



June 14, 2013

As a county that actively participates in the Secretary of State's Certification and Education of Designated Election Officials Program, Adams County would like to submit the following comments on the Proposed Rule 40:

- 40.1.1 Should more closely summarize the law by reading: The Secretary of State is required to operate a certification program for local election officials on the conduct of elections as it relates to C.R.S. Title 1. The purpose of the program is to promote standardized election procedures through web-based and interactive, in-person training classes on election law, the federal "Help America Vote Act of 2002" and professional development.
- 40.1.3(a) Should include a reference to C.R.S.1-1-302(3) that says nothing in this section shall be construed to require an elected official to attend a course of instruction or obtain a certification as a condition for seeking or holding elective office or as a condition for carrying out constitutional or statutory duties.
- 40.3.1 Should be made clearer that the Advisory Board must approve the curriculum by changing 40.3.1 to read: The Secretary of State will develop the core and elective curriculum offered for certification and continuing elections education which is then approved by the Advisory Board. The Secretary and Advisory Board will share curriculum information with the County Clerks.
- 40.3.2 Should also be made clearer by adding the Advisory Board's role. Suggested rewrite: The Secretary of State will develop, seek Advisory Board approval and then administer all training outlined in this Rule 40.
- 40.3.3 What is significant about changing eight core courses to seven core courses and one course relevant to primary job duty? To ensure certification within two years, Election Officials must take all classes offered through the current program regardless how relevant to the job they do on a daily basis. If the course list lengthens to the point a choice is necessary, the Clerk or Department Manager should determine the relevancy of each core class and which staff member would benefit from taking it. How would the Secretary of State monitor or determine if a core class taken was relevant to the employee's specific responsibilities? In fact, the words "prescribed by the Secretary of State" should be removed from 40.3.3 and (A) should revert back to eight basic core courses; thereby eliminating the need for (B)
- 40.5.4 Eliminating the ability to receive credit toward Colorado Certification by taking training offered by other agencies or organizations must not be part of this rule! Attending national level 1 ½ day classes offered by Auburn University professors through the Election Center not only offers a higher quality, in-depth learning experience, the interaction with counterparts from other states allows attendees to develop best practices, hear innovative solutions to common issues and form contact lists for future sharing opportunities. "Perspective from other states, such as that provided at the convention, is especially helpful." The knowledge we gain at these in-depth classes is invaluable and the classes should be credited toward our Colorado certification.
- 40.6 Given our thoughts above, this section of the rule should remain. Election Officials attending classes through out-of-state organizations should have a process for gaining Colorado certification training credit.



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- 40.7 Eliminates certification credit for SCORE functional training. SCORE is the fundamental statewide voter registration system and the key responsibility for most staff in our office. The proposed rules lists “one core course relevant to primary job duty” as a new requirement for Colorado certification. An in depth, one day training in SCORE focused primarily on registration keying and related rules/policies/best practices would give new employees an introduction to the tool they most use as an Election Official. Additional in-depth classes should be offered in more advanced functions including mapping, election set-up, ballot label pulling, maintaining elected official information, county system configuration and report options.
- 40.9 The law is clear that clerk and recorders are not required to attend a course of instruction or obtain a certification as a condition for seeking or holding elective office or as a condition for carrying out constitutional and statutory duties. What is the basis for decertifying a certified election official if new and/or relevant classes are not offered or if department circumstances prevent sending staff to five classes in busy election years. Substantial compliance should/must be considered.

Thank you for considering our comments.

Sincerely,

A handwritten signature in black ink that reads 'Karen Long'. The signature is written in a cursive, flowing style.

Karen Long