

TEXAS ADMINISTRATIVE CODE

RULE §81.7 - DIRECTIVE FOR HIGH SCHOOL DEPUTY REGISTRARS

(a) The directive for high school deputy registrars dated July 31, 1998 is adopted.

Copies are available from the Secretary of State's Elections Division, P.O. Box 12887, Austin, Texas 78711. The Elections Division shall provide a copy of this directive to each high school deputy registrar in the state.

(b) Summary and Purpose.

In accordance with the provisions of Texas Election Code Annotated, §31.003, §13.046, and the National Voter Registration Act, this directive updates the March 15, 1995 directive and sets forth requirements for public and private high school principals to act as deputy voter registrars in registering high school students and employees of the high school.

(c) Definitions.

- (1) High School Principal. The administrator of a public or private high school.
- (2) Designated Representative. Any person employed at a public or private high school as an administrative staff member or teacher who is designated by the principal to act in lieu of the principal as a deputy voter registrar for the high school. The principal shall provide a designated representative with a form or card that identifies the designated representative as a high school deputy registrar.
- (3) High School Student. Any individual enrolled full-time or part-time at a public or private high school as a student who is engaged in the study of standard curricula offered by the high school.
- (4) Employee. A person who works for wages or a salary at a public or private high school.
- (5) Final Month. The final month of each semester is the last 30 day period within the semester.

(d) Duties of High School Deputy Voter Registrar

(1) Obtaining Voter Registration Applications and Materials from School Board Administrator or Secretary of State. A high school principal or designated representative acting as a deputy voter registrar shall procure from the school board administrator or Secretary of State a sufficient supply of voter registration applications and notice forms. It is essential that high school deputy voter registrars contact the Secretary of State for registration applications and not the county voter registrar; the voter registrar's applications are not coded for use by high school deputy registrars.

(2) Distributing Voter Registration Applications and Materials to Eligible Students and Employees. A high school deputy registrar shall distribute voter registration applications during the final month of each semester to high school students who are or will be 18 years of age or older during that semester. Applications may also be distributed at any time during the school year to students and employees of the high school who request them. The application form must be accompanied by a notice which informs the high school student or employee that he or she may:



(A) deliver the application form in person to the voter registrar or elections administrator of the county in which the applicant resides;

(B) mail the application form to the voter registrar or elections administrator of the county in which the applicant resides; or

(C) deliver the application form in person to the high school deputy registrar or a volunteer deputy registrar for delivery to the voter registrar or elections administrator of the county in which the applicant resides.

(i) The student or employee may request assistance from the high school deputy registrar in filling out the application. If the applicant cannot sign the application due to physical disability or illiteracy, another person may witness the applicant's mark. The witness must include an address, printed name, and signature on the application. If an applicant is physically unable to make a mark, the witness shall state this fact on the application.

(ii) On receipt of a registration application, the high school deputy registrar shall review it for completeness. The high school deputy registrar may review an application for completeness out of the applicant's presence. If the application does not contain all the required information and the required signature, the application shall be returned to the applicant for completion and resubmission.

(3) Returning Voter Registration Applications to Voter Registrar or Elections Administrator.

(A) The high school deputy registrar must deliver the completed applications to the voter registrar or elections administrator of the county in which the applicant resides as soon as possible after they are received. Completed applications shall be delivered to the county voter registrar or elections administrator by the high school deputy registrar in person, or by mail in an envelope or package. An application must be delivered to the county voter registrar or elections administrator no later than 5 p.m. of the fifth day after the date the application is submitted to the high school deputy registrar, except that an application submitted after the 34th day and before the 29th day before the date of an election in which any qualified voters of the county are eligible to vote must be delivered no later than 5 p.m. of the 29th day before election day. An application delivered by mail is considered to be delivered at the time of its receipt by the county registrar or elections administrator.

(B) Since a voter registration application will result in an effective voter registration on the 30th day after it is received by a high school deputy registrar, it is imperative that the high school deputy registrar confer with the county voter registrar or elections administrator of each county in which the students and employees of the high school reside before instituting a voter registration program in the high school in order to insure that the applications are received by the county in a timely manner.

(4) Criminal Sanctions. Inadvertent failure to deliver applications received by the high school deputy registrar by the deadline stated above is a Class C misdemeanor. Intentional failure to deliver applications is a Class A misdemeanor.



(e) Miscellaneous Provisions

(1) High Schools Serving More than One County. A high school deputy registrar shall serve as a deputy voter registrar for each county in which territory served by the high school is located without regard to the actual physical location of the high school.

(2) High School Deputy Registrar Transferring or Terminating Employment. A high school principal or designated representative who transfers from or terminates employment with a high school is immediately removed from the status of deputy registrar of that high school upon such transfer or termination. Upon the transfer or termination of a designated representative, all voter registration materials must be returned to the high school principal. Upon a principal's transfer or termination, all voter registration materials must be delivered to the new principal or newly designated representative.

(3) Removal of Designated Representative. A designated representative may be removed at any time by the high school principal, with or without cause. If a designated representative fails to implement this directive or otherwise fails in the performance of his or her duties, the high school principal shall relieve the designated representative of the role of high school deputy registrar. A removal must be in writing, and must clearly state the grounds for removal. A copy of the removal must be delivered to the designated representative. All voter registration materials, including notices and applications, must be returned to the high school principal or otherwise accounted for. The high school principal shall resume the duties of high school deputy registrar until a new representative is designated.

(4) Approval. Secretary of State approval issued this 31st day of July, 1998.

