



219 North Main Street, Suite 402
Barre, VT 05641 (p) 802-479-1030 | (f) 802-479-1835

Vermont Open Meeting Law and Public Records Act

Background

Sometimes called “right to know” or “sunshine” laws, open meeting provisions are intended to provide transparency and accountability in government. The Open Meeting Law and the Public Records Act apply to all public bodies, including school boards, select boards, and the State Board of Education.

Application

A board or public body must follow the rules in the Open Meeting Law (OML) whenever there is a quorum or more of the members gathered to discuss the business of the public body.

- Quorum – a majority of the members of a board or other public body.
- Meeting – includes discussions that take place by phone, email, text message or use of social media, if a quorum is involved.

Requirements of OML

- Notice – usually called a “warning.” Designed to let the public know that the board will be meeting, including time, place, and an agenda for the meeting.
- Access – members of the public must be allowed to attend the meeting to listen and observe. The only exception to this rule is when the board meets in executive session. When the requirements for an executive session are met, including a vote by the board to enter the session, the public may be excluded from that portion of the meeting.
- Public Comment – the board has to provide an opportunity for members of the public to voice their opinion on issues being considered by the board at the meeting. The board can place reasonable limits on public comment, such as a time limit or speaker’s list.
- Minutes – The board must provide the notes of its meetings to the public within five days after the date of the meeting. Minutes have to include things like: names of all the members present, names of all other active participants, and all motions and votes.

Public Records Act

The public has a right to request to view or copy public records of state agencies and public bodies. A public record is any written or recorded information that is produced or acquired in the course of public business.

- This could include emails, notes, reports or text messages or any other written or recorded information about public agency business.
- Public records are subject to disclosure unless an exception applies.
- Members of a public body or board should inform the chair of the board when they receive a public records request, so that the board’s procedures can be followed.