

## Unanswered Question Log

1. Q: Question #2: if a district names a date for its Australian ballot vote (say Town Meeting Day), but a town within the District postpones the its Australian ballot vote date, when should the town complete the vote for the District?

The school district sets the date for the school district vote and the town sets the date for the town vote, The entire school district should vote on the same day, regardless of whether a town is not voting on town issues that day.
2. Q: And on mailing ballots: If some towns mail ballots and some don't (union district) do we follow each town, or have to stick with "least common denominator" - and do all in person

No. Each municipality makes a decision. A school district could decide to mail ballots to all voters and a town within the school district could choose not to send ballots for their town meeting. We encourage as much coordination as possible so that clerks are not faced with different processes for the town ballot and the school ballot, but there will be instances where this is unavoidable.
3. Q: Just to double check that I heard correctly... a school board can vote to cancel their Annual Meeting and postpone it?

Yes, [H. 48](#) allows a municipality to move the date of their annual meeting to later in the year.
4. Q: For Australian ballot, we have 7 member towns - can we have one central polling place with our school district clerk running the election or do we have to have polling places in each town?

It is not clear that this could be a possibility within the education statutes. Without that clarity, I would advise not going that route.
5. Q: Our district has never done Australian ballot. How do we know if we should comingle ballots?

We would defer to the school district attorney on this issue. Typically the voters in a district have to vote to require the commingling of ballots, so not commingling appears to be the default, but we would advise checking with the district attorney.
6. Q: If a town chooses to mail their ballots to all voters, can they include school district ballots without board approval? If so, can one town choose to include school district ballots but not all district towns?

No. All voters within each district should be treated the same - either having the ballot mailed to them proactively, or needing to request it.
7. Q: We have two towns merged in our district. We want a partial vote on two selected District articles by Australian Ballot at these town's "town meetings". The towns have different meeting dates, one on Monday night, one during the day on Tuesday. How do we handle the votes collected on Monday night until the vote on Tuesday is complete.

I do not fully understand this question. Please contact [sos.elections@vermont.gov](mailto:sos.elections@vermont.gov) to provide more information.
8. Q: Regarding mailing ballots, can school districts authorize the ballot process to piggyback on towns' process? (For example, if one town wishes to mail ballots to all of their voters, allow the school district ballot to be included in that mailing, while another town only mails ballots (towns and school districts) at voters' requests)

Please see the answer to number 6 above.
9. Q: What would be included and not included in expenses that could be reimbursed?

The Secretary of State has issued a memo outlining the allowable expenses for reimbursement. You can find it on the SoS website, here: [Elections Division COVID-19 Response \(vermont.gov\)](#)

10. Q: Is it possible to leave Articles we normally have, such as "To transact any other business that may legally come before this meeting." off the Australian ballot?  
Yes.
11. Q: For the moderator, clerk and treasurer, I believe we usually advertise for those positions now and accept letters of interest until our annual meeting date. I assume we would now need to cut off the letters of interest by Jan 25 in order to include those names on the ballot. Yes? I'm concerned we won't have time to advertise  
Candidates for office should file a Consent of Candidate form. We have a sample on our website here <https://sos.vermont.gov/media/8d8adbde08e5b8f/local-candidate-consent-for-2021.pdf>. The Directive issued by the Secretary of State on Wed. 1/20 allows for this deadline to be pushed closer to the meeting date. See #10 in the Secretary's Directive, here: [Vermont Office of Secretary of State: Press Release](#)
12. Q: RE mailing ballots- but if our towns don't agree on mailing ballots, then what do school districts do? We follow the town's lead, no? Or we mail all if one mails?  
School districts make their own decision. See the answer to #6 above.
13. Q: Aren't towns compelled by law to complete votes for school districts? If a district names a date for Australian ballot, isn't the town compelled to hold that vote?  
The statute is not clear on this, especially in the case of multi-town school districts.
14. Q: In an SU, if a single town decides to mail ballots, is the school district required to also mail?  
No. See the answer to #6 above.
15. Q: So if one town mails all their ballots out, we have to mail them out to all the other towns who are not within our School District? I am a little confused  
No. The school district would decide for the school district voters.
16. Q: Just to clarify, our regular school meeting is in May.
17. Q: Is it OK for some towns within a district to do a combined mailing of school and town ballots while other towns do two separate mailings? (As long as all voters are given same access to voting?)  
Yes, this would be possible. In the towns within the district that didn't send their town ballots out proactively, the school voters should still receive a mailed ballot.
18. Q: If the school board choses to vote Australian ballot, do they have to hold both an information meeting remotely and a annual school district meeting remotely or are they one in the same?  
Only the informational hearing would be required and can be held remotely. The "meeting" has been moved to ballot instead of taking place from the floor.
19. Q: Typically I have helped our Town count votes, for most of our elections. Since we are not having a floor vote, and I will be on the ballot, am I unable to assist with the town with the count? Currently, I am unopposed, but the deadline has not passed.  
[17 VSA 2456](#) provides for those that are disqualified from serving as election officials. I am not sure what office you are running for. In general, a candidate who is not the only named person on the ballot should not serve as an election official.
20. Can I just get clarification on what Will just said about ballots - sorry for repetition - The School District Clerk can hire District voters to help with the comingled ballot counting, if there is none from a member towns willing to come to the central location to comingle the ballots and count? Do these "special election workers" need to be sworn in, or otherwise certified?  
All election workers should be sworn in prior to performing their duties. Any registered voter within the district may serve as an election official. 16 and 17 year old within the district can also work under the direct supervision of an election official. Town clerks can assist as they may have lists of voters who have expressed an interest in working an election. Also, please note that the

Secretary's [1/20 Directive](#) allows for the commingling of ballots to be waived by the district board for this year only. The vote totals from the member towns would be reported to the district clerk to be added up and have the final district-wide result determined and announced.

21. Q: Did Will say all school budget votes must occur on the same day? Yet our towns may choose different days?  
Yes, it is two separate municipalities.
22. Q: If so that means districts MUST hold a special election of any towns in the district choose a different day  
If a town is not holding a town vote and the school district has chosen to have their meeting, then that town should hold the vote for the school district vote.
23. Q: If an informational meeting must be held not more than 10 days before the vote, but the school district decides to hold voting on whatever day the member towns choose, and they choose various dates, must we hold an info meeting before each date?  
That is not an option as the school district vote must be held on the same day in all of the member towns, despite whether they may be holding their town votes on different days. This is where the effort to coordinate with your member towns, if possible, is important - so that you are not asking clerks to conduct two elections on different days. The informational hearing needs to be held within 10 days of the school district vote, regardless of the dates of the various town meetings.
24. Q: The tabulator company offered us a tabulator for a rental fee. They would deliver, train, and pick-up. It was relatively expensive.
25. Q: One technical suggestion (not a question.) The shared screen seems to have a moving background behind the webinar page. This generates additional video network traffic and can degrade audio. A static background would be helpful.
26. Q: To be clear, items on the floor like approving reports and "other business" can be excluded if you vote to do all matters by AB?  
Yes, there is no requirement in statute to approve reports and "other business" alone can not be voted on by ballot.
27. Q: Just to confirm; moderator, treasurer, etc should fill out candidate consent form? Normally they are nominated from the floor and don't fill out a candidate form in advance.  
Yes, that is correct.
28. Q: Who covers the cost of the special elections that may have to occur is a town within our school district has a different voting date.  
Each municipality should cover their costs for annual meetings.
29. Q: Can you confirm that if School Board members, who are elected at the Town Meeting level, are not elected on March 2, that the current Board member terms are automatically extended until a replacement is voted in?  
That is correct and codified in [H. 48](#).
30. Q: If the Town and School District votes occur on the same day and, in a multi-town district, some towns opt to send ballots to everyone and others opt to use traditional absentee applications, could the District also opt to use the traditional absentee applications?  
Yes, but the method of distributing the school district ballots, whether by request or mailing to all voters, needs to be the same in all towns (again, regardless of how the town ballots are being delivered).

31. Q: Our district office creates our district ballots and distributes them to the town clerks. Because of this, WE have been collecting the candidate consent forms for school board vacancies. Is this allowable, or should the forms be returned to the town clerks?  
Statute could be clearer. Your practice works. Its most important that the person preparing the ballot have copies of the form to ensure the accuracy of the name on ballot.
32. Q: If we decide to send out ballots to all registered voters in our school district, do we need to send the towns the school district ballot for people who decide to show up for in person voting and ignore the mail ballot?  
Yes, ballots should be available on election day, even if they were sent to all voters.
33. Q: Do we still need an annual meeting if we move all votes to Australian Ballot?  
The Australian ballot vote is the annual meeting for the district. It takes the place of the floor vote. The informational hearing is required when using Australian ballot.
34. Q: Should candidate consent forms be returned to the district clerk or the town clerk for unified districts?  
See the answer to #33 above.
35. Q: can we get a very clear understanding on what school districts can expect for town clerks in terms of ballot development and distribution  
The statutes themselves lack clarity for union districts on the administration of elections so it's not possible to provide a one size fits all answer.