

## **RULE**

### **Department of State State Board of Election Supervisors**

#### **Appeal of Merit Evaluation for the Registrar of Voters (LAC 31:II.108)**

Pursuant to the provisions of the Administrative Procedure Act (R.S. 49:950 et seq.) and under the authority of R.S. 18:24(A)(6), R.S. 18:55, and R.S. 36:742, the State Board of Election Supervisors has adopted this Rule to provide for the appeal process for merit evaluations of the registrars of voters. During the 2016 Regular Legislative Session, Act 358 was enacted authorizing the State Board of Election Supervisors to conduct appeals of merit evaluations of registrars of voters.

### **Title 31**

## **ELECTIONS**

### **Part II. Voter Registration**

#### **Chapter 2. Registrars of Voters**

##### **§201. Appeal of Merit Evaluation for the Registrar of Voters**

###### **A. Submission of a Request for Appeal**

1. A registrar of voters who does not receive an “excellent” rating on his or her annual merit evaluation may appeal that rating to the State Board of Election Supervisors.
2. The request for appeal shall be in writing and shall be postmarked or received by the human resources director in the Department of State, or the human resources director’s designee, no later than January 31.
3. The request for appeal shall explain the reasons for the request and may provide supporting documentation.
4. If the request for appeal is received timely and contains the required explanation, the human resources director shall submit a notification of the request to the chairperson of the State Board of Elections Supervisors and to the director of registration within 15 days of receipt of the request for appeal. The notification of request for appeal shall include copies of the written request of the registrar of voters, the original annual merit evaluation, and any supporting documentation provided by the registrar of voters with his or her written request for appeal.
5. The Department of State grievance process shall not be used to review or reconsider evaluations or a procedural violation of the evaluation process.

###### **B. The State Board of Election Supervisors**

1. All written requests for appeal of annual merit evaluations that meet the requirements of Subsection A of this Section shall be considered by the State Board of Election Supervisors.
2. The State Board of Election Supervisors shall consist of eight members. The

chairperson shall vote only to break a tie. The commissioner of elections shall not vote on the appeal of merit evaluation for the registrar of voters.

3. The chairperson shall convene a meeting of the State Board of Election Supervisors within 15 days of receipt of notification of the request for appeal to discuss the request and render a decision regarding the rating. The registrar of voters who submitted the request for appeal shall be given an opportunity to be heard at the meeting. The board may vote to uphold the “satisfactory” rating or to change the rating to “excellent”.

4. The chairperson of the board shall give written notice of the board’s decision to the affected registrar of voters, the director of registration, and the human resources director within 10 days.

C. The annual merit evaluation form, the written request for appeal of the registrar of voters, the written notice of the board’s decision, and all supporting documentation shall be maintained in the official confidential personnel file of the registrar of voters on file in the Department of State’s human resources office.

AUTHORITY NOTE: Promulgated in accordance with R.S. 18:24, R.S. 18:55, and R.S. 36:742.

HISTORICAL NOTE: Promulgated by the Department of State, Board of Election Supervisors, LR 43:

Tom Schedler  
Chairperson