



TO: Senate Government Operations Committee

FROM: Sue Ceglowski, Executive Director, Vermont School Boards Association

RE: Commingling of Votes Cast in Union and Unified Union School Districts

DATE: May 7, 2025

Good afternoon. I'm Sue Ceglowski, Executive Director of the VSBA. I am happy to introduce VSBA President Flor Diaz Smith who is testifying with me today. Thank you for the opportunity to speak on the topic of commingling votes cast in union and unified union school districts.

Overview of Voting Laws

There are three main laws in Title 16 of Vermont Statutes that relate to how school district votes are handled:

1. 16 V.S.A. § 723 – Decision to Vote by Australian Ballot

This law lets a union school district decide whether to use Australian ballots and whether votes should be **commingled** (mixed together from all towns before counting) or **counted separately** by town.

- **If votes are *not* commingled:** Each town counts its own votes and sends results to the district clerk, who adds them up and announces the total.
- **If votes *are* commingled:** Ballots are still placed in separate boxes at each location, but are mixed before counting and tallied as one district-wide result.

2. 16 V.S.A. § 742 – Rules for Unified Union School Districts

This law applies specifically to **unified union school districts** and says that votes—whether from the floor or by ballot—**must be commingled and not broken down by town.**

There are three exceptions:

- If a different voting method is required by another law.
- If electing board members based on town population.
- If the district's articles of agreement as initially approved by the voters on or before July 1, 2019 explicitly state that each town would count and report its own results.

3. 16 V.S.A. § 759 – How Votes By Australian Ballot Are Counted and Reported

This law outlines the processes for counting and reporting results of votes by Australian ballot if votes are commingled and if votes are not commingled.

Rationale Behind Commingling of Votes

Union school districts (including unified union districts, union elementary districts, and union high school districts) serve multiple towns but operate under a single school board.

The voters in each union school district elect the school board members to serve as trustees on their behalf—to assure students receive a high-quality education and that taxpayers receive a good return on their investment. School boards create the vision for education, establish policy for the district, hire a superintendent, approve the budget for presentation to voters, and monitor student performance, district policies, and finances. Board members engage the community in their work. Put simply—the board sets the direction, hires competent administrators, and provides high level oversight to assure high performance and accountability.

In all this work, the union district school board members are committed to providing equal educational opportunities for all students in the district, not just those students within their own towns. And they work to convey that global perspective to their communities. Commingling of votes supports that perspective by sending a clear message: board decisions must benefit all students in the district, regardless of which town they live in. This approach builds trust in district-wide governance and strengthens the board's ability to act strategically on behalf of the whole district.

Given the monumental changes to public education proposed in H.454, which are now under consideration in the Senate Finance Committee, we suggest that it would be premature to make changes now to Vermont education and elections laws around commingling of votes. The possibility of significant changes to school districts' size and configuration will require a review and possibly revision of election laws applicable to future school districts. Additionally,

under the proposed foundation formula in H.454, the electorate would not vote on the base amount provided to school districts.

Thank you again for the opportunity to speak with you today on the topic of commingling votes. I'll now turn to Flor Diaz Smith so that she can provide information from her personal experience as a school board member.