

Part 1

0:07

Bang. The recording has started. Alicia, can I I don't believe I've met

0:14

you, but I see that you have an AI notetaker, and we've been advised by ads

0:20

to not have that um in our meetings. So unless um you need it need it, I'd ask

0:27

that you not um use it because we are recording this meeting and the recording

0:33

will be publicly available. Um but AI notetakers apparently

0:39

take our data into other places. So um I would appreciate if you could turn that

0:45

off.

0:50

Um okay. Um welcome everybody to Act 133's uh working group. Um

0:59

I am happy that you all are here and um we do have some new people. Um, and so I

1:07

think we should do um introductions first and I'll do um introductions from

1:14

our online folks uh first since I normally do introductions from our

1:19

in-person folks. So um Tim, can you go first please and introduce yourself?

1:25

Good morning. Uh Tim Arseno, uh assistant town clerk in Vernon and a

1:32

27year town moderator. Thank you. Um Kate uh Pearlberg. Uh BAM.

1:43

Got it. You got it. I'm Kate. Um and I am newly hired as the director of

1:50

community engagement for the Human Rights Commission. Um and I'm just attending the meetings uh just to orient

1:58

myself to the work the commission is doing. Caitlyn Rose is is still our design in these meetings. Um,

2:04

great tapping in. Thanks. Thank you, Kate LaRose.

2:11

Good morning, everyone. Kate LaRose. She her. I live in the Northeast Kingdom and I work with the Vermont Center for

2:17

Independent Living. And um, one of our key uh, missions is to make sure that

2:24

the civil rights of people with disabilities are met around the state, including the fundamental civil right to

2:30

vote in all elections. Thank you, Laura.

2:38

Good morning. Um, I'm Laura Kushman from Disability Rights Vermont. Um,

2:47

I guess that's pretty much all that's all there is. Um, Alicia

3:02

Alicia, are you able to get yourself off mute to introduce yourself?

3:11

Okay, I think Alicia might be having technical problems, so we'll move on to Sean. Alicia, if you can get off mute

3:17

and if you can hear us, please just um chime in to introduce yourself to this group at any moment. Um Sean,

3:24

I'm Sean. I'm the uh elections director here at the Secretary of State's office.

3:30

I'm Jenny Proser, the general counsel and director of municipal assistance at the Secretary of State's office.

3:36

I'm Lauren Hibbert. I'm the deputy secretary of state. I'm Susan Clark. I live in Middle Sex uh

3:42

and um uh am also a town moderator and um am uh trained on uh community

3:50

engagement and um I'm uh representing the Vermont League of Cities and Towns on this group.

3:56

One of them, Kelly Pyella. I am the assistant for the municipal assistance.

4:06

Um I'm Frank Nelson. I'm from Paul. I'm on the planning commission. I'm energy

4:11

coordinator. I'm also the leazison to the retrans

4:18

rail trail um advisory council and I've been

4:24

following over meeting laws since 2018 when I was hammering the legislature to

4:32

do essentially what we're doing here with the covering the basis for uh um

4:39

val attendees having um um an experience

4:44

where they can go to a meeting and and be included.

4:50

Thank you. Um Jenny, do you mind sharing the agenda so we all can see it on

4:57

screen?

5:05

And I have an agenda edit question when that is permitted. Sure,

5:15

please do while I find it. Thanks. Thank you. Um, so this is a small reframe but a really imperative and

5:21

important one. The act 133 wording is um studying investigating uh topics named

5:29

in act 133. They call them resources. So things like hearing devices and translators are resources. In the

5:35

agenda, it is labeled as incentives. And that's just I really just want to make sure that that is edited appropriately

5:41

because assist of technology and reasonable accommodations are not incentives.

5:50

I don't have anything but Kelly's email. So I'm trying to find the um

5:56

the PDF original on the website. It's on our website. Got it. That link in the email. Get it here.

6:06

I don't uh Kate, your suggestion for um I was waiting for the agenda to come up

6:12

is uh well uh well heard and I don't think there's any

6:18

problem with saying resources and incentives because I think there's we're doing both in that um in that section.

6:26

So um we can definitely do that and I agree with you. Um hearing devices and

6:33

other related things are not uh incentives

6:53

before. Let me add the link.

7:06

see if you can pull it cuz mine's got a blank space where or it's got a dead

7:11

spot where the pulling up spot is. If you go into her email, there's a link to it that's not working for you.

7:19

copied the link, but I can't get Teams is not allowing me to

7:25

access it from the meeting. Well, the first thing on our agenda, I'm

7:30

going to move forward while we're waiting for it to come up on the screen, but the first thing on our agenda is followup from um our hybrid town meeting

7:39

um discussion um that included uh remote

7:44

voting. Um I know that conversation um was cut a little short. Um and so uh the

7:51

first topic there was um to brainstorm about the ideal hybrid town meeting. And

7:58

I don't know Susan if if you want to lead that discussion. Um

8:05

you can. You don't have to. You don't have to. No, I mean I I think that we we covered

8:11

a lot of ground last time in terms of we we covered um four I think it was case

8:17

studies each of them sort of addressing the question of remote town meeting participation in a different way kind of

8:26

gradual graduated way um and I feel like we are seeking um maybe as a group or

8:34

maybe we're seeking from the attorneys um clarity on which of those if any

8:41

hopefully is legal. Uh you know what do we um can can towns go ahead and do

8:46

these now? Um or uh is there a legal um tweak that needs to happen? Um,

8:55

basically what can what can towns what can towns do today to accommodate um uh

9:02

uh requests um to for accommodation requests and what would need to change

9:08

in order for towns to do accommodation requests while uh also maintaining that that balance with with um you know

9:15

terrific meetings. You know that it's like it's worth being involved. It's worth requesting zooming into this

9:21

meeting or whatever. Um, and so we talked about a bunch of those and this final one was basically to catch any

9:29

ideas. It was sort of like, well, what's our ideal hybrid town meeting um, participation? I'm not sure we need to

9:35

go through everything, but are there things that weren't captured either by

9:40

the Cambridge model or the Middle Sex model or the Jericho model or the Wayland Massachusetts model which has a

9:46

whole uh technology aspect to it um that we want to make sure uh get gets into

9:53

our considerations um in terms of in terms of legal but also in terms of technical uh what resources would be

9:59

needed uh training u things like that. So I guess I guess this is sort of a little bit of a

10:09

c a catch all but yes a catch all without I don't think that it need we need to go through all of the things

10:14

that we already said about the other about the other ones you know because there's so much more to do

10:22

and I we do have um gosh math um we have 35 minutes uh for

10:31

this topic So, um, do people have points on an ideal hybrid, um, that weren't

10:39

made last time? Um, and I think we can incorporate what resources would be

10:44

necessary, um, into this discussion now. So, do people have um, points that they

10:51

wanted to talk about in our last meeting that didn't get made or thoughts that

10:56

percolated after we last met? I think the technology

11:03

needs to be standardized and approved before use in towns by the by somebody

11:09

who's doing an improving body. Um I heard of a new one where there was a a

11:14

guy was said in an email where guy down the street who does this stuff. Um he

11:21

was at the graduation of his son and he saw a lot of people around with hearing

11:27

aids. And they were very frustrated because they couldn't hear what's going on.

Background knows my mother used to

11:32

hate go never went to town meeting because of that she had hearing aids and she couldn't hear stuff because of all

11:38

the stuff going on. But he said they they can run a wire around the perimeter of

11:45

this place and it somehow it will give everybody with a hearing aids clear

11:50

hearing of the what's going on with the with the event. And I thought that was fascinating and I

11:56

never heard of that before. So there is some technologies out there that

12:02

we haven't really dug into researching if and have somebody come forward to speak on. So that's what I was sent out

12:09

that email and he would still be available come in this way or he come

12:15

here to talk about what they do uh in that capacity. Some of it's done with

12:21

Homeland Security and stuff. So they know, you know, the government

12:26

requirements in different spaces and invite others in to see cuz that's

12:32

really we we likely don't have time to add additional people to come in and talk,

12:38

but we definitely can investigate some of this as we're writing the report and recommend that people do. I mean, what

12:46

what he's talking about is a highly uh technical thing. Um, so we we could we

12:54

can explore that as we're writing the report for sure. Right. And if the legislature wants to have demonstrations

13:01

in committee, they can have demonstrations of various um Texas, you know, speech to text, uh,

13:09

various types of devices that act as aids for the, uh, hearing impaired and

13:16

and anything else that we can come up with. Absolutely. And I want to acknowledge that we have several experts who are

13:23

part of our working group on this too. So um you know part of our agenda is to talk about next steps and I just want to

13:29

forecast that next steps will include us uh reaching out to subject matter

13:34

experts who have been part of this group to talk about some things more in details as we're writing the report. And

13:40

I fully anticipate uh Kate and Laura that we will be calling on your expertise

13:46

um in that process. Um, Kate LaRose,

13:51

thanks. Yeah, so responding to the question about ideal hybrid town meeting brainstorm things to consider. Um, I

13:57

have I think it's three. We'll see how it goes as I enumerate. Um, the first is that the onus should never be on the

14:02

most marginalized to be asking for or moving forward the hybrid town meeting. Um so we saw that last uh meeting with

14:10

Jericho and the DEI committee members who were the ones doing the hard work for three years to make that possible.

14:17

Um also that when hybrid town meeting happens in any particular municipality

14:23

or town that it becomes universally available to all. So we saw that in the Cambridge model um there was one person

14:29

who had requested an ADA request. It was permitted um and then they were the only voter in the whole town who was offered

14:36

that. Um so universally available to all the onus should not be on the most marginalized as like for example

14:42

fighting for an ADA request. Um also um as we saw in Jericho um really best

14:48

practice is that you know only the what we've seen where this has moved forward um for at least not um for at least the

14:56

meeting portion of it not the voting portion um is that currently only the people allowed and able to be in the

15:02

room are able to make those changes through voting. So a best practice approach would be that either everyone

15:09

can have access to making that change or that that change is systemic um so that it automatically is available and

15:16

instituted um everywhere as universal design. Um and then my very last point

15:21

so I guess this is three and a half um is that this also should apply and be available to those in congregate care

15:28

including those who are incarcerated. So, if it requires a special um Zoom

15:34

account or Teams account or or anything like that, it just it needs to be it

15:40

needs to provide it needs to provide access in a way that would be compatible with people who are incarcerated so that

15:46

they too can be able to um to exercise their state and federal rights.

15:53

Thank you, Kate. Uh Tim, thank you. I'm very sensitive to many of

16:00

the things that Kate said and I just want to stress that universal access will mean universal access to everybody.

16:08

It will mean uh additional cost and it will mean additional training and we

16:13

can't back away because it might be difficult for some. I will say that we

16:18

need to make sure that the needs of the heart of hearing are also taken care of as a separate group from the needs of

16:25

our deaf community in Vermont. uh as the stepparent of a deaf adult, I am

16:32

continually uh hit upon with the u the reality that uh ASL is a separate and

16:41

distinct language from English and many of uh the deaf in Vermont are not uh

16:49

reading at a high enough level to be able to follow uh text from a meeting.

16:56

So, we need to make sure that we take care of both groups and I look forward to seeing what this group uh comes up

17:03

with. So, thank you very much.

17:08

Thank you. Um I'm just seeing the note that we still

17:14

have an AI assistant and I I would ask that that be removed from our meeting

17:19

again. Um Laura

17:25

Um, see, sorry. I've got all these popups coming

17:30

up about I'm Are you talking to me or the other Laura? Sorry. I was talking to the other Laura, but

17:36

I'm happy to see you. Laura Seagull. Actually, Laura's hand might have been

17:42

up before mine. Laura's hand up.

17:48

Why don't we go Laura Kushman and then Laura Seagull? Oh, I was just going to ask Kate for clarification on her point

17:54

three that she made uh about everyone having access. I I didn't quite catch

17:59

what she said there and I I wanted some clarification. Yeah. No, thank you. Um so, let's see if

18:07

I can go to the page number where it was uh Clark memo. Um, so if um, uh, in Susan's memo that she shared for the

18:15

last meeting, it had the case study of Cambridge, Vermont. Um, and I believe

18:21

it's on, you can look at page four. So, um, with that particular case study, um,

18:28

one voter requested an ADA accommodation. However, it was known

18:33

that there were other voters who also needed and would have benefited from that accommodation. But that

18:39

accommodation was only offered to that one voter on the day of voting.

18:44

I think I'm talking about the next point that you made. That was your

18:49

that was your universal for all point that you made, I think. But I was talking about you saying everyone having

18:57

access to making the changes and that's what I was confused about. So, for example, like in

19:05

Jericho, um the way the only way, my understanding, and the room full of attorneys can can totally correct me if

19:11

I'm wrong on this, the only way that town meeting that currently

19:17

um that uh places that do town meeting with the three different options of

19:22

voting, public, uh officers, and then budget. Um the only way those can be

19:28

changed to Australian ballot which right now is the only way to create inclusive town meetings um and elections. The only

19:35

way that can change is if the people who are there doing the floor votes on town meeting day vote for it to be so for the

19:42

following year. So for the with the example of of um of Jericho, what they had to do I keep

19:49

saying Jericho. Is it Jericho or Richmond? It's Jericho, right? Jericho. Yeah. Y um so like in Jericho what they had to

19:55

do is essentially the DEI committee including individuals with disabilities who had not been receiving full and

20:01

equal access um had to launch a public um a public awareness and um attitude

20:08

change campaign for like 3 years to be able to get the voters in the room to be like, "Okay, you're right. We want to

20:14

make sure that everybody has the right to vote." And it was pretty intensive.

20:20

Thank you. Um, I just also want to point out, I don't know if this has happened to other people, but I keep getting

20:27

these popups of people who want to be included in the chat. Uh, and I'm Is

20:33

this Alicia Weiss? Um, the AI uh translator or that we're

20:41

trying to keep out of the meeting. I I'm not sure what's happening.

20:48

So I I think Alicia Weiss joined our meeting. Is that correct? Do you want to

20:53

introduce yourself? Alicia or did she leave? Okay, she left.

20:58

Okay, she left. Okay, so that we should try to I was I was thinking the notemaker was associated with a person who might

21:03

need to use that and I wanted to talk to her first, but it appears that question but it was the notemaker that was here

21:10

and she wasn't and then she just came in. What you saw was Alicia dot dot was actually the notemaker. Sorry, she keeps

21:16

requesting to be let back into the meeting and now I've been denying her to

21:22

re-entry into the meeting on my end because I keep getting these popups

21:27

asking if she should be coming into the meeting and I thought maybe that was

21:34

Laura. Do you mind not denying anybody? and Jenny and um Kelly will try and

21:39

manage who's in the meeting just because she keeps trying to join and I

21:46

Yeah. Well, I let her in. I did let her in and then there was the note about AI

21:52

assistance in the meeting and I thought, uh oh, maybe that's Alicia Weiss is the AI that people are

21:59

saying not to let in the meeting. And so when it came back up, I denied it twice.

22:05

So, just so you know, I I'm getting I don't know why I'm getting the popups,

22:10

but um I don't know why either. Okay. So, I think when when you had

22:17

asked for her to introduce herself, all that was in the meeting was the noteaker because it was Alyssa Alicia dot dot dot

22:23

and I could see on here that it was Alicia's noteaker. Since then, she has tried to come and go. Okay.

22:28

Um I think she is not here and we have the noteaker currently. So, there would be no reason for us to have the

22:33

noteaker. and that she is here. But if she is here, we might want to talk to her about why we're doing that. Great. Yeah. Yeah.

22:41

And Laura Seagull, um I was not sure if you wanted to add something to the

22:47

conversation. What we're talking about right now is ideal hybrid um town

22:52

meeting. Well, um, so yes, yesterday I just

23:01

uploaded a more up to date document on my website about how to make have your

23:06

meeting more accessible. But the thing is,

23:12

this is why I thought I could be an hour late. I went to a meeting and that meeting was very inaccessible using the

23:19

Zoom platform. And so I left and then I got a bunch of people text me, why did you leave? Why did you leave? And I

23:24

think because the medium is so inaccessible that it's like what's the point of me staying in that meeting?

23:30

The problem is if you're not seeing it through the lens of someone who's deaf heart of hearing death blind, it's

23:36

really hard for you as a hearing able person to take notice of things that is

23:42

considered inac. If that makes sense.

23:48

That makes a lot of sense and um I'm sorry that that happened. I mean, I'll give you an example. Yeah. Yeah. It's

23:56

never end. I like I said, it's it's about providing appropriate technical

24:01

guidance. Like I remember four years ago before I started my position with the state, a community member expressed

24:08

concern for her friend who's heard of hearing but not comfortable to advocate

24:13

for themselves. And it was regarding a town meeting that happened in the Northeast Kingdom area and what was

24:20

going on. and they were using the goto meet platform and unfortunately at the time I wasn't familiar with it but now

24:27

that I've seen it and been exposed to it I can see why she tried to advocate for

24:32

her friend but at the same time it's about like like for example right now for example everyone's videos everyone

24:39

video really need to be on not really especially when you have 80

24:45

100 people why you need all those video on and if you're speaking And it's

24:51

common currency to turn on your video and make sure you're facing straight at the camera because number one, you don't

24:58

know if someone rely on lip reading. Number two, sometime people want to look

25:03

out for the visual cues or body language even body language to

25:09

feel some level of inclusion so they feel more comfortable to participate in

25:14

any meeting that's being hosted to the public.

25:20

I agree with you. Oh, sorry.

25:27

No. Who Who said that? Who said that? Lauren. Lauren Hibbert. I interrupted you and I apologized.

25:33

No, no, no. That's okay. But I hope that that's helpful. Does that make sense? Yes. And what I was saying is that I

25:41

agree with you 100%. Um, I am not deaf or heart of hearing,

25:46

but I do rely significantly on people's body language to communicate. I think

25:51

the majority of us do. Um, and it really is very hard to connect with people when

25:57

people are off camera. So, I think that's a great example of universal design where it benefits everybody. Um,

26:04

but I do hear how it is particularly important if you are heart of hearing uh

26:10

or deaf. If you're blind, it doesn't it doesn't help. But um but if you are hard

26:16

of hearing or deaf, it definitely would. even if they're blind hearing or have any kind of hearing loss. Like for

26:22

example, if I knew ahead of time someone in this room had any kind of visual impairment, I would automatically say,

26:29

"Hi, this is I'm a white woman in my 40s with long brown hair, purple glass, and

26:36

wearing a black top with a blue a green background just to like feel some equal

26:41

level of inclusion." I mean, I wouldn't I wouldn't necessarily say that you would be the same thing in the room,

26:48

but on a hybrid format, it makes sense. You know what I mean?

26:56

That's a really helpful reminder, Laura. Thank you. Welcome.

27:04

Um, AJ Weiss, I believe you've joined and you are not the same as Alys as

27:14

Alicia's notetaker. Is that correct? Or are you using the AI?

27:22

Oh, we can't hear you. Can you hear me now?

27:28

Yes. Okay. Sorry. Uh, I apologize about the four. Um, I don't even have Otter. I'm

27:35

not sure why it started. It is used was used last night for an accessibility

27:40

committee meeting I heard and it may have just paired. So, I I am Alicia

27:45

Weiss. I'm the same person. I apologize about the uh Otter AI previously. It

27:52

wasn't my intention. So, I'm signed in from another account. That's the only way I could get in without loading

27:59

Otter. I don't know what's going on, but I'm going to talk to my town clerk to solve it.

28:05

Okay. Well, thank you very much, and I'm sorry uh for the confusion on letting you back in, and we're happy to have you

28:10

here. Thank you. Okay. Um we have about 10 more minutes

28:17

to talk about hybrid town meeting. And Frank, I see your hand is up.

28:22

Yeah. in the in the general theme of things because we've heard a lot of

28:28

people repeating the same message is that I think the way to start out the report is as as an educational piece on

28:36

uh universal design and then meld in the concerns of everybody uh on the elements

28:46

of element of the universal design that the legislature needs to pay attention

28:51

to And you can summarize that from the from all the meetings we've had. Obviously,

28:56

I hear your suggestion. I don't know what shape the the report's going to, but that might make sense because it might make sense. I just don't know.

29:03

We haven't put pen to paper or or fingers to keys yet. So, how many of the legislative people know

29:09

universal dyn.

29:15

So that would be a good start maybe to start off with an educational thing and then later in the examples

29:22

that's just a suggestion brainstorm. I accept your suggestion and I take it to heart.

29:31

Um and acknowledging Laura's this is Sean. I'm just acknowledging Laura's suggestion here. Uh for those of us in

29:38

the conference room to identify ourselves before speaking as like Lee Small on the Kim

29:46

Um this is Lauren Hibbert. Are there any more suggestions related to um ideal

29:54

hybrid town meeting including um training equipment and funding all very

30:00

important.

30:07

I have one um Oh, sorry Lauria. You can go.

30:14

No, no, no, no. Just can I can I can go? Okay. So, like the hybrid meeting,

30:19

that's the other thing I think I mentioned in the last meeting. I've been learning in the past two weeks. I've

30:25

been trying to gather more information about different public places that like

30:31

have meeting rooms or conference room, but do they have any kind of like an assistive hearing um I'm sorry,

30:37

assistive listening system or device? And what I'm finding is not many places

30:43

have it. So people keep asking me for the funding and I'm beside I have no money

30:49

and I'm not even sure where to direct people to get the money to have that kind of accommodation implemented into

30:56

wherever they located. That's when I first met you guys in the beginning. I was asking if you had a

31:02

budget to work with and you so it makes me wonder. We have a large percentage of

31:08

people living in our state who are hard of hearing. They don't they're not always open about it. But I would love

31:13

to see you know it increase somehow and so people can be more I don't know

31:19

like out and open about their hearing loss so they don't come across as being difficult. And this is the pattern I'm

31:26

hearing. Like for example yesterday somebody called me up and they said we're having a conference in Clinton but

31:32

none of the rooms have a microphone. And I was like, "But why don't you just flush that person into the room that

31:38

does have a microphone to accommodate them?" And they're like, "I don't know."
Common sense.

31:44

Yeah. This is um this is Lauren Hibbert again.

31:49

Um, I think that and I I need to uh say that when we redid um our office of

31:58

professional regulations boardroom, it is has uh hearing aid compatibility in

32:04

it. Um we probably should have been having this meeting in that that board

32:09

meeting room this whole time. Um and even when you have it, you can forget

32:15

it. So um and I did that. Um, so but I

32:20

do know that we made that decision intentionally when we were redoing that room and we
hired an expert to help us

32:27

with that and it did have an expense and um I would have to go back in our

32:33

invoices to understand that expense but um well worth it I think because we have

32:40

many board members in our professions that and attendees to our board meetings

32:45

that are hard of hearing. Um but um the funding is a big piece that

32:52

we're going to have to weave into this report in multiple places because um the

32:57

ideal or um best practices can't happen without funding and the funding needs to

33:05

come from somewhere and that can be choices made at the municipal level or it can be funding from the state level.

33:12

Um, but if it's made at the municipal level, and I think we talked about this a little bit, um, maybe last meeting or

33:19

the meeting before, um, these are not really negotiable, like these are

33:26

essential spending as opposed to non-essential, but that's being made at a very, uh, town by town basis and can

33:35

be made incorrectly. Um and there's not a lot of guidance from anybody around those decision-m. So um the funding will

33:45

have to be a big piece of the report, Laura. And maybe we can move the needle a little bit on the funding for these um

33:52

really appropriate resources um to be better incorporated throughout the

33:58

state. Um AJ, you had your hand up next. Okay. Thank you. Um, I apologize if

34:05

someone said this because I did join late for which I apologize. I think what Laura was speaking to was not having a a

34:13

hearing loop in every facility, which would be ideal. That is the that is the

34:19

best practice and would really be universal design in the sense that it

34:26

would obiate the need for people to make individual requests. uh it assumes

34:32

disability is a is a natural part of the human condition and that there will be people who are hearing impaired. Uh

34:39

correct me if I'm wrong, Laura, but I think what she was saying is that often in meetings there are not even

34:45

microphones that are being passed around to speakers. Uh I see that a lot. I just

34:51

brought this up once again. Uh we had an important town meeting uh that was

34:56

hosted by a very well-meaning, intentioned and

35:02

um inclusivityminded nonprofit in Vermont. But once they got

35:10

to and that they had mics that were passed around and people were reminded to use them in responding in a large

35:18

meeting, but once they got to we got to breakout rooms, it was assumed that

35:23

people could hear and I know people who had to leave and left in frustration and

35:28

this was um you know a meeting about the future of the town. So really uh aside

35:34

from the need for loops and when there are not loops um auxiliary devices which

35:41

are part of you know which should be able to be requested as an ADA accommodation uh in other words um

35:49

assisted listening devices al but other you know portable ones um may not be as

35:57

great as an inclusive as a loop but that's a backup but just reminding

36:02

people that even in small what they believe are small rooms when everyone

36:08

can hear and even if you talk loud we hear that a lot. I well I talk loud everybody I know everybody can hear me

36:15

well not maybe not so um to remind speakers to identify themselves

36:23

and uh for visually impaired for people who have cognitive issues where they may have even if you spoke five minutes ago

36:30

may not remember your name just standard practice and everybody uses the mic no

36:37

exceptions there's perhaps someone at the table speaker's table, but there is one or two mobile mics regardless of the

36:44

size of the room that go around. Thank you. Thank you, Hate.

36:53

Thank you. Um, so I want to push back on the framing that this is needs to be a

37:00

clear request to the legislature for funding. And there are two reasons why.

37:05

Um, of course funding is always nice, but globally, um, this is a kick the can

37:11

down the road, wrong pocket issue that we're that we're framing it as. And I don't believe that to be the case. We do

37:16

not tell the legislature that towns require funding from them for other fundamental operational expenses such as

37:23

snowplowing, electricity, or heat. Um, we say that is a cost of doing business.

37:29

elections including elections and meetings that are inclusive and accessible to all is a cost of doing

37:36

business. The more that we continue to frame this as something new or different

37:41

um actually harms all of us. So this is uh fundamental cost of doing business.

37:48

There is no reasons operationally that a town should look at their budgets any other way with this than they do with

37:54

any other fundamental cost. The second is that requirements under state and

37:59

federal laws relating to meeting the needs of people who've been historically and currently marginalized, including

38:04

people with disabilities, those living in poverty without transportation, and those for whom English is not their

38:10

first language. We are told time and time and time again that we don't we

38:15

will not have our needs met because it is an undue burden. We are told that there is no time. we are told that there

38:21

is no money when in reality that's actually not a legitimate excuse but

38:26

it's an excuse that towns will use as shorthand. Um so I just I really want to

38:32

push back on this framing from this committee and from the secretary of

38:37

state's office that this is a funding issue when fundamentally I believe is an access and an attitudinal issue.

38:43

I hear you Kate and I just want to say that I think um I'm being misunderstood

38:49

a little bit because what I was saying is I'm I feel like there has been historically putting those at the

38:56

municipal level there's too much discretion involved and that towns have

39:01

not made the choices that you are saying. So I don't know what the solution is. that what I was saying is I

39:07

don't know what the solution is, but the current practice of putting that at the

39:12

town level without any statewide requirements is not working. And I've heard that from you very clearly. So, I

39:18

just want to make sure that you understand that. I wasn't saying that the legislature has to be the hero and

39:24

provide funding to every town. I don't I don't think that's going to be possible quite frankly. And I agree with you.

39:29

It's kicking the can down the road. But I do think that we need to grapple as a state of what do towns need to do and

39:37

there needs to be something more concrete so that these decisions become less discretionary because right now

39:43

they're too discretionary and that is creating inequity. So that that is what

39:49

I was trying to say. Um Frank I think emphasizing is not discre on the

39:56

discretionary thing. No. No. Okay. But if you attach a carrot to it, which is a

40:03

grant application, by the way, to qualify, you have to fill out this grant application. If the money's available,

40:09

we're we'll assist you with all your needs. If it's not available, then you get in in a line. And that's budgeting

40:16

responsibility to legislature. If they weren't fully funded around one option of those applications, then there is no

40:24

excuse because the highway departments, the paving of the roads, everything is

40:29

done through these grant processes and the towns don't have the money and they and it comes down through from the

40:35

state. There's there's lots of ways to solve this and that towns do to to cover

40:42

their budgets on whole and towns make a wide variety of choices to fund one

40:47

thing over another thing. There's a lot of competing priorities. There's a one pot of money. But I think what Kate's

40:54

been saying and um is that there are basic and Kate, correct me if I'm wrong,

41:00

but and because I want to make sure that I'm hearing you and understanding you and reflecting your position. I think

41:06

what Kate's been saying is there's some things that are non-negotiable that towns just have to fund and the

41:14

accessibility features that would allow everyone in the community to participate in open meeting um conversations and

41:22

meetings um and not just the meeting but the the breakout conversations

41:28

um and elections need to be a need to be part of the standardbased operation for

41:35

a But I think um I still think and and this is something that I really want to

41:41

work with you Laura on is what is that what do we need to ask towns to to

41:48

provide because I've heard a lot of um I think I think of the world very much in

41:54

good better best um and I think we need to figure out what is good what's better

42:01

and what's best so that we can help towns prepare so that someone and again

42:07

picking up a thread of what Kate said so that someone doesn't have to make specific requests. Towns are ready for

42:14

everybody. But I still don't have a clear picture of how a town can be ready

42:19

for everybody. So, I'm I'm thinking actually that Laura Seagull, it would be

42:25

really helpful if you could forward that document that you posted to your website um to this group on um hybrid meetings.

42:33

but also Laura Kushman, I'm really hoping as we start working on the report that I can get some of your expertise on

42:41

what a community needs to do to be ready for anybody to walk in the door and have

42:49

accessibility understanding that there's going to be things that we can't anticipate and there's going to need to be modifications. I think that's pretty

42:56

baseline and needs to be in the report. But um it would be really helpful I think to as we're making a

43:03

recommendation about to the legislature about what should be required or to towns that would you know we're not

43:09

going to be the deciders. Our report is not going to be the be all end all. We can't enforce anything and um but we are

43:18

providing recommendations. So um I'm gonna Susan uh thank you. Yeah, I think this is

43:25

super super helpful. Um and um I I do think there's there's a push pull in terms of um not forcing marginalized

43:33

populations to have to step up and raise their hand and yell and scream. We should be able to provide uh the meet

43:40

their needs without them having to ask. And also towns and the state need to be

43:45

informed about what those are. I think that's what what you're saying is that that we can't read minds, you know, no

43:50

town can do that. And so having clarity a lot from the advocacy groups super super helpful to say you know that as

43:57

you said good better best and I think that it's also important on the funding issue to recognize that towns have a

44:03

budget and they get their money their money from um taxpayers

44:10

us um and um what we hear a lot from towns I've heard for decades and decades

44:16

is the legislature keeps giving us unfunded mandates what we call unfunded mandates My background is actually in

44:22

the environmental world. Um, and I worked for an environmental group for many years and people were the towns

44:29

were like blah, you know, how can you you're telling us that we have to do these environmental things, but they

44:35

cost money. Where is the money going to come from? It's not that we're anti-environment. It's not that we don't want clean rivers, but you know, and of

44:42

course, as an environmentalist, it was like, well, look, you know, you don't value rivers enough if you're not willing to pay this money.

44:48

I put that to both. But um that's that was my that that was

44:53

my feeling. I I do think that we need to connect the dots because

45:00

when we ask um when when there is a a mandate, the town is either going to

45:07

meet that mand they're going to meet that mandate somehow. And if the mandate is that, you know, these roads, for

45:14

example, these roads need this many culverts uh in order to meet this standard

45:20

and it's like that's too expensive. We can't put in those culverts. The town might throw up the road. Literally, the

45:26

town might say we can't maintain that road anymore. We just can't have that road. It's too expensive. And therefore,

45:33

that mode of transportation for that town goes away. And you know, we just

45:38

have fewer roads because it costs too much money to have the roads. That literally happens. And I'm concerned

45:45

that that can happen about democracy. I'm concerned that we can say it's just

45:50

too expensive to have in-person meetings. They need to be hybrid. We need to have every form of technology,

45:55

all of this stuff. And meetings are great, but the if you know, so so we

46:01

need to the good, better, best element is important. I think when we when we're

46:06

thinking about what kind of democracy do we want to have just like what kind of transportation system do we want to

46:12

have? How can we make these how can we deal with these issues with with grace

46:18

and understanding so that we can truly get the both and that that of

46:24

Yes. Laura Seagull.

46:32

Um, I have an idea if we're going to make recommendations

46:38

later. And before we get to that point, I need your help with something. Um, so

46:45

like I mentioned, in the past two weeks, I've been working on trying to make my map more. This map is to list all of the

46:52

places in the map that has any kind of an assistive listening device or system.

46:58

And right now on my map, I don't have any town location. Like if you're a town

47:04

clerk office and that's where you host your public meeting. I don't have that information on the map. I'm wondering if

47:10

you can help like send out a mass email to all the town cook. And just to get the idea, do you have one? If yes, what

47:18

kind? Do you have an FM system? Do you have a infant system? Do you have a hand? Do you have Bluetooth? Do you have

47:25

Wi-Fi? And if we do and then I can add to the map and I can start tracking and that might help us give a better

47:30

determination of what kind of funding you're asking for in terms of to support

47:36

more towns that may not have some kind of an assisted listening device or system. That part face toerson meeting

47:45

at least we have some idea of what's there and what's not there. And then on top of that, we need to encourage more

47:51

people to read my guide because everything I say in my guide, I I'm

47:56

confident it covers all the high points of what people need to know. But then sometimes there little nittygritty

48:03

detail that I don't mention that seems to me seem trivial um and common sense. But then again, I

48:10

can't assume everyone has common sense. So unfortunately not. Laura, I'm going to

48:16

um I I think we can do that and I think it's useful for this group um and this

48:23

um report and I'm going to ask um Sean Shihen uh our elections director to

48:29

reach out to you and get those questions that we should ask the town clerks um

48:34

because there were a lot of details there that I I didn't catch and I think there's probably some specificity that

48:39

would be helpful. Um, and I can send out a survey uh to town clerks and ask that

48:46

question. And and I'm just going to tell you, we typically get about 65% response rate.

48:52

So, um, I can't promise 100% response. We don't get it. But, um, 60 65% that

48:59

would be good data for us to have. Um, Kate

49:05

Pearl Pearlberg Kav, how do you pronounce your last name, Kate? I really want to get it right and I'm probably

49:11

butchering it. It's Pearlberg Quam, but um Kaitlyn Rose had their hand up before me. Her hand up

49:17

before me. Oh, sorry Kate. Thank you. I'll make this quick. Um so I

49:22

I just want to say that I appreciate the spirit of the intent of what Frank and Susan are sharing. And I really really

49:28

feel it necessary to reiterate that state and federal civil rights and two articles of the state constitution are

49:33

not new and they are not unfunded mandates. They are civil and human rights laws of the land that have been

49:39

on the books for decades, right? So the awareness from towns, select board

49:44

members and clerks of their responsibilities and accountabilities under the laws might be new, but the

49:50

requirements are not. So that is like super important for me that that is what the understanding of this group and in

49:57

the report is. So their awareness of their responsibilities under the laws are new, but the laws themselves are not

50:03

new. Voting rights and access to town governance is a requirement, but paved roads are not.

50:09

And I just want to say and and give Susan an opportunity to respond, but my

50:14

understanding was not from Susan that that those requirements were new, but that towns frequently have to grapple

50:21

with other new requirements such as covert um ratios and all sorts of things. I can

50:28

tell you that the the the amount of things that the legislature puts on towns and state agencies quite frankly

50:36

without um funding is significant. And but I don't I didn't necessarily hear

50:43

Susan's comment as saying accessibility was a new mandate. I heard her saying

50:48

that towns are grappling with new mandates all the time, but not that this this accessibility is a new mandate.

50:55

that and yeah no I thank thank you for that and thanks for making that point um Kate

51:00

I agree with you it's yes the the mandates aren't new the awareness is emerging

51:07

um but um what is changing really quickly and really is new is the

51:12

technology um and since co people's um

51:17

interest in awareness of expectations about um being able to join with

51:23

technology has just it's been a J curve um which is fantastic for accessibility

51:30

as as I as I know you have said and it's also hard to keep up um for uh it's hard

51:38

to keep up in it's uh in terms of skill and money uh and resources. So so in

51:44

that sense I think um there is it's a brave new world that we need to adapt to.

51:51

Um I'm going to go to AJ and then Frank. Oh, Kate, uh, other Kate, would you like

51:57

to add anything? Yeah, I was basically gonna say the same thing that that Kate was going to say

52:02

and just comment as a first-time attendee to this group, it does seem like the the framing of the funding

52:09

challenge, which is of course a challenge, does seem to be sort of repeatedly like halfless. You know,

52:16

we're saying things like, well, we can't read minds. We don't know what, you know, what the community needs. And it,

52:22

you know, it it sort of makes me think that maybe we hadn't had disabled people in our community for all of human

52:28

history, right? And there's been plenty of writing about what's needed. But I hear you about the technology being um

52:35

the the most mysterious piece of the puzzle here. And I I just Yeah. to reiterate that finally we have access to

52:43

the tools we need to follow the law. So let's Yeah. You know, let's follow the law. Well, I think this is Lauren Hibbert

52:50

again. I think that that's part of why this working

53:40

need some help coming up with what are the recommendations for what?

Part 2

0:02

because people don't know. This isn't common knowledge. Should it be common knowledge? Likely yes. But it is not

0:10

common knowledge all the time. What people need. We I really do need some

0:16

help coming up with what are the recommendations for what is good, better, and best for open meetings when

0:23

it comes to accessibility. And we've been talking a lot about accessibility from a um a hearing and visual

0:31

perspective, but there's, you know, we're about to talk about to switch at some point to the other ways that people

0:37

have not been able to access open meetings. There's lots of other reasons, too. Um, and so, um, but I I just want

0:47

to say I'm going to need some help writing this report and and helping establish those baseline requirements

0:53

and we're lucky that uh you all are here. Laura, can I just add because the the

0:59

whole can't read minds thing. I just I just want to be clear that when I said that, what I meant was and again I'm

1:06

coming from this from this environmental perspective. When you go in and an

1:12

engineer goes in and builds a road, an environmentalist pop up and say, "Ah, this is terrible for fill in the blank."

1:19

You know, which which endangered species are are we? You know, it the engineers don't necessarily speak that language of

1:26

the endangered species of the beavers or of the wetlands. Um, and they need that

1:32

help. Um, and that's I guess that's what I It's like an engineer can't necessarily read the minds of the

1:38

ecology. And I think yes, we have had people um with disabilities

1:43

for all all of humanity. And what is the what is this moment call for in terms of

1:51

accommodations? What are what would be an accommodation 10 years ago would be laughable now because we have so much

1:57

better accommodations. How can how can we describe what the best accommodations

2:03

are at this time? That's what I meant by reading. Um, AJ.

2:09

Oh, yeah. Thank you. Uh, first of all, can we pause for one second, please? The

2:17

recordings for an unknown reason. So, just give me a moment, please.

2:31

It looks like it's still on on the screen. Yeah. And it on my in my meeting it

2:39

seems to still be recording and transcribing. Maybe it's a separate it says you

2:45

started recording to the cloud recording it stops. So maybe recording it stopped refers to that thing that started at

2:51

1056 and not the total recording. I don't I don't know. I didn't hit any buttons. Yeah, I know. I know.

2:57

I think we are recording. Okay. Okay. Sorry AJ to interrupt. We just had a technical issue that we need to comply

3:03

with. No, I've had it myself um in conducting meetings. Uh, I appreciate the caveats

3:11

about unfounded founded mandates and about mandates uh to towns, but I'm not

3:18

thoroughly convinced that towns, the state uh other entities

3:26

really have understood the ADA and state

3:32

federal uh state disability law as mandates.

3:38

uh that they haven't, you know, it it's in there, but we don't mean it really

3:43

because I think things would look very differently. Uh we keep using

3:50

the inconvenience, the technical requirements, the cost to defer basic

3:58

civil rights to people with disabilities in ways we would not tolerate for other

4:04

any other protected minority. So, I'm not really convinced that

4:11

everybody understands that these accommodations are mandates. Uh, yes,

4:18

there are competing priorities. There are always competing priorities. I was a

4:23

disability advocate in the legislature and people would, you know, con uh legislators would say, but there were so

4:29

many other competing priorities. Yep. And they had their advocates

4:34

uh speaking as forcefully as they could. So I think we have to go forth with the

4:40

same amount of clarity and assertiveness

4:45

if Vermont law and I'm thinking in particular of the um of the of the uh

4:55

floor vote, you know, the the no electronic uh voting

5:00

for town meeting. If Vermont law is in conflict with federal and state civil

5:10

rights protections, then that needs to change. Um, and I

5:16

realize it's not simple, but that's the bottom line. There is no other population that has continually been

5:25

told wait or uh sort of how somehow or other been co-opted into their own marginalization.

5:33

And I think we need to be really clear about where rights are being delayed and

5:39

therefore denied. Thank you Laura

5:44

Kushman. Am I unmuted? Okay. So, um I guess just

5:52

a reflection of what everybody's saying. I think that um you know, I think I heard Frank say early on, you know, we

5:59

need to pick platform uh whatever the whatever the hybrid or remote platforms,

6:04

you know, just make a So, I'm I'm just thinking best practices sort of address

6:09

this first agenda issue. Um you know yes pick a platform or two that you know we

6:16

are advising that the towns use and then you know the because those platforms

6:21

already part of my frustration is that I yes obviously there are going to be

6:26

concerns if if the microphones don't exist if the um hearing devices don't

6:32

exist if the computers don't exist you know there will be cost but also so many

6:39

of the accessibility ility. So many of the all of the platforms have accessibility features built in. All we

6:46

have to do is figure out which platforms are the best platforms that have the most accessibility features and choose

6:54

those platforms and advise the towns to use those platforms and then like Laura

6:59

was saying, you know, create a guide for our community members to be able to use

7:07

the accessibility features that they need to use. So if they need live captions, if they need cart, if they

7:14

need a screen reader capability, if they need keyboard navigation, then they have

7:19

a guide that helps them to know how to use those features. And then so many of,

7:26

you know, it it certainly hasn't addressed every accessibility issue in a

7:31

remote hearing, but so many of those accessibility features will will assist

7:39

people who need them and they're already built in and they don't come with an

7:44

extra cost. So I I'm concerned about this sort of overblown concern about

7:51

cost. Yes, there will be costs, but it's not like every single accessibility

7:58

feature that we're going to try to help people uh have is going to cost the town

8:05

more money. It's like, oh, now we need to add this, that's going to tick up the price, and then we need to add It's not.

8:11

They're built in. There's so many built in. If we can just choose and provide a guide for people to be able to know how

8:19

to use them. And Laura, I think that would be I I really like that point and

8:26

I think what would be helpful and what I want to have a conversation with you and Laura Seagull about is what are those

8:33

factors that a town should look for in a platform or you know do we do we

8:38

recommend two different platforms that have all those features because um I

8:43

think you're 100% right that choosing the platform can get people really far

8:50

the correct platform can get people really far down the line. And I think

8:55

there's a tension that is becoming really clear to me,

9:01

which is we were asked to create best practices and that we probably still

9:06

should, but a lot of what we talking about is not best practices, they're required practices. And so we need to

9:14

ourselves reframe that best practices to required practices versus best practices

9:20

because those are two separate things. Required practices is what's is what we

9:27

need to all be doing to follow the law um and to to accommodate everybody and

9:32

we should be doing that as a matter of course. best practices are things that

9:38

we should ask participants to do like um maybe that's and maybe this is a

9:44

required practice and I'm going to misspeak but I think of a best practice

9:49

as something that Laura suggested which is that somebody describe themselves and

9:55

say their name that is something that a municipality can't always enforce but it

10:01

is best practice and should become part of the norms of the meeting that that is

10:06

what we do but tr uh transcription is a required practice not a best practice.

10:13

So there's a difference between the two and I I I don't know how we're going to do that

10:19

in this report, but I I think that's an important piece that there's a difference between what's required and

10:25

and I want to be careful that we don't inadvertently put things that are required into best practices and

10:32

continue the rhetoric of um yeah, that's ideal, but we can't do that. Um I just

10:40

want to be careful of that myself. Kate. Yeah, thank you. And I I just I think

10:46

it's worth mentioning that if they if towns are for whatever reason unable to

10:52

afford accessible town meetings, um then they already have the built-in option at

10:59

their discretion of the less expensive Australian ballot option, right? So like they can choose if they don't want to

11:05

fund it, then they can choose the less expensive option. It is already there for them. It is already within their

11:10

purview and control. It's a good point, Kate. It's a

11:17

Well, I mean I mean it it hurts. It It has a a cost, but and that needs to be

11:23

debated, too. But Exactly. Exactly. It is not Oh, it's cheaper. It's more accessible, therefore

11:30

better. It's cheaper. It's It's more accessible. And there are tradeoffs. Yes, I think that a town needs to and and all

11:37

of us in as we create our democracy together, we need to have both the

11:44

quantitative the accessibility which is incredibly crucial and we also have to have great quality processes that people

11:51

want to be involved in otherwise people don't care about democracy which we have seen across America people not feeling

11:58

like democracy is for them so I think we need to have both yes

12:04

Frank and then Laura the uh since in the report since again is maybe

12:13

because I've learned so much just being in the room as everybody has uh with

12:18

everybody here that we uh offer up a list of witnesses that the committee

12:26

could call to personalize these issues which may elevate them beyond a written

12:33

bird, which you probably read about before. And so I think that I think that

12:39

Kate, Laura, and Kate's and and um

12:44

uh everybody that's been here in the past, as well as you know, with Susan with it.

12:49

We absolutely put a list of everybody who's attended our meetings, right? And have them say, "Listen, if you want

12:55

have them as witnesses because Susan would be, you know, how you put that in writing where she's able to

13:00

communicate." I think it's really an in person thing. This whole inclusion thing is really in person when we're in the

13:07

the legislature has to feel all that I believe and then and then have the

13:13

report be as a guide to what kind of things they want to elicit get out of

13:18

witnesses. Just a suggestion, Laura.

13:24

Uh okay. Uh I just w you know I I did want to say like I know you just

13:30

mentioned like talking about the the different platforms and you know um I it

13:37

is in the document that I submitted where I uh have a chart that compares

13:44

the accessibility features of Zoom, Google Meet and Microsoft Teams. And so

13:50

you can you can see you know what what accessibility features they all have. Um

13:57

some folks have preference for team some people have preference for zoom but anyway so that is that is laid out and

14:05

you know and I realized that you know that's sort of addressing the remote or virtual or remote or hybrid aspects of

14:14

um participation and accessibility. And that's not necessarily addressing the

14:19

polling issue or some other issues about it, but um but it it's it is there. And

14:27

you know um and I don't I as a person who is able to participate in meetings

14:34

without um the need for accessibility features. I don't know the benefits of

14:41

Zoom over Microsoft. I can only read the differences in the features. I have it I

14:47

don't have the lived experience of um having to rely on those features. So

14:52

maybe getting a little bit of feedback from people who have used those features to know uh what works best um might be

15:01

another step further in making a decision or making a recommendation I should say about which platforms um

15:09

might be incorporated in hybrid meetings. um that information is there in that

15:15

document if um anybody wants to have a look.

15:20

That's really helpful and I apologize that I haven't read that document, Laura. Um but I will

15:28

um and and probably have some follow-up questions for you. Um

15:34

okay. Um we're getting beyond time so um I want to put a a bookmark here and um

15:44

move to um resources and incentives for public participation which we have been

15:50

talking quite a bit about hearing devices. Um but other um topics are

15:56

child care, transportation, uh translators, food um and we've been

16:03

talking quite a bit about hybrid meetings. So, if we could talk about uh child care translation

16:09

um transportation and food, I think that would be really helpful. Um

16:16

to kick off this conversation, do you want to Oh, I just wanted to Andy had sent

16:22

Yeah, I was just about to say, do you want to to um can Jenny or Kelly um Andy

16:28

had sent communication about his thoughts around some of those other topics? Um and I think it might be

16:34

helpful to kick off the conversation to um hear his thoughts um remotely.

16:43

Sure. Sure. I can read it. Um let's see. So this is from

16:48

this is Jenny Proer speaking but I am reading from Andy Hooper's email which he asked us to bring into this meeting

16:56

since he couldn't be here today. And um on topic seven incentives for public

17:01

participation he said one where it exists I think we should be clear about the evidence for different measures to

17:08

increase civic participation. Some of the initial ideas transportation eg could be extremely expensive on both a

17:14

time and planning and money/citizen basis. If there are examples where it's worked adding numbers to set

17:20

expectations on both outlay and increases in attendance would be useful. This is the interpreter. If you don't

17:25

mind, reading is very quick. If you could just slow down just a little bit, that'd be appreciated. Thank you. Great. Thank you.

17:31

Should I start back at the beginning or should I keep going from where I left off? When you mentioned um something transportation is expensive.

17:38

Okay, let's see. So, number one, where it exists, I think we should be clear

17:43

about the evidence for different measures to increase civic participation. Some of the initial ideas, transportation, eg could be

17:51

extremely expensive on both a time and planning and money/citizen basis if

17:56

there are examples where it's worked. Adding numbers to set expectations on both outlay and increases in attendance

18:03

would be useful to open meeting law groups considering these options where evidence does not exist. We should be

18:08

clear that these measures are speculation. Number two, engagement is much harder

18:14

for some constituencies than others because of many factors. Time, money, self-consciousness, unfamiliarity with

18:21

process, all kinds of things. Some efforts at increasing engagement may increase engagement among the groups

18:26

that are already engaged rather than increasing the diversity of constituencies and voices which engage with the process. This is related to

18:33

concerns I have raised previously about focusing on direct democracy for its own sake. We have many layers of

18:39

representative governance and an expectation reviewed by frequent elections that those leaders consider

18:44

and represent all their constituents when governing. There must be accessible avenues for citizen engagement, but our

18:50

system neither requires nor always benefits from frictionless citizen engagement in every venue. So that was

18:57

Andy Huber's thoughts that he asked us to share for this part of the meeting.

19:05

Thank you. So there's new people you might want to

19:10

want to share out Andy's previous letter as well, which was well put and fits

19:16

kind of into the incoherence of many government software hardware

19:24

geeky tools that are not being used well

19:30

or should poor purchasing uh directions and stuff. Okay,

19:35

that's that's basically and he he was saying all of across the page you're seeing it. It's

19:42

that's a very impactful letter. I I'm not disagreeing with you, Frank, but I don't want to do that at this moment

19:49

because we're talking about other things that might encourage people to participate, which are child care,

19:55

translators, transportation, and food. So, I just want to keep us focused on those things right now.

20:02

I'd ring it to him and but but some of the other people haven't seen it with his permission if you want to send that

20:08

letter out to everybody that might be all you need to do to see what is going

20:14

on in the state that he's a witness to. That makes what we're trying to do more difficult as a case example.

20:22

Um any thoughts on those other uh topics?

20:28

I can speak to child care. Yeah, child care. Yeah. Um so um Frank Brian, the UVM

20:33

professor who studied town meetings for 30 years and went to thousands of town meetings and had his students um record

20:41

how many men spoke, how many women spoke, how long did they speak, how long were the meetings. Um, and one of the

20:47

things he took note of, he had his students take note of was child care. And, um, so we have 30 years of data,

20:54

Andy Hooper, that, um, says that child care makes a

20:59

difference. Um, it moves the needle um, a little bit uh, in terms of getting

21:04

better participation um, particularly among women. Um, even though we all

21:10

would hope that we would be past those gender roles. Um, so, um, uh, I've

21:17

worked on a number of documents that offer examples of how towns do child care. And one of the ways that we really

21:23

shouldn't do child care is asking voters, usually women voters, to do the child care. So, uh, it needs to be it

21:31

needs to be a reliable system that is outside of the um the the pool of voters

21:36

um who are providing providing care and ideally it's on site and ideally it's free. Um, and we've even experimented

21:43

with child care vouchers. Um, in in that some folks, especially with little kids,

21:49

would rather have their kids at home. Um, you know, you don't necessarily want to drop off. We're getting more comfortable with dropping off our

21:55

one-year-olds uh at child care, but um some people would rather do it at home. And so having vouchers available so that

22:01

um a person could um um have um home care is that's it's just another way to

22:08

to think about it. So yes, on child care um

22:15

there is another piece in terms of Frank Bryan's data. Should I just go ahead and

22:20

say it? I mean because there's not that much that you can I mean the biggest indicator in term again this is town

22:26

meeting although I think some of it does flow over into other meetings. Um the biggest indicator of um the most

22:34

reliable indicator of high per capita participation in towns is town size. Um

22:41

and uh so the smaller the town the the higher the per capita participation and

22:46

there are some political science theories on why that happens but I think it has a lot to do with connectivity people understanding that their voice

22:53

matters. Um and so the more that communities can um uh uh make it clear

22:59

through all the things we're talking about that everyone's voice matters um even as towns grow bigger um they um I

23:07

think they can take advantage of that sort of human trait that that we tend to

23:12

um get involved more when we're in and it sort of sort of runs contrary to all of the trends that we're doing right now

23:18

with our with our school consolidation. Um it's got kind of interesting uh that that those those systems are contrary to

23:24

the way humans um interconnect. But the other one in terms of town size is um uh

23:30

hot issues. Um it by of of by far the most um likely

23:37

way to get people to participate is to really clearly communicate why this

23:43

issue is of interest to them. And sometimes you don't have to communicate that because the issue is putting a

23:50

windmill on the hill right over there, you know, and all of a sudden you've got 65% of the town showing up to the

23:56

meeting because everybody gets it. Um but sometimes those issues are a little

24:03

more obscure and they're tucked into the budget. Um and you know, but something like a change in the um the amount of

24:10

road salt that you're using or you know those kinds of things that affect us on a on a daily basis or you know um what

24:17

are we going to be paying the you know the for a police presence for speeding you know those kinds of things um the

24:24

the better we communicate um that an issue is of interest to people the better I mean talk about incentives that

24:31

is what gets people to meetings. Um, so I I think that

24:36

sometimes we think that it is going to be something technical and oftentimes it has to do with communication

24:45

databased. Okay. Yeah. Thank you. Um, so also including

24:52

looking at the the incentives and various uh resources, I also want to reiterate the fact that I know I've

24:59

shared this many times in past meetings. Um, universal design would have us have

25:05

all of town meeting be conducted in plain language and all associated

25:12

documents would be accessible. So, for example, some towns decide to have

25:17

websites. A lot of towns do not have websites. Some towns provide the option

25:23

of receiving your town report, which is normally sent out in the mail and it's eight point font in black um print only.

25:30

Some, if you ask, will provide it in an accessible PDF form, some will not. Um,

25:36

so the universal design of having everything in plain language, of having everything accessible, of having towns

25:43

have websites where they provide their meeting minutes, um, and their agendas, so you don't have to, for example, pay

25:50

for a subscription to a newspaper because that's the only place that they actually warrant town meetings because they won't even do it on Front Porch

25:56

Forum or Facebook, right? um like you shouldn't have to have a subscription to a paper to know when town meet to know

26:02

when various meetings are. So um all of that would be super important. Um also I

26:08

do not have 30 years of data but I do have four years of lived experience of literally standing outside in the cold

26:15

um and from the outside looking in while people vote um for town meeting that I don't have access to. Um, and when I

26:22

stand outside in the cold asking for access, what I notice, um, is that another piece

26:29

that's really, really critical is parking and safety. March is a time

26:34

where there is a lot of snowstorms. We do not have parking spots, sufficient

26:39

parking spots for ADA accessibility for people who want to go vote. There might be two available. Well, you have 10

26:45

voters who are needing to use those. What now? Um, so that is another issue is looking at the safety of being able

26:52

to go to participate in town meeting um, and not having accessible parking. Um, and then the last thing I want to add,

26:59

this is this is part two of this. Are there topics missing from act 133 that should be in the report? Um, I want to

27:06

quickly bring our attention to article 8 of the Vermont state constitution. So elections should be p free and pure

27:12

rights of voters therein. So it's very short. I'll just read it. that all elections ought to be free and without

27:18

corruption and that all voters having a sufficient evident common interest with an attachment to the community have a

27:24

right to elect officers and be elected into office. So the other part that is

27:32

very exclusionary for a lot of the populations that we're mentioning is that if you are not there in the room, guess what? You don't get to be elected

27:39

into office. And even for places where they're doing Australian ballot, this is problematic because we still have a

27:46

system that requires petitions. If you are somebody who is a wheelchair user, for example, and you are required to get

27:52

petition signatures, but you go down the street on what is that street in Mont Pill or Hill Street, and every single

27:59

doorstep to to a door is like 40 steps. The fact that we're requiring petitions

28:04

in and of itself is inaccessible and keeps us from having our rights.

28:14

Um, I just for towns who elect their officers from

28:20

the floor, petitions aren't required and you don't have to be in attendance to be nominated

28:27

for an office. You have to be a registered voter, but you don't have to be in attendance at

28:32

the meeting to be nominated and elected. So, how for select board members, are you not

28:39

required for like the town of Montpillar, for example, that doesn't have town meeting? Um, but it still falls under act 133. Does that is that

28:46

it doesn't require petitions. Do they elect their officers from the floor or

28:51

city ballot? It's Australian ballot. It's Australian ballot. So, Australian

28:56

ballots do require petition, but if places are electing officers from the

29:02

floor, they don't require a petition for any of those positions. And you can

29:09

be nominated from the floor at the meeting without being present at the

29:14

meeting and can then be elected. Just there's just so many variations on

29:20

how you someone has to be there to name you, right? You can't you can't someone has to
Yes. Someone has to

29:27

nominate you. But I've never actually witnessed someone nominating themselves for any

29:34

uh election,

29:39

but I have witnessed people nominating people who aren't there. Yes. I guess that's I guess
that's what

29:45

I was getting at is that you can you can nominate someone who's not in the room as long as
they're as long as they're

29:52

eligible to be elected. hopefully they know they're getting nominated well and that's the
rationale behind the

29:59

petition process is too um so there's a tension with petitions um because there

30:07

are good reasons to have petitions um for the Australian ballot um but I hear

30:13

your point Kate um it's the ink signatures that yeah

30:20

anyway sorry yeah so I'm just my my point is that is an artificial barrier that um keeps

30:26

people particularly those who are marginalized and those with disabilities from being
elected into office. And it sounds like there are some pathways and

30:33

carveouts in certain places but overall overarching this is a constructed barrier that I think should be changed.

30:42

Um, second, right? And this is exactly why I'd like Susan's

30:48

presentation of what New Hampshire has as an option is that previous meeting

30:53

can iron out what essentially what or is going to be on the ballot and who wants to be and everything. Then you have a

30:59

warning time adequate for having an Australian ballot being performed. Then and then

31:06

you have the best of both worlds. And they give you two years an option at towns. How many towns have taken it up,

31:13

Susan? In New Hampshire? Yeah, I think something like 45

31:20

towns, something like that. Yeah. So, you're offering them they're offering a carrot to something they may

31:27

have wanted, been doing for a long time. Yeah. I mean, they it's Yeah. It's it's it's their version of Australian B.

31:34

Yeah. Yeah.

31:40

Any other thoughts on child care

31:47

or translators?

31:56

Okay. Uh, when you say um translators, are you

32:02

referring to people translating like the the public meeting announcements and the written documents?

32:09

I um Yes. into other languages is I believe the intent of what we're asked

32:15

to talk about. Are you also talking about having interpreters

32:21

at during town meeting discussion in languages besides ASO?

32:26

Yes. Okay. I just wasn't clear because it's it's like often you hear translator encompassing both terms.

32:33

Yeah. It's not clear in our statutory mission, but I think we can reasonably

32:39

interpret that what they're talking about us talk discussing is um

32:44

translators that not just for um hearing purposes but also in other languages and

32:51

what should be required um or cont what's best practices and what should be

32:56

required of communities of translation of documents for people who do not speak

33:01

English and translation of um meetings for people who do not speak English.

33:07

Okay. Yeah. Just for clarity, it translation spoken is translator isn't the word. Interpreter would be the word

33:13

to use and that might help talk about the two different things in a a clear way.

33:21

That was my only question. I I don't have any context for the history of the discussion. So, it's only semantic.

33:26

Yes. So this is uh Jenny Prower and just our statutory charge listed off they

33:32

just included the word translators but I I hear you. Yes. When we speak about this we should be speaking about translators and interpreters in our

33:39

report. Yeah because I do think that was the intent. And what do do we have any clarity on I

33:45

mean I fascinated by this idea of translators and interpreters and I don't know what the report is likely to say. I

33:51

don't like have we had we haven't had the conversation. And this is the first time we've talked about this issue outside of um ASL. Um

34:00

so I think that's what I'm asking us to talk about is um interpreters and

34:08

translators for people who are non-English-speaking. Um Laura Seagull.

34:19

Um, so, uh, the this kind of conversation pop up on my radar all the

34:24

time. I'm not just talking about air as I'm talking about other languages as well. And often times I've had to tell

34:30

people, are you tracking how often you get the request? And people tell me no.

34:35

I try to advise people it's better to start tracking. That way you can create a 5 year or 10 year plan of how much you

34:42

need in the budget going forward with whatever language that they see a common

34:49

pattern of what things need to be translated or interpreted. And yet there

34:54

is a huge distinction translation basically mean spoken language translated into a document interpreted

35:01

all verbal or visual you know. So

35:07

uh and I do notice I mean I'm hearing that there's specific towns throughout the state where they do have a tendency

35:13

to get as interpreters but sometimes I guess like I know one person tells me

35:19

the town tells me they can't afford interpreters for me anymore. So I don't know how I can participate. They don't

35:25

have the funding to allow me to have to be able to participate. and America,

35:30

they probably really do not have the money and so they try to offer alternative ways for them

35:37

to be included, but it's not at the level that they need. You know what I mean? Yeah.

35:44

So, I'm not sure how I can offer a solution. That's why it all boil down to money. Like if if you had one person who

35:52

wants to go to all the meetings then find some way whether it's spoken or

35:59

like there must be some sort of backup funding you know like you have a fun step for your town and then it just so

36:05

happen to get more than the usual request where can you get the backup funding from if anyone?

36:12

Yes Laura Kushman. Um, I guess I I'm because I don't know

36:20

for town meetings, are um ASL interpreters being used at the town? I

36:26

mean, do we even have enough ASL interpreters in the state of Vermont to

36:31

provide ASL interpretation in every town on town meeting day? Um,

36:40

I I have no idea what's already being done. And and you know, if we're gonna,

36:48

you know, recommend that every town have an ASL interpreter uh on town meeting day, h
how do we do

36:56

that if those interpreters don't exist? Well, let me ask you this. Are all the

37:02

town meetings scheduled at the same time? I don't know. That's my That's why I'm

37:07

asking the question. What are we doing already? Are people incorporating ASL

37:14

interpreters? The answer to this is Lauren Hibbert. The answer to your question, Laura
Seagull, is no. All town meetings are

37:21

not scheduled at the same time. And no, every town does not have town meetings. So, um,
we have data on the number of

37:28

towns that have town meeting. I believe we have that broken down. Some towns have
moved their town meeting off of

37:35

Tuesday to Saturday um in part to incorp to be more accessible to people who work

37:41

Monday through Friday, you know, on an hourly wage um which uh you know is a is

37:48

a move towards accessibility. There's some towns that keep their town meeting on town
meeting day, but there's ripple

37:55

effects to that for people who uh do not have that day off or um you know have

38:02

there's there's a lot of ways to look at accessibility

38:07

and um income accessibility to town meeting is a factor. There's a lot of

38:13

folks who cannot take a day off um who don't have paid days off. Um so I but we

38:20

do have data on how many towns are having town meeting and we do have data right Sean on the days of the week that

38:27

towns are meetings. So I can tell you there's a diversity of schedules.

38:35

Um but let me ask you this again this is me being ignorant. I don't really know that much about town

38:40

meetings in general. So if if anyone was to participate in time meaning is it required that they have to physically be

38:47

there in person for votes. Okay. Yes.

38:53

For for voting. Yes. Okay. So even though the participants have to be there in person, there's

38:59

always the option where you could do the hybrid format where you could you just have to provide the laptop to have the

39:06

interpreter visible on a computer screen for them to watch it. That's another option because you need to take into

39:12

consideration. We only have 30 something certified ASA interpreters. 30. That's

39:17

it. Yeah, that's not enough to cover every town. And then the other thing you need to think about is that everyone really go

39:24

to all those town meetings. And then on top of that, you have to think about people who rely on tactile family

39:30

members who are deaf and black and they need interpreters in person. And that's

39:36

a threat, too. Yeah.

39:42

That's why I was asking is there a way that you can like I know it sounds kind

39:47

of odd but you can make an exception where you're going to have a time meeting and want to think about all the interpreters that out there can you

39:53

clump it all together to accommodate just for the people who rely on ASL then maybe you have some feasibility

40:01

but is that even possible I've never been to a town meeting before I have no idea

40:08

Um, Laura Seagull, I highly recommend that you go to town meeting with Susan Clark sometime.

40:15

Yes. I think I think I I think it would be a a good good thing for you to do. I I

40:21

think town meeting is an interesting thing um to do and uh it would be fun

40:27

for both of you. Um absolutely. Let's do it. And I've gone to Susan multiple times and I'm Oh, sorry. This is Sean. I live

40:33

in the city of Montilier, so I'm deprived of of town meeting, but I have gone to Middle Sexes, so I can see

40:38

Susan. Um, I believe Tim, you had your hand up

40:45

first. I I don't see you on the screen, but I think you're first. Thank you. Uh, just to clarify for for

40:51

the committee, uh, again, I come from Vernon. We have had an ASL interpreter

40:57

at town meeting for every year since the start of COVID, and it's been tough getting them. We I've needed to make

41:04

the arrangements uh as soon as we said our warning and even uh during the co

41:10

years we held our town meeting outside under a circus tent and as both clerk and moderator I did feel like I was

41:17

running the big top. Uh so so it it is a cost of doing business. We as a U state

41:24

need to do it with all our our towns and gosh um I don't know why more are not

41:32

doing it if not for the lack of awareness. Thank you. Thank you. Uh Kate

41:40

um Pearlberg Cavan. Thank you. Um, I was going to add before

41:46

it's a little bit off topic now, but responding to Laura Seagull's point about um tracking how many requests

41:53

towns get for language interpretation, non-ASL language interpretation. Um,

41:58

just wanted to call back the the point that was made before about folks, you know, shouldn't need to ask for it. um

42:05

and that I think maybe one thing that towns could do would be that that there is a recommendation or even a

42:11

requirement that if there is a certain um demographic percentage of speakers of

42:16

a particular language that interpretation is provided automatically which would then maybe increase people's

42:22

likeliness to go who wouldn't maybe request interpretation because they had never been to town meeting. Right? So

42:29

that might be a sort of proactive measure.

42:34

Thank you. That's a good point. Um AJ, yeah, thank you. Um, as someone who

42:43

scheduled a lot of in a lot of turpps, which was sort of a slang for interpreters, uh, and CART and other

42:52

real-time captionists, remember that, uh, automatic captioning is not a

43:00

legitimate accommodation for people with hearing impairments. as someone who did

43:05

a lot of it in the Philadelphia area where you would think there were tons of

43:11

in tons of interpreters and tons of captionists but there were also lots of

43:16

higher ed institutions and I did it for an institution of high red over three

43:22

campuses. uh we came to rely on and this was sort of as a consequence of co

43:30

remote captioning and remote uh interpreters and students got really fil

43:38

with the technology. They had the technology so that allowed them to look at the screens uh look at their screens

43:48

for the cart captioning. uh we know what inter uh remote

43:54

uh interpreting looks like and you can do that and have that projected at town

44:00

meeting as well. That tremendously expands the range of saying how many

44:06

interpreters are there in Vermont which are not clearly not enough. Uh this

44:12

brings to mind the point that as well as a guide of best practices, I think we

44:20

need to give towns a resource guide for finding

44:26

the identifying sources of these remote interpreters, uh remote captionists,

44:34

uh where if you get a request for braille, do you go? People don't know

44:39

that. I I I know how to find out, but it would if I was a town clerk, I would

44:46

find it a lot easier to have a guide with resources and names of people to

44:52

contact. We don't want them probably calling Laura Seagull every time they have a question. This is information

44:58

that's out there. And I think towns would feel a lot more empowered and

45:03

confident. And I think it would also help people to realize there are workable solutions. And by the way, the

45:12

cost of remote interpreting and

45:17

captioning, real-time captioning is less s often significantly

45:23

than having someone on site because you're not paying for transportation.

45:28

Something I came to appreciate when I was accommodating a lot of students. So by having a resource guide for these and

45:35

other accommodations that are likely to come up that we promulgate to town

45:42

offices. I think that that would reduce anxiety and empower people a lot. I

45:48

don't think it's that hard to deliver these basic reasonable accommodations. Which brings me to the final point is I

45:56

guess this goes with best practices. How many towns when they warn for town

46:02

meeting have a an invitation to identify whether or not you require any

46:08

reasonable accommodations to fully participate. So that should be something

46:13

towns to do as well.

46:20

Um Kate Larose. Thank you. Um, so I just want to highlight the fact that these are three

46:27

separate charges on our agenda today. So investigating resources is charge seven

46:33

and other topics that are missing is charge eight. And the reason that I'm saying this is I want to make sure that

46:39

we are expanding our conversation because I think we are thinking those are sub bullets of hybrid town meetings.

46:45

They are not. Um, charges seven and eight are specific to accessibility of

46:50

and participation in all meetings of local public bodies, annual meetings and

46:56

local elections. So that includes the town the the the town meeting day Australian ballot vote in Mont Pelier

47:02

that includes my select board meeting on Wednesdays, right? Like it is inclusive. So, I just I was worried that we were

47:08

starting to focus just on those items um under hybrid town meeting when in fact

47:14

it's actually very expansive. I agree. Definitely. Yep. Good point. Uh

47:23

AJ and Caitlyn Rose, can you take down your hands just because I get very confused if if it there's everybody's

47:28

hands is up. Uh Laura Kushman, I just want to I've been meaning to say

47:35

um Kate had mentioned something about parking and actual physical accessibility to the spaces for folks

47:42

and I did want to let the group know that um you know uh Disability Rights

47:48

Vermont does polling place surveys. Now, uh, polling places and public meeting spaces are not necessarily the same

47:55

places, but we have over the last number of years done, we are almost done um,

48:04

surveying every polling place in the state of Vermont. Um, and it is an

48:11

accessibility survey. you know these are the required number of you know parking

48:17

spaces ramps you know doorways etc and we survey the spaces for physical

48:24

accessibility um and so I have asked my c-orker Tina

48:31

who uh has been doing these polling place surveys for years to put together

48:36

a sort of report about you know um about

48:41

what what we have seen in our surveys so that I can um provide that to you guys

48:47

so you can see what we're looking at. Now, we do these surveys. Uh we've only

48:52

had one uh polling place refuse to have us survey their space. Um every

48:59

everywhere else they've been willing to let us survey their space and then we just come back with, you know, this is

49:06

this is the I this is the ideal. Um and the these are the places where you could

49:14

make improvements at some uh polling places are really open to receiving

49:21

those suggestions and some not. Some have made those improvements and some not. So, uh, you know, uh, anyway, I I

49:31

just wanted to be able to provide that information to the group so that

49:36

you can see what we're dealing with in terms of physical accessibility and what we've seen over the years in doing these

49:41

polls. So, uh, she will hopefully have that, uh, for me by our next meeting.

49:48

Um, and I will try to get that to you as soon as I can.

49:53

Okay. I was just about to ask that's publicly available information. Um I don't know that it's not something

50:00

that we published on our website or anything. It's not something that's it's

50:06

DRVT does the polls and we make the recommendations but I don't know that it's published anywhere for people to

50:13

see. Okay. Let's talk that through Laura because if you give it to us it becomes

50:18

public. So let's just talk that through. Yep. Um, Laura Seagull.

50:27

So, the other thing that I want you to be mindful about is like for example, if

50:34

I didn't have multiple monitors behind my laptop, this meeting is automatically

50:40

inaccessible to me because it's sharing the sky that's taking up the entire

50:46

screen and it makes my interpreter video this dinky. not share. But luckily I have two monitors. Does

50:53

everybody in the state of Vermont have multiple monitors? No. That's one thing.

50:59

Again, sometimes it's just a nittygritty detail that people don't seem to realize

51:05

that oh that's causing inacceptibility right there where sometimes there have

51:10

been times where people would brag about oh the town of Bing

51:16

doing a pip with the air and I'm like really contact with them and then I'll be like

51:22

oh can you help me with these other time educate them how you do the pip because

51:28

I'm not a tech expert. I don't know how to hook it up and all that, but I do

51:33

understand like I have the basic understanding of what it's all about, you know, and so it's better to connect their tech people with other time tech

51:40

people and then hopefully they can figure it out themselves. But sometimes you might just need some someone on

51:45

staff that has some sort of technical expertise if you're going to host hybrid meeting.

51:52

Yeah, I think there's pieces that I'm continue to hear which is uh resources

51:59

and training and I think um that's really really important and also uh

52:06

Laura I appreciate you mentioning that there's nitty-gritty that people may not think about because we just did that. We

52:13

were sharing the agenda that was because it's really helpful for me. Uh it's a

52:19

tool for me to be able to keep on task and uh to keep us all on task because

52:25

then everyone can see the agenda and see where we are. Um but it was making it harder for you to see your interpreter.

52:32

So um I would not know that um inherently. So I'm sorry about that. But

52:38

I need you know that's why the nitty-gritty is really hard um to figure out sometimes.

52:43

Yeah, I know. sometime like I I'm brave enough to interrupt people. So I'm brave

52:48

enough to say, "Hey, can you stop sharing the screen because I want to be able to see my interpreter and also I

52:54

understand that you want to you want to see the agenda, but hey, you're here in the conference room. You can easily

53:00

print it and have it right in front of you instead of right on the monitor, you know." Um, but also I've seen people

53:08

what they tend to do is they always copy the agenda. I mean they do like a moderator

53:13

uh someone who's a time keeper or whatever and then they can just plug it into the chat room. That's what I've

53:19

seen people do. But I mean again you would have to hit someone and hey do we have a a notetaker in the meeting room?

53:26

Do we have someone mon who's a timekeeper? We need to have a

53:31

point two people to do one of those. You can't expect one person to do it at all.

53:37

Yeah. And I think we just have to acknowledge that we have many places in the state where there is one person

53:44

doing it all and that is a tension. So, um it it's just a reality. But yes, I

53:51

agree with you. Um Frank and then Kate, I have a question for Susan. Since

53:57

you're familiar with the New Hampshire environment, we're talking about the hybrid. Can the first meeting of the two

54:04

phase that you have the Australian ballot and the first meeting is basically a town meeting can that could

54:12

be easily made be made hybrid because it's basically a glorified select board meeting where the public aren't voting

54:19

on anything but they may influence the direction of the select board where a ballot is set up item for the Australian

54:28

thing. So you you you would be able to have all the inclusiv all the inclusive

54:34

tools that you would imagine if you could do that in that first meeting. Um so interesting. I mean probably I'm

54:40

I'm guessing most people aren't following the the nuance that we're talking about here, but just really briefly the in um what you're describing

54:48

um where the first meeting is a select board meeting and the second meeting the second portion is a ballot meeting.

54:54

That's what they do in Jericho. Um and but we throw on a New Hampshire aspect

55:00

of Jericho there. The new in New Hampshire that first meeting is an empowered town meeting. So

55:05

that first meeting in New Hampshire people can amend. And so you must be a registered voter to you know speak and

55:13

make amendments uh uh at that first meeting. And so no state that I know of

55:20

has figured out how to thread the needle and have a person be remote and voting

55:27

at that um uh uh at that empowered meeting. Um

55:32

so what if it's a super select board meeting not an empowered meeting? That would be basically what happens during

55:38

Australian ballot today because this you know no in polit does the select board

55:44

has budget meetings and they have uh process meetings where their people show

55:50

up and they're going to submit their petition to be on this ballot or that ballot and it all gets finalized and

55:56

signed off on and it I met and it goes to town clerk to do do all the setting

56:01

it setting it all up. So that is what that is what Jericho is experimenting with. And so basically the voters of

56:07

Jericho have said we trust you select board. We we are the legislative branch

56:13

and we do have the power to amend but we're giving all of that power over to the select board with the pinky promise

56:20

that you will listen to us. And so they have that in-person meeting and they made amendments. Um they voted um but it

56:29

was officially a select board meeting. And at the end of that meeting, the select board then voted to adopt

56:34

everything that had happened at that meeting. And so it's a tr it's very much of a tr their model relies entirely on

56:41

trust. Um so if there are norms in within the community that can that can

56:46

make that happen, that's great until the norms are broken. Um but that's so that's that's just one model. But I feel

56:52

like it's kind of a walk and and there's then then the Bradboro model with the representative town

56:58

meeting which is different. Yeah. um because they elect people to be at

57:04

the town meeting on behalf of that subgroup of voters, right? They essentially have wards within Bradleboro

57:11

and then they elect someone to represent that ward at a town meeting that

57:16

everyone can watch but the people who are the representatives can participate in. Is that exactly that's exactly right and that's

57:22

really common in mass it's it's common throughout New England. Vermont only has one town that does it so we think it's

57:27

weird. It's not weird at all. It's really common. A representative town meeting is a very common model in New England and also um in Switzerland. Um

57:35

Zurich is a with 350,000 people is a representative town meeting because

57:40

we're electing by by awards and and so rather than like a nine member council, they have like 150 people there.

57:48

Yeah. Followup is can shame no more. Can this

57:54

irical meeting can the pop populace actually make nominations for elections

58:01

for office that would be then uh that still has to go through the petition process before that Jericho meeting

58:08

which is basically a glorified select board meeting. It it just so happens that Jericho already elects officers by ballot. I

58:14

mean as you know there are three things that you can do by ballot. One of them is elect officers, the other one is do the budget and the third one is public

58:20

questions. Just so happens Jericho was already electing their officers by ballot. So it wasn't part of their um

58:28

new new system. That didn't change. The deadline to be on by ballot would be follow that meeting typically. Right,

58:36

Frank? I'm going to um just pause for a second. Last technical detail. Last question.

58:41

Yeah, they they their town meeting their vote their Australian ballot vote is on town meeting day. So all of those things

58:47

like the that meeting happens in January. So the the petition timing um for electing officers is the same as it

58:53

always was except for that informative super select board meeting. Yeah.

59:00

Um Kate, thank you. Um so going back to um are

59:06

there other topics missing from act uh 133 that should be in the report? I have five additional ones that I wanted to

59:12

add. Um, the first is really making sure and I don't think we've ever done this in these meetings and this is something

59:19

across the board that is super needed like I think a really clear overview of the current state of voting and

59:26

elections around the state and what that looks like and that would include actual

59:31

data right so the number of towns doing floor votes and for which of the three

59:36

options um also I think it's really important to talk about how some towns

59:41

as you just mentioned have both floor votes and Australian ballots because point three is we really need voter

59:48

education included especially in those towns that have the mixed methods because what happens time and time again

59:54

is voters will request an absentee ballot they will be sent an absentee ballot and they'll be like wait why am I

1:00:00

only voting for this one thing or they think that they've received their absentee ballot and now they are voting

1:00:05

on everything that exists but they are not they may only be voting on one or two things when there's a whole lot more

1:00:12

um so I think there's a lot of voters out there that are missing out on the fullness of the options they should be

1:00:18

voting for. Um the other thing is at the last meeting the director of elections

1:00:23

was here super helpful. I think he shared that there were something like 40 to 60 laws and statutes that are

1:00:31

applicable to this conversation which just floored me. Um, so, oh my gosh, I want a table with references of what are

1:00:39

those 40 to 60 laws pertaining to this issue. That is so so important. And then the very last thing, I think I've

1:00:44

mentioned this at one of the early meetings, um, is we talk a lot, I talk a lot about, uh, state and federal uh,

1:00:50

laws for voter access. We also have the, uh, current provision here in Vermont

1:00:56

for curbside voting. A lot of towns have no idea that that exists. And I think

1:01:03

the the example I gave in the past, and these are not like small towns, right? We're not picking on small towns is across the board. The city of Waterbury

1:01:10

um in this election cycle um denied a voter their very clear written request

1:01:16

for curbside voting um because they did not know that was a law or the person responding did not know that. So those

1:01:22

are five additional items I'd like included as well. Kate, I missed what was two.

1:01:31

Um so a clear overview of current uh current state of voting around the state report data the number of towns doing

1:01:37

floor votes and for which of the three options um and then also including the piece about the number of towns that

1:01:43

have both floor votes and Australian ballots. Um like I can pull it from the spreadsheet.

1:01:49

Okay. I think that information is

1:01:55

sorry this this is Sean um not all completed there but I did just post a link on the site. We do have we do

1:02:01

conduct a town meeting survey each year and and the link I just put in at least has lists all the towns and which

1:02:08

methods they whether they use Australian vote or Yes. So I have that I have used it.

1:02:14

What's missing though is the actual narrative piece to make sense of it. Um that like because I can go town by town.

1:02:20

Yes. But like from a big picture for the legislators to understand aha 20% of towns are doing mixed method right like

1:02:27

there's no way like without going through it's not even an excel in the past it has been um the one on the secretary of state's website so it's

1:02:33

like oh no a PDF how do I deal with that um so yeah I think like actually making the full big picture meaning so that

1:02:40

legislators and people reading the report get the full context of it

1:02:47

yes thank you for providing that as well that's very helpful Yeah, that that's clear and certainly we can work that in the report.

1:02:54

Jenny, this is Jenny. I'll just note that part of our charge that we have a separate item in our charge that is to

1:03:00

analyze voter turnout and the voting methods currently used throughout the state. And so that is that's going to be

1:03:06

its own standalone item in our report for sure. Like I would wonder what voting turnout

1:03:12

looks like on like how would you how would you analyze a mixed method town on voting turnout, right? like because

1:03:19

people are getting their Australian ballots thinking that they're voting but then you know they probably have less folks at the floor votes because nobody

1:03:26

knows that there are floor votes. Yeah, Susan, you wanted to add to that?

1:03:31

Uh well, I was just to add that um in in towns when we're voting on our budgets,

1:03:38

uh there's some confusion as well about what um part goes to the town, what part goes to the school

1:03:44

um because of property taxes. And um so, you know, in fact, the by far the lion

1:03:52

share of what we're voting on is about schools, not town. And um that's things

1:03:59

that towns don't control at all. Um and so when voters receive or don't

1:04:04

receive ballots um that's it's important it's important to understand that we're to to break those out and and that is a

1:04:10

vastly changing landscape. Um so so that's that's just a key point.

1:04:16

And there's one other point that I would add in the mix as we think about again I keep on wanting to zoom out and say what

1:04:23

kind of world do we want to live in? what kind of democracy do we want to live in? A really fascinating data point that

1:04:30

is counterintuitive. It's not going to make sense to folks, but human beings

1:04:35

don't make sense. Um, is that we know that our ballot system across the United

1:04:40

States is skewed toward um toward white people, toward rich people, toward

1:04:47

people with degrees in higher education. Basically, huge amount of socioeconomic

1:04:52

uh uh skewing. um that um for for a variety of reasons um uh and and that's

1:05:01

that's to our great shame uh in terms of inclusion. Um fascinatingly

1:05:09

that that trend which the political scientists assume would carry through to

1:05:16

town meeting did not carry through to town meeting. And in fact there is no

1:05:22

correlation between socioeconomic data in a town and at least during those 30

1:05:27

years of the study which went up to about 2013 but there was no correlation between any of the town socioeconomic

1:05:33

data. What do people do for a living? How much do they earn? How much education do they have? um uh and the

1:05:42

either the turnout for town meeting or the number of people who spoke you know

1:05:47

what we call participation in town meeting um which is again it's not what

1:05:52

you would expect um and and so I think it speaks to the complexity of human nature and the

1:05:59

complexity of ways that we feel about our communities and ways that we feel

1:06:04

about our democracy um that so so when we talk about inclusion inclusion and in particular when you talk about inclusion

1:06:09

around class um it's something to keep in mind.

1:06:14

Um I'm going to go to Laurel who had her hand up. Uh I was just wanting some clarification

1:06:21

from Kate about you said you wanted a reference guide to all the relevant law

1:06:26

and I guess I was wondering do you mean for public meeting law or

1:06:32

what for hybrid hybrid voting? So, I believe it was the director of elections. We had like I had asked a question about the

1:06:39

laws. Um, and he said, "Wait, wait, wait. We're not talking about one or two laws. We're talking about like 40 to 60

1:06:44

laws here when we're talking about is it legal to vote via hybrid meeting." But

1:06:51

that was that was Mark. He's not the election director. Sean Shihan is it was

1:06:57

Yeah. Um but yes, there's all of this is intertwined in a lot of different places

1:07:02

in the law um related to hybrid that because we have not been provided that

1:07:08

yet. Correct. As a committee, I I don't believe so. Um but that's not

1:07:16

something that we have readily available. That's something that would have to be created. That's not

1:07:21

impossible, but that is a good amount of work. Um,

1:07:30

that I mean that's a huge Thank you. That's what I just wanted some clarification on exactly what laws

1:07:35

you were talking about because all of the voting laws, all of the accessibility laws, no only with regards

1:07:41

to hybrid voting. Got it. So, when a town like we were told last meeting is told that they cannot offer

1:07:49

hybrid voting, what is the rationale provided by the state for why they cannot offer that?

1:07:57

security for one. Well, verification for another,

1:08:03

Frank. Um, there it there's a lot of laws that could be changed, right? But

1:08:10

that the there's a structure that has always assumed historically because we haven't when the laws were written,

1:08:16

there was no concept of hybrid. That's right. Um, so the law was written, I can

1:08:22

tell you in probably 1970 and there was no concept of a hybrid. So does there

1:08:29

need to be adjustments? Possibly, maybe. But this is an area that that we do have

1:08:35

to grapple with. Why not make an amendment? Um, yeah, I

1:08:41

mean, Laura, that's exactly right. We have to figure out how to make the laws more current. That's I think part of the

1:08:48

point of this working group is how how do we want to do we want to make

1:08:53

hybrid town meeting? What does that look like? Um and and how does that um

1:09:02

how how does that work?

1:09:10

doesn't unless you can fix the electric and that's and that's the r and also h

1:09:18

how do you have the the richness of the conversation but can you have a richness

1:09:24

of the conversation if people are not included? So that's that's what we're that's what we're grappling with.

1:09:30

We don't have to do everything the town meeting has. If you have the super town

1:09:36

select board meeting where you can do that just like we're doing select board

1:09:41

meetings all over the place where the public can come in and and through the public participation can can jump in on

1:09:47

that and then do the Australian ballot down the road and then we essentially is

1:09:53

a play of variet platform where everybody can jump in and it's a it's a hybrid so we have a big old town meeting

1:10:00

and few people come in on the on the screens over handheld devices.

1:10:08

I I 100% hear what you're saying and I think that the state has to be careful

1:10:16

about what they mandate local communities do because local communities

1:10:22

have control over how they conduct their business. And similar to like how we

1:10:28

don't want the federal government to tell us at the state level how to do everything, we have to be careful about

1:10:34

state government mandating a ton of things to local folks and there's

1:10:40

there's some things that are non-negotiable like accessibility. Um

1:10:45

but that gets pretty murky pretty fast. So, I just want to say um

1:10:53

that that it's not it's not a simple fix. It none of these are simple fixes

1:10:58

because they would be fixed, but that doesn't mean we shouldn't be talking about them, advocating for them, um embracing them,

1:11:07

talking about them. It's just it's not some towns. If you said you should have

1:11:14

this engaged, robust informational meeting and then on Australian ballot,

1:11:20

there are a lot of towns in Vermont that would say we were taking away town meeting, right? But New Hampshire's made it

1:11:27

optional, which is the key thing there. It depends on if there's power at the meeting.

1:11:32

Yeah, it depends on if there's power at the meeting. And I think I think there's we just have to be aware of that. Yeah.

1:11:40

So, um yeah, Laura, thank you for saying that. That's u important. We I would love that

1:11:48

to live in utopia if it was easier. I know.

1:11:55

Doesn't mean we shouldn't be striving to be better though. Yeah. Maybe we get the candidates to

1:12:00

come Canadians to come to Vermont utopia.

1:12:08

Okay. Yeah. U this is Kelly Paella. I I after the

1:12:13

last meeting was thinking about the Jericho model and really any select board could opt to

1:12:24

have a meeting where they made it known that they wanted feedback that they you know like this is what we are thinking.

1:12:31

We would like to hear from the public. we would like you to offer changes that

1:12:36

that is available for any select board to to do at any of their meetings on on

1:12:43

any subject at any time. Um, and

1:12:51

that's really a question of teaching leaders how to

1:12:56

yes, encourage more engagement and teaching

1:13:02

citizens how to be engaged and learn how their government runs. And um,

1:13:08

I just, you know, it's like those are all things that can actively happen in any community.

1:13:15

um which should be encouraged and that's the I mean that not everything needs a

1:13:21

change in law for the some of these things to be moved forward some of it is

1:13:28

education some of it is changes in attitude some of it is 100% accessibility but I I

1:13:37

getting bogged down in making changes where changes aren't where the law isn't the

1:13:45

impediment, you know, like that's just I, you know, it's like there's nothing

1:13:51

stopping anyone from doing doing exactly what Jericho is doing as long as the

1:13:57

town is engaged and the board is engaged and and there is that trust and that's a

1:14:03

that's a thing you can't legislate no matter how hard you try. And but that is something that we can really educate on

1:14:11

and highlight and encourage and um create guidance on how to do it. Um you

1:14:17

know absolutely we we can we can move the needle. Yes. But I it just you know that that

1:14:26

um identifying what the change is and where to put the

1:14:34

energy um which is a challenge. Um was just something I was mulling over

1:14:40

because I I I wouldn't want a select board to say well that's you have to change the law for us to do that. Nope.

1:14:48

Don't don't have to. Right. you can choose to do that as as the leaders of your community as is.

1:14:57

I think that you're right and but in New Hampshire model I don't know if New Hampshire model allows amendments during

1:15:05

that period of time from the floor to nominate people for office for example

1:15:11

from that would needs petitions that would be a great thing to have it from

1:15:16

the floor and a lot more people would show up for that. Well, the election of

1:15:22

officers is there's a different set of laws that is governing election of

1:15:27

officers. So, that's where the number of laws that you would have to look at gets um exponentially higher.

1:15:35

But any slickboard meeting could be super announced and hey, we're going to

1:15:40

cover all this stuff and we're going to have pizza for everybody and and make it a big party.
The kids from the school

1:15:47

are gonna come and sing and everything like this. you know, and make it into a big deal and
then everybody shows up and and

1:15:54

things get gone over and it's like more gets a good idea what's you're going to be putting up
on the final ballot. Good

1:16:02

idea.

1:16:07

And you could probably run your AI speech transcribers to any language,

1:16:15

which I've seen on the uh Samsung Ultra S24 and 25 25 Ultras now they cost all

1:16:24

outdoors, but I saw the video I put it in several email attachments where it's just like
unbelievable, you know,

1:16:32

technology that's out there. doesn't have the personal touch, but it, you know, you could
put it on on tablets and

1:16:38

take, you know, I'm done with that.

1:16:43

Um, thinking back to the topics we were talking about, food and to Kate's most

1:16:49

recent point, we don't want pizza, just access, but there are people who do want pizza, too.
Um so um I don't know if

1:16:58

there's been evidence around um having food at town meeting if that

1:17:06

encourages people to come and encourages people to stay. Um I I don't know of any data on that.

1:17:14

Um this is Susan um Clark and um but but what I do I do think that that that and

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we've talked about sort of gradations in this report and I do think that there are some things that are um things that

1:17:26

towns town meaning town municipal government uh need to be aware of and

1:17:32

need to do. I think there are also things that are um um I'm a big advocate

1:17:38

of having a democracy committee in a town just the way we have a conservation commission in a town or you know um

1:17:44

groups that are interested in things volunteer committees that can help bleaguered town officials. Um, and I

1:17:52

think that offering food at meetings um it comes under the wouldn't it be cool

1:17:59

um uh element like it not it's not like oh the state legislature should mandate

1:18:05

that every town has pizza at its meeting. I think that would not be a good idea. Um I do think that it's a

1:18:12

delightful idea to say here are some here are some ways that communities are

1:18:17

uh improving participation. And I I I also think just to follow up on Kelly's point, um I think it would be really

1:18:25

helpful in this report to delineate um what does the what can we do now? Like

1:18:32

what can a town do right now, no legislative change needed to improve

1:18:37

accessibility? And I think that there is a lot of stuff there's a lot of stuff

1:18:43

that we can do under current law. I would even argue that what Cambridge did is allowed under under current law. Um

1:18:49

but that's me. I'm not a lawyer. Um so hoping for guidance on that. But um so

1:18:56

delineate what can we do now? And a really separate question is what do we need to ask um the the legislature to

1:19:06

I have a clarifying question um about we talk a lot about like this is against the law and this is against the law. Like when it comes to open meeting law,

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is the body of enforcement just the secretary of state's office? Like is that it?

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Um Jenny, this is Jenny. The Secretary of State's office is not the body of

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enforcement for the open meeting law. Um the at the state level, it's the attorney general's office has the power

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to investigate and enforce um potential violations of the law

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complaints. Does that ever a parallel path with members of the

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public? So any agrieved individual, right, may file a written complaint with the board, it if unhappy with the

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board's public um dealing with the that complaint can go to court. So can the

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attorney general's office. So it's not a step it up, but they're parallel paths.

1:20:02

Um how often the attorney general gets involved, I can't say. I know that occasionally they do look at things. Occasionally they do issue advisory

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opinions, for example. I haven't seen too much in the way of court action by the attorney general's office, but they

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are the state office that has that enforcement authority. The role glib, but it just it feels like

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we're like this whole thing is based on fear of like this scary open public meeting law stuff that like really when

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you look at the other laws on the books like like why why are municipalities

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living in fear of open meeting law enforcement? and not civil rights enforcement. I guess like that's

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that's the part that I'm just having a hard time with that we we offer up often in this committee that these public meet

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these open meeting laws are heralded as gold standard and just as important and prioritized as these other laws that are

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like access issues. I don't see those the laws in

1:21:02

competition with each other Kate. I actually think open meeting law always should be used and I think what we're

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trying to figure out is how is it not right now working for accessibility. I

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don't I don't know that I agree with you that that we are saying that

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accessibility law shouldn't be followed. I think we're saying how should open meeting law be in how should we ensure

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that open meeting law is accommodating accessibility. um and and as it should.

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And so we're talking about I mean it's open meeting law really I don't I'm try

1:21:42

I'm struggling to think of any way that it would inhibit access accessibility

1:21:48

um outside of the voting in-person voting is the area but that's

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not open meeting law. Open meeting law is um having agendas posted, minutes um

1:22:03

knowing where to go for the meeting whether it's in person or remote. Um you

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know that's open meeting law but the So I I guess I would like you to explain

1:22:14

that more because I don't Yeah. No, here's a really like here's an example from the last meeting, right? I said, "Hey, universal design, actually,

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let's make that reasonable accommodation request for all materials one week in advance, right?" And I said, "Yeah, I

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know open meeting law says 48 hours." And Jenny said, "Actually, I think it's 24 in this case." Um, and so then it

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became an issue like this is what happened. The reason I bring this up is because this is how it works on the town level. Town clerks rever open meeting

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law above all because that's what they're trained in. and they will use open meeting law as a lever to shut off

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people's reasonable accommodations under federal and state law by limiting the time. Is that what

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you're saying? By what? Jenny, is it by limiting is your complaint that

1:23:00

they limit the time or they don't let you speak at all?

1:23:07

Oh, I think we were talking about something different. Yeah, Jenny. So, I saw So, this is

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Jenny. Um, two points I just want to clarify with regards to the 24-hour

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versus 48 hour. Um, is my belief that it is not clear in law whether or not the

1:23:26

open meeting law requires 24 or 48 hours for the meetings that this group has scheduled. Um, so I I don't I would not

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say affirmatively that it is just that it's 24 hours. Um, but I think the point

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to which Kate might be speaking and this is what I I hear from folks that call open meeting law is meant to make sure

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that uh boards do their business in public, right, in front of people, but it's also

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meant to ensure that the public has the right to participate in those decisions to attend and participate. And those are

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the two places where I think

1:24:04

municipal officials tend to get more direct training on what that looks like in the open meeting law context rather

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than what that looks like in all the other areas of laws that are protecting the rights of people to attend and

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participate in meetings. Um and and I think that's true. I think that we have more of a focus on that. It's a smaller

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body of law. It's easier to learn and understand. And I think there are some really that the trainers are focusing on

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those laws at the local level. It's state law, not federal law. So you have the state feeling more comfortable um

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kind of trying to figure out how how to educate about that. So I that that is

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something that though I do hear from folks that um

1:24:47

the open meeting law is I'm trying I'm trying to come

1:24:57

Well, no, no, no. Just give me a minute. Is is uh is is this this known entity,

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right? This known entity where we fear the consequences of violations where they I'm not sure people could even

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articulate what the consequences are in federal law for violation violating or

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even state state or federal disability law. And I think that's on, you know, the educators, us as educators, too, um,

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to try to to try to get that get that information out there. And I think partners, I mean, I mean,

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we're not alone. I think Disability Rights Vermont should be could be

1:25:31

training town clerks. Um, and that would be really helpful. Um, I know Laura has

1:25:36

offered to train town clerks. That would be really helpful. Um, human Yeah, the

1:25:41

human rights commission could absolutely train town clerks. Um, but you know,

1:25:48

I think I think there's a lot of opportunities that we just haven't gotten to yet.

1:25:53

I think Tim Orseno has a point. Yeah, Tim, did do you have a a point? I see your comment and then we'll go to

1:25:59

the hands up on the screen. I just find that u we we we do need to

1:26:06

uh realize that some of us are are doing

1:26:11

what we can and I know we all need to do more but um uh please don't make us feel

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like we're enemies. I feel some of the comments today have

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have been in that direction. Yeah. Um AJ

1:26:28

Yeah. Hi. Um, I'd like to raise the issue because a

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lot of times we're talking about globally uh sort of altering

1:26:40

uh the way we operate as a state and towns operate as a state. But I also

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want to raise the issue of reasonable accommodations. Reasonable accommodations

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require entities to change practices and policies for people with disabilities or

1:27:01

a protected class because in fact many of those practices procedures were not

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created thinking about people with disabilities. It was sort of everybody

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is able to hear everybody hears and hears well. Everybody sees everybody's a

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is able-bodied. The whole purpose of an a reasonable accommodation is I mean it

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would be lovely if we had universal design but there would still be needs for a need for reasonable accommodations

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at time because disability is often expresses itself even two people have

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the same diagnosis may express itself differently. But on the whole we can

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agree that uh universal design w for inclusion would reduce the number of

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individual accommodations. Right now we don't have that and we so we should have

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reasonable accommodations for people who need them and for towns to meet the

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requirements of federal statute. Uh, you know, I I get it about open meeting

1:28:13

laws. I get it that that's what town uh clerks and offices are trains in. I

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think we need more education. But I've always been led to understand

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that federal statutes including civil rights laws supersedes

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smaller entity uh statute laws etc. So if a person with a

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disability requires uh an accommodation that is outside at

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this point you know public meet what pet public meeting law allows it's a smaller

1:28:54

lift to provide accommodations right now until we have a better fix including

1:29:02

electronic voting and there are I'll be sending something out to the tech group there more platforms that

1:29:11

uh exist and allow for security and identification of um voters and are accessible. Yes, it

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will require training, but to do that for a few people who need it rather than open it up to everyone is a smaller lift

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and I think speaks to both the letter and the spirit of the law.

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Laura, uh, I just wanted to say the legal

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question has come up, you know, legal questions have come up the last couple meetings about, you know, uh, this

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concern about whether or not, you know, changes that are being made or legal or whatever. And I and I would uh

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like to be able to help us sus out some of this stuff, but I

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think I need specific questions. If if there is a specific legal question that

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we're asking about something that you would like me to research or write a memo on or respond about, I I've heard a

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couple times we're hoping for some legal expertise. And so I just want to say like having a big general question about

1:30:22

figure out whether any of these changes are it's much too big an ask. I don't have that I don't have that much spare

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time. But if there is a specific question that um that we want to look at

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the legality of something then if maybe uh I know what the specific ask is did

1:30:44

the town of Cambridge when they did a uh violate the open meeting law you know if

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it were concise like that then I might be able to focus my time and energy on

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answering that question. So, uh, there's that. And then I guess the other thing I

1:31:03

wanted to sort of ask and inquire about is when a, you know, a town is asked to

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provide an accommodation or make some sort of change and then they refuse to do so because they're concerned about

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the question of legality. Maybe they don't know the answer to whether or not that change would be legal or not. Is

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there a hotline? Is there somebody that they can call? Do they have a lawyer on

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um retainer to answer those questions for them? Or do they can they call the

1:31:37

Secretary of State's office and get an answer um about a question like that before simply saying no, we can't do it.

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We don't know if it's violative of the law. like is would it be helpful for there to be a

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legal question and answers for towns when uh hotline you know when when

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something like this comes up. Most towns have a lawyer um that they

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can ask questions to. We are asked to answer legal questions all the time and

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we do not answer we do not provide legal advice in that way because um we are not

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a town's lawyer. Um we just are not we are a resource. We are um available but

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we can't provide factspecific legal answers of this is legal or that

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is illegal advice. That's all we can do. Um, and I I don't

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think we ever know enough to get into the place where we're offering legal advice. What we do help towns with is um

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some, you know, like let's say there's a reasonable accommodation. What are some factors to help determine what you can

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do under a reasonable accommodation? What's reasonable for you to do? Um, and

1:32:54

parameters and resources to go talk to. And and a lot of times it is your town attorney. We refer people to you, Laura.

1:33:01

Um so so I hope that towns are calling. Um but Jenny, I'll just add to that. Um so one of the

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reasons we don't offer legal advice aside from the resource issue and that

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the need to really do diligent research before we would do that is that we talk to everybody. We talk to towns. We talk

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to members of the public. And if we're going to be talking to everybody on all sides of an issue, we cannot be giving legal advice to any one of those folks

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because otherwise we're establishing conflicts of interests for ourselves. Yeah. So, towns do have one other resource

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though, which is the League of Cities and Towns, which is the group that is

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rep um provides education and all kinds of other resources to municipalities.

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They've appointed some folks to this group here and they do have a municipal assistance center team of gosh, they're

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probably up to seven or eight staff, at least half of whom are lawyers, that do give limited legal advice to member

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towns. And it's not just towns, towns, cities, um, some other types of municipalities, not schools, districts,

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but a lot of municipalities are able to rely on them for these kinds of questions. It like is what I am doing

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ADA compliant. They could call the League of Cities and Towns and get an answer on that. Um, I do think when

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things are very complicated, they often still refer towns back to their own attorneys, but they at least do sort of

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this, I would say, a warmline work, you know, you're describing.

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Final question, Frank. And then we're going to close the meeting is the the monkey and that's missing in

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the room or the elephant is the attorney general's office because they are a

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component of this the enforcement component and we don't know what they're

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thinking about uh the these type these type of cases coming towards them. In my

1:34:52

experience, they will not provide answers on uh hypotheticals. Um

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but but as part of the report, they should probably offer up a section of

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the report themselves in the in their with their position on open meeting law

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and what they're they're not even going to do that to the legislature. They wouldn't tell. No, they they don't want

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to um they don't want to u make predeterminations on fact patterns um

1:35:23

but that they don't have investigations for. Frank, I mean I I as a rumor I heard a rumor that they don't even want

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to bother with it because they got better first bigger fish to fry. That's what I heard. I I can tell you that the attorney

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general's office has a wide range of responsibilities. I don't know what resources they're putting where, but um

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but they are not going to give a legal opinion on a hypothetical. Um, and

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it's just Hey, Kate, look, maybe you could have an an

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encounter with the attorney general's office relative to some some of the serious open meeting issues that you

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brought forward and come back to the group and report what your experience has been relative to their desire to

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enforce the law. The beautiful thing about the laws is

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that everyone in every town can do the same thing and you don't in fact have to be someone from a protected class to

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enforce the law. So I would welcome and invite all of us to be doing that.

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Feels pretty confrontational to me. Okay, I am going to close uh this

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meeting and say thank you everyone for the participation. Um I we have another meeting scheduled. Um when is that? I

1:36:45

have the next one here. Let me find it. It's um today is the 14th

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28th. Funding wrap up any topic. Okay. So we'll we'll um have an agenda

1:36:58

for that meeting. If anyone has any items to add to the agenda, please uh send them to Jenny. Um and um we are

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providing that agenda a week beforehand. So um please send those agenda items to

1:37:14

Jenny uh by Monday or Tuesday of next week, please. And September 12th will be wrap up any

1:37:20

topic. Yeah. Thank you very much.