

# Office of the Vermont Secretary of State

## **Act 133 Report**



Illustrations depicting democratic participation. Credit: Dan Nott

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# Contents

<b>Office of the Vermont Secretary of State Act 133 Report</b>	<b>1</b>
Contact Information	2
Executive Summary	7
<b>Legislative Recommendations</b>	<b>7</b>
<b>Annual Meeting and Floor Votes:</b>	<b>7</b>
<b>Mandating Online Posting of Meeting Notices:</b>	<b>8</b>
<b>Extending the Timeframe for Posting Meeting Minutes:</b>	<b>8</b>
<b>Extending the Posting and Retention Requirements for Electronic Recordings of Public Meetings:</b>	<b>8</b>
<b>Policy Recommendations</b>	<b>9</b>
<b>Hybrid Meetings:</b>	<b>9</b>
<b>State Grants:</b>	<b>9</b>
<b>Tools for Increasing Participation:</b>	<b>9</b>
Introduction and Purpose	10
<b>The Law.</b>	<b>11</b>
<b>Best Practices</b>	<b>12</b>
<b>Universal Design</b>	<b>13</b>
Background / Context: Act 133 Working Group	13
Best Practices for Running Effective and Inclusive Meetings	15
<b>Best Practices Guide</b>	<b>15</b>
<b>Difference between best practice and the law</b>	<b>15</b>
Figure 1: Difference between best practice and the law	16
Accessibility	17
<b>General Recommendations Related to Accessibility</b>	<b>17</b>
<b>Open Meetings</b>	<b>17</b>
<b>Hybrid Local Public Meetings</b>	<b>17</b>
<b>Potential Legislative Changes: Require Online Posting of Legal Notices for Public Meetings and Local Elections</b>	<b>18</b>

<b>Potential Legislative Changes: Change the Timeframe to Post Meeting Minutes</b>	<b>20</b>
<b>Potential Legislative Changes: Expanding the Posting and Retention Requirements for Electronic Recordings of Public Meetings</b>	<b>21</b>
<b>State-Hosted Central Location for All Local Annual Meeting Reports and Meeting Notices</b>	<b>22</b>
<b>Accessibility in Public Spaces and Public Services</b>	<b>22</b>
<b>Inclusion of Hybrid Meeting Tools in Accessibility Audits</b>	<b>22</b>
<b>Identification of Accessibility Features Available in Physical Meeting Locations</b>	<b>23</b>
<b>Potential Legislative Changes: Designated ADA Contact</b>	<b>23</b>
<b>Accessibility Features Being Included on Meeting Agendas</b>	<b>24</b>
<b>Hearing Accessible Spaces</b>	<b>25</b>
Increasing Hearing-Accessible Spaces in Local Municipal Buildings	25
Increasing Hearing-Accessible Spaces within State of Vermont Buildings	26
<b>Voting and Annual Meeting</b>	<b>26</b>
<b>How Vermont Votes</b>	<b>27</b>
<b>Annual Meeting</b>	<b>27</b>
<b>Figure 2: Survey Responses – Municipal Use of Australian Ballot</b>	<b>28</b>
<b>ADA Requests for Access to Floor Annual Town Meeting</b>	<b>29</b>
<b>Universal Design: Remote Floor Town Meeting for All in a Municipality</b>	<b>31</b>
<b>Possible Models for Remote Participation: Discussion and Voting</b>	<b>31</b>
Case 1 - Cambridge:	31
Case 2 - Jericho:	31
Case 3 - Middlesex:	32
<b>Top Priorities and Concerns about Remote Attendance and Voting in Floor Meeting</b>	<b>33</b>
<b>Accessible Voting: Curbside Voting</b>	<b>35</b>
<b>Technology Necessary to Follow the OML, Enable Accessibility, and Facilitate Best Practices</b>	<b>35</b>
<b>IT: Meeting Platforms</b>	<b>35</b>
<b>IT: Municipality Websites</b>	<b>37</b>
<b>Figure 3: How many Vermont municipalities have a website</b>	<b>37</b>

Financial Support: State Grants for Increasing Hybrid Meeting Capacity	38
Incentives for Increasing Public Participation	39
Language Interpretation and Translation	39
Paid Leave to Attend Annual Meeting or Vote in Local Elections	40
Training for Officials	40
<b>The Federal Americans with Disabilities Act and Vermont’s Public Accommodations Law</b>	<b>41</b>
Training for Municipal Officials	41
Trainings for State Officials and Staff	41
<b>Meeting Facilitation</b>	<b>41</b>
<b>Cultural Competency</b>	<b>42</b>
Training for Municipal Officials	42
Training for State Officials and Employees	42
Additional Supports and Incentives	43
<b>Childcare</b>	<b>43</b>
<b>Transportation</b>	<b>43</b>
<b>Food and Celebration</b>	<b>43</b>
Civic Health Index Report	44
Volunteerism and Donating	45
Political Engagement	46
Community and Social Context	46
Cultural Access and Engagement	47
Media Trust and Access	48
Government Trust and Access	48
Vermont Voting Summary	49
Voter Turnout and Voting Methods	49
Maximizing Voter Turnout – Universal Vote by Mail Australian Ballot with Same-Day Registration	49
Deepening Voter Engagement	51
Voter Guides	51
Ranked Choice Voting	51

Floor Meetings	52
Trade-Offs	52
Conclusion	53
Disability Rights Addendum	54
Vermont Access Network Addendum	56
Introduction	56
Universal Hybrid Access to Local Public Meetings	57
<b>Why Hybrid Access Meeting Coverage Should be Required</b>	<b>57</b>
<b>VAN's position: When hybrid meetings are identified to be essential for access and transparency, resources should be set aside to meet the requirement.</b>	<b>57</b>
<b>Why This is Achievable</b>	<b>58</b>
<b>Investment in Universal Hybrid Access</b>	<b>58</b>
<b>To close the gap and achieve universal coverage requires an estimated minimum investment of:</b>	<b>59</b>
<b>Equipment Infrastructure Grants (\$631,000):</b>	<b>59</b>
<b>Third-Party Operational Support Grants (\$362,000):</b>	<b>59</b>
<b>Total three-year investment: \$993,500</b>	<b>59</b>
<b>Why Third Party Support is Essential</b>	<b>60</b>
<b>Implementation Timeline</b>	<b>60</b>
<b>Implementation Partners:</b>	<b>61</b>
Long-Term Archiving of Municipal Public Meetings	61
<b>Why Extended Retention Serves the Public Interest</b>	<b>61</b>
<b>Thirty days serves technical compliance. Three to five years serves actual public use.</b>	<b>61</b>
Legislative Recommendations Summary	62
<b>Hybrid Access:</b>	<b>62</b>
<b>Archiving:</b>	<b>63</b>
Conclusion	63

## Executive Summary

There is a critical need to enhance democratic participation and accessibility in Vermont. This report focuses on how to increase participation and accessibility at both state and local levels. Vermont's civic engagement is notably high, with Vermonters ranking fourth in the nation for local election voting and second in attendance at public meetings. However, challenges remain, particularly in ensuring full participation across all demographic groups.

The Act 133 Working Group, comprising representatives from various organizations, was tasked with studying and recommending improvements for accessibility and participation in local public meetings and elections. This report provides recommendations that aim to improve accessibility and civic engagement, allowing all Vermonters to engage meaningfully in civic processes, including people with disabilities, and people with communication or language access needs. The recommendations advocate for the adoption of best practices and Universal Design principles to reduce the need for individual accommodation and ensure equal and meaningful access for all.

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## Legislative Recommendations

### **Annual Meeting and Floor Votes:**

Requiring in-person participation imposes limitations on who can vote in annual meetings. This report, along with the Secretary of State's office, advises that municipalities adhere to the requirements and processes set forth in the federal Americans with Disabilities Act to enable remote participation for people with

disabilities. The report explores the potential for increased remote participation in annual meetings through universal design. Implementing such changes on this larger scale would require legislative action that balances the benefits of universal inclusivity with logistical and security challenges and addresses the impact to the empowered democracy of a traditional floor town meeting.

### **Mandating Online Posting of Meeting Notices:**

Posting all legal notices online, including open meeting and elections notices, enhances public access, improves transparency, and increases accessibility. The Legislature has choices about the specificity it requires for these posting requirements. Ideally, there would be a centralized public location for all municipal legal notices.

### **Extending the Timeframe for Posting Meeting Minutes:**

Meeting minutes serve as the official record of a public meeting. This report recommends modifying the timeframe for preparing and posting meeting minutes from "five days" to "five business days." This adjustment would accommodate weekends and holidays, providing a more practical timeframe for the preparation and posting of minutes.

### **Extending the Posting and Retention Requirements for Electronic Recordings of Public Meetings:**

The Working Group supports extending long-term preservation of public meeting recordings, as a support to accessibility and transparency.



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## Policy Recommendations

### Hybrid Meetings:

Hybrid meeting formats lead to significantly increased accessibility by accommodating individuals facing transportation challenges, health concerns, or caregiving responsibilities. While beneficial, these meetings present challenges related to technical capabilities and management complexities which require targeted support and resources.

- **Hybrid Meeting Tools:** The report recommends including hybrid meeting tools in accessibility audits to ensure virtual platforms are both accessible and effective.
- **Statewide Standards:** The report calls for the development of guidelines for IT platforms to ensure accessibility and recommends creating a framework for essential accessibility features.
- **Statewide Contracts:** The report recommends creating statewide contracts for hybrid IT tools to streamline access and implementation.

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### State Grants:

The report supports state grants to help small communities build hybrid meeting capabilities, emphasizing the need for financial assistance to bridge the digital divide.

### Tools for Increasing Participation:

- **Designated Accessibility Contacts:** It suggests appointing accessibility contacts in all municipalities to streamline accommodation requests under the Americans with Disabilities Act (ADA) and ensure compliance with accessibility laws.
- **Interpretation and Translation Services:** The report discusses the importance of providing meaningful language access services.

- **Training for Officials:** The report highlights the need for training in ADA compliance, meeting facilitation, and cultural competency to improve public engagement.

These actionable recommendations can enhance accessibility and broaden participation. By continuing to discuss and ultimately implementing these recommendations, Vermont will build a more inclusive participatory democracy.

## Introduction and Purpose

Democracy is built on participation. This is seen most concretely at the state and local level. Vermonters historically and currently are extremely engaged citizens. The recently published Civic Health Index found that Vermonters rank fourth in the country for voting in the last local election and second in the country for attending a public meeting. We continue to improve. For the first time on record, the last two presidential elections saw participation by more than seven in 10 registered Vermont voters. That said, 70% voter turnout still means that three in 10 Vermonters are not participating. And, participation in non-presidential and local elections is significantly lower.

Full democratic participation is not possible unless all Vermonters have meaningful access to public meetings and local elections, both as participants and civic leaders. Voting and the right to petition our government are fundamental to our system of government. Thus, universal accessibility must be our standard.

Accessibility measures allow more people to actively engage in conversations and participate in the decision-making of their

government.<sup>1</sup> This greater participation increases trust in civic leaders and builds a stronger sense of community.

Accessibility measures are crucial for providing equal access to participation in civic life for specific communities, particularly those living with disabilities, individuals who are homebound or incarcerated, and those with language or communication access needs. According to the 2024 State Health Assessment, 25% of Vermonters have some type of disability, and about half of these Vermonters have multiple disabilities.<sup>2</sup> The law requires that public entities must provide people with disabilities equal access to the benefits of all government services, programs, and activities.<sup>3</sup> When public spaces are not fully accessible, individuals lose their voices, and we lose diverse, essential contributions to our civic discourse.

Within this report, three separate accessibility standards are referenced:

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## The Law.

Federal and Vermont state law set forth the baseline requirements for governmental accessibility. Most relevant to this report are the federal Americans with Disabilities Act (ADA) and the Vermont Public Accommodations Act.

The Americans with Disabilities Act<sup>4</sup> is a federal civil rights law that was enacted in 1990. It prohibits discrimination against individuals with disabilities while they are

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<sup>1</sup> U.S. Const. Amend. 1, 15, 19, 24, 26; Vt. Const. ch. 2, § 42.

<sup>2</sup> [Health Needs of People with Disabilities](#), a data brief of the [2024 Vermont State Health Assessment report](#) published by the Vermont Department of Health. See also <https://www.healthvermont.gov/about/plans-reports/state-health-assessment-improvement-plan>.

<sup>3</sup> See e.g., 28 C.F.R. 35.130(b)(1)(i-iii).

<sup>4</sup> 42 U.S.C. § 12101 et seq.

participating in public life, including while in school, working, using transportation, and so forth. The ADA binds both public and private entities that are considered places of public accommodation.

Importantly for this report, the ADA prohibits discrimination while an individual is participating in any place of public accommodation which includes elections, polling places, and meetings of public bodies. The ADA covers federal, state, and local governmental structures. Fundamentally, the ADA's purpose is to ensure that individuals with disabilities have the same rights and opportunities as others without disabilities. The ADA requires that public entities act affirmatively to evaluate their programs and services and to ensure that people with disabilities will have meaningful access. Additionally, public entities must make reasonable modifications in response to requests for reasonable accommodations.

The Vermont Public Accommodations Act<sup>5</sup> is a State civil rights law that prohibits excluding any individual from participating in services or benefits offered by a place of public accommodation on the basis of the individual's disability. The Act also contains anti-discrimination protections in places of public accommodation based on race, creed, color, national origin, citizenship, immigration status, marital status, sex, sexual orientation, or gender identity.

Read against the backdrop of federal and Vermont Constitutional protections,<sup>6</sup> the ADA and the Vermont Public Accommodations Act establish the bare minimum accessibility requirements.

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## Best Practices

Best Practices refers to voluntary practices, policies, and procedures that are not otherwise required by law. These practices are recognized as providing superior results to other practices. Frequently, best practices are seen as standards that public entities should strive for. These practices are also elements of Universal Design.

Some practices have not been widely adopted or recognized through data or research, but nonetheless have value. The Working Group has grouped those practices into "promising practices."

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<sup>5</sup> 9 V.S.A. chapter 139.

<sup>6</sup> U.S. Const. amend. XIV; Vt. Const. Ch. 1, Art. 7, 8.

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## Universal Design

Universal Design is a design concept for spaces, products, and processes. Its core principle is that design should work for everyone without the need for accommodation or modification. If decisions and practices are made using Universal Design, and best practices are followed, then the need for individual accommodation is reduced. Significantly, all individuals benefit. A good example of Universal Design is hybrid meetings. A well-run hybrid meeting allows full inclusion for all participants involved.

## Background / Context: Act 133 Working Group

After a series of emergency legislative sessions at the onset of the COVID-19 pandemic, Act 133 of 2024 modified the Open Meeting Law to address remote or hybrid access to public meetings. Act 133 took lessons learned from COVID in conjunction with rapidly advancing technology to permanently modify the format of public meetings and how the public can participate with government. During the Act 133 legislative process, many issues were raised that could not be resolved in the session. As a result, the Act 133 Working Group was created.

The Working Group's purpose was to study and make recommendations to:

- 1) improve the accessibility of and participation in meetings of local public bodies, annual municipal meetings, and local elections; and,
- 2) increase transparency, accountability, and trust in government.

The Legislature charged the Working Group with issuing a report that:

1. Recommends best practices for:
  - a. running effective and inclusive meetings and maximizing participation and accessibility in electronic, hybrid, and in-person annual meetings and meetings of public bodies;
  - b. the use of Universal Design for annual meetings and meetings of public bodies;
  - c. training public bodies for compliance with the Open Meeting Law; and
  - d. recording meetings of municipal public bodies and the means and timeline for posting those recordings for public access.
2. Reports on the findings of the Secretary of State's Civic Health Index and how to reduce barriers to participation in public service.

3. Identifies the technical assistance, equipment, and training necessary for municipalities to run effective and inclusive remote or hybrid public meetings.

4. Produces a guide for accessibility for polling and public meeting locations.

5. Studies the feasibility of using electronic platforms to support remote attendance and voting at annual meetings.

6. Analyzes voter turnout and the voting methods currently used throughout the State.

7. Investigates whether increased use of resources for participants such as childcare, hearing devices,<sup>7</sup> translators, transportation, food, and hybrid meetings could increase participation in local public meetings.

8. Studies other topics as determined by the Group that could improve participation and access to local public meetings.

The Working Group's membership consisted of two designees from the Vermont League of Cities and Towns, two designees of the Vermont Municipal Clerks' and Treasurers' Association, one designee of the Vermont School Boards Association, one designee of Disability Rights Vermont, one designee of the Vermont Access Network, one member with expertise in remote and hybrid voting and meeting technology<sup>8</sup> appointed by the Secretary of State, the Chair of the Human Rights Commission or designee, and the Secretary of State or designee, as the Chair. The group met a total of 14 times.<sup>9</sup> As chair, the Secretary of State is grateful to all the named members who participated in the Working Group, and also to a group of dedicated members of the public who came to the majority of the meetings.

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<sup>7</sup> While Act 133 used the term "hearing devices," this report will refer to "assistive listening devices" and "assistive listening systems."

<sup>8</sup> The Secretary of State did not find someone to fill this role for the Working Group.

<sup>9</sup> Meeting dates were: 9/29/2024, 4/18/2025, 5/9/2025, 5/22/2025, 6/6/2025, 6/16/2025, 7/10/2025, 7/24/2025, 8/14/2025, 8/28/2025, 9/25/2025, 10/9/2025, 11/13/2025, and 12/18/25.

# Best Practices for Running Effective and Inclusive Meetings

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## Best Practices Guide

One of the tasks assigned to the Act 133 Working Group was to create a Best Practices Guide for Running Effective and Inclusive Meetings. The diversity of our stakeholders generated a robust conversation. The Working Group will issue a Best Practices Guide that will be posted on the Secretary of State's website and shared widely with all stakeholders. This guide will be available in March of 2026.

### **Difference between best practice and the law**

In recommending best practices, the Working Group emphasizes that State and federal laws set forth a minimum threshold for meeting processes and accessibility, and that State and local governments are already bound by those legal requirements.

The requirements for Open Meetings are found in 1 V.S.A. §§ 310-314. All meetings of public bodies and functions of state and local government are already subject to State public accommodation requirements in 9 V.S.A. chapter 139.<sup>10</sup>

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<sup>10</sup> 1 V.S.A. § 312(a)(1).

## Figure 1: Difference between best practice and the law

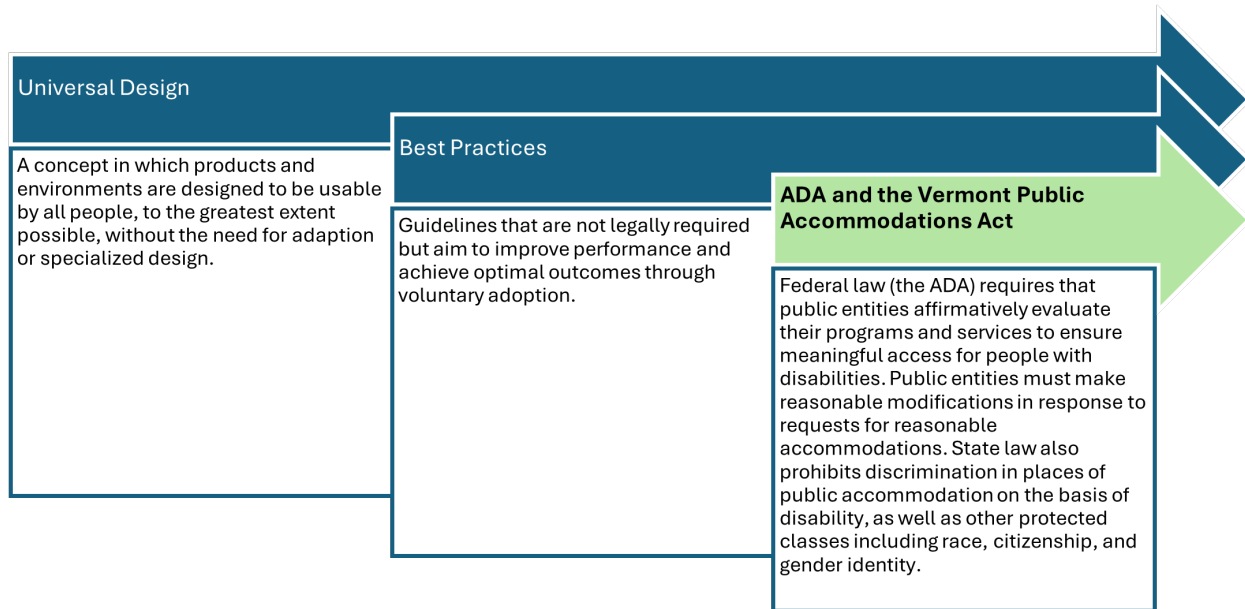


Figure 1 illustrates the increasing levels of accessibility, starting with Federal law (the ADA), which requires that public entities affirmatively evaluate their programs and services to ensure meaningful access for people with disabilities. Public entities must make reasonable modifications in response to requests for reasonable accommodations. State law also prohibits discrimination in places of public accommodation on the basis of disability, as well as other protected classes including race, citizenship, and gender identity. The next level up is Best Practices, guidelines that are not legally required but aim to improve performance and achieve optimal outcomes through voluntary adoption. Finally, the top level is Universal Design, a concept in which products and environments are designed to be usable by all people, to the greatest extent possible, without the need for adaption or specialized design.



# Accessibility

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## General Recommendations Related to Accessibility

The Act 133 Working Group discussed a wide variety of topics related to accessibility. Below are recommendations on specific topics or recommendations for areas that need more consideration. If there is a recommendation from the Working Group for a specific law change or policy shift, that is indicated. Additionally, many of these recommendations take resources, personnel, and/or financial support to implement; therefore, it is important to state broadly that there is a tension between universal accessibility and current capacity to achieve that goal. For example, while technology has opened a world of accessibility possibilities, frequently at low cost, it still requires funding to set up technology solutions, training on how to run a technology solution, and often dedicated staff to operate that technology solution.

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## Open Meetings

### Hybrid Local Public Meetings

Building on the lessons learned during the initial response to COVID and the rapidly changing IT landscape, the Open Meeting Law currently requires that State public bodies conduct their meetings in a hybrid manner, unless the body is purely advisory in nature. For local public meetings, providing remote public access is typically optional under the Open Meeting Law, unless a request for alternate access to a regular meeting is made.<sup>11</sup>

The Act 133 Working Group recognizes the benefits of hybrid meetings. We have a consensus that hybrid meeting opportunities increase accessibility for individuals who may have transportation challenges, health concerns, complicated working schedules, caregiving responsibilities, or prefer the convenience of remote attendance. Hybrid meetings can also accommodate larger audiences and provide flexibility for both board members and the public. Importantly, the Working Group agrees that hybrid access

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<sup>11</sup> All State public bodies, except advisory bodies, must hold all regular and special meetings as hybrid, designating both a staffed physical meeting location and an electronic meeting platform. Local public bodies, except advisory bodies, must designate a staffed physical meeting location. Certain statutory exceptions apply; most notably, public bodies must generally grant requests for alternate access to a regular meeting under specified parameters. [1 V.S.A. § 312\(a\)\(3\)](#).

provides significant benefits in terms of accessibility, particularly for people with disabilities or people with language or communication access needs.

However, there are challenges associated with hybrid meetings. When a meeting is hybrid, it can be more complex to manage. If a meeting is mismanaged, the effectiveness of the meeting can be affected as it relates to decision-making, community participation, and transparency. (Of course, these issues can arise in meetings of any format.) The Working Group is concerned about the technical capabilities of some municipalities, particularly regarding internet bandwidth, operating recording and audio equipment, and the ability to effectively run hybrid meetings. Some of those issues are resolved through increased staffing, training, and the use of best practice guides. Some of the challenges are more structural or require financial investment, such as access to adequate broadband capacity for hosting hybrid meetings. There was the suggestion to explore solutions like open-source platforms or audio-only options to address these cost concerns. The Working Group did not explore those low-cost/low-tech options in a significant manner. The Vermont Access Network discusses a range of options for technical equipment and staffing levels to use during hybrid meetings that can be found in its addendum to this report.

Some members of the Working Group support mandating that all meetings be conducted in a hybrid manner. If enacted, having all meetings be hybrid would remove barriers for many. There was no consensus among the Working Group to recommend this change. Instead, where not otherwise required by law, the Group recommends well-run hybrid meetings as best practice. The Working Group sees hybrid meetings as valuable for enhancing accessibility for all, and there is an acknowledgement that hybrid meetings may not be feasible for all municipalities in all cases at this time due to technical and logistical constraints. Ultimately, flexibility and support in implementing hybrid solutions are emphasized as important goals for municipal meetings and should become part of the long-term plan for every community.

If the Legislature were to mandate hybrid meetings for local meetings, the Working Group would encourage a grant program for municipalities with the purpose of supporting the staffing, training, and technology upgrades that would be necessary in many communities. It would also be helpful to support Statewide and community-based organizations who can provide training and technical expertise to municipalities as they work to increase hybrid meeting access.

## **Potential Legislative Changes: Require Online Posting of Legal Notices for Public Meetings and Local Elections**

The Open Meeting Law currently requires that meeting agendas be posted to a public body's website, if the body maintains or designates a website.<sup>12</sup> Otherwise, notice

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<sup>12</sup> 1 V.S.A. § 312(d).

requirements for meetings of public bodies focus almost exclusively on physical postings.<sup>13</sup> The Agency of Administration publishes online its statutory compilation of State public hearings and meetings,<sup>14</sup> but there is no central online location for notices of municipal public meetings. Public bodies must give advance notice of special meetings to a newspaper or radio station serving the body's area of the State.<sup>15</sup> Interpreting "newspaper" to extend to online publications or media is considered by some to pose a legal risk as the law is currently written.

Local elections law requires that the warning for annual meeting and any special meeting of the voters be posted on a municipality's website, if it actively updates its website regularly. The warning must also be published in a designated newspaper of general circulation in the municipality, unless it is included in the town report.<sup>16</sup>

It goes without saying that the world has significantly shifted to more information being available online, while the laws requiring advance public notice have remained relatively stagnant in this regard.

The Act 133 Working Group generally supports the idea that all statutorily required notices for meetings of public bodies and local elections be posted online. Posting legal notices online enhances public access, improves transparency, and increases accessibility. Many stakeholders believe that online posting is now easier than using print media or physical posting locations.

However, there are concerns about the implementation of mandatory online posting, particularly because the online presence of municipalities varies across the State. Some Working Group members suggest that the State should develop and maintain a centralized online portal for posting these notices to ensure consistency and ease of access. Others propose using open-source solutions to facilitate online postings across municipalities, potentially integrating them with existing digital platforms or calendars. Additionally, the use of online media outlets as a "newspaper of record" for municipal notices, in addition to print media outlets, needs to be considered.<sup>17</sup>

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<sup>13</sup> Regular meetings of public bodies must be clearly designated by state or local law or some other determining authority of the public body. Notice for special meetings must be "publicly announced" to a newspaper or radio station, and municipal public bodies must post notice in or near the municipal clerk's office and in two other public places in the municipality or a neighboring one. 1 V.S.A. §§ 310(7), 312(c)(1),(2).

<sup>14</sup> State public bodies must notify the Agency of Administration of all public hearings and meetings for the Agency's weekly compilation. 1 V.S.A. § 312(c)(1); 3 V.S.A. § 2222(c).

<sup>15</sup> 1 V.S.A. §§ 310(7), 312(c)(2).

<sup>16</sup> 17 V.S.A. § 2641.

<sup>17</sup> Under the Administrative Procedure Act (APA), 3 V.S.A. chapter 25, the Secretary of State is required to post proposed rules in "newspapers of record." The Secretary has

Because online postings greatly increase accessibility, the Working Group strongly supports online posting of legal notices of open meetings and local elections. It certainly should be a best practice. If mandating online posting is a policy direction the Legislature decides to take, the Group believes that the law should be clear on where an acceptable posting location is, and guidance will need to be developed, particularly in light of federal digital accessibility requirements.<sup>18</sup> Ideally, if the requirement is added at the municipal level, there would also be a well-structured and accessible public system to ensure that the information is easily navigable.

## **Potential Legislative Changes: Change the Timeframe to Post Meeting Minutes**

The Act 133 Working Group has a general consensus that more time should be allowed to prepare and post meeting minutes, with several respondents advocating for a change from "five days" to "five business days." This adjustment would accommodate weekends and holidays, providing a more practical timeframe for minute preparation and posting. This recommendation would require a legislative change.<sup>19</sup> The Secretary of State's Office supports this change only if the entity has an electronic recording of the meeting posted within five days. This would maintain timely public access to a record of the meeting, albeit not the official record.

The Working Group sees potential for using technology, such as transcription tools or AI, to streamline the minute-taking process and improve accuracy and transparency. It would be helpful for public bodies to have guidance on how to best use these tools. Also, there should be training related to minute-taking to build skills.

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discretion on what news outlets are deemed "newspapers of record." The Secretary has recently decided that an exclusively online news provider is included in the approved "newspapers of record" for the purposes of the APA.

<sup>18</sup> 28 C.F.R. Part 35, subpart H; see <https://www.ada.gov/resources/2024-03-08-web-rule/>.

<sup>19</sup> The current five-day requirement is found in 1 V.S.A. § 312(b)(2) which states that minutes:

. . . shall be available for inspection by any person and for purchase of copies at cost upon request after five calendar days from the date of any meeting. Meeting minutes shall be posted no later than five calendar days from the date of the meeting to a website, if one exists, that the public body maintains or has designated as the official website of the body. Except for draft minutes that have been substituted with updated minutes, posted minutes shall not be removed from the website sooner than one year from the date of the meeting for which the minutes were taken.

## **Potential Legislative Changes: Expanding the Posting and Retention Requirements for Electronic Recordings of Public Meetings**

The Open Meeting Law requires that public bodies, except for advisory bodies, electronically record all meetings. Recordings of State public meetings must be in video format. Recordings of municipal public meetings may be audio-only.<sup>20</sup>

The law currently establishes 30 days as the minimum duration for which an original electronic recording of a public meeting must be retained and for which a copy of that recording must be posted to a designated electronic location. For State public bodies, the 30-day period begins after the official meeting minutes are approved and posted. For municipal public bodies, the 30-day period begins when the minutes are posted.<sup>21</sup>

The Act 133 Working Group generally supports expanding the timeframe for meeting recordings to be posted online. The current timeframe is provided in the law. If the legislature seeks to expand the timeframe, 1 V.S.A. § 312 would need to be amended. Providing the public with additional time to easily review this more comprehensive record of recent meeting discussions can enhance transparency and provide an opportunity for increased and diverse participation. Some Group stakeholders additionally suggest that posted recordings should be accompanied by live captioning or ASL interpretation to ensure accessibility for all individuals.

Expanding posting timeframes in this context may require examining corresponding retention requirements for the original electronic recordings. The Working Group supports extending long-term preservation of public meeting recordings, as a support to accessibility and transparency, though the Group also emphasizes the importance of maintaining accurate written minutes as the official record. The Working Group notes that digital preservation is relatively inexpensive compared to preservation of paper records, and once a system for preserving digital recordings is established, maintaining ongoing preservation should incur minimal additional costs. In any case, the retention requirements for electronic recordings of meetings should be clearly established, because while day-to-day preservation costs are not prohibitive, providing public access to retained recordings may require significant resources. Municipalities should be supported if they wish to enter into contracts with outside organizations to archive recordings. If not mandated by the Legislature, longer retention periods could be considered by municipalities, with guidance from the Vermont State Archives and Records Administration.

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<sup>20</sup> 1 V.S.A. § 312(a)(3), (6).

<sup>21</sup> 1 V.S.A. § 312(a)(3), (6).

## **State-Hosted Central Location for All Local Annual Meeting Reports and Meeting Notices**

The Working Group has sharply divided opinions on whether the State should be required to post all local annual meeting reports and meeting notices online. Some members of the Group strongly support this becoming a requirement because it would improve access for the public. Others see value in centralizing this information for research purposes, citing New Hampshire's model,<sup>22</sup> but suggest the University of Vermont or another institution could provide this service. Other members argue that meeting notices and reports are primarily a local function and should remain under local control to maintain transparency and relevance for residents.

Current law requires towns to provide copies of the annual report to the local library and state archive,<sup>23</sup> keep copies on file,<sup>24</sup> and distribute copies to voters.<sup>25</sup> One option could be to amend these statutes to require towns to post their annual report online. This path would maintain local control while improving transparency in a digital age.

Working Group members also raised privacy and security concerns because town reports include personal data on community members. One suggestion to solve this is to create an opt-in system for accessing reports online. While there is common interest in making information accessible, Group members disagreed on the appropriateness and practicality of a central role for the State beyond archival preservation.

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## **Accessibility in Public Spaces and Public Services**

### **Inclusion of Hybrid Meeting Tools in Accessibility Audits**

Disability Rights Vermont currently conducts an accessibility audit of public spaces that are used for voting. Over the last 23 years this polling place accessibility audit has been conducted in 242 municipalities. This audit is used by communities to ensure that they are meeting their obligations under the ADA and serving their citizens well.

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<sup>22</sup> The New Hampshire State Library maintains a collection of annual reports for all New Hampshire cities and towns, which can be accessed online in partnership with the University of New Hampshire's Dimond Library.

<sup>23</sup> 24 V.S.A. § 1173.

<sup>24</sup> 24 V.S.A. §1174.

<sup>25</sup> 24 V.S.A. §1682.



The Act 133 Working Group supports assessing the use of hybrid meeting tools/platform features in accessibility audits, alongside physical buildings. Many members recognize the importance of ensuring that hybrid meetings are accessible, especially given the increased reliance on virtual platforms since the start of the COVID-19 pandemic. There is an acknowledgment that hybrid meetings can present unique accessibility challenges that need to be addressed. Audits could help increase understanding of available meeting platforms and their functionality.

Some members express concerns about the potential costs and logistical challenges of expanding accessibility audits to include hybrid meetings. They emphasize the need for clear guidelines and training for staff to ensure that hybrid meeting audits are conducted with uniform standards. This will require careful planning, adequate training, and full consideration of the potential costs and benefits involved for communities. However, having this information available for municipalities has the potential to expand or improve access for the public.

## **Identification of Accessibility Features Available in Physical Meeting Locations**

Meaningful access requires advance notice of accessibility features and options available. The Act 133 Working Group generally agrees that available accessibility features in public meeting spaces should clearly be identified to help individuals assess whether their needs will be met. While there is strong support for this transparency, the Working Group did not come to a consensus on if this should be universally mandated. It should be considered a best practice. Public locations should consider ensuring that information is easily accessible to the public and include a person or committee to contact for personalized accommodations.

## **Potential Legislative Changes: Designated ADA Contact**

The Act 133 Working Group generally favors all municipalities and State of Vermont public bodies having a designated ADA person or committee to ensure ADA compliance and streamline accommodation requests.<sup>26</sup> This role was discussed multiple times by the Working Group and was identified as important to increase equity and inclusion. This role, while it could differ from community to community or agency to agency, would be responsible for everything from triaging individual ADA requests to ensuring each meeting and governmental process is as accessible as possible. It makes sense to assign this function to one well-trained individual or group, to ensure that people with disabilities are treated with respect and offered reasonable accommodations promptly, to protect their confidential information, and to protect towns from possible liability.

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<sup>26</sup> Federal law requires any public entity employing 50 or more individuals to have at least one employee serve as an ADA coordinator. 28 C.F.R. 35.107.

Some larger municipalities and creative small communities in Vermont already have such a committee established.<sup>27</sup>

The Working Group sees recommending this concept to all municipalities and State bodies as beneficial; however, the Working Group does not suggest mandating this requirement across the board because it recognizes maintaining a dedicated role may be challenging in very small communities. The Working Group heard successful stories of communities using a volunteer committee that is responsible for accessibility. The Working Group suggests that the State and associations that support municipal government could help this initiative by offering guidance and training.

## **Accessibility Features Being Included on Meeting Agendas**

The Working Group recommends that agendas for meetings include accessibility information. The Open Meeting Law already mandates that, dependent on the format of the meeting, a physical location and/or how to join the online meeting platform are on the agenda.<sup>28</sup> Beyond that basic information, the Group recommends including contact information about who to contact if a member of the public needs accommodation, the accessibility functions within an online platform, and which physical entrances to a building are accessible. The Group suggests that while including accessibility features on meeting agendas is beneficial, it should be encouraged as a best practice rather than mandated specifically as agenda content.<sup>29</sup> The Group notes there is a balance to be struck between providing adequate information and designing agendas that are readable and meet accessible document standards.<sup>30</sup>

Some of our members propose that accessibility information could be linked to the agenda rather than included in full, to maintain reader clarity and focus. However, links to information are less user-friendly when printed materials are posted in physical locations. Ultimately, public bodies and municipalities should be responsible for how they present information and make accommodations available, within the ADA's requirements, and with flexibility to adapt to specific needs and circumstances. Including

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<sup>27</sup> Examples include Burlington's Advisory Committee on Accessibility, Montpelier's ADA Advisory Committee, and Plainfield's Accessibility Committee.

<sup>28</sup> 1 V.S.A. § 312(a)(5).

<sup>29</sup> Federal regulations requires public entities to provide notice of ADA rights and how those rights apply to their programs, services, and activities. See e.g. 28 C.F.R. section 35.163. These regulations are also incorporated into the Vermont Public Accommodations Act.

<sup>30</sup> [Accessibility Fundamentals Overview | Web Accessibility Initiative \(WAI\) | W3C](#)



accessibility features on all agendas would normalize providing advanced notice of available resources.

## **Hearing Accessible Spaces**

By definition, a hearing accessible space is designed to accommodate individuals with hearing loss, ensuring they have equal access to communication and auditory information. These rooms typically include features and technologies that enhance the auditory experience and facilitate communication. Examples could be assistive listening devices or systems, visual alerts, captioning services, telecommunication devices, acoustic treatments, and clear signage.

While a significant number of public spaces, both State and local, are designed to be physically accessible, many lack accommodations for individuals with hearing challenges, particularly in conference rooms and client service areas. As one participant said, “I might be able to get into the building, but if I can’t hear or participate in the conversation, how is that access?” The Act 133 Working Group emphasizes the need to increase hearing accessibility in public buildings. With Vermont’s aging population, it is crucial to implement high-quality acoustics and sound systems that will allow those who are hard of hearing to fully participate and access services.<sup>31</sup>

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### **Increasing Hearing-Accessible Spaces in Local Municipal Buildings**

The Act 133 Working Group advocates for the State to assist in outfitting more hearing-accessible spaces in local municipal buildings. However, the Group lacks consensus about what “support” entails—whether it means offering encouragement, imposing mandates that go beyond what federal law already requires, or providing funding. Some proposed that targeted grants could be useful, while others called for feasibility studies to evaluate the cost-effectiveness and to identify the best solutions. Educating municipal officials about available services for sign language interpreters is seen as a cost-effective way to reduce barriers quickly.

Although there is strong backing for improving hearing accessibility in municipal spaces, the Group stops short of recommending a mandate that goes beyond what the ADA already requires. Instead, they emphasize the importance of careful planning, evaluation, and the sharing of best practices to ensure successful implementation, in addition to providing financial support.

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<sup>31</sup> The ADA requires that public entities offer appropriate auxiliary aids and services when necessary to ensure that individuals with disabilities have the same opportunities as others. See 28 C.F.R. section 36.303.

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## Increasing Hearing-Accessible Spaces within State of Vermont Buildings

Currently, the State of Vermont lacks hearing accessible conference rooms or client service areas. The Act 133 Working Group recommends that the State develop more hearing-accessible spaces in its buildings. While more information is needed, the Group suggests that hearing accessibility should be integrated into state-wide planning for buildings. As with municipal buildings, this requires careful planning, evaluation, and the sharing of best practices to ensure effective implementation. An assessment should be conducted to determine which state-owned and leased buildings should be prioritized, considering factors such as their use for public meetings and services, geographic distribution, and a range of solutions. Following this planning phase, the initiative could be included in a capital bill or funded as one-time technology implementation project.

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## Voting and Annual Meeting

Democracy is a system in which the people hold the power and responsibility to govern. It includes representative democracy, in which citizens elect officials to make laws and run public institutions on their behalf. It also includes direct democracy, in which citizens make policy decisions themselves.

Throughout the United States, and at the state level in Vermont, the government is run through representative democracy. At the local level, however, many Vermont towns incorporate direct democracy.

In the United States, the integrity and accessibility of the voting process have been subjects of ongoing evolution and reform. One significant legislative effort to enhance the voting system was the Help America Vote Act (HAVA) of 2002. Enacted in response to problems with the 2000 presidential election, HAVA aimed to improve the administration of elections in several key ways.

HAVA introduced requirements for states to upgrade voting equipment, establish minimum election administration standards, and create centralized voter registration databases. It also provided funding to help states meet these new standards and improve the overall voting experience for citizens. By focusing on accessibility, accuracy, and security, HAVA strove to ensure every eligible voter can participate in elections with confidence that their vote will be counted accurately. Disability Rights Vermont (DRVT) is the Protection and Advocacy system for the State of Vermont.

DRVT has drafted a General Voters Guide for Vermonters with Disabilities.<sup>32</sup> The Secretary of State's office also provides training to town and school clerks on all topics relevant to elections, including HAVA and access to elections for individuals with disabilities.<sup>33</sup>

## **How Vermont Votes**

Vermonters vote in federal, statewide, and local elections. Federal and statewide elections occur in even years, a primary in August and a general election in November, plus a presidential primary in March every four years. All of these elections are conducted by Australian Ballot, a form of secret ballot in which votes are cast in private on uniform ballots.<sup>34</sup> General elections feature Universal Vote by Mail, in which ballots are automatically mailed to all active voters. Voters can request early ballots for other elections. Vermont also allows for Same Day Registration, in which citizens can register to vote and cast a ballot on the same day. Statewide and federal elections are overseen and coordinated by the Vermont Secretary of State's office. Local elections are overseen and controlled at the local level. The Secretary of State's office provides support for local elections but does not provide legal advice or other structured support for local elections and related issues.

Local elections occur at least once a year and include school board elections and municipal elections. These elections include an annual meeting. At the local level, elections use Australian Ballot, while others occur during an in-person meeting.

## **Annual Meeting**

In Vermont's municipalities, the tradition of direct democracy is strong and also continues to evolve. Annual meeting is a local election typically held within a few days of the first Tuesday in March.<sup>35</sup> Annual meeting voting methods vary across Vermont, with some votes conducted from the floor and others by Australian Ballot. When votes are taken from the floor, that is colloquially called "town meeting." Vermont is not the only state to have town meetings, but town meetings are a special and unique part of Vermont's democracy.

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<sup>32</sup> <https://disabilityrightsvt.org/wp-content/uploads/2024/06/General-Voters-Guide-2024-web.pdf>

<sup>33</sup> Information on accessible voting system and accommodations are available on Secretary of State's site at <https://sos.vermont.gov/elections/voters/accessible-voting/>

<sup>34</sup> 17 V.S.A. § 2103(4).

<sup>35</sup> In a 2025 survey of town clerks conducted by the Vermont Secretary of State, only four municipalities reported an annual meeting outside of March 1-4.

A municipality can decide to move from an annual floor meeting to an Australian Ballot by voting to do so at an annual or special meeting.<sup>36</sup> A vote to change the vote method takes effect at a subsequent meeting, not the meeting in which the vote was taken.<sup>37</sup>

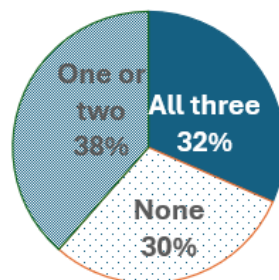
The three main types of votes in municipal elections are for officers, the town budget, and public questions. Municipalities can vote to conduct some of these types of votes, or even some subtypes (e.g. certain offices but not others) via Australian Ballot while leaving others to be conducted from the floor. Once a municipality votes to conduct any or all of a type of vote by the Australian ballot system, that vote must be conducted in that manner until the municipality votes to discontinue use of the system.<sup>38</sup>

Specifically:

- Three in ten (77) municipalities use Australian Ballot to vote on officers, the town budget, AND public questions.
- Three in ten (73) don't use Australian Ballot for any of the three types of votes, conducting all business from the floor.
- Four in ten (94) use Australian Ballot for one or two of the three types of votes, conducting some business from the floor.

## Figure 2: Survey Responses – Municipal Use of Australian Ballot

How many types of votes (officers, town budget, and/or public questions) does your town use Australian Ballot for?



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<sup>36</sup> 17 V.S.A. § 2680(a).

<sup>37</sup> 17 V.S.A. § 2680(e).

<sup>38</sup> 17 V.S.A. § 2680(b)-(d).

Figure 2 shows a pie chart that depicts the responses of the towns surveyed to the question “How many types of votes (officers, town budget, and/or public questions) does your town use Australian Ballot for? 38% responded that they use Australian Ballot for one or two of these types of votes. 32% responded that they use Australian Ballot for all three of these types of votes. 30% responded that they do not use Australian Ballot for any of these.

Town officer votes are most likely to be conducted by Australian Ballot. Town budget votes are most commonly conducted from the floor. The following table<sup>39</sup> shows how many towns use Australian Ballot for each type of vote.

Table: Does your town use Australian Ballot voting for...

	Yes	No
Town Officers?	168	76
Town Budget?	92	152
Public Questions?	111	133

\*Three towns that responded ‘no’ also reported that they voted to elect officers by Australian Ballot starting at the next annual meeting.

The Act 133 Working Group spent significant time discussing annual meetings and floor votes, which are a hallmark of Vermont’s brand of deliberative democracy but have seen decreasing participation and accessibility challenges. The next several topics relate to annual meeting and the potential for hybrid participation.

## ADA Requests for Access to Floor Annual Town Meeting

Under the Americans with Disabilities Act (ADA), towns are required to provide reasonable accommodations to ensure equal access to public services, including town meetings.<sup>40</sup> Historically, the “present and voting” term in Vermont elections statutes has been understood by the Secretary of State’s Office to require voters to be physically present to vote in elections, unless there is an explicit exception in statute. For example, Vermont law specifically declares early and absentee voting in Australian Ballot

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<sup>39</sup> Data from 237 towns that responded to Secretary of State’s 2025 Town Meeting Survey, as well as 2024 data from seven towns that responded in 2024 but not in 2025. Three towns responded to survey in neither 2024 nor 2025 and are excluded.

<sup>40</sup> See <https://www.ada.gov/resources/title-ii-primer/> for a summary of the ADA’s requirements for State and local governments.

elections to constitute being present and voting.<sup>41</sup> Individuals with a disability may request a reasonable accommodation under the ADA to enable participation; municipalities must make reasonable modifications to their town meeting's policies and procedures when necessary to avoid discrimination based on disability, unless they can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity.<sup>42</sup> The Secretary of State recommends that municipalities discuss accommodation requests with their town attorney while also maintaining the requester's privacy.

Disability Rights Vermont (DRVT) provides guidance to Vermonters on how to request an ADA accommodation. The requester needs to contact their town office and explain how their disability impacts their ability to participate fully. They are not required to disclose their specific diagnosis. DRVT encourages requesters to contact their towns as early as possible and to request a response in writing. DRVT also asks requesters to contact them for assistance if the town is not responsive.

Municipalities can take steps towards resolving barriers to access and participation by doing an accessibility review before individual accommodation requests are made. When a request is received, leaning towards "yes" and resolving each situation can lead to practices that increase accessibility broadly. Conducting and responding to an accessibility review can be done at any time, which can help a municipality avoid short time frames to resolve potentially complex challenges. Continual attention to reducing barriers can also help with budgeting for new and ongoing costs, which can make resolving an individual request less challenging.

In November 2025, Vermont Secretary of State Sarah Copeland Hanzas launched a new Voting Accessibility Task Force. The Task Force, which will meet monthly, aims to identify barriers that can prevent eligible voters from participating in statewide and federal elections and to develop recommendations and actionable plans to remove those barriers.

The Task Force is focusing primarily on four systematically underserved communities:

- People who are unhoused;
- People with disabilities;
- Participants in the Safe-at-Home address confidentiality program; and
- People who are incarcerated.

The primary goal is to see tangible improvements in civic engagement and voter turnout in the 2026 statewide primary and General Election. The Task Force expects that

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<sup>41</sup> 17 V.S.A. § 2550

<sup>42</sup> 28 CFR 35.130(b).

improvements will have positive impacts on subsequent state and local elections as well. The Task Force is striving to identify improvements that can be made within current law and those that would require statutory changes.

## **Universal Design: Remote Floor Town Meeting for All in a Municipality**

The members of the Working Group were sharply – and evenly - divided on whether annual floor meetings should offer remote attendance and voting options. Some prioritized maximum inclusivity, allowing participation from "snowbirds" and those unable to attend in person, given the fundamental nature of the right to vote. Others were much more concerned about the logistical and security challenges of remote voting, such as verifying voter identity and managing large hybrid meetings effectively.

While some towns offer remote viewing options, often in partnership with community television,<sup>43</sup> voting typically requires in-person attendance due to the common understanding of current law, technological limitations, and security concerns. Some of the Group's members voiced support for limiting remote participation to ADA accommodations until more secure and manageable solutions are developed. Others advocated for shifting town meetings entirely to Australian ballot.

## **Possible Models for Remote Participation: Discussion and Voting**

The Act 133 Working Group discussed three case studies of towns that developed creative attempts to meet the challenge of maximizing participation while retaining the benefits of community deliberation inherent in annual floor meetings.

**Case 1 - Cambridge:** In Cambridge, following a voter's request for an ADA accommodation, town officials facilitated remote participation from a room in the same building where the town meeting was held. Participation was facilitated using YouTube and Zoom. A justice of the peace was available to assist the voter with paper ballot voting.

On-site accommodation eliminated voter identification concerns. Both town officials and the voters have expressed satisfaction with the arrangement. However, this system only accommodates voters who can travel to the meeting site.

**Case 2 - Jericho:** Jericho splits "Town Meeting Day" into three different dates. This model was based on a New Hampshire process but was reinvented for Jericho. First, in

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<sup>43</sup> For example, Townshend posts its annual meeting on YouTube, via Brattleboro Community TV.



September, a hybrid brainstorming meeting provides a chance for residents to understand the arc of the budget process. Residents can provide input as to their goals or particular interests. It is also the best meeting for presenting ideas for issues to be considered as a public question. Refreshments are provided.

Second, a Budget Review meeting is held in January. Officially, it is a hybrid Selectboard meeting designed to look and feel like a moderated town meeting. A spaghetti dinner is held prior to the meeting. Childcare is offered. Participants learn about the Selectboard's draft budget proposal and have the opportunity to ask questions, offer amendments, and debate and conduct a nonbinding vote on them. The town's elected Moderator, assisted by a moderator for the online participants, helps voters express their desires in an amendment and moderates the voting process. The Selectboard has agreed in advance to honor the participants' advisory vote and modifies the budget proposal accordingly.

Finally, the actual annual meeting vote is conducted by Australian Ballot in March. As is required by law, early/absentee ballots are available at least 20 days before the election.

**Case 3 - Middlesex:** In Middlesex, starting in 2008, the town offered remote town meeting participation (RTMP). The goal of Middlesex RTMP was to allow town meeting participation for citizens who could not attend the meeting, while maintaining an efficient and vibrant town meeting for those in the meeting room. Volunteers visited with interested remote attendees and did test runs to ensure that their internet was acceptable and that they were comfortable with the software. The volunteer group also made free computers available, though none were requested. For voice votes, a volunteer liaison ensured the remote voter's voice could be heard in the room. On show-of-hands votes, the liaison turned the monitor toward the podium so remote participants could be counted.

In 2020, thanks to the COVID pandemic, interest in - and understanding of - remote meetings increased dramatically. However, national allegations of voter fraud also led to unprecedented scrutiny. In an abundance of caution, Middlesex was advised not to offer remote town meeting voting until the voter identity issue could be clarified.

When asked for their opinions on these three models, Working Group members expressed varying preferences. Some favor the Middlesex model for its structured approach, which includes planning, coordination, and dedicated volunteers to manage remote participation effectively. Some appreciate the Cambridge model for accommodating voters on-site who cannot be at a meeting hall, addressing voter identification concerns.

Some described the Jericho model as innovative. However, there were questions about the voting process during the January meeting. Stakeholders recognized the value of



increased public engagement, preparing for the Australian Ballot vote in March. It was acknowledged that the vote in January was not legally binding and was basically taking a straw poll during a selectboard meeting. There were questions about identifying voters and counting only local registered voters during an open meeting, using an informal process. The outcome of the January meeting is based on trust in municipal government leaders to take action in line with a non-binding decision-making process.

With all of the case studies, the crux of the challenge lies in determining how to ensure secure and effective processes while exploring remote participation. Some stakeholders highlighted the need for guidance and support in navigating these multiple objectives and implementing a model successfully.

## **Top Priorities and Concerns about Remote Attendance and Voting in Floor Meeting**

The Working Group discussed remote participation, which includes attendance and voting, over the course of many meetings. Opinions varied widely on whether people should be able to attend annual meeting remotely. It was agreed that allowing for remote participation for all would provide greater accessibility. Ultimately, there was no consensus on whether Vermont should mandate remote participation in this context. Whether to create a voluntary way to allow for remote participation or to mandate remote participation is ultimately a policy decision for the Legislature.

Outside of a reasonable accommodation request, it is the Secretary of State's position that several sections of Title 17 would need to be modified to align with any such changes. Notably, the principles and definitions of public place, meeting, and "present and voting" would need to be addressed. It is quite possible that other sections of Title 17 also need to be modified. The most recent change to how Vermonters vote was when our state implemented universal vote-by-mail. That change did generate significant statutory changes and resulting policies. If the Legislature is interested in moving in this direction, the Secretary of State would like to have an opportunity to study and propose statutory changes to the Legislature in collaboration with the Vermont League of Cities and Towns and the Vermont Municipal Clerks and Treasurers Association and other interested organizations.

The Working Group did identify several priorities for remote attendance and voting in floor meetings. Key priorities include:

- Ensuring seamless integration of in-person and remote participants. The Working Group discussed the importance of the feeling of a Town Meeting. It is a priority that community building and discussion are provided to all participants, regardless of how they attend.

- Maintaining good audio and video quality. The Working Group identified that technology is essential to equal and substantial participation by remote attendees. This requires technical support for the municipality.
- Providing effective moderation. Town moderators are the heart of a town meeting. Remote attendance creates new challenges and opportunities for the moderator. It would be important that town moderators are trained expressly on how to run a hybrid town meeting.
- State-issued guidance on how to run a hybrid annual meeting. As described above, communities have been trying to figure out the best way to have a hybrid town meeting. It would be beneficial if the Legislature dictated a hybrid structure that was either voluntary or mandatory, and the Secretary of State provided guidance to municipalities based on that new structure for a town meeting.

The Working Group also has some concerns that should be further discussed before legislative action is taken. These concerns include:

- Security. Verifying voter identity is the most important of the security concerns. Technology in this area is rapidly advancing. There is also concern about the security of any remote voting system. To date, a system that allows for remote voting in an election has not been fully developed.<sup>44</sup> And, as is true for all hybrid meetings, a hybrid annual meeting would need to be structured to prevent potential scams or distractions.
- Diminishment of the traditional town meeting experience. Some fear remote participation could decrease in-person engagement and make a town meeting less relevant. They suggest limiting remote participation to those community members who need ADA accommodation. They argue this approach would allow towns to manage participation effectively without overwhelming resources.

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<sup>44</sup> In October 2025, residents in Concord, Massachusetts voted to join the town of Wayland in calling for the state legislature to allow remote town meeting participation. Wayland seeks authority to conduct a pilot program that will consist of: a) remote voters use their own smartphone/tablet or one provided by the town; b) remote voters pre-register with the town clerk and receive a voter code, password, and audit code; c) remote voters log into a web page with one button for each activity (request to speak, vote, obtain help, etc.; d) remote voting system captures a photo of the participant to be used for random reconfirmation of voters, and to deter proxy voting; e) an audit function allows voters to report discrepancies; f) the website displays real-time transcription of the meeting, a list of people requesting to speak, and allows remote voters to cast their vote and see results of voting.

Overall, there is interest in exploring remote options, as long as they can mitigate tradeoffs related to the integrity, effectiveness, and security of town meetings.

## **Accessible Voting: Curbside Voting**

Curbside voting is currently available to voters upon request.<sup>45</sup> Curbside voting allows for greater accessibility because it does not require that a voter enter a building to cast their vote. By its function, it is limited to elections that are held via Austrian Ballot. Members of the Working Group generally support the Secretary of State's office providing training on accessible voting, including curbside voting and ballot delivery via Justice of the Peace,<sup>46</sup> to improve volunteer preparedness. While all towns have accessible voting machines, participants felt additional training would ensure consistent application. The Working Group considers the Secretary of State as the best-suited entity to provide this training.

## **Technology Necessary to Follow the OML, Enable Accessibility, and Facilitate Best Practices**

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### **IT: Meeting Platforms**

One of the first conversations the Working Group had was about technology and how it is used or not used to enable accessibility. This was also a consistent thread through all the Working Group's discussion topics. Many working group members provided examples of IT solutions they had seen utilized during public meetings such as online meeting platforms that provide live translation. There were also examples of IT tools not being utilized to their full potential such as not turning on a closed captioning feature for every meeting. The primary issues identified were: 1) that platforms' available features vary; and 2) many people who use those platforms and manage meetings do not understand how to use the accessibility features or don't use them consistently.

Working Group members generally agree that guidance on IT platforms from a disability- and expanded-access perspective would be beneficial. This would help with the lack of awareness about suitable platforms. Instead of listing specific platforms, some Group members suggest the guidance should focus on required baseline functionality and promising features with systems to ensure accessibility. The reason for this recommendation is the concern that all IT systems have frequent updates due to

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<sup>45</sup> 17 V.S.A. § 2502(c).

<sup>46</sup> 17 V.S.A. § 2538.

rapid technological changes, and any outdated information could be misleading or confusing. If a system were mandated, and even in the creation of the guidance, the Working Group wants there to be transparency in the criteria and credentials for approval of platforms. The Group believes this will help communities trust the recommendation and use the correct systems.

The Act 133 Working Group is uncertain about who should be responsible for creating and maintaining this guidance, with suggestions including the State or advocacy groups. Despite these concerns, the Group believes that such guidance could significantly reduce the research burden for those seeking to improve accessibility, provided it is implemented thoughtfully and kept current as platforms evolve.

The Working Group has mixed opinions on whether municipalities should be required to use platforms from a State-approved list. In addition to the concern that a State-approved list would become outdated, newer platforms could be cost-effective and more functional. The stakeholders who raised these concerns emphasized the importance of allowing municipalities the flexibility to choose platforms that best suit their needs and resources. Counterbalancing that viewpoint, other members highlight the potential benefits of a standardized approach. This includes avoiding confusion and ensuring accessibility through Universal Design principles.

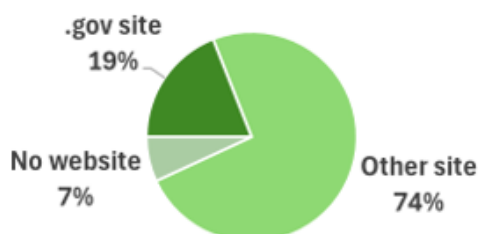
As a result of this discussion, the Act 133 Working Group recommends creating a framework of IT systems that outlines essential accessibility features. The Act 133 Best Practices Guide will have some tools that will help identify systems that have Universal Design and essential accessibility features. This will, however, become outdated. The Act 133 group recommends that the legislature assign an entity to create and maintain this guidance so that it can be “kept evergreen” for municipalities and other public bodies to rely on.

Another tool that could be utilized in addition to the evergreen guidance is a statewide contract that municipalities could use to procure IT platforms. This ideally would be voluntary, but it might have potential cost efficiencies and benefits by standardizing procurement. It could also facilitate specialized and consistent training and accessibility measures. If this were to become possible, the Group has a strong preference for any contract to be optional, allowing municipalities to opt in based on their specific needs and resources. Again, the reasoning behind this sentiment is the concern of unfunded mandates for municipalities and the importance of allowing municipalities to choose platforms that align with their unique requirements, such as price, features, and technical capabilities. Additionally, some members are concerned that the State might not have the necessary experience to manage such contracts effectively and propose exploring partnerships with organizations like the Vermont League of Cities and Towns (VLCT) and the Vermont Access Network (VAN) instead. In all the discussions of IT platforms, there was an interest in exploring open-source solutions to reduce costs and enhance security and privacy. The Working Group did not fully discuss open-source solutions.

## IT: Municipality Websites

Figure 3: How many Vermont municipalities have a website

230 of 247 Vermont Municipalities Have a Website



Vermont Towns Without Websites - by Population

Census Population	Towns
<500	11
500-1000	5
>1000	1

Data from the Vermont League of Cities and Towns and the U.S. Census

Figure 3 features a pie chart and a table. The pie chart indicates that 230 of 247 Vermont municipalities have a website, and shows that 19% have a .gov address for the website, 74% have some other kind of website, and 7% have no website. The table shows details about the 17 towns that do not have a website. 11 of them have a population under 500 people, 5 of them have a population between 500 and 1000 people, and one town has a population over 1000 people.

Most cities and towns in Vermont have municipal websites. Most of the 17 towns without websites have fewer than 500 residents. Only one town without a site has a population of over 1000.

The Act 133 Working Group agrees that having a website can be beneficial for providing residents with access to important information, such as contact details, meeting notices, details about accommodations that are available and how to make an accommodation request, and public records. However, a poorly run website is frustrating and fails to meet the needs of the public. Websites need to be accurate, accessible, and easy to

navigate. All municipalities will need to adhere to federal standards for website and mobile app accessibility by April 2027.<sup>47</sup>

The Group discussed whether websites should be required and did not reach consensus. There is agreement that it should be encouraged as best practice. One issue that was highlighted is the importance of providing municipalities with support and resources to maintain useful and up-to-date online presences. Additional concerns are raised about the potential costs and staffing challenges for smaller municipalities. Again, one suggestion is to explore open-source solutions or state-hosted platforms to reduce expenses.

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## Financial Support: State Grants for Increasing Hybrid Meeting Capacity

The Act 133 Working Group generally supports the idea of the State creating a grant for small communities to build out hybrid meeting capabilities. Smaller communities are less likely to have the funds to adequately build spaces that can host hybrid meetings. We have found that financial assistance could help bridge the digital divide and accelerate the adoption of hybrid meeting technologies, especially in communities that may lack the resources to implement these solutions independently. The Working Group supports the State operating a grant to build hybrid capability across the State. If this grant is created, there should be emphasis on ensuring that grants are targeted to areas with demonstrated need. The granting authority should include guidance and training, along with reporting on the costs and benefits of implementation. Encouraging municipalities to partner with existing media organizations to meet their hybrid meeting needs was discussed and could be an allowable use of grant funds. Currently 67% of Vermont's municipalities partner with the Vermont Access Network (VAN) and their 24 community media centers to provide hybrid meeting capabilities.

In addition to a State grant, another option for the State to provide support to municipalities is through cost savings. This was another area that some members of the Working Group suggested leveraging open-source solutions to minimize costs. On the whole, the Working Group proposes that the State seek to facilitate bulk purchasing of necessary equipment and to partner with existing media organizations in the community to further reduce expenses.

While the Working Group strongly supports statewide financial assistance to communities that want or need to enhance hybrid meeting capabilities, participation in the grant should not be mandated. The ultimate goal of financial resources and training

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<sup>47</sup> Required by a final rule published in April 2024 by the U.S. Department of Justice to strengthen accessibility of web content and mobile applications under Title II of the Americans with Disabilities Act.



would be that smaller communities and communities without significant financial resources will then be able to utilize hybrid meetings with more success improving public access for all, particularly those participants with disabilities.

## Incentives for Increasing Public Participation

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### Language Interpretation and Translation

Federal civil rights laws and regulations require recipients of federal funding, including municipalities, to provide meaningful language access services.<sup>48</sup> State and local law and policy contain additional requirements.<sup>49</sup> Vermont's Office of Racial Equity has published [a 2023 Language Access Report](#) that summarizes the applicable federal requirements and makes recommendations for expanding language access across State government that are relevant here.

The Act 133 Working Group presents a mixed view on requiring language access services for public meetings and public meeting materials that go beyond the minimal legal threshold. Many members recognize the civic good in ensuring that all people with language access needs can fully participate in local governance matters.<sup>50</sup> However, concerns are raised about potential logistical and financial burdens on municipalities.

Some members suggest leveraging technology, such as AI translation tools or smartphone features, to address language needs more efficiently, although it is noted that these tools are significantly less effective than using live translators. There is also a call to evaluate the actual demand and cost implications before implementing such a requirement. If mandated, some members emphasize that the State should help provide the necessary resources and professional services to support municipalities in fulfilling these obligations. Some suggest that State funding should be targeted to areas with demonstrated need, such as designated settlement communities for refugees. There was also consideration given to providing education about existing resources to municipal officials so they can more easily provide services when requested. Overall,

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<sup>48</sup> See e.g., the federal Civil Rights Act of 1964, Title VI, Sec. 601, codified at 42 U.S.C. 2000d-2000d-7 and implemented by 28 C.F.R. 42.101-112, 42.401-415; Federal Executive Order 13166 (U.S. Dept. of Health and Human Services, 2003).

<sup>49</sup> See the Vermont Public Accommodations Act, [9 V.S.A. Chapter 139](#). Some municipalities have additionally adopted supplemental language access policies.

<sup>50</sup> See the Vermont Public Accommodations Act, [9 V.S.A. Chapter 139](#). Additionally, Title VI of the Civil Rights Act and its regulations require recipients of federal financial assistance to provide meaningful access to people with limited English proficiency. 42 U.S.C. 2000d-2000d-7, 28 C.F.R. 42.101-112, 42.401-415. Municipalities may also have adopted their own language access policies.

while the goal of increasing participation through provided interpretation and translation services is supported, practical considerations and potential challenges are highlighted, particularly in smaller municipalities with limited staff.

The Act 133 Working Group considered when various types of language access services should be required and looked at the percentage of need in the community as a metric. Stakeholders suggest that interpretation and translation should not be universally required based solely on a certain size or percentage of the population. Instead, the need should be assessed based on specific community demographics and requests. While some towns may regularly require these services, others may find it financially burdensome if the services are infrequently used. Stakeholders emphasize the importance of evaluating both the cost and the actual demand for interpretation and translation services. Municipalities may be able to access Statewide Building and General Services contracts in order to meet some interpretation and translation service needs. Overall, the focus is on tailoring services to meet the specific needs of each community rather than applying a blanket requirement that goes beyond what civil and voting rights laws already require.

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## Paid Leave to Attend Annual Meeting or Vote in Local Elections

Stakeholders were likewise divided on mandating paid leave for attending annual meetings or voting on other election days. Some strongly supported it to encourage participation, similar to jury duty. Others strongly opposed it, voicing concerns about cost and feasibility. Alternative suggestions included scheduling annual meetings at more convenient times to reduce the number of conflicts. Participants generally agreed on the need to improve attendance, but they were divided on how to achieve that goal. Voting with an Australian ballot does provide more flexibility. This flexibility is created with universal vote-by-mail, early voting, absentee voting, and longer windows of polling locations. The trade-off is that Australian ballot eliminates the advantages of the floor meeting, described below.

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## Training for Officials

The Act 133 Working Group frequently discussed the quality of the public's experience when engaging with the government. Several potential trainings were identified by the group that could improve the quality of public engagement, likely leading to increased participation in the democratic process. In addition to what is listed below, there may be opportunities to share the Best Practices Guide that the Working Group will compile in various training settings.



## **The Federal Americans with Disabilities Act and Vermont's Public Accommodations Law**

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### **Training for Municipal Officials**

The Working Group largely supports ADA training for municipal officials, including selectboard members, committee chairs, and town clerks. Members believed that this training would improve awareness, confidence, and compliance with State and federal law. It was voiced several times that municipal officials are not sure what their obligations are with regard to the ADA, and that, coupled with limited resources, causes delays or failures to comply with the law. Some members of the Working Group advocate for mandatory training, and others suggest making resources and training widely available and encouraging voluntary participation. Whether or not to mandate training at the local level is a policy decision for the legislature, but at a minimum, municipal official associations should leverage use of existing resources and training sessions.<sup>51</sup> Additionally, inviting subject matter experts to speak at conferences would enhance understanding of the ADA among municipal officials.

### **Trainings for State Officials and Staff**

The Act 133 Working Group largely supports mandatory ADA training for State officials and staff to enhance understanding and compliance with ADA laws.

The State currently requires all employees to take an online Introduction to Accessibility course. This course provides a basic introduction to accessibility, with a particular focus on new Federal rules for digital accessibility. It also aims to help State of Vermont employees understand their digital accessibility responsibilities and how to learn more. Most of the members see value in broader training on ADA awareness and compliance across the state workforce. Our group suggests including tailored sessions on specific topics, disabilities, and areas of state service.

## **Meeting Facilitation**

The Act 133 Working Group believes that meeting facilitation training should be offered and recommended. This is particularly true for officials who are leading meetings. Many see value in improving meeting facilitation skills to ensure effective protocols and processes. This becomes more crucial as the format of meetings shifts. However, our membership did not think this should be a state-wide requirement because of the

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<sup>51</sup> For example, the New England ADA Center has trainings available that are specific to State and local governments: <https://www.adaactionguide.org/>.

concern about imposing more requirements on volunteer boards and local officials, given their existing commitments.

The Working Group recognizes the importance of making training resources available, such as those provided by the Vermont League of Cities and Towns (VLCT) and the Vermont School Boards Association (VSBA). The training should be tailored to different types of meetings. Facilitation of a meeting should shift based on the goals of the meeting, and factors such as whether the meeting has a small turnout or a large turnout, is in person, virtual, or hybrid, or is a decision-making meeting or a presentation. On the whole, the Working Group discussed at length that a well-facilitated meeting would be more inclusive and transparent.

## **Cultural Competency**

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### **Training for Municipal Officials**

The Act 133 Working Group supports providing cultural competency training for selectboard members, chairs, and town clerks. The membership recognizes the training's potential to enhance inclusion and equity across a wide variety of groups. However, there are concerns about the feasibility and relevance of such training for all staff, particularly in smaller or rural areas. There is a preference for making such training available rather than mandatory, due to concerns about potential backlash and the diverse nature of municipalities.

Some stakeholders highlight the importance of framing cultural awareness as beneficial and providing resources through existing channels, such as the Vermont League of Cities and Towns (VLCT). While there is recognition of the challenges in achieving cultural competency, especially given the wide range of cultures present in Vermont, the emphasis is on promoting sensitivity and awareness as part of broader training efforts, such as integrating the topic into the Open Meeting Law training. Overall, the focus is on encouraging voluntary participation and making information widely accessible.

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### **Training for State Officials and Employees**

Stakeholders generally support the idea of cultural competency training for State officials and staff, recognizing its importance for fostering inclusion and respect. There are questions about how to effectively measure the impact of such training and whether it should be mandatory. Overall, while there is support for enhancing cultural awareness, the focus is on providing resources and encouraging voluntary participation rather than imposing mandates.

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## Additional Supports and Incentives

### **Childcare**

The Working Group has consensus that providing childcare for town meeting, other local elections, and public meetings would support accessibility and incentivize attendance, particularly among women who continue to be disproportionately responsible for childcare responsibilities. The Group notes this could also inspire future civic engagement by the youth and children of the families who use the offered childcare.

Ideally, childcare would be free to families and available on-site, although other options such as vouchers might work well for some communities. The Group strongly emphasizes that towns should not rely on people who are voters to provide childcare at town meeting or other civic events that might inform their vote. It is possible that organizers could collaborate with local service organizations, such as scouting or parent-teacher groups, to arrange for childcare options.

### **Transportation**

The Working Group had mixed views on the degree to which organizing transportation to public meetings and local elections would likely improve civic participation and accessibility. Some Group members noted that coordination in this regard could be resource-intensive. Ultimately, while reliable transportation may be a crucial factor for a specific individual's access, whether offering transportation to civic events proactively or upon request makes sense for a particular community likely depends on a variety of community-specific factors, such as public transportation options, population density, whether electronic public participation options are available, and the meeting's physical location relative to other community resources.

### **Food and Celebration**

The Working Group generally supports incorporating food and moments of celebration into town meeting and local public meetings. This provides an incentive for some to attend and can foster conversation and community connection among participants.

## Civic Health Index Report

In January 2025, the Secretary of State's office released Vermont's first Civic Health Index. This report looked at six areas of civic health across the state:

- Volunteerism and Donating;
- Political Engagement;
- Community and Social Context;
- Cultural Access and Engagement;
- Media Trust and Access; and
- Government Trust and Access.

It also highlights results from the Vermont Youth Civic Health Survey. Vermont was the first state to expressly seek and include youth data. The report was written in partnership with the Center for Rural Studies at the University of Vermont and the National Conference on Citizenship, with support from Vermont Humanities, SerVermont, and UP for Learning.

Since publishing the report, the Secretary of State's office has traveled across the state to libraries and community organizations to discuss the findings of the Civic Health Index and receive feedback from Vermonters on the issues that matter most and the improvements they would like to see. The Secretary of State's office has heard that prioritizing civic education in our schools is more important than ever and that municipalities want resources to help increase civic engagement at the local level. People also want to continue to come together with their communities to discuss these issues and share ideas.

The Secretary of State's office is developing a network of partners that will continue this important work. This group will continue to convene individuals and organizations who are invested in civic engagement and will develop resources, training, and networking opportunities to improve civic health across the state. Several key partners have been impacted by uncertainty surrounding federal funding. The Secretary of State's office hopes this network can pursue funding from other sources in order to move this work forward.

### Libraries Visited:

- Aldrich Public Library in Barre
- The Athenaeum in St. Johnsbury
- Brooks Memorial Library in Brattleboro
- Morristown Centennial Library

- New Haven Community Library
- Rutland Free Library
- South Burlington Public Library.

Community Presentations:

- Launch Event at the State House
- League of Women Voters Annual Meeting
- SerVermont AmeriCorps Conference
- Rainbow Bridge Community Center
- Department of Libraries Webinar
- Vermont Council on Rural Development, Community Leadership Network Webinar
- UVM Community Development Course
- Vermont Leadership Institute
- Southern Vermont Get on Board Program
- Education and Enrichment for Everyone Lecture Series

The Vermont Civic Health Index offers a look at the state's civic life, revealing considerable strengths as well as areas for growth across six key domains. This Index also spotlights some of the organizations that offer unique support for civic health across the state and presents original data from the Vermont Youth Civic Health Survey.

Vermonters rank high in crucial areas of civic health, such as helping neighbors, attending public meetings, participating in groups, and staying well-informed. Meanwhile, findings regarding Vermont's youth, people of color, and other groups offer insights about how we can broaden participation opportunities and deepen healthy engagement. A snapshot of some findings:

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## Volunteerism and Donating

The Civic Health Index found the following key findings related to volunteerism and donating in Vermont:

- Vermont ranks 5th in the country for informal helping and 13th for formal volunteerism.

- Volunteerism increases as age, income, and educational attainment increase, except for youth volunteering. Rates are highest for middle and high school students.
- Vermont ranks 2nd in the country for donations to political organizations.

The identified next steps related to volunteerism and donating in Vermont are to support the strong culture of volunteerism and mutual aid that already exists. Vermont needs to continue to invest and expand initiatives and programs that work. A better understanding of existing barriers to volunteerism for different groups is needed so that opportunities for engagement are equitably available.

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## Political Engagement

The Civic Health Index found the following key findings related to political engagement in Vermont:

- Vermonters rank 2nd in the country for attending public meetings.
- Vermonters also rank 2nd in the U.S. for engaging with neighbors in frequent discussions about political, social, or local issues.
- Vermont's voter registration rate has been steadily increasing, while voter turnout remains consistent over time. Vermont ranks 4th in the country for voting in the last local election.
- Only 59.1% of Vermont youth report that they intend to register to vote when they become eligible

While Vermont ranks quite high in several indicators, there is still room for improvement. Investing in civic education will ensure that young people and adults alike feel prepared to participate in democratic processes. This includes everything from voting and engaging with public officials to running for office. Learning from communities with high levels of participation and successful programs will help to ensure that Vermont's rich history of engagement continues and accessibility expands.

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## Community and Social Context

The Civic Health Index found the following key findings related to community and social context:

- Vermont ranks 2nd in the country for working with neighbors to do something positive for the neighborhood or community and for discussing political, societal, or local issues with neighbors.

- Between 2013 and 2020, the percentage of Vermonters reporting never feeling uncomfortable or out of place in their community because of ethnicity, culture, race, skin color, language, accent, gender, sexual orientation, or religion increased from 62% to 78%. While the increase is positive, 22% of Vermonters do report feeling uncomfortable, and that is far too high.

Vermont must prioritize creating inclusive and welcoming civic spaces. To do that effectively, Vermonters need to continue to learn about the experiences of historically marginalized populations and how to welcome their civic participation. Vermont also needs to invest in data equity across the state to ensure that future reports give a full picture of our challenges and strengths across different groups and geographic regions.

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## Cultural Access and Engagement

The Civic Health Index found the following key findings related to cultural access and engagement:

- In 2021, nearly twice as many Vermonters reported belonging to any type of group than the U.S. population overall (VT-33%, U.S.-17%).
- The 2023 Vermont Youth Civic Health Survey found that 70% of Vermont youth reported an affiliation with a group or organization in their community or school.
- Vermonters saw a decrease in satisfaction with access to artistic, cultural, recreational, and learning opportunities in their communities between 2017 and 2020. This is likely due to the COVID-19 pandemic.
- 93% of respondents to the 2024 Vermonter Poll agreed or strongly agreed that opportunities to view and participate in arts and culture are an important part of thriving and healthy communities. (CreateVT Action Plan)

Vermonters must continue supporting Vermont's creative and cultural sector as it recovers from the COVID-19 Pandemic. Libraries should be centered in community planning efforts, understanding their critical role in providing reliable information, serving as community gathering places, and in broadening access to social services and Vermont's public schools should prioritize access to a full range of arts education as a critical component of building a well-rounded citizenry capable of participating in and shaping a healthy democratic practice.

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## Media Trust and Access

The Civic Health Index found the following key findings related to media trust and access:

- Vermont ranks 2nd in the number of people who report they frequently read, watch or listen to news or information about political, societal or local issues. 78.9% of Vermonters report they do this frequently compared to 67.6% of the national average.
- Vermonters seek out national and local news sources at about the same rates for issues important to them.

It is clear that encouraging media literacy and supporting access to reliable news sources can help strengthen trust and build civic knowledge. Programming that addresses polarization and bias can help Vermonters navigate the increasingly complex media landscape.

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## Government Trust and Access

The Civic Health Index found the following key findings related to government trust and access:

- Vermonters' confidence in local government is much greater than in national government.
- Confidence in local government was increasing before the COVID pandemic and increased substantially during the height of COVID in 2020.

It is important that Vermonters trust their local, state, and federal governments. It is crucial that Vermont supports efforts to ensure civic spaces are accessible and welcoming. This can include physical accessibility, technology training for remote participation, and training to create spaces where everyone feels safe to share their voice. Developing a civic engagement coalition that can share resources, best practices, and troubleshoot together would also be beneficial.

The Civic Health Index was a report that presented a baseline and a snapshot in time. It could not fully capture every experience or factor in the dynamic systems that comprise our civic health. The Secretary of State's office, along with the partners who helped produce the report, hopes that Vermont's Civic Health Index serves as a tool to jump-start fresh conversations about our state's civic health priorities.



# Vermont Voting Summary

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## Voter Turnout and Voting Methods

The success of a participatory democracy can be assessed in at least two ways:

- 1) How many people participate?
- 2) How deep is their engagement?

The first metric is easy to quantify. Voter turnout is measured either as the number of participants divided by the number of registered voters or as the number of participants divided by the voting age population. The latter method is preferable as it doesn't penalize jurisdictions with high voter registration rates. However, the former has the benefit of being a more accurate number, particularly at the local level, where off-year Census estimates come with high margins of error. Fortunately, with Vermont's high voter registration, thanks to automatic voter registration, there isn't a large difference between the two methods at an intrastate level.

The second metric is more qualitative.

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## Maximizing Voter Turnout – Universal Vote by Mail Australian Ballot with Same-Day Registration

Australian Ballot, the voting method used for general elections as well as presidential and statewide primaries, results in higher participation rates than floor voting.

Notably, two recent statutory changes have produced especially high voter turnout. First, Same-Day Registration was enacted in 2015 and took effect in 2017. This policy allowed Vermonters to register to vote any day, including election day. In 2024, more than 6,700 Vermonters registered on the day of the general election, November 5. These voters accounted for 3% of ballots cast in the election. Thousands more registered in the weeks leading up to the election.

Second, Vermont mailed general election ballots to all active voters starting with the 2020 election. Voters could return their ballots by mail, drop them in their municipal ballot box or with their clerk any time before Election Day, or bring them to the polls on Election Day.

The two subsequent presidential elections (2020 and 2024) were the first two elections in over 50 years in which voter turnout exceeded 70% of Vermont's voting age

population. By comparison, voter turnout was 61% and 63% of the voting age population in 2012 and 2016 respectively.

Universal vote by mail with Australian Ballot has also resulted in high voter turnout in local elections. Seven municipalities reported mailing ballots to all active voters for the 2025 annual meeting: Burlington, Danby, East Montpelier, Marlboro, Morristown, Strafford, Westford. These municipalities saw a weighted average turnout of 36% of registered voters, ranging from a low of 34% in Burlington to a high of 50% in Strafford.

These voter turnouts are significantly higher than Australian Ballot elections without Universal Vote by Mail (22% of 166 towns reporting) and floor vote (7%, of 150 towns reporting).

For example, East Montpelier combined Universal Vote by Mail with floor voting, with the election of officers and budget appearing on the Australian Ballot and public questions being taken up on the floor; participation was 48% of registered voters via Australian Ballot and 4% for the floor votes. East Montpelier reflects a statewide trend of reduced floor meeting attendance when the budget is voted on by Australian ballot.

The town of Brattleboro takes another approach. Brattleboro employs a form of local governance known as a representative town meeting. While this system is employed widely across Massachusetts and Connecticut, to date, Brattleboro is the only Vermont town to have adopted it. Proponents highlight how the system, where residents are elected to participate in town meeting, blends elements of deliberative democracy with representative democracy, allowing for broad community involvement while maintaining efficient decision-making processes.

Lincoln is pursuing yet another approach. Across Vermont, floor voting is traditionally conducted in one of three ways: voice-vote, hand-raising, or paper ballot. Lincoln's Town Meeting Advisory Committee recognized that these three methods take a lot of time. The inefficiency could dampen annual meeting participation. In a special meeting on November 4, 2025, Lincoln voters overwhelmingly approved a plan "to use an electronic voting system as a voting procedure at floor town meetings."

Lincoln plans to rent or buy "voting clickers." These hand-held clickers use closed-circuit technology – not the internet - and allow floor voting to be private, secure, and fast. The clickers can be used by a voter(s) in an adjoining room but not in an off-site location. They are already used by many Massachusetts towns in their town meetings.

The Vermont Secretary of State's office supports the right of towns to use innovative approaches to improve the town meeting experience and increase efficiency. This includes the use of alternative methods for voting during a floor vote. The office also recognizes there is some ambiguity in the statute regarding whether an existing prohibition on the use of voting machines outside of tabulators, found in the Vote

Tabulators subchapter of Title 17 Chapter 51, applies to municipal floor votes.<sup>52</sup> The Vermont Secretary of State's office encourages the Legislature to clarify the statute to explicitly authorize municipalities to use such tools.

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## Deepening Voter Engagement

Casting a vote is one thing. Deep engagement – with voters feeling informed and involved – is another. Vermont should strive for deep engagement. Voter guides, Ranked Choice Voting, and floor meetings are a few examples of resources and policies that play a role in enhancing voter engagement.

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### Voter Guides

In 2024, the Secretary of State published its first Vermont Voter Guide online. The guide offered every candidate for federal, statewide, legislative, and county office the opportunity to share a statement and links to websites or social media channels. The guide provided voters with comprehensive information about offices, candidates, and voting procedures. Unsure what a High Bailiff does or where to go to vote? The guide tells you that! The guide provided voters with comprehensive information about offices, candidates, and voting procedures. When paired with Universal Vote by Mail, the guide allowed voters to learn and participate at any point that was convenient to their schedule in the weeks prior to Election Day.

Towns can also create local voter guides, offering local candidates a place to introduce themselves, why they are running, and what they see as the most important issues facing the town. Together with resources such as voter guides produced by Vermont media outlets and the Voter's Guide for Vermonters with Disabilities published by Disability Rights Vermont, voter guides aim to provide clear and accessible information. At their best, guides can demystify the voting process, reduce barriers to participation, and help that participation to be as informed as possible.

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### Ranked Choice Voting

Ranked Choice Voting (RCV) is an electoral system that allows voters to rank candidates in order of preference rather than having to choose just one. Advocates say RCV encourages deeper and more thoughtful participation. Voters are incentivized to learn about multiple candidates, as their preferences beyond their first choice can impact the election outcome. Proponents argue that RCV also mitigates negative campaigning. Voters are more inclined to vote for their most preferred candidates,

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<sup>52</sup> 17 V.S.A. § 2493.

rather than against their least preferred candidate (i.e. for the candidate they think is most likely to beat their least preferred candidate). Therefore, candidates are incentivized to make the case for why they should be the second or third choice of their opponents' supporters. This system can increase voter satisfaction by ensuring that elected officials have broader support and can reduce the likelihood of "wasted" votes, where a voter's preferred candidate has little chance of winning. Currently, the City of Burlington is the only municipality in Vermont that uses RCV voting.

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## Floor Meetings

Floor meetings, a traditional form of direct democracy, allow voters to engage directly in the decision-making process. These meetings provide a platform for discussion, debate, and voting on local issues, budgets, and policies. By participating in floor meetings, voters have the opportunity to voice their opinions, ask questions, and influence outcomes in real-time. This form of engagement fosters a sense of community and responsibility, as residents see the direct impact of their participation on local governance. Floor meetings can also educate voters about the complexities of local issues, encouraging more informed and active civic involvement.

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## Trade-Offs

Theoretically, participation and engagement can and should be emboldening. The more voters feel like they have an ownership stake, that they're informed, and that their voice matters, the more likely they are to participate in the future. In practice, time requirements and schedules can lead to trade-offs for some of the methods.

The opportunity that voter guides and RCV provide for voters to engage more deeply is complemented by Universal Vote by Mail. By giving voters more than a month to sit with their ballot, they can engage when it fits their schedule. Floor meetings are necessarily held at a defined time. It is challenging to maximize participation while retaining the community deliberation benefits inherent in floor meetings. As noted previously in this report, several Vermont towns have attempted creative solutions to meet this challenge. The approaches of Brattleboro, East Montpelier, and Lincoln are referenced earlier in this section, while Section IV.E. discussed the efforts of Cambridge, Jericho, and Middlesex.

## Conclusion

The Act 133 Report underscores the critical importance of enhancing accessibility and participation in Vermont's civic processes. As a state with a rich tradition of civic engagement, Vermont stands at a pivotal moment to address the barriers that prevent full participation in democratic life. By implementing the recommendations outlined in this report, Vermont can ensure that all residents, regardless of their physical abilities, language proficiency, or geographic location, have meaningful access to public meetings and elections. The adoption of hybrid meeting models, improvements in accessibility standards, and legislative changes are essential steps toward creating a more inclusive civic environment.

The findings of the Act 133 Working Group highlight the need for a collaborative approach involving state and local governments, community organizations, and citizens. By leveraging technology, providing necessary training, and offering financial support, Vermont can bridge the digital divide and enhance civic participation across the state. The report also emphasizes the importance of fostering a culture of inclusivity and transparency, where all voices are heard and valued. By embracing these recommendations, Vermont can ensure that its civic life is vibrant, inclusive, and reflective of the diverse voices within its communities. As Vermont moves forward, it is crucial to build on its strengths in civic engagement while addressing the challenges that remain. A commitment to continuous improvement and innovation in civic engagement will not only benefit Vermont's residents but also reinforce the state's leadership in fostering a healthy and dynamic democracy.

# Disability Rights Addendum to the Act 133 Working Group Executive Summary Report

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This addendum is authored by disability rights advocates wishing to supplement the report written by the Secretary of State's office regarding the Act 133 Working Group.

The Secretary of State's report commences with the statement that “democracy is built on participation” – we agree. We believe all Vermonters should be able to exercise their fundamental constitutional right to participate in our democracy, including local elections, but Town Meeting is wholly inaccessible to many Vermonters with disabilities. The report does not capture the reality that many areas of disagreement within the Working Group arose from the disability community's efforts to advocate for universal design and consideration of the varied needs of individuals with disabilities. It also does not reflect the reality that Vermont ranks nearly dead last nationally for disability access in voting (we're 49th, just barely above NH and TN)<sup>53</sup>.

We believe that a correct interpretation of state election and public accommodations law would require towns to ensure that individuals with disabilities have full and equal access to Town Meeting discussions and voting. Equal access means alternatives to in-person attendance and floor votes. When towns require individuals with disabilities to self-disclose, they subject them to publicity about their disabilities and their reasonable accommodations requests. This is unjust and unnecessary. If the only people permitted to attend public meetings remotely are people with disabilities, this creates yet another way that people with disabilities are forced to publicize their status and be cast into a role of “other” by their community.

We strongly urge the Legislature to consider statutory changes that would ensure that all people, regardless of disability status, be afforded alternative ways to participate in Town Meetings and local elections. We also ask that the Legislature consider requiring that all municipal votes be taken by Australian ballot, rather than floor votes, to ensure greater accessibility and participation in local democracy. As noted in the report, some towns have already explored alternatives to the traditional floor vote. In Jericho, for example, community discussion and debate with hybrid participation options are part of the extended Town Meeting process (split into three dates), but final voting is by Australian ballot. Embracing universal design concepts in all aspects of local meetings and elections would obviate the need for people with disabilities to make individual accommodation requests and self-disclose, and would result in all Vermonters having

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<sup>53</sup> MIT Election & Data Science Lab. (2026). *Elections performance index*.  
<https://elections.mit.edu/#/data/map>

more equal access to alter and reform government as protected by our state constitutional rights.

We ask for the opportunity to provide additional testimony at a public hearing on this important issue.

## **Signatories:**

American Civil Liberties Union-Vermont

Disability Rights Vermont

Vermont Human Rights Commission

Vermont Center for Independent Living

Mohamed Diop, Act 133 Working Group Member

Meghan O'Rourke, Executive Director, CCTV and VT Access Network representative on the OML working group

League of Women Voters of Vermont

Maria Rinaldi, Jericho DEI Committee member

Susan Kasser, Jericho DEI Committee member

Beth Esmond, Jericho DEI Committee member

Plainfield Accessibility Advisory Committee

Vermont Coalition for Disability Rights

Disability Law Project of Vermont Legal Aid, Inc.

Vermont Legal Aid, Inc.

# Vermont Access Network Addendum to Act 133 Working Group Report on Open Meeting Law Re: Act 133 Working Group Report as Submitted by the VT Secretary of State's Office

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## Introduction

Vermont Access Network (VAN) is a formal participant in the Act 133 Working Group alongside experts in accessibility and local government. Over thirteen meetings, substantive discussions explored diverse topics focusing on enhancing transparency, public participation, and accessibility to local democracy proceedings. Due to varied perspectives and insufficient time to fully explore complex technical issues, the group did not reach consensus on all items for the final report to the Legislature. Based on research conducted by VAN over the course of the Working Group process, we've summarized two main recommendations to accompany the Act 133 Working Group Report.

VAN's recommendations, based on its extensive experience with public meeting video coverage, are that democracy is best served when local meetings of non-advisory public bodies are held in a hybrid format, that these meetings should be recorded, and these recordings should be retained for 3-5 years. It is VAN's position, given that nearly 70% of Vermont municipalities are currently using hybrid meeting coverage on a regular basis, that statewide compliance with these recommendations is achievable within three years with a modest investment in municipal infrastructure (equipment and expertise).



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## Universal Hybrid Access to Local Public Meetings

VAN recommends that the Legislature, within three years, require Vermont's non-advisory local public bodies to conduct meetings in a hybrid format, supported by a dedicated grant to be established in year one, which will fund equipment and technical infrastructure support.

### **Why Hybrid Access Meeting Coverage Should be Required**

The Act 133 Report acknowledges the substantial benefits of hybrid meetings, including increased accessibility for people with disabilities, accommodation for working parents and caregivers, reduced transportation barriers and broader civic participation for both the public and municipal officials. Despite recognizing these benefits the report suggests that it remain a voluntary 'best practice.'

**VAN's position: When hybrid meetings are identified to be essential for access and transparency, resources should be set aside to meet the requirement.**

Optional hybrid access for public meetings creates inequity. To the extent that this capacity depends on municipal resources, uneven systems of local government are created across the state. As a result, both board members and the public are left without options for participation when travel barriers, caregiving responsibilities, or health concerns prevent in-person attendance.

## **Why This is Achievable**

Vermont is uniquely positioned to achieve universal hybrid access to local meetings as a result of the ongoing commitment of VAN's 24 community media centers to open government. Nearly 70% of Vermont municipalities currently have access to recording and streaming equipment, technical support for hybrid meetings, and/or archiving resources. This existing infrastructure represents decades of public investment through cable franchise fees and municipal support as well as proven capacity to deliver professional hybrid meeting support on behalf of communities, municipalities, journalists, and the general public.

The path to universal hybrid access is proven, not theoretical. The COVID-19 emergency propelled many municipalities to adopt virtual and hybrid meetings. The challenge of closing the gap for approximately 30% of the state is within reach and requires modest investment by the State.

## **Investment in Universal Hybrid Access**

Underserved municipalities require initial hybrid meeting equipment setup and many municipalities may need access to system upgrades. All municipalities need third party support with enhanced training, technical support, and a path towards compliance.

**To close the gap and achieve universal coverage  
requires an estimated minimum investment of:**

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**Equipment Infrastructure Grants (\$631,000):**

- 30% of the state's municipalities are not served by VAN; approximately 85 municipalities × \$3,000 = \$255,000 (estimate)
- 251 served municipalities needing system upgrades × \$1,500 = \$376,500 (estimate)

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**Third-Party Operational Support Grants  
(\$362,000):**

- Statewide technical assistance and training grants: \$90,000251 served municipalities needing system upgrades × \$1,500 = \$376,500 (estimate)
- VAN network archiving platform improvements: \$172,000
- Municipal website integration support: \$50,000
- Advanced accessibility pilots (transcription/translation): \$50,000

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**Total three-year investment: \$993,500**

This represents approximately \$3,900 per municipality over three years, or \$1,300 per municipality annually—a modest investment for expanded civic participation and transparency.

VLCT survey data<sup>54</sup> cited in the Act 133 Report confirms municipalities struggle not because they don't value hybrid access but because "Staff Tech Knowledge/Limited Staff Capacity" ranked first among barriers, followed by equipment and software costs. Without support, competing pressures will lead to status quo or atrophy.

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<sup>54</sup> Vermont League of Cities and Towns, Report on S.55 to the Legislature (2024), as cited in Act 133 Working Group Report (2025), Section V.

## **Why Third Party Support is Essential**

Town clerks and administrators already manage agendas, minutes, materials distribution, posting requirements, and front-line resident services. Adding technology management is often outside their scope and may hamper these roles.

A third party support system lifts the burden from municipal staff or volunteers to provide consistent and reliable hybrid access to local meetings. Third party support ensures accountability to the community as well as the municipality reducing inconsistent quality or access. Third party support can provide reliable staffing, training, equipment support, and backup. It moves the burden of providing hybrid access and recording from the municipality to a trusted and reliable partner whose sole job is the technical and administrative process of making local government accessible.

VAN's 24 community media centers are an example of a third party well positioned to assist the separation of managing meeting content from the operation of hybrid meeting technology.

## **Implementation Timeline**

**Year 1 (2026-2027)** - \$300,000: Legislature appropriates full \$993,000; enacts statutory requirement with 24-month implementation timeline; 40-50 municipalities receive equipment and training; VLCT develops hybrid facilitation curriculum.

**Year 2 (2027-2028)** - \$325,000: Continued equipment distribution; system upgrades; accessibility pilots (live captioning, translation); quality improvement protocols.

**Year 3 (2028-2029)** - \$368,500: Final equipment distribution; statewide archiving operational; all 255 municipalities hybrid-capable; annual reporting to Legislature begins.

### **Implementation Partners:**

- VLCT: Training on hybrid facilitation and Open Meeting Law compliance
- VAN: Technical infrastructure, equipment provision, direct municipal support, archiving services

**VAN's Recommendation: Municipalities should not be required to provide hybrid access without sufficient technical resources and third-party support.** Requiring hybrid access to local public bodies, however, serves the public's interest in up-to-date meeting management, robust access and transparent government. Municipalities can be held accountable but cannot afford to bear the burden alone.

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### **Long-Term Archiving of Municipal Public Meetings**

**VAN recommends extending statutory retention from 30 days to a minimum of 3-5 years, and establishing a statewide contract framework for third-party archiving services.**

### **Why Extended Retention Serves the Public Interest**

The Act 133 report frames archiving primarily as records retention compliance. VAN's experience managing recordings of municipal meetings shows that these recordings are part of local democracy's infrastructure serving the ongoing public need for transparency, accountability, and informed participation.

**Thirty days serves technical compliance. Three to five years serves actual public use.**

VAN archives show the public regularly accesses recordings for property research, budget analysis across years, policy development, fact-checking, and legal documentation.

Meeting recordings document HOW and WHY decisions are made by including the full deliberation process, sharing the questions raised and answered, concerns expressed and exposing the reasoning behind decisions.

VAN recommends the Legislature direct Vermont State Archives and Records Administration to develop contract templates allowing municipalities to designate VAN community media centers, or other third party record keeping systems as official archive holders.

This framework would establish legal clarity for third-party archiving, provide consistent standardized contract templates, outline archiving statutory requirements, clarify responsibility and accountability for Freedom of Information Act (FOIA) requests, and reduce municipal administrative burden.

VAN community media centers in many cases already operate public access platforms that provide professional and redundant storage, searchable public interfaces, 24/7 online access to recordings, indexed archives with timestamps, and in many cases allow for integration with municipal websites.

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## Legislative Recommendations Summary

### **Hybrid Access:**

1. Establish \$993,500 grant fund over 3 years to achieve statewide availability of hybrid municipal meetings (\$300K, \$325K, \$368.5K).
2. Name VLCT and VAN as implementation partners.

3. Enact statutory requirement for non-advisory bodies with 24-month implementation timeline.

### **Archiving:**

1. Extend meeting recordings retention from 30 days to 3-5 years minimum (permanent retention encouraged for significant meetings).
2. Authorize VSARA to develop contract templates for third-party archive holders.
3. Include \$172,000 archiving platform improvements in hybrid access grant funding.

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## **Conclusion**

Vermont has a unique opportunity to achieve universal hybrid access to and archiving of municipal public meetings within three years by leveraging existing infrastructure through strategic state investment.

This investment will enable all Vermont municipalities to utilize hybrid access to meetings of public bodies, expanding civic participation while building on proven infrastructure and expertise. The result will be a more accessible, transparent and accountable local democracy.

Vermont Access Network encourages the Legislature to use the detailed recommendations, research, and findings in the accompanying VAN report (submitted November 7, 2025 to the Working Group and used as the basis for this Addendum) as it considers the Act 133 Report and decides how best to bring Vermont communities together in new and innovative ways,



leveraging the strong foundation laid by the foresight of Vermont's cable franchising and public access media statutes.

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