

## Use of School Facilities and Elections

Rev. Jan. 28, 2021

### Background

In the [Strong and Healthy Start Guidance](#), last updated Oct. 23, 2020, districts were advised on page 27 that “The public may use school grounds, but may not use school buildings, including restrooms.”

The purpose of this guidance is to clarify how school facilities may be used for elections and other public uses prior to and during the 2020-21 school year. In particular, districts are encouraged to work with their local election officials to provide access to school facilities to conduct elections for the August primary and November general election if such access is requested.

### NEW School District and Municipal Annual Meetings

Pursuant to Acts [1 of 2021 \(H.48\)](#), [162 of 2020](#) and [Act 154 of 2020, Sec. B. 1114](#), municipalities and school districts may conduct annual meetings and budget votes using Australian ballot and/or voting by mail. Municipalities and school districts are *strongly* encouraged to take advantage of these options and not conduct annual meetings in-person this year.

Municipalities and school districts are also permitted to postpone in-person meetings until later in the year when conditions may improve.

For schools that hosted either school district or municipal annual meetings prior to the COVID-19 pandemic, annual meetings, whether in person, delayed or held by Australian ballot, are a permissible use of schools. The [Agency of Commerce and Community Development](#) and the [Secretary of State](#) have issued guidance regarding the process for annual meetings and elections during 2021.

Schools may allow meetings for these purposes, but they must receive assurances from the responsible entity (i.e. the town or school board) that such meetings will follow the [Guidance on Meetings of Public Bodies](#) issued by the Agency of Commerce and Community Development.

This guidance includes implementation of capacity restrictions of 50 percent of fire safety capacity or one person per 100 square feet, whichever facilitates social distancing between households. Any in-person annual meeting must comply with this capacity requirement.

## **UPDATED Other Permissible Public Use of School Facilities**

School facilities may be used for the following public uses:

- Blood drives
- Emergency shelter and food distribution, at the discretion of the State Emergency Operations Center
- SAT and ACT exam administration
- Other statewide assessments as needed, at the discretion of the Agency of Education.
- Formal, warned meetings held outside of in-person school hours by the municipality where the school is located. The school should only allow meetings it already hosted prior to the COVID-19 pandemic.
- **COVID-19 vaccination clinics sponsored by the Vermont Department of Health, in accordance with pre-existing Point of Distribution (POD) Memoranda of Understanding.**

All public use should conform with current state health guidance around maximum number of participants and support physical distancing. Public use should be followed by thorough cleaning and disinfection using recommended disinfection protocols and products. All participants should wear masks wherever possible and access to areas of the school not part of the public use should be restricted.

### **November General Election 2020**

The General Assembly authorized the Secretary of State to modify election law to enable elections to be held safely during the COVID-19 pandemic. See the Secretary of State Office's [Summary of Election Law Provisions in H.681](#) and [First Statewide Elections Directive](#) for more information.

School boards are encouraged to work closely with local election officials to allow access to school facilities for the purposes of conducting the November election.

A district's school board has the authority to approve the request of a town clerk to conduct national, state, local and/or school district elections in a large communal space inside a school building, provided that:

- The communal space can be accessed directly through an exterior door, and the public and election officials can enter, use and exit the space without coming within six feet of students or school staff.
  - Clear signage should indicate which entrances and exits are to be used by the public and that other sections of the building are off limits.
  - Election officials may organize the temporary installation of portlets for public use on election day. The school may also designate a restroom for election official and/or public use if adjacent to the communal space and not within six feet of student or staff traffic.

- If a school operates in a hybrid learning disposition and no students are attending in-person on Election Day, schools can use whatever entrances, exits and communal spaces they would like to designate, provided those spaces can be cleaned and disinfected before the next day of in-person instruction. In the event that teachers, custodial staff, administrators or other school staff will be in the building, they should be notified of which entrances, exits and communal spaces will be used on Election Day and asked not to use those spaces for the day.
- All elections-related activity within the space conforms to the maximum number of participants allowed by current state guidance and is arranged by elections officials to support physical distancing to the extent feasible; and
- Elections officials shall arrange and reimburse, with assistance from the Secretary of State's Office, for the thorough cleaning and disinfecting of the communal space to be completed within a timeframe acceptable to the school board, following recommended disinfection protocols and using recommended disinfection products.

Election officials and school boards should work with school and district administrators to clearly communicate to students, staff and the community any changes to the use of school facilities on Election Day.

The Vermont Secretary of State's Office has issued [COVID-19 Polling Place Health Guidelines](#).

## **August Primary 2020**

The General Assembly authorized the Secretary of State to modify election law to enable elections to be held safely during the COVID-19 pandemic. See the Secretary of State Office's [Summary of Election Law Provisions in H.681](#) for more information.

A district's school board has the authority to approve the request of a town clerk to conduct national, state, local and/or school district elections in a large communal space inside a school building, provided that:

- All elections-related activity within the space shall conform to the maximum number of participants allowed by current state guidance and is arranged by elections officials to support physical distancing to the extent feasible; and
- Elections officials shall arrange and reimburse, with assistance from the Secretary of State's Office, for the thorough cleaning and disinfecting of the communal space to be completed within a timeframe acceptable to the school board, following recommended disinfection protocols and using recommended disinfection products.

School boards are encouraged to work closely with local election officials to allow access to school facilities for the purposes of conducting the election for the August primary.