

**CHAPTER 8240**  
**SECRETARY OF STATE**  
**ELECTION JUDGE TRAINING PROGRAM**

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**8240.0100 DEFINITIONS.**

Subpart 1. **Scope.** Terms used in this chapter have the meanings given them

Subp 2 **Election cycle.** "Election cycle" means the period from January 1 of an even-numbered year until December 31 of an odd-numbered year.

Subp. 3. **Home county.** "Home county" means the county where the administrative offices of a municipality or school district are located

Subp 4 **Municipal clerk.** "Municipal clerk" means the person authorized or required to administer elections in a municipality

Subp 5 **School district clerk.** "School district clerk" means the person authorized or required to administer the school district election

Subp 6 **Training authority.** "Training authority" means a county auditor and designees or the municipal election official to whom the county auditor has delegated election judge training duties

Subp. 7 **Training program.** "Training program" means a system of instruction to promote the competence of election officials by supplying necessary information to improve election-related skills

**Statutory Authority:** *MS s 204B 25*

**History:** *25 SR 112*

**8240.0200 SCOPE.**

Subpart 1 **Election judge training.** Parts 8240.1100 and 8240 1300 to 8240.2500 establish the program for training election judges required by Minnesota Statutes, section 204B 25

Subp. 2 **Municipal clerk training.** Part 8240.2700 establishes the program for training municipal clerks required by Minnesota Statutes, section 204B.25, subdivision 4.

Subp. 3 **School district clerk training.** Part 8240 2800 establishes the program for training school district clerks required by Minnesota Statutes, section 204B 25, subdivision 4

Subp 4 **County auditor certification.** Part 8240 2900 establishes the program for certifying county auditors in election administration required by Minnesota Statutes, section 204B.27, subdivision 10.

**Subp 5 Minimum standards.**

A This chapter is the minimum standard required for training conducted under Minnesota Statutes, sections 204B 25 and 204B 27, subdivision 10

B. When a part in this chapter establishes a specific length of time for a training course, the length of the course must be the shorter of the length specified or the length of time necessary to cover the content required for that course

C. Nothing in this chapter restricts training authorities from implementing training programs more comprehensive than are required by this chapter.

**Statutory Authority:** *MS s 204B 25*

**History:** *25 SR 112*

**8240.0300 PROFICIENCY DEMONSTRATION.**

To successfully complete a course required by this chapter, a person must take the entire course and demonstrate proficiency to the person teaching the course. A person may demonstrate proficiency through completion of self-administered worksheets, hands-on demonstrations, or other methods approved by the secretary of state. A person may consult the training materials provided during a training course while demonstrating proficiency for that course. The secretary of state must not require the use of graded or pass/fail tests to determine proficiency.

**Statutory Authority:** *MS s, 204B 25*

**History:** *25 SR 112*

**8240.1050 ELECTION CONFERENCE.**

An auditor shall attend an election conference given by the secretary of state once every election cycle.

**Statutory Authority:** *MS s 204B 25*

**History:** *25 SR 112*

**8240.1100 "TRAIN THE TRAINER" SESSION.**

Before each state primary election, each training authority shall attend training on adult education methods (i.e. "Train the Trainer" classes) conducted by the secretary of state. If a county auditor delegates the duty to train election judges to a municipal election official and an election is to take place in that municipality before the next training conference held by the secretary of state, the county auditor shall train the municipal election official in administration of a training program.

"Train the trainer" classes given by an individual other than a county auditor or the secretary of state may fulfill the requirements of this part if the person taking the class submits a course description to the secretary of state and the secretary determines, based upon that course description, that the training covers adult education methods.

**Statutory Authority:** *MS s 204B 25*

**History:** *25 SR 112*

**8240.1200 TRAINING PROGRAM.**

A training program consists of a basic training course, a head election judge training course, an emergency training course for election judges and head election judges, in municipalities conducting absentee voting pursuant to Minnesota Statutes, section 203B 11, a health care facility absentee voting course, any other election judge training course required by the training authority; a course on adult education methods, a municipal clerk election administration training course, a school district clerk election administration training course, and a county auditor election administration course. The person responsible for training may design the courses to meet the

election conditions peculiar to the jurisdiction, but the courses must meet at least the minimum standards in parts 8240.1600 to 8240.2900.

**Statutory Authority:** *MS s 204B 25*

**History:** *25 SR 112*

#### **8240.1300 ELECTION JUDGE BASIC TRAINING REQUIREMENT.**

Subpart 1. **Election judge basic training course.** To serve as an election judge, a person must successfully complete a basic training course that meets the requirements of part 8240.1600

Subp 2. **Certification of training.** A training authority must issue a certification of election judge basic training to a person who successfully completes a basic training course

Subp 3 **Maintaining certification.** A person must successfully complete the basic training course once every 24 months to remain qualified to serve as an election judge

Subp 4 **Timing.** The basic training course must be conducted not more than 60 days before the state primary election or fewer than three days before the state general election

Subp. 5 **Training between primary and general elections.** An election judge who successfully completes the training required by parts 8240.0100 to 8240.2500 for a state primary election is not required to complete additional training for the succeeding general election.

**Statutory Authority:** *MS s 204B 25*

**History:** *25 SR 112*

#### **8240.1350 HEAD ELECTION JUDGE TRAINING REQUIREMENT.**

Subpart 1. **Head election judge training.** Before serving as a head election judge, a person must successfully complete a basic election judge training course that meets the requirements of part 8240.1600 and a head election judge training course that meets the requirements of part 8240.1750

Subp. 2. **Certification of training.** A training authority must issue a certification of head election judge training to a person who successfully completes a head election judge training course

Subp 3. **Maintaining certification.** A person must successfully complete the head election judge training course every 24 months to remain eligible to serve as a head election judge

Subp. 4 **Supplemental head election judge training.** A training authority may require head election judges to attend a supplemental head election judge training course for an election. A head election judge must attend the supplemental training course to be eligible to serve as a head election judge for that election

**Statutory Authority:** *MS s 204B 25*

**History:** *25 SR 112*

#### **8240.1400 HEALTH CARE FACILITY ABSENTEE VOTING REQUIREMENT.**

Subpart 1. **Health care facility absentee voting course.** Each election judge who conducts absentee voting in health care facilities under Minnesota Statutes, section 203B 11, shall successfully complete a course for health care facility absentee voting that meets the requirements of part 8240.1800 in addition to the election judge basic training course.

Subp 2 **Certification of training.** A training authority must issue a certification of health care facility absentee voting training to a person who successfully completes a health care facility absentee voting training course

Subp 3 **Maintaining certification.** A person must successfully complete the health care facility absentee voting course every 24 months to remain eligible to conduct absentee voting in a health care facility.

**Statutory Authority:** *MS s 204B 25*

**History:** *25 SR 112*

#### **8240.1500 EMERGENCY TRAINING REQUIREMENT.**

Subpart 1 **Emergency election judge training.** An election judge who is appointed after the training period ends and who has not successfully completed the basic training course conducted for that election must complete the emergency training course as provided in part 8240.1900 before serving as an election judge.

Subp 2 **Emergency head election judge training.** A head election judge who is appointed after the training period ends and who has not successfully completed a head election judge training course must complete the emergency head election judge training course as provided in part 8240.1950 before serving as a head election judge.

**Statutory Authority:** *MS s 204B 25*

**History:** *25 SR 112*

#### **8240.1600 ELECTION JUDGE BASIC TRAINING COURSE.**

Subpart 1 **Length.** The election judge basic training course must be at least two hours long.

Subp 2. **Materials.** The training authority shall provide examples of all forms which election judges must complete in the course of their duties; with examples of forms of identification acceptable for purposes of election day registration, including any forms of student identification issued by educational institutions in the area, and with the materials contemplated in the training plan. Additional materials may be provided by the training authority as the authority considers useful.

Subp 3 **Use of equipment.** An electronic voting system or specimen paper ballot and ballot box must be used at each training session to familiarize each election judge with the voting procedures for the method of voting employed in the precinct where the judge will serve.

Subp 4. **Course content.** A basic training course must include necessary information and skill development in the following areas:

A how to use the training materials to find answers to questions arising in the polling place on election day,

B preparations on election day before polls open,

C judges' duties during voting hours

(1) election day voter registration,

(2) persons allowed in polling place,

(3) challenge process,

(4) voting process;

(5) spoiled ballots;

(6) assistance to disabled voters, and

(7) absentee ballots;

D basic election judges' duties after polls close,

E new laws, rules, forms, and procedures,

F major problems at prior elections, and

G how to follow instructions from the head election judge.

**Statutory Authority:** *MS s 204B 25*

**History:** *25 SR 112*

**8240.1650** [Repealed; 25 SR 112]

**8240.1655 QUALIFICATIONS FOR TRAINEE ELECTION JUDGES.**

*[For text of subpart 1, see MR]*

Subp 2 **Training.** A trainee election judge must successfully complete the basic election judge training course as defined in part 8240 1650 before serving in a special, primary, or general election

Subp 3. **Qualifications.** A trainee election judge must be a United States citizen, must be at least 16 years of age, and must meet any residency requirement specified in Minnesota Statutes, section 204B.19, subdivision 6. Trainee election judges must provide certification from their school that they are enrolled in a Minnesota high school, have completed or are enrolled in a course on government at the time of service, and are performing at an academic level acceptable to the principal of the trainee's high school

Subp. 4 **Appointment.** Trainee election judges may be appointed by the municipality or school district conducting the election if

*[For text of items A to C, see MR.]*

D the request and certificate are submitted to the student's principal at least ten days before the election, and

E the appointment will not require the trainee election judge to serve past 10:00 p m.

Subp. 5. *[Repealed, 25 SR 112]*

*[For text of subp 6, see MR]*

**Statutory Authority:** *MS s 204B 25*

**History:** *25 SR 112*

**8240.1700** *[Repealed, 25 SR 112]*

**8240.1750 HEAD ELECTION JUDGE TRAINING.**

Subpart 1 **Length.** A head election judge training course must be at least one hour long.

Subp. 2' **Course content.** The head election judge training course must include information on the following topics

A head election judges' duties before election day;

B head election judges' duties to open the polling place on election day,

C. how to use the voting equipment;

D how to provide emergency election judge training,

E. how to use the training materials to find answers to questions arising in the polling place on election day,

F. how to help election judges work together in the polling place,

G head election judges' duties at the polling place after the polls close, and

H. how to return election materials to the local election official after the ballots have been counted

**Statutory Authority:** *MS s 204B 25*

**History:** *25 SR 112*

**8240.1800 COURSE FOR HEALTH CARE FACILITY ABSENTEE VOTING.**

Subpart 1. **Length.** The health care facility absentee voting course must be at least one hour long.

Subp 2 **Course content.** The course content must include information on the following topics

A who is eligible to vote absentee from health care facilities,

B. application process;

C. registration process, including methods for providing proof of residence,

- D. assistance to voters;
- E. voting procedures;
- F. procedures for transporting voted ballots;
- G. names and addresses of eligible health care facilities;
- H. name of contact person at each facility; and
- I. particular problems encountered in previous elections.

**Statutory Authority:** *MS s 204B 25*

**History:** *25 SR 112*

#### **8240.1900 EMERGENCY ELECTION JUDGE TRAINING COURSE.**

Subpart 1. **At the polls.** The head election judge shall conduct emergency training if needed at the polling place. The training authority shall provide an outline of emergency training procedures and otherwise ensure that the head election judge is prepared to conduct emergency training, if necessary.

Subp. 2. **Course content.** The head election judge shall review with a replacement judge all procedures and duties that are assigned to the replacement judge.

Subp. 3. **Ongoing instruction.** The head election judge shall provide additional instruction to the replacement judge as necessary throughout election day.

**Statutory Authority:** *MS s 204B 25*

**History:** *25 SR 112*

#### **8240.1950 EMERGENCY HEAD ELECTION JUDGE TRAINING.**

The training authority shall conduct emergency head election judge training if needed. The county auditor shall provide each training authority with an outline of emergency training procedures and a checklist of head election judge duties.

**Statutory Authority:** *MS s 204B.25*

**History:** *25 SR 112*

#### **8240.2000 TRAINING MATERIALS.**

The secretary of state shall provide the county auditor with Minnesota Election Judge Guides and training materials concerning changes in election laws, rules, forms, and procedures. The county auditor shall transmit these materials to training authorities in the county. The training authority shall provide election judges with copies of the Minnesota Election Judge Guide, to use at training sessions, with at least one copy for each head election judge. The municipal clerk or, for school district elections not held on the same day as another election, the school district clerk shall ensure that a Minnesota Election Judge Guide is available at each polling place on election day for use by the election judges.

**Statutory Authority:** *MS s 204B.25*

**History:** *25 SR 112*

#### **8240.2100 TRAINING RECORD.**

Each municipal clerk, and county auditor in unorganized territory, shall maintain a record of all election judges who receive training. The record must contain the election judge's name, precinct of residence; party affiliation, if any; dates of training; type of course completed on each date, and dates of election judge service. The record must be kept current for each election judge in the county or municipality.

**Statutory Authority:** *MS s 204B 25*

**History:** *25 SR 112*

**8240.2200 REMOVING ELECTION JUDGE FROM RECORD.**

An election judge may be removed from the training record who has not received election judge basic training during the preceding two years

**Statutory Authority:** *MS s 204B 25*

**History:** *25 SR 112*

**8240.2300 CERTIFICATION OF TRAINING.**

A certification of training issued for completing an election judge training course must include the election judge's name, municipality, date of training, course completed, and the signature of the training authority.

**Statutory Authority:** *MS s 204B 25*

**History:** *25 SR 112*

**8240.2400 TRAINING PLAN.**

**Subpart 1 Content.** Each training authority shall prepare a training plan.

The training plan must include the names of persons conducting training, number of sessions planned, projected attendance at each session, training materials to be used, training methods employed, and an outline of the content of each election judge training course

Copies of all materials that will be distributed at the training sessions must be included with the training plan.

**Subp 2 Inspection.** The training plan must be available for public inspection

**Statutory Authority:** *MS s 204B 25*

**History:** *25 SR 112*

**8240.2500 IN-SERVICE REVIEW.**

After each primary election and before each ensuing general, special, or municipal election, the training authority shall confer or correspond with the head election judge of each precinct to review problems or questions encountered at the primary. The training authority shall analyze problems indicated by the election returns, incorrect registrations, election judge comments, or voter complaints and shall answer questions of the head judges.

**Statutory Authority:** *MS s 204B 25*

**History:** *25 SR 112*

**8240.2700 MUNICIPAL CLERK TRAINING REQUIREMENT.**

**Subpart 1 Certification required.** To administer an election, a municipal clerk must successfully complete an initial municipal clerk election administration training course and must remain certified in election administration under this part

**Subp 2 Length of initial training.** An initial municipal clerk election administration training course consists of five hours of training given by a county auditor or the secretary of state. The five hours of training must be completed within one election cycle

**Subp 3. Initial certification.** The home county auditor must issue the initial certification of election administration to a municipal clerk who successfully completes the municipal clerk election administration training course. The initial certification of election administration is valid until the end of the election cycle after the election cycle in which the certification was issued

**Subp 4 Biennial certification maintenance requirement.** To remain certified in election administration after receiving the initial certification, a municipal clerk must successfully complete four hours of election administration training during each election cycle. The certification maintenance training must be given by a county auditor or the secretary of state and must be completed before the expiration date of the

clerk's certification. The clerk must provide the home county auditor with proof that the clerk has completed certification maintenance training before the expiration date of the clerk's certification. At the beginning of each election cycle, the home county auditor shall issue a new certification of election administration to a municipal clerk who has completed the biennial certification maintenance requirement. The new certification of election administration is valid until the end of the election cycle in which the new certification was issued.

**Subp 5 Training content.** An election administration training course for municipal clerks must include training on

- A candidate filings,
- B. campaign practices,
- C campaign finance requirements,
- D. the election calendar,
- E ballot preparation;
- F election judge recruitment and duties,
- G notice requirements,
- H. voting systems, if used in the municipality,
- I mail elections,
- J absentee voting; and
- K. post-election duties

**Subp. 6 Alternative training.** Election administration training given by an individual other than a county auditor or the secretary of state may fulfill up to four hours of the initial certification requirement or three hours of the biennial certification maintenance requirement if the training covers topics listed in subpart 5. The municipal clerk must provide the home county auditor with a description of the course to receive credit for the alternative training. The home county auditor must review the course description to determine whether the alternative training covers topics listed in subpart 5.

**Subp. 7. Credit for election judge training.** Time spent attending the adult education training methods course required by part 8240.1100 must not be counted toward fulfillment of a clerk's initial certification requirement or biennial certification maintenance requirement. Time spent teaching the first session of each type of election judge training or attending any type of election judge training may be counted toward fulfillment of a clerk's initial certification requirement or biennial certification maintenance requirement.

**Subp 8 Record.** The home county auditor must keep a record of all municipal clerks who receive election administration training. The record must contain the clerk's name, the clerk's municipality, the name and date of any completed training course, the date certification was completed, the name and date of any completed post-certification courses, and the date the clerk's certification expires. The auditor may remove a clerk's name from the record if the clerk's certification has been expired for at least two years.

**Subp 9 Emergency training.** A municipal clerk who has taken office less than six months before an election may administer that election after completing two hours of emergency training given by the home county auditor or secretary of state.

**Subp 10 Certification for municipal staff.** Municipal employees designated by the municipal clerk may attend municipal clerk election administration training courses. The home county auditor shall issue a certification of election administration to a municipal designee who successfully completes a municipal clerk election administration training course.

**Statutory Authority:** *MS s 204B 25*

**History:** 25 SR 112



**8240.2800 SCHOOL DISTRICT CLERK TRAINING REQUIREMENT.**

Subpart 1 **Certification required.** To administer an election, a school district clerk must successfully complete an initial school district clerk election administration training course and must remain certified in election administration under this part.

Subp. 2. **Length of initial training.** An initial school district clerk election administration training course consists of five hours of training given by a county auditor or the secretary of state. The five hours of training must be completed within one election cycle.

Subp. 3 **Initial certification.** The home county auditor must issue the initial certification of election administration to a school district clerk who successfully completes the school district clerk election administration training course. The initial certification of election administration is valid until the end of the election cycle after the cycle in which the certification was issued.

Subp. 4 **Biennial certification maintenance requirement.** To remain certified in election administration after receiving the initial certification, a school district clerk must successfully complete four hours of election administration training during each election cycle. The certification maintenance training must be given by a county auditor or the secretary of state and must be completed before the expiration date of the clerk's certification. The clerk must provide the home county auditor with proof that the clerk has completed certification maintenance training before the expiration date of the clerk's certification. At the beginning of an election cycle, the home county auditor shall issue a new certification of election administration to a school district clerk who has completed the biennial certification maintenance requirement. The new certification of election administration is valid until the end of the election cycle in which the new certification was issued.

Subp. 5. **Training content.** An election administration training course for school district clerks must include training on:

- A candidate filings,
- B campaign practices,
- C campaign finance requirements;
- D the election calendar,
- E ballot preparation,
- F election judge duties,
- G notice requirement;
- H voting systems, if used in the school district,
- I mail elections,
- J absentee voting, and
- K post-election duties.

Subp. 6 **Alternative training.** Election administration training given by an individual other than a county auditor or the secretary of state may fulfill up to four hours of the initial election administration training course or three hours of the biennial certification maintenance requirement if the training covers topics listed in subpart 5. The school district clerk must provide the home county auditor with a description of the course to receive credit for the alternative training. The home county auditor must review the course description to determine whether the alternative training covers topics listed in subpart 5.

Subp. 7. **Credit for election judge training.** Time spent attending any type of election judge training may be counted toward fulfillment of a clerk's initial certification requirement or biennial certification maintenance requirement.

Subp. 8. **Record.** The home county auditor must keep a record of all school district clerks who receive election administration training. The record must contain the clerk's name, the clerk's school district, the name and date of any completed training course, the date certification was completed, the name and date of any completed post-

certification courses, and the date the clerk's certification expires. The auditor may remove a clerk's name from the record if the clerk's certification has been expired for at least two years

**Subp 9. Emergency training.** A school district clerk who has taken office less than six months before an election may administer that election, after completing two hours of emergency training given by the home county auditor, or secretary, of state.

**Subp 10 Certification for school district staff.** School district employees designated by the school district clerk may attend school district clerk election administration training courses. The home county auditor shall issue a certification of election administration to a school district designee who successfully completes a school district clerk election administration training course.

**Statutory Authority:** *MS s 204B 25*

**History:** *25 SR 112*

### **8240.2850 IMPLEMENTATION SCHEDULE FOR CERTIFICATION OF MUNICIPAL AND SCHOOL DISTRICT CLERKS.**

A municipal clerk who successfully completes at least two hours of election administration training given by a county auditor or the secretary of state before September 1, 2000, is qualified to administer elections until December 31, 2001. A school district clerk who successfully completes at least two hours of election administration training given by a county auditor or the secretary of state before the first school district election held after July 31, 2000, is qualified to administer elections until December 31, 2001. Municipal and school district clerks must successfully complete at least three additional hours of training before December 31, 2001, to receive an initial election administration certification. The initial election administration certification received under this subpart is valid until December 31, 2003. To maintain the election administration certification, a municipal clerk must satisfy the biennial certification maintenance requirement in part 8240.2700, subpart 3, and a school district clerk must satisfy the biennial certification maintenance requirement in part 8240.2800, subpart 3.

**Statutory Authority:** *MS s 204B.25*

**History:** *25 SR 112*

### **8240.2900 COUNTY AUDITOR ELECTION ADMINISTRATION CERTIFICATION.**

**Subpart 1. Length of initial training.** To be certified in election administration by the secretary of state, a county auditor must successfully complete a county auditor election administration training course. A county auditor election administration training course consists of 15 hours of training given by the secretary of state. The 15 hours of training must be completed within one election cycle.

**Subp. 2. Initial certification.** The secretary of state must issue the initial certification of election administration to a county auditor who successfully completes the county auditor election administration training course. The initial certification of election administration is valid until December 31 of the calendar year after the election cycle in which the certification was issued.

**Subp. 3 Annual certification maintenance requirement.** To remain certified in election administration after receiving the initial certification, a county auditor must successfully complete two hours of election administration training during each calendar year. The certification maintenance training must be given by the secretary of state and must be completed before the expiration date of the auditor's certification. The auditor must provide the secretary of state with proof that the auditor has completed certification maintenance training before the expiration date of the auditor's certification. The secretary of state shall issue a new certification of election administration to a county auditor who has completed the annual certification maintenance requirement. The new certification of election administration is valid until December 31 of the year in which the new certification was issued.

Subp. 4 **Training content.** An election administration training course for county auditors must include training on:

- A the voter registration system,
- B candidate filings,
- C campaign practices,
- D campaign finance requirements,
- E the election calendar;
- F ballot preparation;
- G election judge recruitment and duties,
- H mail elections;
- I absentee voting;
- J the election night reporting system;
- K post-election duties, and
- L the duties performed by municipal and school district clerks

Subp. 5. **Alternative training.** Election administration training given by an individual other than the secretary of state may fulfill up to 13 hours of the initial certification requirement or one hour of the annual certification maintenance requirement if the training covers topics listed in subpart 4. The county auditor must provide the secretary of state with a description of the course to receive credit for the alternative training. The secretary must review the course description to determine whether the alternative training covers topics listed in subpart 4.

Subp. 6 **Credit for election judge training.** Time spent attending the adult education training methods course required by part 8240.1100 must not be counted toward fulfillment of an auditor's initial certification requirement or annual certification maintenance requirement. Time spent teaching the first session of each type of election judge training or attending any type of election judge training may be counted toward fulfillment of an auditor's initial certification requirement or annual certification maintenance requirement.

Subp. 7. **Record.** The secretary of state must keep a record of all county auditors who receive election administration training. The record must contain the auditor's name, the auditor's county, the name and date of any completed training course, the date certification was completed, the name and date of any completed post-certification courses, and the date the auditor's certification expires. The secretary of state may remove an auditor's name from the record if the auditor's certification has been expired for at least two years.

Subp. 8 **Emergency training.** The secretary of state shall conduct emergency election administration training for a county auditor who has taken office less than two months before an election.

Subp. 9 **Certification for county election staff.** County employees designated by the county auditor may attend county auditor election administration training courses. The secretary of state shall issue a certification of election administration to a county designee who successfully completes a county auditor election administration training course.

**Statutory Authority:** *MS s 204B 25*

**History:** 25-SR 112