



Vermont Center for Independent Living
Kate Larose
Pandemic Equity Coordinator

House Committee on Government Operations & Military Affairs
April 26, 2024



THE STORY





VOTE
TOMORROW

1991

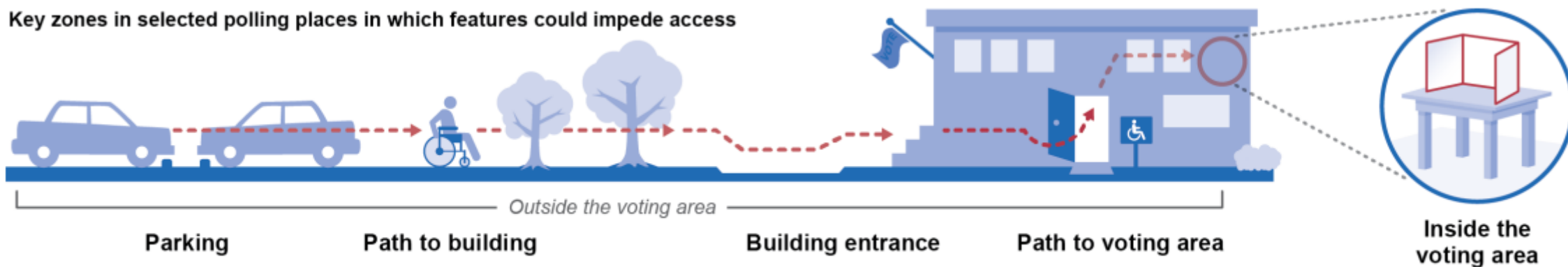
Americans with Disabilities Act Title II Regulations

Part 35 Nondiscrimination on the Basis of Disability in State and Local
Government Services.

2017

Voters with Disabilities: Observations on Polling Place Accessibility and Related Federal Guidance

Key zones in selected polling places in which features could impede access



Source: GAO analysis of polling place data collected during the 2016 general election. | GAO-18-4

60%

of polling places
are inaccessible

2018



Accessibility

Vermont's election laws are designed to make it easy for all eligible Vermonters to vote and to register to vote. One of the specific purposes of the Vermont Election Laws is "to provide equal opportunity for all citizens of voting age to participate in political processes" [17 V.S.A. §2101](#).

Vermont's Accessible Voting System

In 2018, beginning with the August Primary, the Secretary of State's Office introduced a [new accessible voting system](#). This is a tablet-based system that marks the voter's selections onto the same paper ballots used by all voters at the polls, increasing the privacy and independence of the vote for a voter with disabilities. The system also contains an online-based ballot marking interface which enables voters with disabilities to vote privately and independently from home during the early voting period.

We are very proud to offer this state-of-the-art [accessible voting system](#) to Vermonters voters with a disability. Please feel free to [contact us](#) with questions.

2020

H.681

An act relating to government operations in response to the COVID-19 outbreak

It is hereby enacted by the General Assembly of the State of Vermont:

* * * Elections * * *

Sec. 1. LEGISLATIVE INTENT; PROTECTION OF CITIZENS AND OF
ELECTIONS

It is the intent of the General Assembly that, if the coronavirus disease 2019 (COVID-19) pandemic continues its expected spread in the State of Vermont, the citizens of Vermont should be able to protect their health, safety, and welfare while also continuing to exercise their right to participate in elections in order to maintain our democratic institutions. Accordingly, this act sets forth temporary elections provisions in response to COVID-19.

The Pandemic Has Opened Up Civic Life to Vermonters With Disabilities

By **PAUL HEINTZ**



Published October 28, 2020 at 10:00 a.m. | Updated November 2, 2020 at 9:05 p.m.



Maria Rinaldi

| GLENN RUSSELL

2021

**GOVERNOR'S DIRECTIVE TO THE SECRETARY OF COMMERCE
AND COMMUNITY DEVELOPMENT**


Today, June 14, 2021, because of the hard work of so many Vermonters and their commitment to each other, 80 percent of eligible Vermonters have now received at least one dose of the COVID-19 vaccine. This figure makes Vermont the envy of the nation, the safest state in the United States and a global leader. This achievement meets the threshold set for lifting State restrictions.

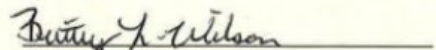
I, Philip B. Scott, by virtue of the authority vested in me as Governor of Vermont by the Constitution of the State of Vermont, the emergency powers set forth in 20 V.S.A. §§ 8, 9 and 11 and other laws, hereby direct the Secretary of the Agency of Commerce and Community Development to rescind all remaining mandatory Specialized and Universal Guidance measures set forth in the Vermont Forward Plan.

This Directive shall take effect upon signing.



By the Governor:


Philip B. Scott
Governor


Brittney L. Wilson
Secretary of Civil and Military Affairs

Dated: June 14, 2021

Sent: Friday, August 6, 2021 11:47 AM
To: Dominic Cloud <d.cloud@stalbansvt.com>
Subject: Zoom Link for Monday's Meeting?

Hi Dom,

Hope this finds you well. I'm assuming you saw this guidance from Secretary Condos earlier this summer?
<https://sos.vermont.gov/media/ve5behpn/open-meeting-law-and-expiration-of-state-of-emergency-memo-sos-20210614.pdf>

I know many in the community are interested in the DEI presentation on Monday and are wondering what the Zoom link is for public meeting access in keeping with the spirit of open meeting law?

Thanks,

Kate

From: **Dominic Cloud** <d.cloud@stalbansvt.com>
Date: Fri, Aug 6, 2021 at 12:02 PM
Subject: RE: Zoom Link for Monday's Meeting?

Hi Kate,

Yes, we disagree with Jim's perspective on that. We find the quality of participation diminishes greatly when we are not in the same room.

**OFFICIAL ANNUAL TOWN AND TOWN SCHOOL DISTRICT
MEETING BALLOT - MARCH 1, 2022**

INSTRUCTIONS TO VOTERS: To vote for a person whose name is printed on the ballot, mark a cross (X) in the square at the right of that person's name. To vote for a person whose name is not printed on the ballot, write the person's name on the blank line in the appropriate block.

<p>FOR TOWN MODERATOR, FOR ONE YEAR Vote for not more than ONE</p> <p>A. MORGAN WADE <input type="checkbox"/></p> <p>Write in <input type="checkbox"/></p>	<p>FOR AUDITOR, FOR THREE YEARS Vote for not more than ONE</p> <p>URSULA S JOHNSON <input type="checkbox"/></p> <p>Write in <input type="checkbox"/></p>
<p>FOR SCHOOL DISTRICT MODERATOR, FOR ONE YEAR Vote for not more than ONE</p> <p>A. MORGAN WADE <input type="checkbox"/></p> <p>Write in <input type="checkbox"/></p>	<p>FOR AUDITOR, FOR TWO YEARS Vote for not more than ONE</p> <p>FERN OWEN-BROWN <input type="checkbox"/></p> <p>Write in <input type="checkbox"/></p>
<p>FOR SELECTBOARD, FOR THREE YEARS Vote for not more than ONE</p> <p>MARK BULLARD <input type="checkbox"/></p> <p>Write in <input type="checkbox"/></p>	<p>FOR LIBRARY TRUSTEE, FOR THREE YEARS Vote for not more than ONE</p> <p>GEORGINA CARR <input type="checkbox"/></p> <p>Write in <input type="checkbox"/></p>
<p>FOR SELECTBOARD, FOR ONE YEAR Vote for not more than ONE</p> <p>HAVEN L HAYNES JR <input type="checkbox"/></p> <p>Write in <input type="checkbox"/></p>	<p>FOR LIBRARY TRUSTEE, FOR TWO YEARS Vote for not more than ONE</p> <p>NANCY E PETRO <input type="checkbox"/></p> <p>Write in <input type="checkbox"/></p>
<p>FOR LISTER, FOR THREE YEARS Vote for not more than ONE</p> <p>DANA MASSON <input type="checkbox"/></p> <p>G. THOMAS TRAMMELL JR <input type="checkbox"/></p> <p>Write in <input type="checkbox"/></p>	<p>FOR LIBRARY TRUSTEE, FOR THREE YEARS Vote for not more than ONE</p> <p>Write in <input type="checkbox"/></p>
<p>FOR SCHOOL DIRECTOR, FOR THREE YEARS Vote for not more than ONE</p> <p>LAURENT GIROUX <input type="checkbox"/></p> <p>ASHLIE K LYNCH <input type="checkbox"/></p> <p>Write in <input type="checkbox"/></p>	<p>FOR SEXTON, FOR ONE YEAR Vote for not more than ONE</p> <p>MICHAEL LADD <input type="checkbox"/></p> <p>Write in <input type="checkbox"/></p>

SAM

PLG

2023 & 2024

No. 1. An act relating to temporary alternative procedures for annual municipal meetings and electronic meetings of public bodies.

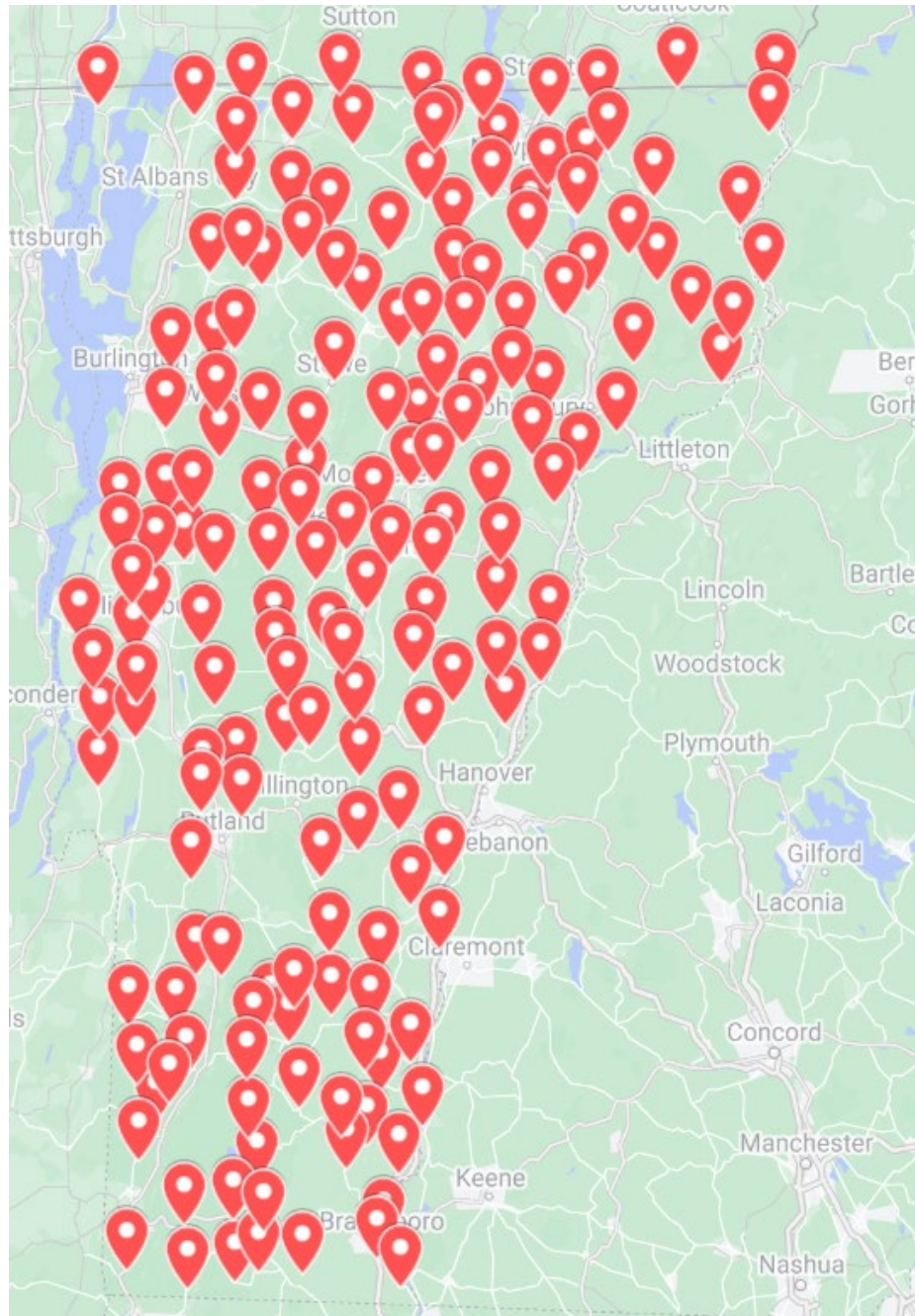
(H.42)

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. ANNUAL MUNICIPAL MEETINGS; ALTERNATIVE
PROCEDURES FOR 2023 AND 2024

(a) Change of annual meeting date. Notwithstanding any provision of law to the contrary, until July 1, 2024, a municipal legislative body may vote to move the date of the municipality's annual meeting to a date later in the same year. In any municipality that moves the date of an annual meeting pursuant to this subsection, municipal officers shall serve until the annual meeting and until successors are chosen.

(b) Authority to apply Australian ballot system. Notwithstanding the provisions of 17 V.S.A. § 2680(a) and 16 V.S.A. § 723(a) that require the voters of a municipality to vote to apply the provisions of the Australian ballot system to the annual or special meeting of the municipality, until July 1, 2024,



Voting and Polling Places

September 21, 2022

The ADA requires state and local governments and their election officials to ensure that people with disabilities have a full and equal opportunity to vote in all elections. This includes federal, state, and local elections. And it includes all parts of voting, like voter registration, selecting a location for polling places, and voting, whether on election day or during an early or absentee voting process.



In Vermont's small communities, the big Town Meeting news is its in-person comeback

By Kevin O'Connor

Feb 28 2023

Ask East Montpelier Clerk Rosie Laquerre about this year's March Town Meeting agenda and she'll respond, "Nothing exciting or unusual."

Then again, after a pandemic pause, just the fact the meeting is taking place is exciting and unusual.

"East Montpelier is back to business," Laquerre says.

Brattleboro Reformer

Turbow: Brattleboro's Representative Town Meeting should be more accessible


By Sarah Turbow Feb 8, 2023

“...covert barriers to access like these make it difficult or impossible for young people, disabled people, and working people to participate. Instead, even our most ostensibly accessible bodies are dominated by those who have the most free time, the most resources, and the most robust health. In other words, the most privileged. So much for democracy by the people, for the people.”

NEWS & CITIZEN

Town Meeting Day 2023

Cambridge grants disability request at town meeting

Aaron Calvin | Staff Writer | Mar 9, 2023  0

After members of the Cambridge Selectboard decided to hold their annual meeting in person, they also took the rare step of granting a reasonable accommodation request from a resident who invoked the Americans with Disabilities Act, allowing them to attend the meeting in person but separate from the crowd.

A magnifying glass with a dark frame is positioned over a light blue background. The lens of the magnifying glass is centered on the word "EXAMPLE", which is written in a bold, black, sans-serif font. The word is significantly enlarged within the lens, while the rest of the background is slightly blurred.

EXAMPLE



NONPROFIT
ORGANIZATION
U. S. POSTAGE
PAID
PERMIT N

RETURN SERVICE REC



WORLD WAR II

1941

1945

VETERAN



ANOTHER

A magnifying glass with a black frame and handle is positioned over the word 'EXAMPLE'. The lens of the magnifying glass is centered on the word, making it appear larger and more prominent. The background is a light blue, textured surface.

EXAMPLE

I am hereby requesting a reasonable accommodation under [Title II of the Americans with Disabilities Act](#) which requires state and local governments and their election officials to ensure that people with disabilities have a full and equal opportunity to vote in all elections.

[H.42](#) was recently signed into law which provides a mechanism for towns to ensure local Town Meeting Day elections are accessible to all, including options which allow for all articles to be voted on by Australian ballot and/or for a change of date so that events can be held outside in warmer months (as our neighbors in Sheffield have opted to do).

I understand that our selectboard has decided to move forward with a floor vote for one or more articles, which requires in-person attendance indoors.

Due to limitations experienced because of my disability, indoor, in-person floor votes are not accessible to me and I am requesting a reasonable accommodation of Australian ballot or change of meeting date to warmer weather so that it may be held outside so that I may have equal opportunity to vote on all articles.

Kate

Kate (she/her)

Recording

Town of Newark

Play

10:14 AM

02/23/2023

We received your request for Reasonable Accommodations for 2023 Town Meeting participation. At this point statutorily **it is too late** to change to an Australian Ballot for March 7th. After much consideration, we feel it is unreasonable to change the meeting date at this time since Town Meeting has already been Warned and Town Reports have been printed and mailed.

As Newark Selectboard, we are committed to our obligation to listen to the interests and concerns of our community members. Over the past year our community members strongly expressed their interest in returning to our in person Town Meeting.

Also, we have looked into creating a Zoom option for you, which we can do for **listening purposes only as election law requires that all voters be present at Town Meeting to participate in voice votes**

Re: ADA Request for Town Meeting Day 2024

Kate Larose <katelarose1@gmail.com>

Jan 11, 2024, 4:42 PM

Hi Amber,

Thank you for your response. It is unfortunate that even with 11 months' advanced notice this comes down to:

1. A decision being made by the selectboard that does not enable me and many others to participate (because public opinion straw polls are more important to them than federal civil rights)
2. Me being asked to have a meeting with selectboard members *only after* this decision has already been made (and with less than 8 weeks out from town meeting)

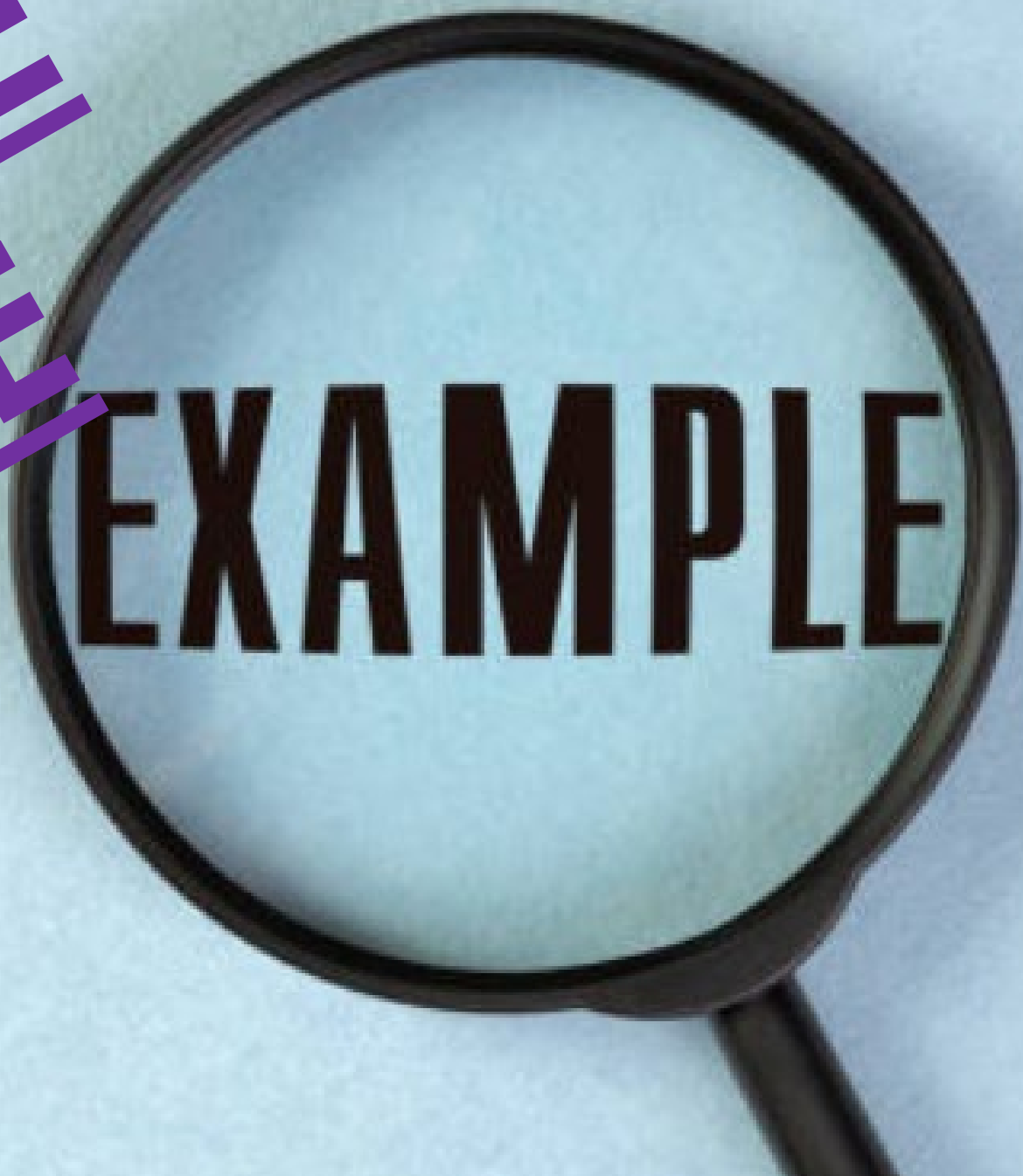
I actually just finished [giving testimony](#) about this experience earlier this afternoon to Senate GovOps.

For clarity's sake, is the meeting being offered a public meeting? Or is a private conversation being offered? (The last time we were here a year ago, what was offered to me was the ability to "move my chair wherever I wanted to in the room", so I'm not feeling super optimistic in any event...)

Thank you,

Kate

**AND ONE
MORE**



EXAMPLE



Greetings Noreen and Zach,

Per [Title II](#) of the Americans with Disabilities Act, I am requesting equal access to all meetings and materials pertaining to the proposed Twin States project.

Specifically, the reasonable modifications I am requesting are as follows:

- Virtual **video and audio access** to any public meetings or gatherings pertaining to this matter
- Full and equal participation to all **public comment opportunities via remote access**
- Full and equal access to all **materials shared** at such meetings or gatherings via electronic means

Please let me know what additional information you might need in order to fully honor this reasonable modifications request under federal civil rights law.

Thank you,

Kate



Town of Canaan, VT

August 31, 2023 · 🌐



Canaan Selectboard Meetings have gone hybrid!

Thanks to funds from the American Rescue Plan Act (ARPA), the [Town of Canaan, VT](#), has decided to make Selectboard meetings available to all residents and non-residents from the comfort of their homes. The meetings will be streamed over Zoom, where you can interact and participate in the meeting just as if you were here at the Town Office. We are excited to offer this excellent service to our residents. We understand that individuals have many reasons why attending the meetings in person is difficult. Our solution is to provide Zoom.

Click on the link and/or enter the Meeting ID and Passcode into Zoom to join in on the meetings. The stream will go live at 6:00 PM every night when a meeting is scheduled.

Meeting ID: 875 9178 4837

Passcode: 02251782

<https://us06web.zoom.us/j/87591784837...>





Accessibility
For All

Accessibility and inclusion don't happen by accident and they don't happen by virtue of good intentions.

They happen because laws are passed (and passed again), until we get it right.

“VCDR recognizes that community and democracy are both stronger when **everyone** is able to take part.”

