

# Agenda\_Packet\_07-11-2024

## Agenda

Roxbury Free Library  
Board of Trustees' Meeting  
July 11 2024 at 09:00

Physical Meeting Location: Roxbury Free Library  
Virtual Meeting Location: Zoom  
Meeting link:  
Meeting ID: 598 021 2288  
Dial in Phone #: +1 646 931 3860 (US)

- 1.0 09:00 Call to order
- 2.0 09:01 Additions/Postponements of Agenda Items
- 3.0 09:05 Consent Agenda Items
  - 3.1 Review of minutes of 05/09/2024 meetings
  - 3.2 Review of Treasurer's Report
  - 3.3 Review of Library Director's Report
- 4.0 09:15 Additions to Agenda
- 5.0 09:20 Audience
- 6.0 Old Business
  - 6.1 09:25 Strategic Plan work session
- 7.0 New Business
  - 7.1 09:55 Review BYLA-002 Trustee Calendar
  - 7.2 10:05 S.220 passage into law
  - 7.3 10:10 2024 Open Meeting Law changes
  - 7.4 10:15 FY24 Financial review
  - 7.5 10:25 Newsy review discussion
- 8.0 Future Meetings
  - 8.1 10:30 Next regular board meeting 8/8/2024
- 9.0 10:31 Adjournment

Roxbury Free Library Mission Statement: *Our mission is to develop and nourish the spirit and imagination of all individuals in our community to enrich their knowledge and understanding. We will provide free access to library services, programs, resources, and information. Our vision is to keep our library relevant in a complex world.*

**Meeting Minutes**  
Roxbury Free Library  
Board of Trustees' Meeting  
May 9, 2024 at 09:00

Physical Meeting Location: Roxbury Free Library  
Virtual Meeting Location: Zoom  
Meeting link: <https://us02web.zoom.us/j/5980212288>  
Meeting ID: 598 021 2288  
Dial in Phone #: +1 646 931 3860 (US)

**Present:** Heidi Albright (Chair), Jeanne Beckwith (Clerk), Carl Ellis (Treasurer), Dottie Guiffre (Vice Chair), Jane Pincus, Ryan Zajac (Library Director)

**Absent:** None

**Audience:** None

**1.0 09:00 Call to order**

The meeting was called to order at 9:15, slight delay with getting Zoom to work. All trustees present (Jane and Jeanne attending remotely). Jeanne requested someone else take notes, so Heidi acted as interim clerk.

**2.0 09:01 Additions/Postponements of Agenda Items**

None

**3.0 09:05 Consent Agenda Items**

**3.1 Review of minutes of 04/11/2024 meetings**

The minutes of 04/11/2024 were reviewed and there were no changes.

**3.2 Review of Treasurer's Report**

Treasurer's report was reviewed. Everything looks good and on track for the end of the fiscal year.

**3.3 Review of Library Director's Report**

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Approved at the 00/00/202x Meeting.*

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Library Director's report was reviewed and discussed. Highlights included some kids' summer program funding that was awarded, calendar is full with a good number of programs and meetings.

A motion was made by Carl Ellis and seconded by Jane Pincus to accept the consent agenda which include the: minutes of 04/11/2024, Treasurer's report, and Library Director's report. Vote: 5 yes, 0 abstentions, 0 no. Approved

**4.0 09:15 Additions to Agenda**

None

**5.0 09:20 Audience**

None

**6.0 Old Business**

**6.1 09:25 Strategic Plan Work session**

The board discussed various aspects of the SWOT analysis and topics related to the Strategic Planning. Our next step is to create a survey for the community to assess needs, especially around kids/no school, and Jane/Jeanne will work on this together. As suggested by Kevin of DOL and his presentation at our retreat, we will look at the Ten Steps to Improve VT Communities by the VCRD and include them in the questionnaire. We will incentivize the survey with a free raffle ticket. Ryan will compile some more data/inventory and use of libraries that are of similar size so we see where we are. He mentioned there are 8 smaller than ours (physically) and 39 that serve a smaller population. There is curiosity around distance between schools and the local libraries, how distance

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(or local school closure) affects usage. Dotti will revisit the vision statement. No action taken.

**6.2** 09:45

**Policy discussion connected to  
Computer Reserve Fund**

The board reviewed the inventory of computer hardware and other devices (projector etc.) in a spreadsheet, including when items were purchased and notes on functionality. It is helpful to see them listed out, and Ryan identified the circulation desk computer, a new tablet, and new projector for programs were priorities for replacement. He and Carl will draft a policy with guidelines for spending our Computer Reserve Fund in a responsible way. No action taken.

**7.0**

**New Business**

**7.1** 09:55

**2024 Farmer's Market and July 4<sup>th</sup>  
Fundraising Plans**

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The board discussed who would attend the Farmer's Market to set up our table there and sell raffle tickets. Heidi/Jane will make posters, Carl will be our main point person. Ed C. has volunteered to help. No action taken.

**8.0 Future Meetings**

**8.1** 10:30 Next regular board meeting  
6/13/2024

**9.0** 10:31 Adjournment

The meeting was adjourned at 10:19

Respectfully Submitted, Heidi Albright (Acting clerk)

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# June by the numbers Roxbury Free Library

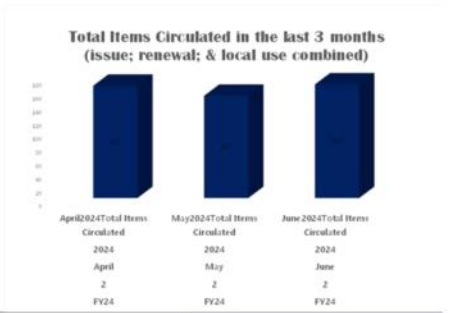
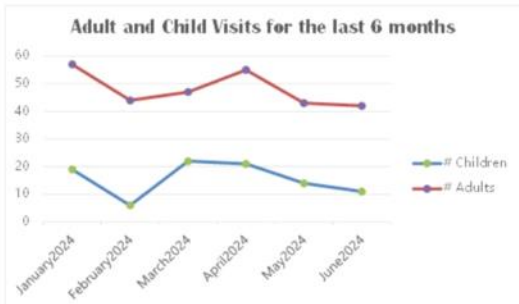
You will see a notable difference in the number of RFL patrons this month. The lower number is a result of a cull effort of expired accounts and doesn't indicate any type of change in patron usage. Related, in June we saw a good influx of infrequent RFL users and renewed quite a few expired accounts..

## 76 visits

0.77 visitors per hour open

**↓ 8%**  
since May

### Summary Statistics of RFL





**8,685**  
items  
in the collection

**?**  
13  
reference  
questions  
answered



**34** e-content  
accessed


**ILL**  
7 → RFL → 2

[www.roxburyfreelibrary.org](http://www.roxburyfreelibrary.org)  
was visited 143 times in June



**1** Passes checked out

**+ 0**  
Registered new patrons



**313** active patrons.

**108** Registered users of LUV



**5** Computer Users

**251** Wi Fi clients

# Library Operations Report

## Upcoming Events and Meetings

- 7/21 RFL Game Night
- 7/27 Garden Tour

## June Outreach

- In June the RFL hosted 5 programs and meeting space for 0 events (RFL Game Night, Adult Book Club, RVS Tromp Through the Swamp show, and RIF Distribution). Attendance in these events included 27 adults and 92 children.
- The July 1<sup>st</sup> 2024 issue of the Newsy was prepared and delivered at the end of June.
- We did not initiate a tennis fundraising program this year. The core group that kept the program populated has not expressed interest in the last few years and in 2023 we were not able to sign up any participants. Rather than pester the Windridge Camp directors for a couple of people, we felt it made sense to consider something else.
- Despite what has been covered in much of the news on S.220, the biggest impact we expect to see in RFL operations is the change to patron confidentiality ages (it shifted from 16 to 12). We have updated patron accounts and are in compliance with the law as of July 1<sup>st</sup>. We plan to prepare a short pamphlet to have at the desk informing patrons about the change and what it means primarily to families using the RFL.

## Miscellaneous

- Caitlyn finished, in June, the VTDOL Public Library Administration training class.
- A pass offering free admission to the Barre Granite Museum is now in the RFL collection.
- We organized a weeding and cull of the RFL collection before the July 4<sup>th</sup> book sale.
- In June, we learned we would have the opportunity to take over the RVS book collection at the end of the school year. We are still sorting out the details for migrating the RVS collection into the RFL collection. Frustratingly, after talking with the school librarians and our consortium tech support, it doesn't sound like the digital catalogs' migration will be clean or easy. The plan at this point is to manage the books currently housed in RVS similar to what we do with the Archives (rotate and retrieve as needed). If we no longer can use the RVS library space to store books, we will need a new plan for what to do with those items.
- We concluded fiscal year 2024 and should have wrapped up with a good financial position.
- Universal Class is being phased out and will no longer be available to patrons after July.
- Bob Ketchel, per the SelectBoard's direction, performed an inventory of the RFL physical structure and is posed to repair the rotten clapboards on the exterior of the RFL building. We are not aware of a timeline for the work at this time.
- We replaced the RFL's outdated digital tablet with an Ipad that is compatible with all of the RFL digital platforms.



## **Trustee Meeting held – July 11<sup>th</sup> 2024**

### **DIRECTOR'S REPORT**

*June 2024*

#### **RFL Service description**

- The RFL is helping facilitate student literacy tutoring over the summer.

#### **Volunteers providing service in the last month**

Ed Carney, Rich and Boo Smith, Judy Lusk, and Carol Edwards.

<b>ID</b>	<b>Title</b>	<b>Frequency</b>	<b>Last Revision</b>
BYLA-002	Trustees Calendar	Annually	09-01-2022

**Roxbury Free Library  
Trustee's Calendar**

<b>July</b>	<ul style="list-style-type: none"> <li>• New Fiscal Year etc...</li> <li>• Review BYLA002 - Trustees Calendar</li> <li>• July 4<sup>th</sup> Fundraising book and bake sale</li> </ul>
<b>August</b>	<ul style="list-style-type: none"> <li>• Review PERS 001 - Personnel Policy</li> <li>• PERS 002 - Director Job Description</li> </ul>
<b>September</b>	<ul style="list-style-type: none"> <li>• Board evaluations of Director and Director self-evaluations submitted</li> <li>• Policy review</li> <li>• Plan Celebration of Support</li> </ul>
<b>October</b>	<ul style="list-style-type: none"> <li>• Negotiate employment agreements</li> <li>• Policy work</li> <li>• Draft "Friends" letter</li> <li>• Host Celebration of Support</li> </ul>
<b>November</b>	<ul style="list-style-type: none"> <li>• First draft of Budget discussed</li> <li>• Send "Friends" letter</li> </ul>
<b>December</b>	<ul style="list-style-type: none"> <li>• Finalize and send budget</li> <li>• Coordinate Christmas gift list</li> </ul>
<b>January</b>	<ul style="list-style-type: none"> <li>• Submit budget for Town Report</li> <li>• Word and approve warning for Town Report</li> <li>• Submit names of Trustees running for reelection</li> <li>• Plan February retreat agenda</li> </ul>
<b>February</b>	<ul style="list-style-type: none"> <li>• Board retreat</li> <li>• Plan board raffle fundraiser</li> </ul>
<b>March</b>	<ul style="list-style-type: none"> <li>• Elect Board officers</li> <li>• Review MISS-002 - Mission Statement</li> </ul>
<b>April</b>	<ul style="list-style-type: none"> <li>• Review BYLA-003 - By Laws</li> <li>• Prepare for Green Up Day book sale</li> <li>• Coordinate Library clean up</li> </ul>
<b>May</b>	<ul style="list-style-type: none"> <li>• Green Up Day book sale</li> <li>• Plan volunteer luncheon</li> </ul>
<b>June</b>	<ul style="list-style-type: none"> <li>• Prepare for Bake Sale on 4th of July</li> </ul>

Date of adoption 09-01-2022

Record of Adoption

Approved 5

Abstentions 0

Opposed 0



# Vermont Library Association Applauds the Passage of S.220, Protecting Libraries and the Freedom to Read in Vermont

FOR IMMEDIATE RELEASE: June 4, 2024

## Vermont Library Association Applauds the Passage of S.220, Protecting Libraries and the Freedom to Read in Vermont

The Vermont Library Association (VLA) celebrates the recent enactment of [S.220](#), an act crucial to the advancement of Vermont's public libraries. Originating from the recommendations of the [Working Group on the Status of Libraries in Vermont Final Report](#) and championed by Senators Martine Gulick and Ruth Hardy, this legislation is an affirmation of the essential role that libraries play in the cultural and educational landscape of Vermont.

### Key Features of S.220:

- **Ensuring Compliance with First Amendment and Anti-Discrimination Laws:** S.220 mandates that library policies align with the First Amendment and anti-discrimination laws, ensuring libraries remain safe havens for free speech, inquiry, and discovery.
- **Public Safety Enhancements:** By amending laws related to criminal threats, S.220 provides stronger legal protections for libraries, ensuring they remain secure and welcoming spaces for all Vermonters.
- **Professional Support and Policy Development:** Supports high standards of library services through the creation of model policies and ongoing professional development.

“Vermont has set a new precedent by integrating public accommodation laws directly into library policies, reaffirming libraries as foundational pillars of democracy and inclusivity. This groundbreaking legislation not only protects the right to free access to information, but also ensures that libraries remain sanctuaries of equity and understanding for all.” says Oceana Wilson, President of the Vermont Library Association.

“We are excited for the new legislation and the measures included that will allow Vermont librarians to continue their work, contributing to stronger and more resilient communities in our state. We are grateful to the Working Group on the Status of Libraries in Vermont, who paved the way and provided inspiration for S.220.” says Margaret Woodruff, Vermont Library Association Government Relations & Advocacy Committee Chair

The VLA commends the collaborative efforts of our legislators, library advocates, and all stakeholders who have worked tirelessly to champion this significant legislation. Their dedication to advancing the mission of libraries as inclusive spaces for learning, exploration, and discovery has brought forth substantial benefits for all Vermonters.

By enacting S.220, Vermont champions a bold vision that we hope will inspire other states to recognize and support the integral role of libraries in fostering an informed and inclusive society.

#### CONTACTS:

Margaret Woodruff, Vermont Library Association Government Relations & Advocacy Committee Chair [margaret@charlottepubliclibrary.org](mailto:margaret@charlottepubliclibrary.org)

Oceana Wilson, Vermont Library Association President [president@vermontlibraries.org](mailto:president@vermontlibraries.org)

#### About the Vermont Library Association

The [Vermont Library Association](#) (VLA) is an educational organization working to develop, promote, and improve library and information services and librarianship in the state of Vermont.

← Assistant Librarian – St. Johnsbury...

Family Engagement Manager – Thomas... →

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Burlington, VT 05401



<b>ID</b>	<b>Title</b>	<b>Frequency</b>	<b>Last Revision</b>
COLL-002	Collection Development Policy	Annually	01/13/2022

Roxbury Free Library  
Collection Development Policy

Roxbury Free Library will strive to develop and maintain a well-balanced collection of the best and most useful materials available, in view of the overall needs of the community and within the limits of the yearly budget. It is understood that neither the Library Director nor the Board needs to endorse every idea or presentation contained in the materials that the library makes available.

The Roxbury Free Library supports the principles of intellectual freedom inherent in the First Amendment to the Constitution of the United States and as expressed in the Library Bill of Rights and the Freedom to Read Statement adopted by the American Library Association (see Appendices).

I. While suggestions are welcome, the Library Director shall have final authority and responsibility for selection of all print and non-print materials and placement thereof in the library. No material shall be excluded because of age, sex, race, religion, color, sexual orientation, place or birth, ancestry, physical or mental condition, political views or national origin.

II. Materials considered for the collection are judged by the Library Director on the basis of the following criteria:

- Recreational, educational and/or informational value
- Authority, effectiveness and timeliness of presentation
- Funds and space available
- Readability and popular appeal

Condition of the collection

Format

Availability through Inter-library loan (ILL)

III. In selecting materials, the Library Director will consult professional reviews, materials review sessions, and interests of the community.

IV. The Library may receive materials or funds as gift donations, with the understanding their use is at the complete discretion of the Library Director and/or Board of Trustees. All donations become the property of the Roxbury Free Library.

V. Weeding will be conducted periodically by the Library Director using the same criteria as for materials selection. Removal or replacement of materials will be judged with reference to standard library selection guidelines.

VI. Roxbury Free Library offers services such as Inter-library loans (ILL) and Vermont Department of Libraries (VDOL) services such as large print and talking books.

VII. All patrons, including children, have free access to all library materials and internet without censure (parents are responsible for any restriction of their child's access). Materials are carefully selected, and will not be removed from the collection because of pressure by groups or individuals expressing disapproval. If a patron objects to a specific book in the collection she or he will be given the opportunity to fill out the "Patron Request for Reconsideration of Materials" form (See Appendix). A reader's complaint will be treated with courtesy, respect and promptness. Materials under consideration will remain in circulation during this process.

Date of adoption 01/13/2022

Approved by:

Ed Carney \_\_\_\_\_

Jeanne Beckwith \_\_\_\_\_

Carl Ellis \_\_\_\_\_

Jane Pincus \_\_\_\_\_

Heidi Albright \_\_\_\_\_

Roxbury Free Library

Collection Development Policy Appendix:

Request for Reconsideration of Material Form



The trustees of the Roxbury Free Library have established a materials selection policy and a procedure for gathering input about particular items. Completion of this form is part of the procedure. If you wish to request reconsideration of a resource, please return the completed form to the library director.

librarian@roxburyfreelibrary.org | 802.485.6860 | PO Box 95 Roxbury, VT. 05669

Date

Name

Address

City State/Zip

Phone

Email

Do you represent self? \_\_\_\_

Or an organization? \_\_\_\_ Name of Organization: \_\_\_\_\_

1. Resource on which you are commenting:

Book (e-book)

Movie

Magazine

Audio Recording

Digital Resource

Game

Newspaper

Other

Title

Author/Producer

2. What brought this resource to your attention?

3. Have you examined the entire resource? If not, what sections did you review?

4. What concerns you about the resource?

5. Are there resource(s) you suggest to provide additional information and/or other viewpoints on this topic?

6. What action are you requesting the committee consider?

## The Freedom to Read Statement

The freedom to read is essential to our democracy. It is continuously under attack. Private groups and public authorities in various parts of the country are working to remove or limit access to reading materials, to censor content in schools, to label "controversial" views, to distribute lists of "objectionable" books or authors, and to purge libraries. These actions apparently rise from a view that our national tradition of free expression is no longer valid; that censorship and suppression are needed to counter threats to safety or national security, as well as to avoid the subversion of politics and the corruption of morals. We, as individuals devoted to reading and as librarians and publishers responsible for disseminating ideas, wish to assert the public interest in the preservation of the freedom to read.

Most attempts at suppression rest on a denial of the fundamental premise of democracy: that the ordinary individual, by exercising critical judgment, will select the good and reject the bad. We trust Americans to recognize propaganda and misinformation, and to make their own decisions about what they read and believe. We do not believe they are prepared to sacrifice their heritage of a free press in order to be "protected" against what others think may be bad for them. We believe they still favor free enterprise in ideas and expression.

These efforts at suppression are related to a larger pattern of pressures being brought against education, the press, art and images, films, broadcast media, and the Internet. The problem is not only one of actual censorship. The shadow of fear cast by these pressures leads, we suspect, to an even larger voluntary curtailment of expression by those who seek to avoid controversy or unwelcome scrutiny by government officials.

Such pressure toward conformity is perhaps natural to a time of accelerated change. And yet suppression is never more dangerous than in such a time of social tension. Freedom has given the United States the elasticity to endure strain. Freedom keeps open the path of novel and creative solutions, and enables change to come by choice. Every silencing of a heresy, every enforcement of an orthodoxy, diminishes the toughness and resilience of our society and leaves it the less able to deal with controversy and difference.

Now as always in our history, reading is among our greatest freedoms. The freedom to read and write is almost the only means for making generally available ideas or manners of expression that can initially command only a small audience. The written word is the natural medium for the new idea and the untried voice from which come the original contributions to social growth. It is essential to the extended discussion that serious thought requires, and to the accumulation of knowledge and ideas into organized collections.

We believe that free communication is essential to the preservation of a free society and a creative culture. We believe that these pressures toward conformity present the danger of limiting the range and variety of inquiry and expression on which our democracy and our culture depend. We believe that every American community must jealously guard the freedom to publish and to circulate, in order to preserve its own freedom to read. We believe that publishers and

librarians have a profound responsibility to give validity to that freedom to read by making it possible for the readers to choose freely from a variety of offerings.

The freedom to read is guaranteed by the Constitution. Those with faith in free people will stand firm on these constitutional guarantees of essential rights and will exercise the responsibilities that accompany these rights.

We therefore affirm these propositions:

1. *It is in the public interest for publishers and librarians to make available the widest diversity of views and expressions, including those that are unorthodox, unpopular, or considered dangerous by the majority.*

Creative thought is by definition new, and what is new is different. The bearer of every new thought is a rebel until that idea is refined and tested. Totalitarian systems attempt to maintain themselves in power by the ruthless suppression of any concept that challenges the established orthodoxy. The power of a democratic system to adapt to change is vastly strengthened by the freedom of its citizens to choose widely from among conflicting opinions offered freely to them. To stifle every nonconformist idea at birth would mark the end of the democratic process. Furthermore, only through the constant activity of weighing and selecting can the democratic mind attain the strength demanded by times like these. We need to know not only what we believe but why we believe it.

2. *Publishers, librarians, and booksellers do not need to endorse every idea or presentation they make available. It would conflict with the public interest for them to establish their own political, moral, or aesthetic views as a standard for determining what should be published or circulated.*

Publishers and librarians serve the educational process by helping to make available knowledge and ideas required for the growth of the mind and the increase of learning. They do not foster education by imposing as mentors the patterns of their own thought. The people should have the freedom to read and consider a broader range of ideas than those that may be held by any single librarian or publisher or government or church. It is wrong that what one can read should be confined to what another thinks proper.

3. *It is contrary to the public interest for publishers or librarians to bar access to writings on the basis of the personal history or political affiliations of the author.*

No art or literature can flourish if it is to be measured by the political views or private lives of its creators. No society of free people can flourish that draws up lists of writers to whom it will not listen, whatever they may have to say.

4. *There is no place in our society for efforts to coerce the taste of others, to confine adults to the reading matter deemed suitable for adolescents, or to inhibit the efforts of writers to achieve artistic expression.*

To some, much of modern expression is shocking. But is not much of life itself shocking? We cut off literature at the source if we prevent writers from dealing with the stuff of life. Parents and teachers have a responsibility to prepare the young to meet the diversity of

experiences in life to which they will be exposed, as they have a responsibility to help them learn to think critically for themselves. These are affirmative responsibilities, not to be discharged simply by preventing them from reading works for which they are not yet prepared. In these matters values differ, and values cannot be legislated; nor can machinery be devised that will suit the demands of one group without limiting the freedom of others.

5. *It is not in the public interest to force a reader to accept the prejudgment of a label characterizing any expression or its author as subversive or dangerous.*

The ideal of labeling presupposes the existence of individuals or groups with wisdom to determine by authority what is good or bad for others. It presupposes that individuals must be directed in making up their minds about the ideas they examine. But Americans do not need others to do their thinking for them.

6. *It is the responsibility of publishers and librarians, as guardians of the people's freedom to read, to contest encroachments upon that freedom by individuals or groups seeking to impose their own standards or tastes upon the community at large; and by the government whenever it seeks to reduce or deny public access to public information.*

It is inevitable in the give and take of the democratic process that the political, the moral, or the aesthetic concepts of an individual or group will occasionally collide with those of another individual or group. In a free society individuals are free to determine for themselves what they wish to read, and each group is free to determine what it will recommend to its freely associated members. But no group has the right to take the law into its own hands, and to impose its own concept of politics or morality upon other members of a democratic society. Freedom is no freedom if it is accorded only to the accepted and the inoffensive. Further, democratic societies are more safe, free, and creative when the free flow of public information is not restricted by governmental prerogative or self-censorship.

7. *It is the responsibility of publishers and librarians to give full meaning to the freedom to read by providing books that enrich the quality and diversity of thought and expression. By the exercise of this affirmative responsibility, they can demonstrate that the answer to a "bad" book is a good one, the answer to a "bad" idea is a good one.*

The freedom to read is of little consequence when the reader cannot obtain matter fit for that reader's purpose. What is needed is not only the absence of restraint, but the positive provision of opportunity for the people to read the best that has been thought and said. Books are the major channel by which the intellectual inheritance is handed down, and the principal means of its testing and growth. The defense of the freedom to read requires of all publishers and librarians the utmost of their faculties, and deserves of all Americans the fullest of their support.

We state these propositions neither lightly nor as easy generalizations. We here stake out a lofty claim for the value of the written word. We do so because we believe that it is possessed of enormous variety and usefulness, worthy of cherishing and keeping free. We realize that the

application of these propositions may mean the dissemination of ideas and manners of expression that are repugnant to many persons. We do not state these propositions in the comfortable belief that what people read is unimportant. We believe rather that what people read is deeply important; that ideas can be dangerous; but that the suppression of ideas is fatal to a democratic society. Freedom itself is a dangerous way of life, but it is ours.

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This statement was originally issued in May of 1953 by the Westchester Conference of the American Library Association and the American Book Publishers Council, which in 1970

consolidated with the American Educational Publishers Institute to become the Association of American Publishers.

Adopted June 25, 1953, by the ALA Council and the AAP Freedom to Read Committee; amended January 28, 1972; January 16, 1991; July 12, 2000; June 30, 2004.

*A Joint Statement by:*

[American Library Association](#)  
[Association of American Publishers](#)

*Subsequently endorsed by:*

[American Booksellers for Free Expression](#)  
[The Association of American University Presses](#)  
[The Children's Book Council](#)  
[Freedom to Read Foundation](#)  
[National Association of College Stores](#)  
[National Coalition Against Censorship](#)  
[National Council of Teachers of English](#)  
The Thomas Jefferson Center for the Protection of Free Expression



## Joint Guidance on 2024 Updates to Open Meeting Law (ACT 133) and Frequently Asked Questions

Transparency is an essential element of an open and democratic government. In Vermont, the Open Meeting Law ensures that meetings of governmental bodies remain accessible by declaring that “[a]ll meetings of a public body are declared to be open to the public at all times, except as provided in section 313 of this title.” 1 V.S.A. § 312(a). The Open Meeting Law, and its requirements, empower the public to play an effective role, not only as an active participant in government but as a check on it. The law is found in 1 V.S.A. §§ 310-314.

The Open Meeting Law has recently been updated to change with the times. In response to the sunset on July 1st of the temporary authority to allow local public bodies to meet remotely during the COVID pandemic, the Legislature passed, and the Governor signed into law, Act 133 (S.55). Act 133, which is effective July 1st of 2024, makes permanent the ability of some local and State public bodies (e.g. advisory bodies) to meet without designating a physical meeting location (i.e. remotely), while imposing upon others (non-advisory bodies) the requirement to record and post their meetings. These are just some of the highlights of the new law.

In a shared recognition of the need to help their respective constituencies familiarize and comply with these changes, the Vermont Secretary of State’s Office (SOS), in conjunction with the Vermont League of Cities and Towns (VLCT) and the Vermont School Boards Association (VSBA), developed the following Act 133 (S.55) Open Meeting Law FAQs. Where applicable, different requirements for local and State public bodies are addressed.

Please use the appropriate contact listed below for additional questions and information:

- VLCT member municipal officials: 1-800-649-7915 or [info@vlct.org](mailto:info@vlct.org)
- VSBA member school board officials: 802-363-5777 or [denglander@vtvsba.org](mailto:denglander@vtvsba.org)
- VT SOS assists citizens as well as State and municipal officials: 802-828-2363 or at [sos.vermont.gov/secretary-s-desk/contact/](https://sos.vermont.gov/secretary-s-desk/contact/)

### What is [Act 133 \(S.55\) of 2024](#)?

The Open Meeting Law’s purpose is to ensure a transparent and accountable government. Building on

lessons learned from the COVID-19 pandemic, the Vermont Legislature has updated the Open Meeting Law to recognize that hybrid and remote access to meetings can strengthen civic engagement and support transparent, efficient decision-making.

Act 133 amends the Open Meeting Law to create two different types of public bodies: nonadvisory bodies and advisory bodies. Act 133 defines an “advisory body” as a “public body that does not have supervision, control, or jurisdiction over legislative, quasi-judicial, tax, or budgetary matters.” 1 V.S.A. § 310(1). An advisory body, by its very name, advises, which means that it lacks final statutory decision-making authority. If a public body has final decision-making authority over any legislative, quasi-judicial, tax, or budgetary matter then it is categorically not an advisory body, which makes it, in turn, a nonadvisory body. *Although referred to as nonadvisory bodies within Act 133, we refer to those bodies as decision-making bodies for ease of understanding and distinction from advisory bodies.*

Act 133 allows “advisory bodies” to meet electronically without a physical meeting location (i.e. remotely) and to require State decision-making bodies to conduct hybrid meetings. It also requires local and State decision-making bodies, to electronically record their meetings and post the recordings in a designated electronic location for a minimum of 30 days following the approval and posting of the official minutes of the meeting that was recorded. Act 133 allows all public bodies (whether decision-making or advisory) to meet remotely in response to a state of emergency or “local incident.” It requires public bodies to provide electronic/telephonic or in-person meeting access options to a regularly scheduled meeting if requested by local residents, members of the press, or members of public bodies.

In addition, all municipalities must post an explanation of the procedures for submitting notice of an Open Meeting Law violation to the public body or the [Vermont Attorney General](#) ((802 828-3171). And local legislative body chairs, municipal managers, and mayors, as well as chairs of State decision-making bodies, must complete annual training. This training will be provided by the Secretary of State’s office beginning in January 2025.

### What provisions of the Open Meeting Law specifically does [Act 133 \(S.55\) of 2024](#) change?

Pursuant to Act 133:

- State and local advisory public bodies may hold remote-only regular, special, or emergency meetings, by electronic or other means. When holding a remote-only meeting:
  - the public body does not have to designate a physical meeting location where the public can attend; and
  - the members and staff of the public body are not required to be physically present at a designated meeting location. 1 V.S.A. § 312(a)(4).
- Starting January 1, 2025, State non-advisory bodies must hold all regular and special meetings as hybrid meetings, designating both a physical meeting location and an electronic meeting platform.



- Any public body may hold remote-only emergency meetings, or a remote-only meeting in response to a local incident or state of emergency, by electronic or other means. When holding a remote-only meeting:
  - the public body does not have to designate a physical meeting location where the public can attend; and
  - the members and staff of the public body are not required to be physically present at a designated meeting location. 1 V.S.A. § 312(a)(4).
- When holding a remote-only meeting or a hybrid meeting under Act 133, public bodies must:
  - use an electronic platform that allows direct access, attendance, and participation of the public;
  - allow the public to access the meeting by telephone; and
  - include and post information that enables the public to directly access the designated electronic platform in either its published agenda or public notice for the meeting. 1 V.S.A. § 312(a)(5).
- **State** and local decision-making bodies must electronically record their meetings. The recording must be posted in a designated electronic location for a minimum of 30 days following the approval and posting of the official minutes of the meeting which was recorded. 1 V.S.A. § 312(a)(6). Local decision-making public bodies may choose to record in either audio or video form, or, if compliance would constitute “undue hardship,” may waive the recording and posting requirements.
- A resident of the jurisdiction served by the public body, or a member of the public body or the press, may request that any public body provide additional access to a regular meeting, i.e. by designating a physical location for a remote-only meeting or by providing electronic/telephonic access to an in-person meeting.
- State chairs of decision-making bodies, local legislative body chairs, municipal managers, and mayors must participate in annual, professional Open Meeting Law training starting January 1, 2025. 1 V.S.A. § 312(k).
- Each municipality must post on its website (if it maintains one):
  - an explanation of the procedures for submitting notice of an Open Meeting Law violation to the public body or the Attorney General; and
  - a copy of the text of [1 V.S.A. § 314](#). 1 V.S.A. § 314(e).

All other requirements of the Open Meeting Law not explicitly overridden or relaxed by this law remain in effect and must be followed.

### When do the provisions of [Act 133 \(S.55\) of 2024](#) take effect?

**Act 133 takes effect on July 1, 2024, except for:**

- Training requirements are effective January 1, 2025.

- Hybrid meeting requirements for State decision-making public bodies are effective January 1, 2025.

### To whom does [Act 133 \(S.55\) of 2024](#) apply?

Act 133 applies to every State and municipal public body. A “municipality” includes every city, town, fire district, and every other governmental incorporated unit. 1 V.S.A. § 126.

A public body is any board, council, commission, committee, or subcommittee of the State or a municipality. 1 V.S.A. § 310(4). This includes bodies that are specifically mentioned in state statutes and municipal charters such as selectboards, prudential committees, planning commissions, conservation commissions, cemetery commissions, development review boards, boards of civil authority, boards of health, zoning boards of adjustment, etc. It also includes committees and subcommittees of those groups. The law does not apply to community justice boards or community justice centers. 24 V.S.A. § 1964(b).

### What’s the difference between an “advisory” and “decision-making” public body?

Act 133 draws a distinction between advisory and decision-making public bodies by imposing stricter requirements on advisory bodies.

#### *Advisory body*

Act 133 defines an “advisory body” as a “public body that does not have supervision, control, or jurisdiction over legislative, quasi-judicial, tax, or budgetary matters.” 1 V.S.A. § 310(1). An advisory body, by its very name, advises, which means that it lacks final statutory decision-making authority. If a public body has final decision-making authority over any legislative, quasi-judicial, tax, or budgetary matter then it is categorically not an advisory body, which makes it, in turn, a decision-making body.

The determination of whether a body is advisory or decision-making can be tricky. If you are unsure if you are an advisory body, please reach out to your legal counsel. Alternatively, bodies can follow the requirements for decision-making bodies.

#### *Decision-making (Nonadvisory) body*

Though not explicitly defined by Act 133, a “non-advisory body” is a decision-making body, one that does have supervision, control, or jurisdiction over legislative, quasi-judicial, tax, or budgetary matters. Making the call here will likely necessitate a short, fact-based determination. For example, a planning commission that hears applications for development review would be considered a decision-making body because it exercises control over some quasi-judicial matters, even though most of its time may be spent advising the selectboard on the adoption, amendment, or repeal of the town plan and zoning regulations. Some other examples of decision-making public bodies include the legislative bodies

(selectboard, city council, village trustees, prudential committee, and alderman), cemetery commission, library trustees, board of listers, board of civil authority, board of abatement, water and sewer commission, and local board of health.

**Can a decision-making body meet electronically without designating a physical meeting location?**

Yes, but only to attend an emergency meeting of the body or when necessary to respond to a local incident or a declared state of emergency.

**Does a local public body ever have to meet remotely (i.e., without designating a physical meeting location)?**

No. A local public body, whether advisory or decision-making, is never required to meet remotely (i.e. without designating a physical meeting location). It may meet remotely when the circumstances detailed above warrant. (i.e. without designating a physical meeting location). This is distinct from the hybrid requirement for State decision-making bodies, which necessarily includes remote access.

**Can a local public body still hold hybrid meetings?**

Yes. This has not changed. A quorum or more of a public body may continue to participate in a meeting electronically, provided that:

- the posted agenda designates at least one physical location where the public can attend and participate in the meeting;
- at least one body member, staff person, or other designee is present at that physical location throughout the meeting;
- each member that attends electronically identifies themselves when the meeting is convened and must be able to hear and be heard throughout the meeting; and any voting that occurs at the meeting that is not unanimous must be done by roll call 1 V.S.A. §312(a)(2).

This is a pre-existing provision of the Open Meeting Law not affected by the sunseting of Act 1 of 2023 or the enactment of [Act 133 \(S.55\)](#).

**What is a “local incident”?**

Act 133 defines a “local incident” as “a weather event, loss of power or telecommunication services, public health emergency, public safety threat, received threat that a member of the public body believes may place the member or another person in reasonable apprehension of death or serious bodily injury, or other event that directly impedes the ability of a public body to hold a meeting electronically or in a designated physical location.” 1 V.S.A. § 312a(a)(4).

**What does a public body need to do before it can meet electronically, without designating a**

### **physical meeting location, in response to a local incident?**

Before meeting electronically without designating a physical meeting location, in response to a local incident, the highest ranking elected or appointed officer of the public body (e.g. chair, or vice-chair if the chair is not available) must first make a formal written finding and announcement of the local incident which includes the basis for the finding. These written findings should be permanently retained.

### **How does someone request a physical meeting location or electronic access to a public meeting?**

A resident of the geographic area in which the public body has jurisdiction, or a member of the public body or the press, may request in-person or remote access to the public body's next regular meeting by submitting to the public body a request, in writing, at least two business days before the meeting. The request should specify what type of access is sought (e.g. a designated physical location, a telephone conference call, access via an electronic meeting platform) and provide any relevant contact information. A requestor is not required to provide a basis for the request.

### **Does a public body have to designate a physical meeting location or provide electronic access to its meetings upon request?**

It depends on the circumstances. A resident of the jurisdiction served by the public body, a member of the public body, or a member of the press may request that a public body provide additional access to a regular meeting by designating a physical location for a remote-only meeting or by providing electronic/telephonic access to an in-person meeting. The request must be made in writing no less than two business days before the meeting to be considered. Such requests only apply to the public body's next regularly scheduled meeting and not to a series of regular meetings, special meetings, emergency meetings, or field visits. Because the requests only pertain to regularly scheduled meetings, they do not pertain to special or emergency meetings of a public body.

- **The public body must grant the request unless:**
  - there is an all-hazards event or a declared state of emergency;
  - there is a local incident; or
  - for a municipal public body, compliance would impose an undue hardship.

### **Does a granted request for a physical meeting location or electronic access apply to just the requestor or is access granted to the public at large?**

Since the underlying policy of Open Meeting Law is access to public meetings expanded access should apply to the public at large unless it creates undue hardship. Generally, requests for physical access

apply to the general public, whereas requests for electronic access may be more complicated and may need to only apply to the individual requestor.

**Does a public body have to designate a physical meeting location or provide electronic access to its hearings upon request?**

No. Even though hearings are meetings, in that a hearing represents a “gathering of a quorum of the members of a public body for the purpose of discussing the business of the public body or for the purpose of taking action,” a hearing is not a “regular meeting” (i.e. a meeting that takes place at a regularly occurring, pre-arranged time and day). 1 V.S.A. § 310(3)(A). The right to request that a public body designate a physical meeting location or provide electronic or telephonic access only applies to a regular meeting of a public body.

**What constitutes an “undue hardship” for a municipality?**

The law defines an “undue hardship” as “an action required to achieve compliance would require significant difficulty or expense in light of factors including the overall size of the entity, sufficient personnel and staffing availability, the entity’s budget, and the costs associated with compliance.” 1 V.S.A. § 310(9).

Since a municipality claiming this exemption has the burden of proving that compliance would impose an undue hardship, we advise that any municipality claiming an exemption have its legislative body document its finding after hearing relevant supporting evidence during an open, public meeting and record it in the meeting minutes. Given the factors that make up this definition, it’s unlikely that, in most circumstances, this exception would apply to any but the smallest of municipalities.

**Do all public bodies need to record their meetings?**

No. There are different requirements for recording as well as recording formats.

- State decision-making bodies must video record their meetings.
- Local decision-making bodies must record their meetings, unless undue hardship applies, and may choose either audio or video recording format.
- State and local advisory bodies are not required to record their meetings (but may choose to do so).

**Do recordings of decision-making meetings need to be posted?**

Yes. Decision-making bodies must post a copy of each meeting recording in a designated electronic location for a minimum of 30 days following the approval and posting of the official minutes of the meeting which was recorded. W

### **How does a public body count the 30 days for posting?**

The 30 days begin with the approval of the minutes, typically at the next meeting of the public body. If the public body does not approve its minutes, the 30 days begin the day following the next meeting.

### **How long must decision-making bodies retain meeting recordings?**

The recordings of decision-making public body meetings required by Act 133 must be retained for 30 days after the minutes for those meetings have been approved.

In response to Act 133, the Vermont State Archives & Records Administration (VSARA) has developed an updated record schedule specifically to address recordkeeping requirements for public bodies: [https://sos.vermont.gov/media/xoqnv52/grs-2084-1102\\_publicbodiesadministrating.pdf](https://sos.vermont.gov/media/xoqnv52/grs-2084-1102_publicbodiesadministrating.pdf). A one-page quick reference guide is available here: [sos.vermont.gov/municipal-division/open-meetings](https://sos.vermont.gov/municipal-division/open-meetings). For more information about the proper retention and disposition of public records, please visit [sos.vermont.gov/vsara/manage/retention-disposition](https://sos.vermont.gov/vsara/manage/retention-disposition) or contact a VSARA Records Specialist at [sos.rim@vermont.gov](mailto:sos.rim@vermont.gov) or (802) 828-3700.

### **Are there any exceptions to this recording and posting requirement?**

Yes. A municipality's decision-making bodies do not have to record or post recordings of their meetings if doing so would impose an "undue hardship" on the municipality. The determination process for "undue hardship" is explained above.

### **Where do we post our recordings if we don't have a website?**

If a municipality does not have a website, then its decision-making public bodies need to designate a different electronic location, unless doing so would constitute an undue hardship.

### **Is a designated electronic location limited to a municipal website?**

No. A designated electronic location could include, for example, a community access media site. Many municipalities lack the technology to video record their meetings but are served by community access media who do. The website of a community access media company could be designated as a municipality's official electronic location for the posting of meeting recordings of decision-making public bodies.

One potential complication to this arrangement is that the municipality needs to ensure that the company posts all meeting recordings for the requisite 30 days following the approval and posting of the official minutes. We strongly recommend that the municipality maintain a copy for itself in order to comply with any Public Records Act requests. Community access media companies are not "public

bodies” under the law and a municipality cannot abdicate its obligations under either the Open Meeting Law or Public Records Act by imposing them upon another party.

YouTube is another option, as accounts are free to create and maintain. A municipality could create an account for the upload of decision-making public bodies’ recordings.

### **Who designates an electronic location?**

It appears from the text of Act 133 that the decision-making public body holding and recording the meeting has the authority to designate the electronic location where the recording will be posted. Since even the smallest of towns can have many decision-making public bodies, this could lead to recordings of public meetings being kept in multiple electronic locations, which makes it more difficult for the public to access them. Accordingly, we recommend that each municipality’s legislative body designate one electronic location to which all decision-making public bodies can post their meeting recordings. This is the simplest way to comply with the law.

### **If a public body, advisory or decision-making, meets remotely for any reason, does it still need to physically post meeting notices and agendas?**

Yes, except an affected public body meeting during a local incident or declared state of emergency may post notices and agendas in one or two publicly accessible designated electronic locations in lieu of one or two designated public places, respectively.

For the most part, the Open Meeting Law’s notice and agenda requirements have not changed. One exception is that if a public body meets remotely, it must now also post information that enables the public to directly access the designated electronic platform and include this information in either its published agenda or public notice for the meeting.

### **How can public bodies maintain order during a remote meeting?**

The same way it would maintain order during a physical meeting. The chairperson should administer the meeting in accordance with the public body’s rules of procedure. The Open Meeting Law requires that the public be given a reasonable opportunity to express their opinion on matters considered by a public body. This has not changed and still applies equally to all meetings, regardless of how they are conducted.

Civility, decorum, and order are all essential elements of a successful public meeting. At times, these elements are difficult to achieve even under the best of circumstances. One of the additional challenges posed by conducting a remote meeting is the absence or delay of any real-time physical cues. For example, if a meeting is conducted by conference call only, the chairperson is unable to see who has their hand raised to be recognized. Members of the public body and the public must also be mindful not to talk over one another and to speak clearly so that meetings can be properly recorded (if

applicable) and that all can hear and be heard throughout the meeting. It's important therefore that the public body review its rules of procedure and amend them if necessary to ensure they are still applicable to remote meetings. More than ever, it is incumbent upon public bodies to educate their own members and those of the public as to its rules of procedure and how they will be enforced.

**Does the new recording requirement mean we do not have to take minutes of those meetings?**

No. Meetings minutes are still required by the Open Meeting Law. The new recording requirement for meetings of decision-making public bodies is in addition to, not a substitute for, the existing minutes requirement.

**Can advisory public bodies continue to meet in physical locations if they so choose?**

Yes. The amendments to the Open Meeting Law authorizing remote-only meetings for advisory bodies are permissive, not restrictive. The law does not prevent members of any public body, including advisory ones, from physically gathering in the same location (or from holding a hybrid meeting) to meet, so long as those meetings are also open to the public.

**If a member can't attend a remote meeting, can they vote by email or proxy (i.e., have another person vote on behalf of the member)?**

No. The law does not allow voting by email or by proxy.

**What are some methods or technology public bodies can use for remote meetings?**

The law does not specify methods for electronic participation in a remote meeting, except to say that it can be through electronic or other means and that the body must allow the public to access, attend, and participate in a meeting by telephone. Some electronic meeting software options include Zoom, GoToMeeting, RingCentral, DialPad, Skype, FreeConferenceCall.com, and Vast Conference. Public bodies can also contact their local telephone service provider to ask about standard conference call options that use just a telephone system.

We encourage public bodies to use various means concurrently, if possible, to ensure members of the public have options. Broadband is not always a reliable option for Vermonters, so offering a menu of choices to enable access, attendance, and participation in the same meeting, concurrently, is ideal. For instance, a public body can set up a Zoom or Skype video meeting but also have a speaker phone positioned near someone's computer to capture audio for a conference call option. Think creatively but be sure to provide clear instructions in either the published agenda or public notice for the meeting so everyone is made aware of these options and how to avail themselves of them.



### **If an advisory body can meet remotely, can it sign documents remotely?**

Documents may be signed by a quorum of any public body or by an individual member delegated in writing to have signatory authority by the public body. Generally, whether electronic signatures can be used in the State of Vermont depends on the circumstances. The Vermont Uniform Electronic Transactions Act (VUETA) defines an “electronic signature” as “an electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.” Under VUETA, if a law requires a signature and does not specify non-electronic form, then an electronic signature will suffice, provided that certain requirements (e.g. relating to consent, record-keeping, security) are met. The full law may be accessed [here](#). The Vermont State Archives and Records Administration (VSARA) also has an electronic signatures best practices guide [here](#). For additional guidance on best practices and answers to frequently asked questions regarding electronic signatures, including their retention, please visit [VSARA’s website](#).

### **What are the law’s training requirements?**

The law requires annual professional training on the topic of Vermont’s Open Meeting Law. The law mandates the Secretary of State’s office to develop the training and to make it available to municipalities, subdivisions, and public bodies. The training may be in person or on-line, live or recorded. The Secretary of State will have this training available in the Winter of 2025.

### **Do all government officers have to undergo training?**

No. State chairs of decision-making bodies must satisfy the law’s mandatory annual training requirements. The only municipal officers that must do so are the chairs of the legislative bodies (e.g. selectboard, city council, board of trustees, prudential committees), municipal managers, and mayors.