

1 Sec. X. EDUCATION; CORONAVIRUS RELIEF FUND;

2 APPROPRIATIONS

3 (a) Appropriations; Prekindergarten-Grade 12

4 (1) The sum of \$20,000,000.00 is appropriated from the Coronavirus
5 Relief Fund to the Agency of Education in fiscal year 2020 for the purpose of
6 reimbursing fiscal year 2020 coronavirus costs incurred by school districts.

7 The Agency of Education shall administer this reimbursement program, issue
8 guidance to school districts on reimbursable costs, and establish a process for
9 submission of, and reimbursement for, these costs.

10 (2) The sum of \$20,000,000.00 is appropriated from the Coronavirus
11 Relief Fund to the Agency of Education in fiscal year 2021 for the purpose of
12 providing grant funding to supervisory unions to assist with the costs of
13 reopening schools. The Agency of Education shall administer this grant
14 program and issue guidance to supervisory unions on costs that are eligible for
15 this grant funding. The Agency of Education shall allocate grant funding to
16 supervisory unions in an amount up to their proportional allocation of funding
17 for Elementary and Secondary Education Title -1A funds.

18 (3) The sum of \$45,000,000.00 is appropriated from the Coronavirus
19 Relief Fund to the Agency of Education in fiscal year 2021 for the purposes of
20 providing grant funding to supervisory unions to assist with the costs of
21 helping students recover from learning loss due to school closure and remote

1 learning during the Coronavirus State of Emergency and the costs of providing
2 social and emotional support to students and school staff resulting from the
3 coronavirus pandemic. The Agency of Education shall administer this grant
4 program and issue guidance to supervisory unions on costs that are eligible for
5 this grant funding. The Agency of Education shall allocate grant funding to
6 supervisory unions in an amount up to their proportional allocation of funding
7 for Elementary and Secondary Education Title -1A funds.

8 (b) Appropriations; Higher Education

9 (1) The sum of \$10,000,000.00 is appropriated from the Coronavirus
10 Relief Fund to the Agency of [TBD] in fiscal year 2020 for the purpose of
11 reimbursing fiscal year 2020 coronavirus costs incurred by the University of
12 Vermont and State Agricultural College (UVM) and the Vermont State
13 Colleges (VSC). The Agency of [TBD] shall administer this reimbursement
14 program, issue guidance to UVM and VSC on reimbursable costs, and
15 establish a process for submission of, and reimbursement for, these costs. Up
16 to \$5,000,000 may be allocated to each of UVM and VSC to cover
17 reimbursable costs.

18 (2) The sum of \$30,000,000.00 is appropriated from the Coronavirus
19 Relief Fund to the Agency of [TBD] in fiscal year 2021 for the purpose of
20 reimbursing fiscal year 2021 coronavirus costs incurred by UVM and VSC.
21 The Agency of [TBD] shall administer this reimbursement program, issue

1 guidance to UVM and VSC on reimbursable costs, and establish a process for
2 submission of, and reimbursement for, these costs. Up to \$15,000,000 may be
3 allocated to each of UVM and VSC to cover reimbursable costs.

4 (c) Scope of guidance. Consistent with the stated purposes of the funding
5 under subsections (a) and (b) of this section, the guidance issued by the
6 Agency of Education and the Agency of [TBD] shall allow for use of that
7 funding to cover all costs permitted under law.

8 (d) Purpose or determination of necessity; due to COVID-19. The General
9 Assembly determines that the expenditure of monies from the Coronavirus
10 Relief Fund as set forth in this section is necessary and is due to or resulting
11 from COVID-19 due to the reasons set forth in subsections (a) and (b) of this
12 section.

13 (e) Use of appropriations for prekindergarten costs. The appropriations
14 under subsection (a) of this section shall not be used for costs incurred by a
15 prekindergarten program that is not operated by a school district.

16 (f) Use of surplus funds. Notwithstanding 16 V.S.A. § 567, a school
17 district that has a reasonable basis to believe that it has surplus funds from
18 fiscal year 2020 may carry those surplus funds into fiscal year 2021 as revenue
19 without waiting for an audit to confirm the existence or amount of the surplus
20 funds.

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1 The language below will not be in the Education Committee's language

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3 **Just FYI - general language to be included (once) at beginning or end of**

4 **HAC bill and/or H.961 (1st Q budget bill):**

5 Sec. A. CONSISTENCY WITH CARES ACT AND GUIDANCE.

6 The General Assembly determines that the expenditure of monies from the
7 Coronavirus Relief Fund as set forth in this act complies with the requirements
8 of Sec. 5001 of the CARES Act, Pub. L. No. 116-136 and related guidance
9 because the costs to be covered:

10 (1) are necessary expenditures incurred due to the public health
11 emergency with respect to Coronavirus Disease 2019 (COVID-19);

12 (2) were not accounted for in Vermont's fiscal year 2020 budget; and

13 (3) were, or will be, incurred during the period beginning on March 1,
14 2020 and ending on December 30, 2020.

15 Sec. B. REVERSION – (addressed in Sec. A.31 of H.961 – 1st Q budget)

16 Sec. C. GRANTS; CONDITIONS

17 (a) Any person receiving a grant comprising monies from the Coronavirus
18 Relief Fund shall use the monies only for purposes that comply with the
19 requirements of Sec. 5001 of the CARES Act, Pub. L. No. 116-136 and related
20 guidance.

1 (b) Any person who expends monies from the Coronavirus Relief Fund for
2 purposes not eligible under Sec. 5001 of the CARES Act, Pub. L. No. 116-136
3 and related guidance shall be liable for repayment of the funds to the State of
4 Vermont; provided, however, that a person shall not be liable for such
5 repayment if the person expended the monies in good faith reliance on
6 authorization of the proposed expenditure by or specific guidance from the
7 agency or department administering the grant program.

8 (c) The Attorney General or a State agency or department administering a
9 grant program established or authorized under this act may seek appropriate
10 criminal or civil penalties as authorized by law for a violation of the terms or
11 conditions of the applicable program, grant, or award.

12 Sec. D. RECORD KEEPING; COMPLIANCE

13 In order to ensure compliance with the requirements Sec. 5001 of the
14 CARES Act, Pub. L. No. 116-136 and related guidance, and to assist the State
15 in demonstrating such compliance, each grant recipient shall report on its use
16 of the monies received pursuant to this act to the agency or department
17 administering the grant as required by that agency or department and shall
18 maintain records of its expenditures of the monies for three years, or for a
19 longer period if so required by State or federal law, to enable verification as
20 needed.