

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Ways and Means to which was referred House Bill No.  
3 209 entitled “An act relating to ending the suspension of State aid for school  
4 construction projects” respectfully reports that it has considered the same and  
5 recommends that the bill be amended by striking out all after the enacting  
6 clause and inserting in lieu thereof the following:

7 Sec. 1. SCHOOL CONSTRUCTION; FACILITIES STANDARDS;  
8 CAPITAL OUTLAY FINANCING FORMULA; AGENCY OF  
9 EDUCATION; STATE BOARD OF EDUCATION; UPDATE

10 (a) On or before January 15, 2021, the Secretary of Education, in  
11 consultation with the Executive Director of the Vermont Superintendents  
12 Association, the Chair of the State Board of Education, and the Commissioner  
13 of Buildings and General Services, shall update the school construction  
14 facilities standards. The update shall reflect:

- 15 (1) modern educational requirements and opportunities;  
16 (2) health and safety standards for COVID-19 mitigation; and  
17 (3) remote learning requirements.

18 (b) On or before January 15, 2021, pursuant to State Board Rule 6124.1,  
19 the State Board shall update and adopt a formula to establish the maximum and  
20 minimum square-footage parameters by school size and grade range through a

1 square-footage allowance per student or program. The formula shall also  
2 establish an allowable cost per square foot of construction.

3 Sec. 2. SCHOOL FACILITIES CONDITIONS ANALYSIS; JOINT FISCAL  
4 OFFICE; COVID-19 EMERGENCY

5 (a) On or before August 15, 2020, the Joint Fiscal Office, in consultation  
6 with the Secretary of Education and the Commissioner of Buildings and  
7 General Services, shall issue a request for proposal for a statewide school  
8 facilities needs and costs analysis resulting from the COVID-19 emergency.  
9 The analysis may include a review of the health and safety facilities conditions,  
10 an assessment of infrastructure needs to meet social distancing requirements,  
11 and an assessment of the adequacy of facilities for remote learning.

12 (b) The Joint Fiscal Office shall contract with an independent third party to  
13 conduct the analysis described in subsection (a) of this section. The analysis  
14 shall be completed on or before December 18, 2020.

15 (c) The amount of \$800,000.00 is appropriated from the Coronavirus Relief  
16 Fund to the Joint Fiscal Office to conduct the analysis described in this section.

17 (d) As used in this section, “school” has the same meaning as in 16 V.S.A.  
18 § 3447.

1       Sec. 3. SCHOOL CONSTRUCTION FUNDING; JOINT FISCAL OFFICE;  
2               REPORT

3               (a) On or before January 15, 2022, the Joint Fiscal Office shall submit a  
4       report to the House Committees on Education, on Corrections and Institutions,  
5       and on Ways and Means and the Senate Committees on Education, on Finance,  
6       and on Institutions that shall include the following:

7               (1) an overview of the recent history of Vermont’s school construction  
8       funding;

9               (2) an analysis of the challenges and opportunities to the State, if any, of  
10       funding school construction projects;

11               (3) review of the experience of other jurisdictions; and

12               (4) options to address the school construction needs of the State,  
13       including funding, oversight, and setting priorities.

14               (b) The Joint Fiscal Office shall have the assistance of the Office of  
15       Legislative Council, the State Treasurer, the Vermont Bond Bank, the Agency  
16       of Education, and any other relevant State agency or department as needed. As  
17       part of its work, the Joint Fiscal Office shall consult with the Vermont School  
18       Boards Association, the Vermont Superintendents Association, and the  
19       Vermont Board of Education.

1        (c) To the extent needed, the Joint Fiscal Office is appropriated \$30,000.00  
2        from the **General Fund** for consultants or study expenses for the report  
3        described in subsection (a) of this section.

4        Sec. 4. SCHOOL CONSTRUCTION PROJECTS; BONDING; FY 2021

5        (a) Beginning on July 1, 2020 and ending on June 30, 2021, school district  
6        shall not approve a bond for a school construction project in an amount greater  
7        than \$1,000,000.00 unless the school construction project is necessary to  
8        address imminent threats to physical safety and health of students or  
9        employees.

10       (b) Notwithstanding subsection (a) of this section, a school district is  
11       authorized to approve a bond or accept any other available funds to address  
12       infrastructure needs attributable to the COVID-19 emergency.

13       Sec. 5. EFFECTIVE DATE

14       This act shall take effect on July 1, 2020.

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(Committee vote: \_\_\_\_\_)

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Representative \_\_\_\_\_  
FOR THE COMMITTEE