

Vermont Attorney General's Office Updated Guidance on the Vermont Open Meeting Law,  
Physical Distancing and COVID-19:

The Vermont Attorney General's Office ("AGO") has authority to enforce violations of the Vermont Open Meeting Law pursuant to 1 V.S.A. § 314.<sup>1</sup> Following the passage of H.681, rules that allow for safe social distancing will apply to open meetings for the duration of the governor's COVID-19 emergency order (Executive Order 1-20). The following provides a guide for local governments to conduct open meetings while practicing physical distancing as recommended by experts in the medical community to address COVID-19:

1. Electronic participation in public meetings is allowed. Vermont open meeting laws allow for members of public bodies to attend meetings by electronic means without being physically present at the meeting. 1 V.S.A. § 312(a)(2). A quorum or more can attend electronically and conduct business. 1 V.S.A. § 312(a)(2)(D).
2. The public must be able to attend electronically. Any public body meeting remotely must provide the means for remote public access by electronic or telephonic means. H.682, Section 6(b). The public body shall allow attendance by telephone whenever possible. Id. The body must publicly post information on how to access meetings electronically and include that information on the agenda for the meeting. Id. Selectboards, city councils, and schoolboards must record meetings held electronically, unless it is impossible to do so. Id.
3. Physical meeting places are not required during the COVID-19 emergency. For the duration of the COVID-19 emergency, no physical meeting location is required for any public body, and no member of the public body or staffer must be present at a designated location. H.682, Section 6(a)(2)-(3).
4. Emergency Meetings are allowed: Given the rapidly changing nature of the situation, meetings may need to convene quickly. This is allowed when necessary to respond to unforeseen occurrences or conditions requiring immediate attention. Notice and posting requirements are waived for emergency meetings. 1 V.S.A. § 312(c)(3). Public notice should still be given as soon as possible before the meeting. Id.
5. Additional guidance can be found:
  - a. [at the Secretary of State's website.](#)
  - b. [at the Vermont League of Cities and Towns.](#)

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<sup>1</sup> . Private actors may also enforce rights on the Vermont Open Meeting Law.