

## Election Integrity Resource

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*Created for faculty and students*

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### Mail-In Ballots

#### What's mail-in voting? Was it new for this year?

Mail-in voting is not new, though it certainly was more prominent this year. It actually encompasses absentee voting, which [has been around since 1864](#), and it is utilized by eligible voters of all political affiliations. [Vote.org](#) has information about mail-in ballots, including state-by-state information.

#### Are mail-in ballots fraud?

[All voting options](#) have very specific verification processes in place and are protected by voting policies and legislation at the state-level. Vote by mail falls under this category and each ballot is subject to multiple stages of approval before it is counted.

#### What is the verification process for mail-in ballots?

For a mail-in ballot to be verified, [it must be matched to a signature](#) on file at the county election official's office and then cross-referenced against votes cast by other methods (such as in-person). It is only after that verification process that the ballot is counted.

#### Who counts the ballots and what qualifies them?

Election judges and ballot counters are recruited at the county level and are required to remain nonpartisan in their work. Ballot counters sit at an approved facility to count ballots, in view of poll watchers. Ballot counters rely on election judges and strict guidance from their states' secretary of state to determine whether a vote is valid (consider

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matching signatures, dates, etc.). Once they determine it is valid, they then feed the ballot through a counting machine.

- Example of Handbook for Election Judges and Clerks: [Texas State Handbook for Election Judges and Clerks 2020](#)
- Example of Ballot Counters in Action: [Philadelphia County Commissioner's Livestream of Ballot Counting](#)

## When are mail-in ballots due?

Every election office adheres to strict deadlines for accepting and counting ballots. These deadlines vary by state and by ballot type. This means that, in some states, designated voters' ballots can arrive at counting locations after Election Day and still be valid and legally counted. One of the most common examples is a ballot from an active duty military person currently serving overseas. In some states (like [Pennsylvania](#)), ballots from eligible voters in that demographic can come in up to 7 days after Election Day and still be on time and in compliance with voting regulations.

## Poll Watchers

### What are poll watchers?

Generally, [poll watchers](#) are people who ensure that the party they represent has a fair chance of winning an election. They can be thought of as watchdogs for the election process.

### What are poll watchers allowed to do?

They are allowed to closely monitor the election process, report any issues they see, and keep track of their party's voter turnout. They are [NOT allowed](#) to interfere with the voting process or in any way intimidate voters.

### Who can be a poll watcher?

This varies widely [by state](#). Usually, anyone can be a poll watcher as long as they are registered to do so beforehand. Poll watchers also, generally, have to be registered voters themselves. Organizations, civic groups and candidates can all nominate poll watchers.

### Do political parties get to have poll watchers?



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This varies [by state](#). Generally, yes. Political candidates, themselves, however, are usually restricted from being poll watchers.

## Where do poll watchers stand?

This differs by state, but one rule remains the same: poll watchers may not, in any way, interfere with the voting or ballot counting process. They cannot be in the voting booth with any voters, or harass election officials in any capacity. In other words, [it is up to the state/locality to determine how close poll watchers can stand](#) without interfering in the election officials' duties.

## Can the public watch poll watchers?

In order to observe any part of the election process, including poll watchers, you must receive authorization to be within a certified polling place/ballot counting facility. Nonpartisan groups can obtain authorization in [34 states](#) to have independent poll watchers present who may then observe party/candidate-appointed poll watchers. One possible way for the public to observe poll watchers is to watch livestreams of ballot-counting facilities, but these are only offered for some locations.

## Electoral College and Its Electors

### What are electors?

[Electors](#) are representatives who vote in the Electoral College on behalf of their respective state. The best way to think of it is that every popular vote cast for the president is actually a signal to your state's electors on which candidate should receive their vote.





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## How are electors chosen?

Currently, [all states electors are determined](#) by the popular vote in that state. 48 states use the winner-take-all system, where whichever candidate wins the most popular votes receives the state's electoral votes. Maine and Nebraska use the district system where the vote is broken down to popular vote at the district level first.

## When do electors cast their votes?

[Electors were nominated](#) over the course of the spring and summer and cast their votes in the Electoral College on December 14, 2020. These votes are not counted and finalized until January 6th, which is why Inauguration Day is not until January 20th.

## Do they have to vote for a certain candidate?

Technically no, [electors do not have to vote for the candidate they are told to](#). However, it is extremely uncommon. 32 states and the District of Columbia have laws that impose penalties on electors who fail to cast their vote the way they pledged. Electors are usually chosen based on their party loyalty.

## The Media and Election Results

### Why does the media call certain states before all of the results are in?

[News media companies](#) use a combination of election data (such as votes counted and votes remaining), telephone and exit polls and modeling to project states' outcomes. Many media companies require that projections be incredibly certain, with slim to no chance of the outcome changing as more votes are added, before the race is called for the state.

### How does the media determine which candidate to call the race for?

News media companies [rely on vast networks of election reporters](#), many of which track votes down to the county-level and collect data from state-certified election websites. These numbers are then used to approximate Electoral College votes and race projections.



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## What role has the media historically played in presidential elections?

Since 1848, [the news media has declared the outcome](#) of the presidential election before all of the votes are counted. Most Americans do not want to wait until mid-December, when the Electoral College votes, to hear the outcome. The news media utilizes data analysis and vote totals to project a winner. Remember, however, that this is not an official declaration.

## Does the media determine who wins the presidency?

No. The Electoral College chooses the President of the United States based on the electors' states' popular vote counts.

## Provisional Ballots

### What is a provisional ballot?

The [Help America Vote Act of 2002](#) established the right for eligible voters who run into some sort of issue in voting (they don't have their required information when they show up to the polls, they never got a mail-in ballot they requested etc.) to submit a provisional ballot at the polls. That way, once the issue is resolved, they still have a way to cast a vote and have it count.

### Can someone cast more than one vote through provisional ballots?

No, a person's provisional ballot will only be counted after it is confirmed that it is eligible to be counted. This means that things that would disqualify any other vote (if someone has already voted, if someone is not eligible to vote, etc.) disqualify a provisional ballot as well. Each state has its own rules surrounding provisional ballots that election offices strictly adhere to (Pennsylvania has a [6-page guidance](#) document), but it is true for every state that provisional ballots are not counted until eligibility is verified by election officials. [Texas'](#) state manual has a very good section on purpose and rules regarding provisional ballots starting on page 14.

### What percentage of the vote is cast through provisional ballots?

Historically, provisional ballots have accounted for a [very small portion](#) of the vote share, comprising only 1.2% of all votes cast in the 2018 presidential election.



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## Ballot Counting Process

### What ballots are counted first?

This [varies by state](#), as different states allow for different timelines. In Nebraska it is perfectly legal to count mail-in ballots the day before Election Day, but in neighboring South Dakota even examining a mail-in ballot before the polls close is a misdemeanor. That said, it is largely understood that the count begins with early in person voting/mail-in ballots (if allowed) → Election Day in-person voting → mail-in ballots → overseas/military ballots → provisional ballots. Regardless of state, counting ballots is a state responsibility (not the action of the federal government) and is never controlled by any one political party.

### What could cause a state to stop counting ballots?

As we saw in Philadelphia, Pennsylvania on November 5, 2020, a judge can order the halt of the ballot counting. Usually counts will be halted due to legal challenges or issues with technology. In one bizarre example this year, Georgia had to temporarily stop a statewide recount due to a burst pipe!

### How do states ensure that people do not vote more than once?

In many states, [double-voting](#) is listed as a felony and comes at the cost of heavy fines or possibly even jail time. Since elections are held at the local and state-levels, that is where these laws are created and enforced.

### What are the rules for requesting a recount?

The possibility of, method for, and procedure for an election recount vary state by state. For example, [Georgia's HB 316 \(2019\)](#) made it so a candidate can make a formal request for a recount up to two days after election results have been certified if the certified difference between the candidates is less than 0.5%. For more information, look at your states' rules and regulations regarding recounts.

### Can people who are deceased still cast a vote?

Occasionally, a voter will cast an early ballot and die before Election Day, but most of the examples of "voting beyond the grave" involve [sloppy record-keeping](#) and very rare instances of fraud. Because voter lists and databases are constantly verified and updated,



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it would be extremely difficult to change voter rolls on the scale needed to affect an election.

## What is the role of the Department of Homeland Security (DHS) in elections?

The [DHS](#) describes elections as a “vital national interest and one of [their] highest priorities.” Elections are carefully watched by the DHS because they can give reason for bad actors to interfere with our democratic processes. As such, the DHS provides states and localities with cybersecurity, detection and prevention of interference and incident response. In effect, the DHS is responsible for ensuring our elections are free of any outside influence.

## “Finding” Votes

### Why do the total number of votes cast change between Election Day and final vote counts per state?

There are [several reasons](#). Some ballots require extra steps for verification, such as provisional or damaged ballots. Also, this election saw a huge rise in mail-in ballot voting, which means all of those ballots had to be opened and counted, mostly by hand. This process was also delayed in some states due to restrictions on when mail-in ballots could be opened and processed. Another factor to consider is that some states accept ballots up to 17 days after Election Day.

### What are damaged and spoiled ballots? Are these legal to count?

Damaged and spoiled ballots can refer to many different situations. These damages can range from the physical ballot getting wet, torn or punctured to a voter mistakenly writing where they did not mean to. For all incidents, election offices have strict rules and procedures for handling damaged ballots, and (regardless of state) each goes through its own review process to ensure each eligible voter can still vote. When election offices fix these problems to allow the vote to be cast, it is called "curing" the ballot. To learn more, you can read examples of the procedures on elections offices' websites ([Marin County](#) outlines the step-by-step review process) or search for your location's procedures.



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## Differing Results Between Presidential and Lower Races

**How can state and federal congressional races be determined before the presidency?**

There are two main reasons. First, the electorate for state and congressional races are often much smaller than the electorate for the presidential race. As a result, it is much easier to determine which way the races are going in state and local races before the presidential race. Second, no one is required to vote on every question/candidate race, nor do people have to vote exclusively within their party affiliation. This means that one race's determination, and speed of determination, does not necessitate the other's.

**Are they counting state and local race votes before the presidential votes?**

No, a ballot is counted in its entirety when it is opened and processed. This means the counts for state and local races are tabulated at the same time as the presidential race.

**How can one party win state and congressional races but another win the presidential race?**

Simply put, the breakdown of districts provide much smaller electorates. As a result, [partisan divides are more exposed](#).

## Role of Election Officials

**Who is the secretary of state? What is the secretary of state's role in elections?**

Most states have a state government position titled secretary of state. We say most because some, like Utah, do not have comparable positions and others that do have comparable positions, like Massachusetts, go by other titles. Some secretaries of state are appointed by the governor (Florida, Virginia) whereas others are elected by eligible voters in that state (Arizona, Michigan). Though many secretaries of state hold the role of the chief election officer, this is not the case for every state. All states have their own structure that can be found on their respective governmental websites, putting fairness over any notion of partisanship.

**Who is the state director of elections? How do they organize and execute elections?**

The person/people considered the state director/s of elections varies by state. Despite this, they are all committed to organizing and executing elections in a way that is fair and



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adheres to state and federal laws. North Carolina is among the states that have a [Board of Elections](#), Minnesota is among the states that have their Secretary of State serve as the [Chief Election Official](#), and Rhode Island is among the states that utilizes a [combination of both structures](#). Regardless of design, all these structures are built to ensure that a fair election is put above any partisan beliefs.

## The Transition of Power

### What are concession speeches?

A [concession speech](#) is a formal acknowledgement by one political candidate to another following a race for a contested political seat. Here, a concession is a form of acceptance of the election results.

### What is the role of a concession speech?

[Concession speeches](#) are a part of the long-running history of U.S. presidential races. While candidates are not legally required to give a concession speech, since 1896, they have served as a way to acknowledge defeat, call to unite the country, celebrate democracy and vow to continue working toward the issues raised in their campaign.

### Why do campaigns have transition teams?

[Presidential transition teams](#) are vital to ensuring that the president-elect is prepared to govern on Inauguration Day. Transition teams help to appoint more than 4,000 positions, manage a budget of nearly \$4 trillion, and organize more than 2 million federal employees and 2 million military and reserve forces. With only 75 days to transition, the team does a lot of heavy lifting in a very short period of time.

### Are transition teams a new concept?

No. A crucial part of every newly elected president's lead up to Inauguration Day revolves around a solid transition team. [This is true for both Republicans and Democrats](#). Just two weeks after his presidential election, President Nixon made four appointments. His transition is thought of as one of the smoothest in American history. President Clinton's transition was a little less coordinated, with several of his proposed cabinet members resulting in conflict. Nevertheless, Clinton had a successful transition of power thanks to his transition team's guidance.



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## Who helps prepare the transition team?

There are many government actors who are responsible for helping carry out a smooth transition of power, some of which being to the General Services Administration (GSA) and the Office of Government Ethics (USOGE). Specifically, the [USOGE](#) helps ensure that the political appointees/leadership of the president-elect are clear of financial problems, ethical violations and conflicts of interest.

## What is the role of the General Services Administration in carrying out the transition?

Under the Presidential Transition Act of 1963, the [General Services Administration \(GSA\)](#) is required to provide the vice president-elect and president-elect, at their request, with the necessary services and facilities to prepare for their official duties as vice president and president.

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## About Us

**Campus Election Engagement Project (CEEP)** is a national nonpartisan project that helps administrators, faculty, staff and student leaders at America's institutions of higher education engage students in federal, state and local elections. CEEP views voting as a means to promote a more equitable and inclusive democracy and to address past and present disenfranchisement. To learn more, visit [campuselect.org](http://campuselect.org) or contact us at [info@campuselect.org](mailto:info@campuselect.org).