

## Chapter EL 12

### CERTIFICATION AND TRAINING OF MUNICIPAL CLERKS

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**Note:** Chapter GAB 12 was renumbered Chapter EL 12 under s. 13.92 (4) (b) 1., Stats., Register June 2016 No. 726.

#### EL 12.01 Definitions. In this chapter:

- (1) “Commission” means the elections commission.
- (2) “Election cycle” begins on January 1 of an odd-numbered year and continues through December 31 of the following even-numbered year.
- (3) “Municipal clerk” includes the executive director and deputy director of the Milwaukee City Board of Election Commissioners.
- (4) “Municipal election official” means municipal clerk, deputy clerk or any municipal employee charged with duties related to the administration of elections.
- (5) “Statewide Voter Registration System” is the election administration software application provided by the commission to enable local election officials to register voters, track absentee voting, and administer elections.

**Note:** Since 2016, the statewide voter registration system has been called WisVote.

**History:** CR 08–024: cr. Register November 2008 No. 635, eff. 12–1–08; correction in (1), (5) made under s. 13.92 (4) (b) 6., Stats., Register June 2016 No. 726.

**EL 12.02 Certification.** (1) Only municipal clerks who meet the training standards established in this chapter shall be certified by the commission.

(2) Any other municipal election official who meets the standards established in this chapter may be certified by the commission.

(3) The standards for the initial and the renewal certifications of municipal clerks are those set forth in this chapter.

(4) The commission shall maintain a record of the municipal clerks who meet the training standards established by this chapter.

(5) To establish completion of certification requirements, a municipal clerk shall provide the commission with documentation of attendance at any approved training that has not been conducted by commission staff.

(6) The records concerning the training qualifications of municipal clerks are public records and shall be provided by the commission upon request.

(7) The governing body of any municipality whose municipal clerk fails to meet the training standards set out in this chapter shall be notified of that fact by the commission.

**History:** CR 08–024: cr. Register November 2008 No. 635, eff. 12–1–08; correction in (1), (2), (4) to (7) made under s. 13.92 (4) (b) 6., Stats., Register June 2016 No. 726.

**EL 12.03 Initial certification and renewal of certification.** (1) To qualify for initial certification, individuals shall attend or view a core curriculum training course conducted under the direction of the commission staff. The expiration date for initial certification shall coincide with the end of the election cycle during which the initial certification was obtained.

(2) After attending the initial training and obtaining certification, individuals seeking to maintain their training certification for the succeeding election cycle must attend, during the current election cycle, an additional 3 hours of training approved by the

administrator of the commission. Attendance at the core curriculum class plus attendance at three additional hours of approved training (for a total of 6 hours of training during the initial term) will certify the attendee through the end of the succeeding election cycle. Any further renewal of certification will require attendance at 6 hours of additional approved training in the then-current cycle. Those 6 hours of training will apply to the following cycle.

(3) The commission shall conduct training opportunities in several locations throughout the state, and shall make training opportunities available on-line, and in video or audio format, to enable interested individuals to renew their certification.

(4) Each municipal clerk who attends a training course conducted under the direction of the commission’s staff shall register with the commission. Individuals may not carry over training hours to qualify for renewal of their certification in subsequent election cycles.

(5) The approved training may consist of attendance at any combination of the following training opportunities if that training opportunity covers all or part of the training content described in this chapter:

(a) A certification–training course for municipal clerks or chief election inspectors conducted under the direction of the commission staff.

(b) Training on the use of the Statewide Voter Registration System presented under the direction of the commission staff, including on-line training developed for the commission and made available to local election officials.

(c) A workshop conducted by the commission staff at a state or district meeting of the Wisconsin County Clerks Association, Wisconsin Municipal Clerks Association, Wisconsin Towns Association or League of Wisconsin Municipalities.

(d) An information presentation conducted by the commission staff and sponsored by the University of Wisconsin Extension Local Government Center.

(e) Training conducted by a municipal or county clerk for election inspectors, pursuant to ss. 7.10 (9), 7.15 (1) (e) and (11), Stats.

(f) Attendance at a state, regional or national conference, or a seminar of a professional organization, that serves election officials.

(6) The commission shall maintain a record of the approved training event, including the date and location of the approved training.

(7) When the individual has completed the renewal requirements, the individual’s certification shall be extended for the duration of the next election cycle.

**History:** CR 08–024: cr. Register November 2008 No. 635, eff. 12–1–08; correction in (1) to (4), (5) (a) to (d), (6) made under s. 13.92 (4) (b) 6., Stats., Register June 2016 No. 726.

**EL 12.04 Training content.** (1) The content of the training curriculum shall be prescribed by the commission.

(2) The training curriculum shall include the following elements:

(a) A core curriculum session that provides an overview of the election-related duties of a municipal clerk.

(b) Instructions on the proper completion of election-related forms and notices, including a requirement that the information on election-related forms be legible.

(c) Review of the applicable statutory deadlines for publishing notices, submitting petitions and ballot access documents.

(d) Directions for the review and completion of election-related forms and petitions, including affixing the signature and certification required by law.

(e) Treatment of confidential voter information and proof of residence documents received from a voter.

(f) Review of the deadlines and procedures for delivering completed election-related documents to the board of canvassers.

(g) A description of the calendar of election events and critical election-related timelines.

(h) Duties of the municipal clerk with respect to candidates for municipal office.

(i) Requirements for ballot design and preparation, including write-in ballots for military and overseas electors.

(j) Duties of the municipal clerk with respect to voters, including absentee, military, overseas and confidential electors, and accessibility to the electoral process.

(k) Requirements for recruitment, appointment and training of election inspectors, special voting deputies, special registration deputies, and other election officials.

(L) Requirements for acquisition, testing, security and audit of voting equipment.

(m) Procedures for ensuring security of ballots and voting equipment, including chain of custody documentation, use of seri-

alized, tamper-evident seals, and monitoring of security procedures.

(n) Requirements for establishing, equipping, supplying, securing, and preparing polling places for elections, including emergency preparedness.

(o) Election-day responsibilities of the municipal clerk.

(p) Post-election responsibilities of the municipal clerk, including conducting the municipal canvass, issuing certificates of election and conducting a recount.

(q) Requirements for recall and direct legislation.

(r) The consequences for failing to follow prescribed procedures.

(s) Any other information prescribed by the commission.

**History:** CR 08-024: cr. Register November 2008 No. 635, eff. 12-1-08; correction in (1) (intro.), (s) made under s. 13.92 (4) (b) 6., Stats., Register June 2016 No. 726.

**EL 12.05 Certification waiver. (1)** In the event of an emergency, the municipal clerk may make a written request to the commission for a waiver of the training requirement for a municipal clerk.

**(2)** The request shall be communicated to the administrator of the commission in an expeditious manner.

**(3)** The request shall describe the facts that establish the basis for the emergency request and the steps that have been taken by the municipal clerk to obtain the required training.

**(4)** The administrator of the commission may grant a waiver of the required training for one election cycle.

**History:** CR 08-024: cr. Register November 2008 No. 635, eff. 12-1-08; corrections made under s. 13.92 (4) (b) 6., Stats., Register June 2016 No. 726.