



TO: House Government Operations and Military Affairs Committee

FROM: Cara Zimmerman, Director of Policy Services and Legislative Affairs,
Vermont School Boards Association

RE: S.55

DATE: April 9, 2024

Good afternoon, I am Cara Zimmerman, Director of Policy Services and Legislative Affairs of the Vermont School Boards Association (VSBA). Thank you for inviting me to testify on S.55. We testified in Senate Government Operations throughout their process and ultimately supported the version of the bill that is before you now. As you know, earlier versions of this bill mandated hybrid meetings for all public bodies. Our members were clear that although many school boards hold hybrid meetings, a hybrid meeting requirement would be burdensome for others.

We are committed to supporting school boards in their efforts to hold accessible and inclusive meetings and appreciate having the time to work with any school boards that do not currently have the capacity to hold hybrid meetings or hold effective hybrid meetings.

We want to raise the following concerns for your consideration:

1. **Recording requirement** - Section 3 of the bill proposes to amend 1 V.S.A § 312 by adding section (a) (6), Meetings of local public bodies; recordings. That section currently reads -
To the extent feasible, a public body of a municipality or political subdivision, except advisory bodies, shall:
(A) record, in audio or video form, any meeting of the public body; and
(B) post and retain a copy of the recording according to subdivision 14 (3)(C) of this subsection (a).

“To the extent feasible” is ambiguous and we are concerned that this ambiguity will create a de facto requirement, which some of our member school boards may not be able to meet.

2. **Accommodation requests** - Section 3 of the bill proposes to amend 1 V.S.A § 312 by adding (j), which would permit a community member, member of the public body, or the press to request that the public body designate a physical meeting location or provide electronic or telephonic access to a regular meeting or series of regular meetings. This section of the bill needs clarifying because as it is currently written, we are concerned that someone could request that all meetings be held in a hybrid fashion. This is the equivalent to a hybrid meeting mandate, which we oppose.
3. **Determination of Local Incident (p.8, new (c))** The requirement that the highest ranking elected or appointed officer make a “formal written finding and announcement of the local incident” before meeting under the authority provided in this law could be clearer. As written, we are not sure how to operationalize this requirement and ask for further clarification so that public officials have a clearer understanding for how to meet this requirement.

Thank you.