



State of Vermont
Office of the Secretary of State
128 State Street
Montpelier, VT 05633-1101
(802) 828-2363

Sarah Copeland Hanzas, Secretary of State
S. Lauren Hibbert, Deputy Secretary

Elections Division
Seán Sheehan, Director

February 13, 2025

To: Hon. Brian Collamore, Chair
Senate Committee on Government Operations and Military Affairs

Hon. Matthew Birong, Chair
House Committee on Government Operations and Military Affairs

From: Sarah Copeland Hanzas, Secretary of State
S. Lauren Hibbert, Deputy Secretary of State
Sean Sheehan, Director, Elections and Campaign Finance

Re: Preliminary Considerations Related to Elections and the Governor's School Redistricting Plan

Dear Government Operations Committees,

The Secretary of State's Office preliminarily reviewed Governor Scott's School Redistricting Plan. If the proposed plan or something similar is implemented, accompanying changes in the election procedure and laws will also need to be made. Based on the Administration's proposal, the Secretary of State's office (VTSOS) has outlined several areas we anticipate needing to be addressed in this session. As the policy decisions are still being weighed at this time and the legislative approach may shift throughout the session, we recommend using this document as a list of areas for consideration. The Secretary of State's Office can advise and recommend changes to your committees as policy decisions become solidified and you move forward with a school redistricting elections bill.

The main areas of consideration are:

District Lines and Wards

Initial District Lines and Wards:

- If the first election occurs in November of 2026, the Legislature needs to establish the district lines and the number of wards per district in this session's bill.
 - It would be best if the ward lines within each district could be drawn in the Summer/Fall of 2025 and adopted in early 2026 before the November election.

Reapportionment for Wards:

- Assuming that wards are established with the goal of ensuring that each school board member has a similar number of constituents, wards should follow a reapportionment process to account for population changes over time.
 - The process could be driven by a legislative committee, and supported by VTSOS, just like decennial redistricting. Then the Legislature would approve any reapportionments.
 - This initial process should be done in the Summer/Fall of 2025
 - Redistricting should happen every 10 years, in the biennium following legislative redistricting.

School Board

Members of the School Board:

- The Administration’s proposal calls for 5-member boards.
 - If a final plan creates larger boards, there should still be an odd number of members.
- Districts should be divided into apportioned wards.
 - Each ward should have one school board member.
- Terms: The legislature should determine the terms for School Board members.
 - Assuming terms are 4 years and staggered– there should be provisions for two-year terms for some members in the November 2026 election.

School Board Member Elections:

- Timing: The Administration’s proposal calls for elections to occur in November of even years with the General Election.
 - Since that election is a universal vote-by-mail election, VTSOS needs to prepare the ballots and manage the election.
- School District Clerk: A clerk for the district will need to be identified.
 - The School District Clerk could be the town clerk in the largest municipality in the district or a different process for determining the clerk could be established in the law.
- Petition Process: Candidates for a school board need to gather petitions signed by voters in the ward.
 - VTSOS suggests requiring 100 voters in the ward. This is the same as for the Senate.
 - Petitions would need to be filed in early August at the latest.
 - Petitions could be filed with the School District Clerk or any town clerk in the ward.
 - The Governor’s proposal does not contemplate a primary and therefore no party designation would be listed for school board races.
 - Petitions would be entered into the VTSOS Vermont Election Management System (VEMS) – this is important for ballot production.
- Election Reporting: This would be done in the VEMS.
- Campaign Finance Laws: School board candidates must follow the campaign finance laws like candidates for other offices.

District School Board Meetings:

- Number of Meetings: There are several policy decisions here:
 - Is there a minimum number of meetings for a district/year?
 - Is there a minimum number of meetings in each ward?
- Open Meeting Law (OML):
 - These new bodies would be decision-making bodies; this means they must hold hybrid meetings under the OML.
 - Due to the potential size of the districts, VTSOS recommends treating them like state bodies and expressly stating that they need to follow the state bodies' requirements under the OML; this includes recording and posting.

Local Advisory Councils:

- Size of an Advisory Council: This is a policy decision.
 - Initial legislation should set a minimum number of people and types of roles.
 - Consider if a principal of the school could expand it.
- Number of Councils?
 - The administration's proposal recommends hyper-local councils – one per school.
- How would people be chosen to serve?
 - The governor's proposal does not address this.
 - VTSOS recommends these roles would not be elected; instead, the principal would take applications and appoint.
- Open Meeting Law:
 - The Legislature should determine if the Local Advisory Councils have decision-making authority including supervision, control, or jurisdiction over legislative, quasi-judicial, tax, or budgetary matters.
 - This determination should be expressly stated in the law, so the OML requirements are clear.

Budgets

School District Budget:

- Under the Administration's proposal, the District School Board would vote on how to allocate the base budget from the State.
 - District School Board members would vote on the district's budget instead of the voters in the district.
 - The deadline for this vote should be in statute.
- Required Informational Meeting/Annual Meeting
 - The statute should set a time frame for the informational meeting(s), such as within 45 days and no less than 10 days of the election.
 - VTSOS recommends a required informational meeting be held in each ward before the budget vote.

Voters Budget Vote:

- The Administration proposes allowing the District School Board to call a vote district-wide to increase local spending for special or specific items.
 - There should be a set time frame for an informational meeting before the vote. Again, VTSOS recommends informational meetings in each ward.
 - This vote has to be done before the start of the Fiscal Year.
- Because this is a multi-town district, using an Australian ballot and the Vermont Election Management System would make it faster and easier to calculate the results.
 - There should be a polling location in each town.
 - This potentially adds a 4th election on even years and a 2nd election on odd years to municipal clerks' workload.
- Voting logistics that need to be considered:
 - Would a Voter Budget Vote be a one-time vote, or could it go to an adjusted revote?
 - Is this a single vote on the District School Board's entire proposed increase or would each initiative be listed as a separate Y/N vote?
 - Would this be universal-vote-by-mail?
 - If yes, this process takes at least 65 days
 - If yes, VTSOS should be responsible for the coordination of this election.
 - Would this be on Town Meeting Day?
 - Issues:
 - Town meetings are not all on the same day.
 - Not all town meetings have Australian ballots at town meeting.
 - Timing issues with budget prep; will there be enough time?

General Fund or Education Fund Allocations

School Boards:

- Districts will need support setting up a website, communication tools, and IT equipment for citizen access and hybrid meetings.

Town Clerks:

- The implications of this proposal will create new responsibilities for town clerks: New candidate petitions and entry, reporting of results of the November election, and Voter Budget Vote create a potential 4th election on even years or a 2nd election on odd years.
 - If the Voter Budget Vote could have an adjusted revote this would be yet another election.
- A funding structure should be created to support clerks taking on these tasks.
- Enhanced funding may need to be provided to the School District Clerk

Secretary of State:

- VTSOS's IT system will be modified to accept school board member petitions, create ballots, and report results.
- VTSOS staff time will be needed to facilitate petitions, ballot mailing, and election support for School Board elections. Additionally, VTSOS will help support Voter Budget Votes; particularly if VTSOS facilitates ballot mailing.
- VTSOS will provide training for clerks

- VTSOS is assessing if we need to add a position to support this work.