

1 S.167

2 Introduced by Senator Champion

3 Referred to Committee on

4 Date:

5 Subject: Education; public construction bids; accredited postsecondary  
6 institutions

7 Statement of purpose of bill as introduced: This bill proposes to make  
8 miscellaneous amendments to education law, including (1) amending the cost  
9 threshold for public school construction bids and (2) amending the list of  
10 postsecondary schools chartered in Vermont.

11 An act relating to miscellaneous amendments to education law

12 It is hereby enacted by the General Assembly of the State of Vermont:

13 \* \* \* Public Construction Bids \* \* \*

14 Sec. 1. 16 V.S.A. § 559 is amended to read:

15 § 559. PUBLIC BIDS

16 (a) Cost threshold. ~~When the cost exceeds \$40,000.00, a~~ A school board or  
17 supervisory union board shall publicly advertise or invite three or more bids  
18 from persons deemed capable of providing items or services if costs are in  
19 excess of ~~\$40,000.00 for any of the following:~~

1 (1) \$100,000.00 for the construction, purchase, lease, or improvement of  
2 any school building; or

3 (2) \$40,000.00 for:

4 ~~(2)~~(A) the purchase or lease of any item or items required for supply,  
5 equipment, maintenance, repair, or transportation of students; or

6 ~~(3)~~(B) a contract for transportation, maintenance, or repair services.

7 \* \* \*

8 (e) Application of this section. Any contract entered into or purchase made  
9 in violation of the provisions of this section shall be void; provided, however,  
10 that:

11 (1) The provisions of this section shall not apply to contracts for the  
12 purchase of books or other materials of instruction.

13 (2) A school board may name in the specifications and invitations for  
14 bids under this section the particular make, kind, or brand of article or articles  
15 to be purchased or contracted.

16 (3) Nothing in this section shall apply to emergency repairs.

17 (4) ~~Nothing in this section shall be construed to prohibit a school board  
18 from awarding a school nutrition contract after using any method of bidding or  
19 requests for proposals permitted under federal law for award of the contract.  
20 Notwithstanding the monetary amount in subsection (a) of this section for  
21 which a school board is required to advertise publicly or invite three or more~~

1 ~~bids or requests for proposal, a school board is required to publicly advertise or~~  
2 ~~invite three or more bids or requests for proposal for purchases made from the~~  
3 ~~nonprofit school food service account for purchases in excess of the federal~~  
4 ~~simplified acquisition threshold when purchasing food or in excess of~~  
5 ~~\$25,000.00 when purchasing nonfood items, unless a municipality sets a lower~~  
6 ~~threshold for purchases from the nonprofit school food service account~~ The  
7 provisions of this section shall not apply to contracts for the purchase of food  
8 made from a nonprofit school food services account.

9 \* \* \*

10 \* \* \* Postsecondary Schools Chartered in Vermont \* \* \*

11 Sec. 2. 16 V.S.A. § 176(d) is amended to read:

12 (d) Exemptions. The following are exempt from the requirements of this  
13 section except for the requirements of subdivision (c)(1)(C) of this section:

14 \* \* \*

15 (4) Postsecondary schools that are accredited. The following  
16 postsecondary institutions are accredited, meet the criteria for exempt status,  
17 and are authorized to operate educational programs beyond secondary  
18 education, including programs leading to a degree or certificate: Bennington  
19 College, Champlain College, ~~College of St. Joseph~~, Goddard College, ~~Green~~  
20 ~~Mountain College~~, Landmark College, ~~Marlboro College~~, Middlebury College,  
21 ~~New England Culinary Institute~~, Norwich University, Saint Michael's College,

1 SIT Graduate Institute, ~~Southern Vermont College~~, Sterling College, ~~Vermont~~  
2 ~~College of Fine Arts~~, and Vermont Law School. This authorization is provided  
3 solely to the extent necessary to ensure institutional compliance with federal  
4 financial aid-related regulations, and it does not affect, rescind, or supersede  
5 any preexisting authorizations, charters, or other forms of recognition or  
6 authorization.

7 \* \* \*

8 \* \* \* Effective Date \* \* \*

9 Sec. 3. EFFECTIVE DATE

10 This act shall take effect on July 1, 2024.