ES/RT/VR staff person is prohibited from:

1. seeking to influence an individual’s party preference,
2. displaying any such political or candidate preference or party allegiance,
3. making any statement or taking any action whose purpose or effect is to discourage the individual from registering to vote, or
4. making any statement or taking any action whose purpose or effect is to lead the applicant to believe that a decision whether or not to register has any bearing on the availability of services or benefits [42 D.S.C. § 7(a)(5)].

### **Eligibility to Register to Vote**

To be eligible to vote in Virginia, a person:

1. Must be a citizen of the United States
2. Must live in the Commonwealth of Virginia (A person who has come to Virginia for temporary purposes and intends to return to another state is not considered a resident for voting purposes)
3. Must be at least 18 years old by the date of the next general election
4. Must not claim the right to vote elsewhere

5. Must not have been convicted of a felony, or judged by a court to be incapacitated (unless civil rights to vote have been restored by the Governor or a court order has restored you to capacity)

NOTE: For the criteria that the individual must not claim the right to vote elsewhere, “elsewhere” refers to another state in the United States or the District of Columbia. The individual may have the right to vote in another country or territory of the United States and if they meet the other Virginia eligibility criteria they may still register to vote.

Individuals must be given the opportunity to register to vote annually and documented appropriately in AWARE when recertifying for agency services (required by law). The ES/RT/VR staff person must additionally offer the address change notification when an individual has moved.

**For more information regarding voter registration, see the Commonwealth of Virginia Voter Registration Manual-2014 in the Forms Cabinet. This manual will be updated during July 2018.**