



## 28 Electronic Communications and the SBE

### 28.1 SBE Internet Website—Public Information Central

SBE's primary means of communicating information is its main internet website, (<http://www.sbe.virginia.gov>). This site provides forms and information to the public, candidates and election administrators. Several sections of the Virginia Election Laws mandate provision of certain website information:

- § 24.2-103—SBE regulations posted within 3 days after effective
- § 24.2-701(A)—internet absentee applications
- §24.2-802(D)—changes to certified election results
- §§ 24.2-946.1(D), 24.2-946.3, 24.2-949.2, 24.2-953.3, 24.2-953.4--campaign finance violations.

The Code of Virginia also sets many requirements for SBE to provide information to Electoral Boards, generally without prescribing any particular form or method.<sup>1</sup>

Virginia Code §§ [24.2-103](#), [24.2-105](#), [24.2-105.1](#) and [24.2-404](#) state in part what the SBE shall provide to both local Electoral Boards and Registrars. Specifically, § [24.2-103](#) states, “It shall make rules and regulations and issue instructions and provide information to the electoral boards and registrars to promote the proper administration of election laws. Electoral boards and registrars shall provide information requested by the Board.”

When the Code does not specify a format for providing information, SBE may choose to provide information electronically (via e-mails and/or electronic files). It is important that the SBE staff have current and accurate e-mail addresses for both registrars and electoral board members. The e-mail addresses should be properly maintained in the VERIS directory. E-mail lists are updated periodically from the directory. Failure to update your office information in VERIS could result in your office missing important messages.

### 28.2 SBE SharePoint and Secure Sites—Communication Hubs for Election Administrators

In 2009, SBE launched an advanced web based communication system, SBE SharePoint, to facilitate collaboration between SBE staff, registrars and electoral boards on development of Board policies, forms and guidance documents such as the General registrars and Electoral

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<sup>1</sup> Section 24.2-404(B) specifically authorizes SBE to determine the medium of information described in that section relating to VERIS.

Board members' handbook. SharePoint enables SBE to effectively organize and maintain vast repositories of information such as forms, guidance documents and training materials. To create user profiles in SharePoint, electoral board members and general registrars should contact the SBE information center ([VERIShelp@sbe.virginia.gov](mailto:VERIShelp@sbe.virginia.gov)). In addition, SBE uses a commercial Internet-based program (surveymonkey.com) to survey registrars and electoral boards.

SBE also maintains a Secure GR website (username and password required) that is used primarily by GRs for ordering election materials. General registrar's offices are assigned username and passwords. If you need assistance with your username and password, please contact the SBE information center ([VERIShelp@sbe.virginia.gov](mailto:VERIShelp@sbe.virginia.gov)). SBE also uses VERIS to obtain and share information, forms and training materials.

## **28.2 FOIA Implications**

Electronic records, including e-mails, are covered by FOIA. (See Chapter 26) The Virginia Freedom of Information Advisory Council has published a useful guide called *E-Mail: Use, Access & Retention* (<http://foiacouncil.dls.virginia.gov/ref/e-mail.pdf>). Another issue that arises from use of e-mail is the blurring of the line between "correspondence" and "meetings." The Council's guides to *E-mail and Meetings Under the Virginia Freedom of Information Act* help sort out this issue:

- <http://foiacouncil.dls.virginia.gov/ref/EMeetLocal09.pdf>
- <http://foiacouncil.dls.virginia.gov/ref/EMeetState09.pdf>