

County Boards of Registrars



Records Disposition Authority

**Revision
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Local Government
Records Commission
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County Boards of Registrars Records Disposition Authority

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Functional and Organizational Analysis of the County Boards of Registrars

Sources of Information

Ed Packard, Supervisor of Voter Registration, Office of the Secretary of State
Review Committee of County Registrars
Code of Alabama 1975, Title 17
Act No.2003-313 of the Alabama Legislature
Alabama Government Manual (1994)
Alabama Election Handbook, 7th edition
Handbook for Alabama County Commissioners, 8th edition
Holdings of the Alabama Department of Archives and History for county boards of registrars
Martin, David L. *Alabama's Local Governments*, 3rd edition (1994)
Owen, Thomas McAdory. *History of Alabama and Dictionary of Alabama Biography* (1921).
Thomas, James D., and William H. Stewart. *Alabama Government and Politics* (1988)

Historical Context

Registration of qualified voters was first required in Alabama during Reconstruction. Under the Constitution of 1868, it was “provided that the legislature should provide from time to time for the registration of qualified electors of the State.” Officially, the secretary of state was responsible for voter registration, but the process was closely supervised by federal military authorities. So successful was the plan of registration they concocted—“not only in the registration of qualified electors, but in preventing the possibility of persons voting who were disqualified—that it was retained in the post-Reconstruction Constitution of 1875 to disenfranchise a different class of Alabamians. An act of 1893 made the county probate judge responsible for voter registration, “but the county registrar, immediately in charge of the work, was appointed by the governor” (Owen, vol. II, p. 1191).

Agency Organization

Alabama’s current voter registration system dates from 1903, when three-member county boards of registrars were created by a state Board of Appointment, composed of the Governor, the Commissioner of Agriculture, and the State Auditor. Under this system, each Board of Appointment member may appoint one registrar per county. The Governor’s appointee is traditionally chairman, but the chairman has no more authority than other registrars and cannot unilaterally exercise the board’s authority. Normally, the registrars serve four-year terms. However, they may be removed for cause by the Secretary of State. In order to implement existing and future laws pertaining to voter registration, and maintain the statewide voter registration database, the county boards of registrars receive direction and computer support from the Secretary of State’s office. The Secretary of State’s office provides the boards with forms, supplies, copies of the Code of Alabama and the *Alabama Election Handbook*, and information on the National Voter Registration Act of 1993 and Help America Vote

Act of 2002. Each county judge of probate distributes certified voter lists to the polls on election day.

State law requires that boards of registrars not register any person as a qualified elector within ten days prior to an election (Code of Alabama 1975, Section 17-3-50). Under the National Voter Registration Act, the board may accept an application within the ten-day limit; however, the applicant is not eligible to vote in that election unless the application was postmarked or received at an agency-based voter registration site by the registration deadline. Usually, a board's office is located in the county courthouse. The number of days board members may work is limited by the Code of Alabama, for most counties to between 120 and 216 days. (Exceptions are Baldwin, Calhoun, Chilton, Madison, Mobile, Montgomery, Morgan, and St. Clair Counties, where members may serve up to five days a week; and Jefferson County, where the board operates under local legislation.) Working time limits for individual registrars must not affect the total number of days an office is open. In counties with more than one courthouse, the board must divide its time equally between the various locations (Code of Alabama 1975, Section 17-3-9).

Agency Function and Subfunctions

The mandated duty of the boards of registrars is to administer voter registration in each county. Registrars decide whether to accept or reject voter applications, assign each registered voter to the right precinct, maintain and update voter files, maintain records of the office, visit colleges and high schools to conduct open registration, provide proof of registration to voters, and notify other county boards of new registrations from their counties. The county boards of registrars are among the agencies responsible for carrying out the Regulatory function of Alabama local government.

In the performance of its mandated function, a county board of registrars may engage in the following subfunctions:

- **Promulgating Rules and Regulations.** A board of registrars may establish procedures to ensure that the processing of voter registration forms is done in an orderly manner. Following passage of the National Voter Registration Act of 1993, the Office of the Secretary of State was given authority to promulgate administrative rules governing the voter registration process (Code of Alabama 1975, Section 17-4-63). As their policies and procedures manual, county boards of registrars use the *Alabama Election Handbook*, published by the Alabama Law Institute with the editorial assistance of the Secretary of State's office.
- **Registering Voters.** The primary mission of the board is voter registration. It takes a majority vote of the board for an application to be accepted and the voter registered. To be a qualified voter, an applicant must be eighteen by the date of the election, be a citizen of the United States, be a resident of the state and county where the application is submitted, not have been declared mentally incompetent by a court, and not have been convicted of any disqualifying felonies. Alabama law requires a person registering to vote to complete an application form. The board may assist if the registrant is incapable of completing the form, either because of an inability to read or write or due to physical limitations. When the application is approved, the board adds the voter to the statewide voter registration system

and issues a voter registration identification card. The statewide voter registration system can automatically identify in which precinct the county commission has assigned the voter's residence, as well as the various political districts in which the voter resides (e.g., state House of Representatives, state Senate, U.S. House of Representatives). However, the registrars can manually identify this information and enter it into the statewide voter registration system.

- **Maintaining Registration and Voting Information.** Under both the National Voter Registration Act and Alabama state law, voters remain on the voter list unless their qualifications change. A person may be removed from the voter list only when the board of registrars has evidence that the person is no longer qualified to vote in its jurisdiction. When the registrars determine that a voter is no longer qualified to vote, they flag the voter as “removable” in the statewide voter registration system and maintain the voter’s record for historical and administrative purposes.
- **Updating Registration Information.** The county boards of registrars currently update voter information in two ways. Qualified voters may complete and sign an update form or a new voter registration form to change their voter registration information. These forms may be completed in the boards’ offices; at a polling place on election day; or, in the case of a registration form, mailed in by the voter or submitted at an agency-based voter registration site. (The filing system for these forms varies from county to county. Some boards file them with voter applications, while others create a different file for updates. Some boards scan the update form and store it in the statewide voter registration system as an attachment to the voter’s record.) The second method of updating voter information is the postcard notification method (outlined below) established by Act 95-769, a 1995 amendment of the Code of Alabama 1975, and codified at Section 17-4-30. Postcards are filed separately from other records and, in some counties, scanned into the statewide voter registration system, so that they can be found quickly if formerly registered voters inquire about their purging from the voter list. Prior to the 1995 legislation, some counties with large populations (such as Montgomery) developed a postcard re-identification system to update their voter files.
- **Purging the Voter Lists.** A board of registrars is required to purge its list of registered voters to ensure that the list remains an accurate reflection of the county electorate (Code of Alabama 1975, Section 17-4-3). State election laws also provide a means by which voters whose names have been erroneously removed from the list may be re-registered (Code of Alabama 1975, Section 17-4-8). Over the years, Alabama has followed three statutory methods, as well as federal law, in removing voters from the active lists: the traditional disqualification method established in 1907; the 1984 voter re-identification method; and, most recently, the postcard notification method of 1995. The last method incorporates the 1984 voter reidentification method and is currently the one more widely used.

Traditional Disqualification Method. Because the county must confirm that previously registered voters are no longer eligible, the traditional disqualification method relies on official notices. A county board of registrars may remove a voter’s name from the rolls upon official notification of death, mental incompetence,

conviction of a disqualifying offense; or after written notification (from the voter or from another county or state registration official) that the voter has relocated outside the jurisdiction. Voters may not be purged solely on the basis of non-voting.

Postcard Notification Method (1995). The voter file maintenance act of 1995 (cited in the previous subfunction) incorporates most aspects of the traditional disqualification and voter reidentification methods. This process is implemented in a four-year cycle and is designed to be completed in three phases. In the first phase, the board of registrars mails a postcard to each registered voter's address, along with a statement requiring the post office to return—not forward—the postcard if the addressee is not the current resident. Successful delivery of the initial postcard indicates that the address on file is valid and that no change needs to be made to the voter's record. In the second phase, the board sends forwardable address confirmation notices to any registered voters whose initial postcards were returned as undeliverable. The second postage-paid card asks the voter to return updated registration information. All necessary changes are entered into the statewide voter registration system. Any voter who fails to return the address confirmation postcard is placed in a "suspense" file. If a voter does not vote or update within the next four years, he or she will be eligible for purging from the voter list. In the third phase, at the end of the four-year cycle, the board publishes the list of those voters eligible for purging. Following publication of the potential purge list, the boards purge from the voter list the names of those voters who have not updated.

- **Certifying Voter Information.** When registration closes before an election, each county's registrars make all additions, deletions, or other necessary changes to the voter list in the statewide voter registration system. The probate judge then prepares and prints from the statewide voter registration system an alphabetical list of the qualified voters in the county by precincts, districts, or other subdivision as may be appropriate for the pending election (Code of Alabama 1975, Section 17-4-2).
- **Reporting Statistical Information.** The board of registrars formerly reported on a monthly and quarterly basis to the state Office of Voter Registration and the Secretary of State. These reports included statistical information on the daily count of registered voters, the daily count of inactive and active voters, and the daily count of all duplicate voter registrations. As of the summer of 2007, the Secretary of State is able to extract this data from the statewide voter registration system. Such information is used by the Secretary of State to develop statistical reports. The county boards may also produce annual transaction reports.
- **Administering Internal Operations.** A portion of the work of county boards of registrars includes general administrative, financial, and personnel activities performed to support their operations. (In some counties, the county commission may perform these activities on the board's behalf.) They include:

Managing the agency: Activities include internal office management activities common to most government agencies, such as corresponding and communicating;

scheduling; meeting; documenting policy and procedures; reporting; drafting, promoting, or tracking legislation; publicizing and providing information; managing records; and managing information systems and technology.

Managing finances: Activities may include budgeting (preparing and reviewing a budget package, submitting the budget package to the county commission's department of finance, documenting amendments and performance of the budget, and reporting on established budget categories); purchasing (requisitioning and purchasing supplies and equipment, receipting and invoicing for goods, accounting for expenditures, and authorizing payment for products received); accounting for the expenditure, encumbrance, disbursement, and reconciliation of funds within the agency's budget through a uniform system of accounting and reporting; authorizing travel; contracting with companies or individuals; bidding for products and services; assisting in the audit process; investing; and issuing bonds.

Managing human resources: Activities may include recruiting and hiring eligible individuals to fill positions within the agency; providing compensation to employees; providing benefits such as leave, health insurance, unemployment compensation, worker's compensation, injury compensation, retirement, and death benefits; supervising employees by evaluating performance, promoting, granting leave, and monitoring the accumulation of leave; training and providing continuing education for employees; and disciplining.

Managing properties, facilities, and resources: Activities may include: inventorying and accounting for non-consumable property and reporting property information to the appropriate authority; constructing buildings and facilities, leasing and/or renting offices or facilities; providing security for property owned by the agency; insuring property; and assigning, inspecting and maintaining agency property, including vehicles.

Analysis of Record-Keeping Systems and Records Appraisal of the County Boards of Registrars

Agency Record-Keeping System

Boards of registrars vary considerably in their records filing systems. Although every county board is now computerized, with information stored electronically in the Alabama Voter Registration and Election Management System (the statewide voter registration system), many boards retain their paper records as a back-up.

Computer Systems. Pursuant to state election law, all boards of registrars enter voter registration data into the statewide voter registration system (Code of Alabama 1975, Section 17-4-33). Some counties formerly operated their own computerized voter registration systems. However, the Help America Vote Act of 2002 requires each state to have a single, uniform voter registration database. Data entered into the statewide voter registration system include, but are not limited to: voter's name, the last four digits of the Social Security number, a driver's license number or other unique identifier, mailing address, residential address (if different from mailing address), date of birth, registration date, precinct and various political districts in which the voter resides, date last voted, classification as active or inactive voter, and (for inactive voters) date and reason for changing the voter's status to "removable."

The Alabama statewide Voter Registration/Election Management System was designed and is supported by Election Systems & Software, Inc., of Omaha, Nebraska and is implemented through the Office of the Secretary of State. The primary system is housed in the state's datacenter in Montgomery. The counties connect to the system via commercial internet providers or state-provided T-1 lines and use state-provided computers, printers, and other equipment.

Paper-based Systems. All boards of registrars in Alabama use computers, but no board relies solely on the computer or plans to do so in the near future. Most boards have numerous filing cabinets full of voter applications, card files of current voters, and files of purged or removed voters (sometimes called the "Dead and Gone Files"). A board may also have bound volumes of voter lists or lists of qualified electors.

Records Appraisal

The following is a discussion of records created and maintained by county boards of registrars, listed under their subfunctions. At the end of this records appraisal is a list of **Records No Longer Created** by the boards of registrars that may still be maintained in their offices.

I. Temporary Records. Temporary records should be held for what is considered to be their active life and disposed of once all fiscal, legal, and administrative requirements have been met. Some of the temporary records maintained by county boards of registrars are discussed below.

- **Registration Logs and Summaries/Entry Ledgers/Transmittal Forms (2.02).** These records are various logs, ledgers, summaries, and transmittal forms used to track and analyze voter registration in each county. Information may include alphabetical, periodic listings of new voter registrants; voter registration numbers and related information; transmittal forms used in compiling voter registrations; and forms used to report “motor voter” registration information. Information in these records is summarized in the list of registered voters, a permanent record.
- **District and Precinct Maps (2.03).** These maps are used in determining voter applicants’ precincts and districts. They are copies of maps retained permanently by the county commission. The board may alter its copies of the maps; for instance, it may color the precincts to assist voters, political parties, or other interested groups in determining the precise location of precincts and beats. The board of registrars’ copy is kept until superseded.
- **Notices of Decision in Appeals of Rejected Applications (2.05).** These records are added as a supplement to the previous RDA item (Notices of Rejected Applications) to cover notices of decisions in appeals of rejected applications filed under the Code of Alabama 1975, Section 17-3-55. Appeals must be filed in probate court within 30 days of the applicant’s rejection. Adverse decisions may be appealed to the circuit court, then to the Alabama Supreme Court.
- **Voter Registration Cards and/or Files (3.01).** In order to update registration lists, reassign precincts, and certify lists of registered voters, many county boards of registrars use locally designed cards on each registered voter to back up the statewide voter registration system. Voter information is written on the card when an initial application is received, and changes in address or precinct are likewise noted. Voter registration cards may also document voting activity. These are restricted records. Their retention is governed by the Code of Alabama 1975, Sections 17-3-52, 17-4-12, 17-4-30, and 17-9-15.
- **Election Poll Lists (4.01).** These records are used by poll workers to record which registered voters voted in county and municipal elections. After the election, the lists for each precinct are forwarded to the board of registrars. Using the annotated lists, the board updates its voter history files and cards, including each voter’s record in the statewide voter registration system, and then returns the lists to the appropriate official. Municipal poll lists are returned to the city clerk; all other poll lists are returned to the judge of probate (Code of Alabama 1975, Section 17-9-15). Under Attorney General’s Opinion 98-144, poll lists may contain other identifying information in addition to a voter’s name and polling place.
- **Voter File Maintenance Postcards (4.02).** These postcards are used in the postcard notification method of updating voter files to identify people who have moved to a new address in or out of the county. Information received on the card is entered into the statewide voter registration system and, at the board’s option, updated on the voter registration cards discussed in item 3.01. Postcards should be maintained for six years, until after the first statewide general election after the close of the four-year cycle in which the record was created.

- **Source Documentation (4.03).** These records aid the board in updating its voter files. They include reports such as: vital statistics reports on deaths in the county, mental incompetency reports, public safety reports, E-911 addresses, and felony reports. Source documentation augments changes in the voter history files and additions to the inactive voter list, published every four years.
- **Cancellation Notices (4.05).** Cancellation notices are sent to inform a county board of registrars that a voter in the county has moved to another state. They may be sent from jurisdictions in other states directly to the boards of registrars or to the Secretary of State. Notices sent to the Secretary of State are forwarded to the proper county on a regular basis. The notices are processed in a timely manner by the boards, and voters are removed from the voter list as appropriate. The notices should be maintained for a period of two years.
- **Inactive Voter Lists (5.01).** These records, usually maintained in the statewide voter registration system, document the placement of persons in a voter status of “inactive,” based on non-response to the second mailing in the postcard notification system or when a voter has not voted during a four-year period (Code of Alabama 1975, Sections 17-4-9 and 17-4-33). Voters remain in a status of “inactive” until they submit an update form to the board of registrars, or until the board makes a determination that the voter is no longer qualified to vote in the jurisdiction.
- **Suspense File (5.03).** These records, usually maintained in the statewide voter registration system, document the placement of voters into the suspense file, based on non-response to the second mailing in the postcard notification system (Code of Alabama 1975, Section 17-4-33). Voters remain in the suspense file until they vote, file an update form with the board of registrars, or are purged from the voter list.
- **Lists of Registered Voters (6.01).** Each board of registrars is required to keep a current copy of the qualified elector list for the county open and subject to public inspection (Code of Alabama 1975, Section 17-4-2). Under Attorney General’s Opinion 80-343, only each voter’s name and voting precinct are a matter of public record available for public inspection. Because these lists of registered voters are routinely updated, the list for a particular election needs only to be kept until superseded by the new version. The statewide voter registration system provides a permanent, authoritative record of qualified voters; its electronic archives shows who was qualified to vote in a particular election.
- **Voter Registration Statistical Reports (7.01).** These reports are copies of those submitted to the Secretary of State to document voter registration activity in each county. They include daily, monthly, quarterly, and yearly reports and provide statistical information on voters’ race and gender, as well as on total voting activity. Permanent records documenting this activity are located in the Secretary of State’s office and will be governed by that agency’s records disposition authority. The county boards of registrars’ copies provide short-term reference and do not need to be kept longer than one year.

II. Permanent Records. The Government Records Division recommends the following records as permanent:

Promulgating Rules and Regulations

- **Board Meeting Minutes, Agendas, and Packets (1.01).** These records document meetings of the county board of registrars. They include agendas and packet materials reviewed by members prior to meetings. Because a county board’s membership turns over every four years, on average, minutes and related records are essential to provide long-term documentation of board actions, and to assist new registrars in understanding the policy decisions of their predecessors. Not all county boards currently create minutes.
- **Board’s Administrative Files (1.03).** These records include all correspondence regarding policy development: preclearance letters from the Justice Department, Attorney General’s Opinions, accounts of board meetings, and related information. For many boards of registrars, such records are the only means of documenting the activities of previous board members, especially if a board did not create a policies and procedures manual or keep formal minutes. Administrative files provide insight into how the board operated and reacted to various social and political changes within the community. Occasionally, these files may not exist or may have been removed by earlier administrations. Administrative files do not include information produced by other agencies and used by the board purely for reference, such as the *Alabama Election Handbook* or the Code of Alabama. Such reference materials, along with routine correspondence concerning the board’s day-to-day activities, are temporary records covered under “Administering Internal Operations—Managing the Agency.”
- **Policies and Procedures Manuals (1.04).** A board of registrars has a right to establish reasonable internal procedures to ensure that the processing of voter registration forms is done in an orderly manner. Not all county boards create policies and procedures manuals. Where they do exist, they provide essential long-term documentation of board policies.

Registering Voters

- **Voter Applications (2.01).** These records document initial voter applications and are restricted records under the Code of Alabama 1975, Section 17-3-52. Under both the National Voter Registration Act and state law, voters remain on the voting list unless their qualifications change, and purged voters may apply for reinstatement upon restoration of their voting rights. Voters may not be purged solely on the basis of non-voting. Because they provide ongoing documentation of voter qualifications, the applications are appraised as permanent. The one exception is for applications that are incomplete. These should be retained for six months while the county board of registrars attempts to follow up on them. Voter applications are restricted records under the Code of Alabama 1975, Section 17-3-52.

Maintaining Registration and Voting Information

Permanent documentation of this subfunction is found in the List of Registered Voters prepared for each primary or general election.

Updating Registration Information

- **Update Forms Submitted by Voters (4.04).** Qualified voters may complete an update form to notify the board of any changes in their name, residence, or mailing address. Preferably, voters should contact the board whenever the voter has a change in name or in residential or mailing address and complete a form or send a letter identifying all pertinent changes. However, a voter may also complete an update form at the polls on election day. Information from the form is entered into the statewide voter registration system and/or updated on the voter registration cards discussed in item 3.01. Because they provide ongoing documentation of voter qualifications, the update forms are appraisal as permanent. Like voter applications, they are restricted records.

Purging the Voter Lists

- **Purge Lists (5.02).** These records, compiled from the suspense files (item 5.03), document the removal of ineligible voters from the voter lists. Information in them includes the voter's name and precinct (Code of Alabama 1975, Section 17-4-10). As required by Section 117-4-12 of the Code of Alabama 1975, the board's records, including the voter's record in the statewide voter registration system, must document the reason for purging the voter from the voter list (e.g., death, or departure from the state). The purge list is one of the few open public records that provides documentation of boards of registrars' activities. Although county boards formerly created this record annually, since the new legislation of 1995 purge lists have been compiled every four years.

Certifying Voter Information

Permanent documentation of this subfunction is contained in the statewide voter registration system's database, which includes records of all registered voters disqualified from voting by the county boards of registrars, and the reasons why. The statewide voter registration system is a permanent record under the Secretary of State's RDA.

Reporting Statistical Information

Permanent documentation of this subfunction is found in records maintained by the Secretary of State. They will be transferred to the Alabama Department of Archives and History under that agency's RDA.

Administering Internal Operations—Managing the Agency

- **Board of Registrars History Records (8.06).** These records document the history of the county board of registrars and may include scrapbooks, ledgers or volumes, speeches, or newspaper clipping files pertaining to important events or issues.
- **Publicity and Informational Materials (8.07).** These are printed materials intended to publicize the activities policies, and procedures of the county boards of registrars. They may

address such responsibilities as registration procedures and the different methods and locations for registration. In addition to providing useful information, they document the office's efforts to communicate with local citizens.

- **Websites (8.09).** Some boards of registrars have developed websites to respond to public inquiries and provide information on voter registration procedures. In order to document this record over time, the disposition calls for a complete copy of the site to be preserved annually, or as often as significant changes are made.

Administering Internal Operations—Managing Finances

- **Audit Reports (9.07).** These records document a board of registrars' overall financial condition, and the findings of the Examiners of Public Accounts, during each audit period (normally one fiscal year). Audit reports are the primary means of documenting long-term fiscal accountability. They include information on current accounting procedures, book-keeping problems, compliance with state and federal regulations, and record-keeping practices.
- **Grant Project Final Narrative Reports (9.08c).** County boards of registrars may be the recipients of state or federal grants. Most documentation associated with these grants is short-term accounting material. The final narrative report, however, summarizes the goals of the grant, how the money was used, and what was accomplished. They therefore have permanent evidentiary value in documenting important projects.

Administering Internal Operations—Managing Human Resources

- **Employee Handbooks (10.02).** Employee handbooks provide guidance to new employees about personnel rules and other board policies and procedures. They serve as evidence of compliance with state and federal hiring practices and may be used in personnel-related litigation.
- **Employee Newsletters (10.03).** Employee newsletters offer a narrative of the board's employment policies, employee programs and benefits, and information on individual employees. Along with employee handbooks, they provide the primary documentation of human resources management.
- **Training Records—Training standards, policies, procedures, and publications (10.07a).** These records document the board's overall standards, policies, and procedures in providing specialized training to its employees. They may include general policy statements or guidelines, training manuals, or other publications. Like other administrative policies and procedures, they are appraised as permanent. Documentation of training standards may also be needed to demonstrate that employees received adequate training in the performance of their job responsibilities.

III. Records No Longer Created. The following record was formerly created by county boards of registrars but is no longer created.

- **Voter Registration Written Examinations, 1901-1967 (12.01).** Formerly, county boards of registrars could require applicants to complete a written examination as a means of determining if they were qualified to vote. Under the Code of Alabama 1975, Section 17-4-122, examinations were maintained as restricted records. Following the Voting Rights Act of 1965, most counties stopped requiring them; none was created after the Twenty-sixth Amendment to the U.S. Constitution in 1971. While these records are historically significant, only completed examinations from Montgomery, Jefferson, and Dallas Counties will be identified for preservation in the RDA. ADAH already holds Montgomery County's examinations; Jefferson and Dallas Counties may transfer theirs to the department. In the future, ADAH may develop a sampling mechanism to limit the number of restricted records it maintains. Other county boards of registrars should keep a blank sample copy of the voter registration examination on file for future public access, or deposit these records with a local library, archives, or historical society.

County Boards of Registrars Permanent Records List

Promulgating Rules and Regulations

1. Board Meeting Minutes, Agendas, and Packets (1.01)
2. Board Administrative Files (1.03)
3. Policies and Procedures Manuals (1.04)

Registering Voters

1. Voter Applications (2.01)

Updating Registration Information

1. Update Forms Submitted by Voters (4.04)

Purging the Voter Lists

1. Purge Lists (5.02)

Certifying Voter Information

1. Lists of Registered Voters (6.01)

Administering Internal Operations—Managing the Agency

1. Board of Registrars History Records (8.06)
2. Publicity and Information Materials (8.07)
3. Websites (8.09)

Administering Internal Operations—Managing Finances

1. Audit Reports (9.07)
2. Grant Project Final Narrative Reports (9.08c)

Administering Internal Operations—Managing Human Resources

1. Employee Handbooks (10.02)
2. Employee Newsletters (10.03)
3. Training Records—Training Standards, Policies, Procedures, and Publications (10.07a)

Records No Longer Created

1. Voter Registration Written Examinations, 1901-1967 (Montgomery, Jefferson, and Dallas Counties) (12.01)

County Boards of Registrars Records Disposition Authority

This records disposition authority (RDA) is issued by the Local Government Records Commission under authority granted by the Code of Alabama 1975, Section 41-13-5 and 41-13-22 through -24. It was compiled by the Government Records Division, Alabama Department of Archives and History (ADAH), which serves as the commission's staff, in cooperation with representatives of the Alabama Secretary of State's office and county boards of registrars. The RDA lists records created and maintained by the county boards in carrying out their mandated function and subfunctions. It establishes retention periods and disposition instructions for those records and provides the legal authority for the boards to implement records destruction.

Alabama law requires public officials to create and maintain records that document the business of their office. These records must be protected from "mutilation, loss, or destruction," so that they may be transferred to an official's successors in office and made available to members of the public. Records must also be kept in accordance with auditing standards approved by the Examiners of Public Accounts (Code of Alabama 1975, Section 36-12-2, 36-12-4, and 41-5-23). For assistance in implementing this RDA, or for advice on records disposition or other records management concerns, contact the ADAH Government Records Division at (334)242-4452, or at records@archives.alabama.gov.

Explanation of Records Requirements

- This RDA supersedes any previous records disposition schedules or RDAs governing the retention of records created by county boards of registrars. Copies of superseded schedules, or previous versions of this RDA, are no longer valid and may not be used for records disposition.
- This RDA establishes retention and disposition instructions for records created by county boards of registrars. It does not require the creation of any record not normally created in the conduct of business, although the creation of certain records may be required by the board's administrative procedures, work responsibilities, audit requirements, or legislative mandates. Individual boards of registrars may not necessarily create all the records listed below.
- This RDA establishes retention and disposition instructions for records listed below, regardless of the medium on which those records may be kept. Electronic mail, for example, is a communications tool that may record permanent or temporary information. As for records in any other format, the retention periods for e-mail records are governed by the requirements of the subfunctions to which the records belong.
- Certain other record-related materials that do not materially document the work of an agency may be disposed of under this RDA. Such materials include: (1) duplicate record copies that do not require official action, so long as the creating office maintains the original record for the period required; and (2) transitory records, which are temporary records created for short-term, internal purposes that may include, but are not limited to: telephone call-back messages; drafts of ordinary documents not needed for their evidential value; copies of materials

sent for informational purposes but not needed by the receiving office for future business; and internal communications about departmental social activities. They may be disposed of without documentation of destruction. Other items that may be disposed of without documentation of destruction include: (1) catalogs, trade journals, and other publications received that require no action and do not document activities; and (2) stocks of blank stationery, blank forms, or other surplus printed materials that are not subject to audit and have become obsolete.

- Any record created by the board prior to 1924 shall be regarded as permanent.

Records Disposition Requirements

This section of the RDA is arranged by subfunctions of the county boards of registrars and lists records created and/or maintained by the boards in carrying out those subfunctions. County boards of registrars may submit requests to add or revise specific records disposition requirements to the Local Government Records Commission for consideration at its regular quarterly meetings.

1. Promulgating Rules and Regulations

<u>No.</u>	<u>Record Title</u>	<u>Disposition</u>
1.01	Board Meeting Minutes, Agendas, and Packets. These records document the development of policies and procedures at meetings of the county board of registrars. They include agendas and packet materials reviewed by members prior to meetings.	PERMANENT
1.02	Recordings of Meetings. Audio or video recordings provide a verbatim of meetings of the county board of registrars. They are normally used only as an aid to preparation of the minutes.	Retain until minutes are approved.
1.03	Board's Administrative Files. These records include all correspondence regarding policy development: preclearance letters from the Justice Department, Attorney General's Opinions, accounts of board meetings, and related information. They do not include information produced by other agencies and used by the board purely for reference (item 8.01) or routine correspondence (item 8.02).	PERMANENT
1.04	Policies and Procedures Manuals. These records summarize the board's policies and procedures for processing voter registration forms and other operations.	PERMANENT

2. Registering Voters

<u>No.</u>	<u>Record Title</u>	<u>Disposition</u>
2.01	Voter Applications. These records document initial voter applications. Under both the National Voter Registration Act and state law, voters remain on the voting list unless their qualifications change, and purged voters may apply for reinstatement upon restoration of their voting rights. <u>Note:</u> These are restricted records under the Code of Alabama 1975, Section 17-3-52.	PERMANENT Exception: Retain incomplete applications 6 months.
2.02	Registration Logs and Summaries /Entry Ledgers/ Transmittal Forms. These records include various logs, ledgers, summaries, and transmittal forms used to track and analyze voter registration in each county. Information may include alphabetical periodic listings of new voter registrants, voter registration numbers, and related information, as well as transmittal forms used in compiling voter registrations. They may include records used to report “motor voter” registration information.	Retain 5 years after final entry.
2.03	District and Precinct Maps. These maps are used in determining voter applicants’ precincts and districts. They are copies of maps retained permanently by the county commission.	Retain until superseded.
2.04	Notices of Rejected Applications. These records document the rejection of voter registration applications, including the reason(s) why the application was refused.	Retain 6 months unless rejection is appealed; then retain until notice of final judgment is received.
2.05	Notices of Decision in Appeals of Rejected Applications. These records document the adjudication of appeals filed pursuant to the Code of Alabama 1975, Section 17-3-55, including final judgments.	Retain 2 years after notice of final judgment is received.

3. Maintaining Registration and Voting Information

<u>No.</u>	<u>Record Title</u>	<u>Disposition</u>
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3.01 Voter Registration Cards and/or Files. In order to update registration lists, reassign precincts, and certify lists of registered voters, many county boards of registrars use locally designed cards on each registered voter to back up the statewide voter registration system. Voter information is written on the card when an initial application is received, and changes in address or precinct are likewise noted. Voter registration cards may also document voting activity. These are restricted records.

Disposition: Retain 4 years after official notification of death, felony conviction with no remaining appeals, adjudication of mental incompetence, or relocation, unless purge list does not indicate reason for removal; if it does not, retain in office (Code of Alabama 1975, Sections 17-3-52, 17-4-12, 17-4-30, and 17-9-15).

4. Updating Registration Information

<u>No.</u>	<u>Record Title</u>	<u>Disposition</u>
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4.01 Election Poll Lists. These records are used by poll workers to record which registered voters actually vote in county and municipal elections. After the election, they are forwarded to the boards of registrars for updating voter history files.

Disposition: Retain until voter history files/cards/statewide voter registration system are updated; then return lists to the probate judge or municipal clerk (Code of Alabama 1975, Section 17-9-15).

4.02 Voter File Maintenance Postcards. These records are used in the postcard notification method of updating voter files to identify people who have moved to a new address in or out of the county. Information received on the card is entered into the computer system and/or updated on the voter history cards. Retain 6 years.

<u>No.</u>	<u>Record Title</u>	<u>Disposition</u>
4.03	Source Documentation. These records aid the board in updating its voter files. They include reports, such as vital statistics reports on deaths in the county, mental incompetency reports, public safety reports, E-911 addresses, and felony reports.	Retain 4 years.
4.04	Update Forms Submitted by Voters. These forms are used by qualified voters to notify the board of any change in their name, residence, or mailing address. Information from the form is entered into the statewide voter registration system's computer and/or updated on the voter registration cards. Like voter applications, these are restricted records.	PERMANENT
4.05	Cancellation Notices. These notices serve to inform a county board of registrars that a voter in the county has moved to another state. They may be sent from jurisdictions in other states directly to the boards of registrars or to the Secretary of State's office, which then forwards them to the appropriate county.	Retain 2 years.

5. Purging Voter Lists

<u>No.</u>	<u>Record Title</u>	<u>Disposition</u>
5.01	Inactive Voter Documentation. These records document the placement of persons on inactive voter status, based on non-response to the second mailing in the postcard notification system or when a voter has not voted during a four-year period (Code of Alabama 1975, Sections 17-4-9 and 17-4-30[b]).	Retain 4 years.
5.02	Purge Lists. These records, compiled from the suspense file (5.03), document the removal of ineligible voters from the voter lists. Information in them includes the voter's name, and precinct (Code of Alabama 1975, Sections 17-4-30[d]).	PERMANENT

<u>No.</u>	<u>Record Title</u>	<u>Disposition</u>
5.03	Suspense File. These records, maintained in the statewide voter registration system, document the placement of voters into the suspense file, based on non-response to the second mailing in the postcard notification system (Code of Alabama 1975, Section 17-4-33). Voters remain in the suspense file until they vote, file an update form with the board of registrars, or are purged from the voter list.	Retain until final disposition of suspense status per state law.

6. Certifying Voter Information

<u>No.</u>	<u>Record Title</u>	<u>Disposition</u>
6.01	Lists of Registered Voters. These records provide a current copy of the qualified elector list for the county, open and subject to public inspection. Under Attorney General's Opinion 80-343, this list may contain only each voter's name and voting precinct.	Retain until superseded.

7. Reporting Statistical Information

<u>No.</u>	<u>Record Title</u>	<u>Disposition</u>
7.01	Voter Registration Statistical Reports. These reports are copies of those submitted to the Secretary of State to document voter registration activity in each county. They include daily, monthly, quarterly, and yearly reports and provide statistical information on voters' race and gender, as well as on total voting activity.	Retain 1 year.

8. Administering Internal Operations—Managing the Agency

<u>No.</u>	<u>Record Title</u>	<u>Disposition</u>
8.01	Administrative Reference Files. These records include materials not created by the county boards of registrars; they are collected and used only as reference sources of information.	

<u>No.</u>	<u>Record Title</u>	<u>Disposition</u>
8.01	a. Code of Alabama, Alabama Election Handbook	Retain until superseded.
	b. Other reference materials	Retain for useful life.
8.02	Routine Correspondence. This type of correspondence documents the daily conduct of the board's business, rather than policy development or issues of long-term administrative impact.	Retain 3 years.
8.03	Board of Registrars' History Records. These records may include scrap-books, newspaper clippings, ledgers, photographs, videotapes, or volumes containing historical information about the office.	PERMANENT
8.04	Publicity and Informational Materials. These records may include news releases, newsletters, brochures, periodicals, photographs, videotapes, audiotapes, speeches, and public service announcements about the office or the voter registration process.	PERMANENT
8.05	Records Management Documentation	
	a. Records documenting implementation of the board's approved RDA. These records include records management plans, records inventories, finding aids, and indexes.	Retain until superseded.
	b. Copy of approved RDA. The RDA contains legal requirements for the disposition of the board's records.	Retain 2 years after the audit period in which the RDA was superseded.
	c. Local government records deposit agreements. These records are formal agreements executed by the board so that a local records repository (library, archives, or historical society) may accept physical custody of long-term records. They include inventories of records sent to the repository. (Note: Deposit agreements must be approved by the Local Government Records Commission. For more information, contact ADAH.)	Retain 10 years after termination of the agreement.

<u>No.</u>	<u>Record Title</u>	<u>Disposition</u>
8.05	d. Destruction notices. These records document the legal destruction of disposable records.	Retain 2 years following audit.
8.06	Computer Systems Documentation. These files include handbooks for the statewide voter registration system. They may also include outdated manuals for the defunct ALVIN system or county board computer systems.	
	a. Alabama Voter Registration and Election Management System handbooks	Retain until superseded.
	b. Other system documentation (including ALVIN manuals) <u>Disposition:</u> Retain former system documentation 2 years after the audit period in which the former hardware and software no longer exist anywhere in the agency and all permanent records have been migrated to the new system.	
8.07	Websites. Websites may be developed by the boards of registrars to provide information to the public, such as voter registration procedures and hours of operation.	PERMANENT Preserve a complete copy of website annually, or as often as significant changes are made.
8.08	Telephone Logs and Fax Machine Logs. These records are lists of telephone and fax machine contacts and related data.	Retain for useful life.
8.09	Calendars. These records include desk calendars and other scheduling devices for board personnel.	Retain for useful life.

9. Administering Internal Operations—Managing Finances

(Note: Some records listed here may be maintained for the board by the county commission.)

<u>No.</u>	<u>Records Title</u>	<u>Disposition</u>
9.01	Budgeting Records. These records document the preparation of a budget request package and reporting of the status of funds, requesting amendments of allotments, and reporting of program performance.	Retain 2 years following audit.
9.02	Purchasing Records. These records document the requisitioning and purchasing of supplies and equipment, receipting and invoicing for goods, and authorizing payment for products; they may include purchase orders, invoices, purchasing card receipts, and receiving reports.	Retain 2 years following audit.
9.03	Accounting Records. These are records of original entry, such as journals, registers, ledgers, cash books, and records of deposits of funds. They may include canceled checks, check stubs, deposit slips and other banking records, receipts, and vouchers.	Retain 2 years following audit.
9.04	Travel Records. These records document requests for authorization from supervisors to travel on official business, as well as related materials such as travel reimbursement forms and itineraries.	Retain 2 years following audit.
9.05	Bid Files. These records document the bid process, including requests for proposals and unsuccessful responses.	Retain 7 years after the date bids were opened (Code of Alabama 1975, Section 41-16-54).
9.06	Contracts. These records document contracts for services or personal property.	Retain 10 years after expiration of the contract.

<u>No.</u>	<u>Record Title</u>	<u>Disposition</u>
9.07	Audit Reports. These records are annual audits of the board conducted by the Examiners of Public Accounts.	PERMANENT
9.08	Grant Project Files. These records document the board's application for and conduct of grant projects funded by local, state, federal, or private sources. Disposition is as follows: <ul style="list-style-type: none">a. Financial reports, interim narrative reports, and correspondence. These records include financial reports, interim narrative reports, background materials, and other non-financial supporting documentation for grants awarded. Also included are records relating to unsuccessful grant applications.b. Subsidiary financial records. These records include accounting or purchasing records and any other subsidiary financial documentation of federal grants, excluding financial reports. (See federal Rule 1354.)c. Final narrative report. Final narrative reports are submitted according to the requirements of the funding agency. They summarize the goals of the grant, how the money was used, and what was accomplished.	Retain 6 years after submission of final financial report or denial of application. Retain 3 years after submission of final financial report. PERMANENT

10. Administering Internal Operations—Managing Human Resources

(Note: Some records listed here, or additional personnel or payroll records pertaining to board of registrars employees, may be maintained by the county personnel office or commission.)

<u>No.</u>	<u>Records Title</u>	<u>Disposition</u>
10.01	Requests for Professional/Support Staff Positions. These records document requests for personnel submitted by the board of registrars and subsequent reviewing and/or approval by the county commission.	Retain 2 years following audit.
10.02	Employee Handbooks. These handbooks are created by county boards of registrars to explain internal operations and procedures to new employees.	PERMANENT

<u>No.</u>	<u>Record Title</u>	<u>Disposition</u>
10.03	Employee Newsletters. Internal newsletters are created by county boards of registrars to communicate office news and important events to employees.	PERMANENT
10.04	Employee Personnel Files. These records document an employee's work history with the board of registrars. They are generally maintained as case files and may include records of continuing education, performance evaluations, disciplinary actions, and background checks.	Retain 6 years after separation of employee.
10.05	Employee Work Schedules. These records document employees' daily and weekly work schedules.	Retain 2 years following audit.
10.06	Leave and Attendance Records. These records document the attendance and leave status of board of registrars personnel, both generally and for individual employees.	
	a. Individual employee leave and attendance records (including time sheets). These are records documenting hours worked, leave earned, and leave taken by individual employees.	Retain 2 years following audit.
	b. Employee cumulative leave/attendance records. These records document the final leave status (cumulative leave) of individual employees.	Retain 6 years after separation of employee.
	c. Employee sick leave donation records. These records document the donation of sick leave to their colleagues by board employees.	Retain 2 years following audit.
10.07	Training Records. These records document the board of registrars' provision of in-service training and professional development for its employees. They do not include materials obtained from outside sources. Disposition is as follows:	

<u>No.</u>	<u>Record Title</u>	<u>Disposition</u>
10.07	<p>a. Training standards, policies, procedures, and publications. These records document the board’s overall standards, policies, and procedures in providing specialized training to its employees. They may include general policy statements or guidelines, training manuals, or related publications. <u>Note:</u> Permanent retention applies to the file copy. Duplicates may be destroyed when no longer needed.</p> <p>b. Training administrative files. These records document the process of conducting training for employees. They may include individual lesson plans, audiovisual presentations or materials, lists of attendees at workshops or training sessions, sign-in sheets, unpublished handouts, and appraisals of training completed by participants.</p>	<p>PERMANENT</p> <p>Retain for useful life.</p>

11. Administering Internal Operations—Managing Properties, Facilities, and Resources

(Note: Some records listed here may be maintained by the county commission.)

<u>No.</u>	<u>Record Title</u>	<u>Disposition</u>
11.01	<p>Annual Inventory Records. These records document all personal property, equipment, or capital outlay of the board on an annual basis.</p>	Retain 2 years following audit
11.02	<p>Receipts of Responsibility for Property. These records document office property temporarily in the use or possession of an employee.</p>	Retain until return of item to the property manager.
11.03	<p>Facilities/Buildings Security Records. These records document the carrying out of security measures and procedures by the board of registrars in its buildings and facilities. They may include visitor’s logs or sign-in sheets, alarm system logs, recordings of security monitoring or response, and any other records documenting security staff’s response to alarms or emergencies.</p>	

<u>No.</u>	<u>Record Title</u>	<u>Disposition</u>
11.03	a. Security monitoring or response readings	Retain 30 days, or until final disposition of any criminal cases or litigation for which recordings provide evidence.
	b. All other records	Retain 3 years.
11.04	Facilities/Buildings Inspection Files and Reports. These records document inspection of the board's facilities to comply with standards, rules, and codes affecting the health and safety of the occupants.	Retain 2 years following audit.
11.05	Building Maintenance Work Orders. These records routine maintenance of board facilities and property.	Retain 1 year.
11.06	Vehicle and Equipment Maintenance Files. These records document routine maintenance on the board's vehicles and equipment.	Retain 2 years following audit.
11.07	Motor Pool Vehicle Records. These records document reservations and use of county motor pool vehicles by board personnel and gasoline usage by motor pool vehicles.	Retain 2 years following audit.
11.08	Employee Parking Records. These records document employee use of county parking facilities. They may include permit applications, cards, and permits.	Retain 2 years following audit, or 2 years if no fee is charged.

12. Records No Longer Created

<u>No.</u>	<u>Record Title</u>	<u>Disposition</u>
12.01	Voter Registration Written Examinations, 1901-1967. These records were examinations required of applicants to determine whether they were qualified to vote. They were maintained as restricted records (Code of Alabama 1975, Section 17-4-122). Following the federal Voting Rights Act (1965) and the Twenty-sixth Amendment to the U.S. Constitution (1971), these records were no longer created.	
a.	Records from Montgomery, Jefferson, and Dallas Counties	PERMANENT Transfer to the Alabama Department of Archives and History or to a local archives.
b.	Records from Other Counties <u>Disposition:</u> Retain a blank sample copy of the examination in the office. Completed examinations may be deposited with a local library, archives, or historical society under the terms of a local government records deposit agreement.	

Requirement and Recommendations for Implementing the County Boards of Registrars Records Disposition Authority

Under the Code of Alabama 1975, Section 41-13-23, “no county, municipal, or other local government official shall cause any . . . record to be destroyed or otherwise disposed of without first obtaining the approval of the local government records commission.” This RDA constitutes authorization by the Local Government Records Commission to dispose of records as stipulated, with the condition that the responsible official must submit a Local Government Records Destruction Notice to the ADAH Government Records Division to document the destruction. The ADAH, which serves as the commission’s staff, retains local records destruction documentation as a permanent record. (For more information, see the ADAH procedural leaflet *Records Destruction Procedures for Local Governments*.)

In addition to authorizing a procedure for legally destroying outdated temporary records of the county boards of registrars, the Local Government Records Commission urges each board to establish a quality record-keeping program that will meet its legal and public service needs. Such a program should include the following activities.

- The board of registrars should designate a records officer who will be responsible for ensuring the regular implementation of this RDA, maintaining records in compliance with national and state standards, and coordinating the destruction of disposable records.
- Permanent records in the board’s custody should be maintained under proper intellectual control and in an environment that will ensure their physical order and preservation. In addition to records appraised as permanent in the RDA, the Local Government Records Commission has directed that any record created prior to 1924 shall be regarded as permanent.
- Destruction of temporary records, as authorized in this RDA, should occur office-wide on a regular basis: for example, after the successful completion of an audit, at the end of an administration, or at the end of a fiscal year. Despite the RDA’s provisions, no record should be destroyed that is necessary to comply with requirements of the state Sunset Act, audit requirements, or any legal notice or subpoena.
- The board should maintain full documentation of any computerized record-keeping system it employs. It should develop procedures for: (1) backing up all permanent records held in electronic format; (2) storing a back-up copy off-site; and (3) migrating all permanent records when the system is upgraded or replaced. The board should maintain its electronic records in compliance with procedures established for the Alabama Voter Registration and Election Management System.
- Electronic mail may contain permanent, temporary, or transitory record information. Although e-mail records can be printed out, filed, and retained according to the RDA’s requirements, the board should preferably employ an electronic records management system capable of sorting e-mail into folders and archiving messages having long-term value.

- Microforms of permanent records should conform to quality standards set by the American National Standards Institute (ANSI) and the Association for Image and Information Management (AIIM) and may be examined for compliance by Government Records Division staff prior to destruction of the original records. According to the Code of Alabama 1975, Section 41-13-44, no microfilmed record may be legally destroyed “until the microfilm copy has been processed and checked with the original for accuracy.” Government Records Division staff may examine agency microfilm for compliance prior to destruction of the original records.

- The board should notify the ADAH Government Records Division if a new records officer is appointed or if other significant changes occur in its records storage conditions or records management procedures. It may also contact the division to request revision of this RDA. Normally, RDA revisions will be submitted to the Local Government Records Commission every two years. ADAH Government Records Division staff will notify the boards of registrars of any commission-approved changes in record-keeping requirements that apply to the boards on a statewide basis.

- The staff of the Local Government Records Commission may examine the condition of permanent records maintained in the custody of the county boards of registrars and inspect records destruction documentation. Government Records Division archivists are available to train board staff in RDA implementation or otherwise assist the boards in implementing their records management programs.

The Local Government Records Commission adopted this Records Disposition Authority on July 22, 2009.

By: _____ Date: _____
Chairman, Local Government Records Commission

By: _____ Date: _____
Chairman, _____ County Board of Registrars

By: _____ Date: _____
Member, _____ County Board of Registrars

By: _____ Date: _____
Member, _____ County Board of Registrars