

1       Sec. X. EDUCATION; CORONAVIRUS RELIEF FUND;

2                   APPROPRIATIONS

3           (a) Appropriations; prekindergarten-grade 12.

4                   (1) Public schools.

5                           (A) The sum of \$25,000,000.00 is appropriated from the Coronavirus  
6                   Relief Fund to the Agency of Education in fiscal year 2020 for the purpose of  
7                   reimbursing fiscal year 2020 COVID-19 costs incurred by school districts.

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

11                           (i) Any unused portion of this funding shall carry over into the  
12                   fiscal year 2021 grant program under subdivision (B) of this subsection.

13                           (ii) If claims for reimbursement exceed the amount of the  
14                   appropriation under this subdivision (A), the Agency of Education shall prorate  
15                   the amount of reimbursement and, on or before July 31, 2020, shall report to  
16                   the House and Senate Committees on Education and on Appropriations the  
17                   total amount of unreimbursed cost and the amount of unreimbursed costs for  
18                   each school district.

19                           (iii) On or before June 26, 2020, the Agency of Education shall  
20                   issue the guidance to school districts. On or before July 15, 2020, school  
21                   districts shall submit claims for reimbursement to the Agency of Education.

1 The Agency of Education shall issue payment of reimbursable costs to school  
2 districts as soon as reasonably possible.

3 (B) The sum of \$20,000,000.00 is appropriated from the Coronavirus  
4 Relief Fund to the Agency of Education in fiscal year 2021 for the purpose of  
5 providing grant funding to supervisory unions to assist with the COVID-19  
6 costs incurred by school districts. The Agency of Education shall administer  
7 this grant program and, on or before June 26, 2020, issue guidance to  
8 supervisory unions on costs that are eligible for this grant funding. The  
9 Agency of Education shall allocate grant funding to supervisory unions in an  
10 amount up to their proportional allocation of funding for Elementary and  
11 Secondary Education Title-1A funds.

12 (2) Approved independent schools.

13 (A) The sum of \$[590,000.00] is appropriated from the Coronavirus  
14 Relief Fund to the Agency of Education in fiscal year 2020 for the purpose of  
15 reimbursing fiscal year 2020 COVID-19 costs incurred by approved  
16 independent schools that, as of March 27, 2020 (the date of enactment of the  
17 CARES Act, Pub. L. No. 116-136), had one or more students enrolled whose  
18 tuition was funded by the student's sending school district (publicly funded  
19 student).

20 (B) The sum of \$[590,000.00] is appropriated from the Coronavirus  
21 Relief Fund to the Agency of Education in fiscal year 2021 for the purpose of

1 reimbursing fiscal year 2021 COVID-19 costs incurred by approved  
2 independent schools that, as of March 27, 2020, had one or more enrolled  
3 publicly funded student.

4 (C) The Agency of Education shall administer these reimbursement  
5 programs, issue guidance to approved independent schools on reimbursable  
6 costs, and establish a process for submission of, and reimbursement for, these  
7 costs.

8 (D) The maximum reimbursement to an approved independent school  
9 under this subdivision (2) shall be an amount equal to \$422.00 for each  
10 publicly funded student that was enrolled as of March 27, 2020.

11 (E) If claims for reimbursement exceed the amount of the:

12 (i) fiscal year 2020 appropriation under this subdivision (2), the  
13 Agency of Education shall prorate the amount of reimbursement and, on or  
14 before July 31, 2020, shall report to the House and Senate Committees on  
15 Education and on Appropriations the total amount of unreimbursed cost and  
16 the amount of unreimbursed costs for each approved independent school; and

17 (ii) fiscal year 2021 appropriation under this subdivision (2), the  
18 Agency of Education shall prorate the amount of reimbursement and, on or  
19 before January 15, 2021, shall report to the House and Senate Committees on  
20 Education and on Appropriations the total amount of unreimbursed cost and  
21 the amount of unreimbursed costs for each approved independent school.

1           (F) On or before June 26, 2020, the Agency of Education shall issue  
2           the guidance to approved independent schools and inform them of the process  
3           for submitting claims for reimbursement to the Agency. The Agency of  
4           Education shall issue payment of reimbursable costs to approved independent  
5           schools as soon as reasonably possible after it has received the claims.

6           (G) Any unused portion of these appropriations shall revert to the  
7           Coronavirus Relief Fund on December 31, 2020.

8           (H) An approved independent school that receives funds from the  
9           Coronavirus Relief Fund under this subdivision (2) shall provide access to the  
10           Agency of Education for the purpose of auditing the school's use of those  
11           funds.

12           (b) Appropriations; higher education. The sum of \$3,000,000.00 is  
13           appropriated from the Coronavirus Relief Fund to the Vermont State Colleges  
14           (VSC) in fiscal year 2021, and the sum of \$2,000,000.00 is appropriated from  
15           the Coronavirus Relief Fund to the University of Vermont and State  
16           Agricultural College (UVM) in fiscal year 2021, for the purpose of  
17           reimbursing fiscal years 2020 and 2021 COVID-19 costs incurred by VSC and  
18           UVM. Any unused portion of this funding shall revert to the Coronavirus  
19           Relief Fund on December 31, 2020.

20           (c) Scope of guidance. The guidance issued by the Agency of Education  
21           under subdivisions (a)(1) and (2) of this section shall allow for use of that

1 funding to cover all costs permitted under the CARES Act and related  
2 guidance, and under any other applicable law.

3 (d) Purpose or determination of necessity; due to COVID-19. The General  
4 Assembly determines that the expenditure of monies from the Coronavirus  
5 Relief Fund as set forth in this section is necessary to assist public schools,  
6 approved independent schools, UVM, and VSC cover a variety of COVID-19  
7 costs. The guidance required to be issued by the Agency of Education under  
8 this section to public schools and approved independent schools is intended to  
9 ensure that their costs are due to or resulting from COVID-19. On or before  
10 January 15, 2021, each of VSC and UVM shall certify to the General  
11 Assembly that its use of the appropriation under this section were for costs due  
12 to or resulting from COVID-19 and in compliance with the CARES Act and  
13 related guidance.

14 (e) Use of appropriations for prekindergarten costs. The appropriations  
15 under subdivision (a)(1) of this section shall not be used for costs incurred by a  
16 prekindergarten program that is not operated by a school district.

17 (f) Use of surplus funds.

18 (1) Public prekindergarten-grade 12 schools

19 (A) Notwithstanding 16 V.S.A. § 567, a school district that received  
20 a fiscal year 2020 appropriation under this section that results in a fiscal year  
21 2020 surplus shall carry those surplus funds into fiscal year 2021 as revenue

1 without waiting for an audit to confirm the existence or amount of the surplus  
2 funds.

3 (B) Notwithstanding any other provision of law to the contrary, the  
4 Agency of Education shall evaluate the amount of education fund payments  
5 authorized by 16 V.S.A. chapter 133 needed to fund a school district's budget,  
6 taking into account any surplus funds that result from the fiscal year 2020  
7 appropriation under this section and other factors it determines to be relevant,  
8 and shall subtract from the district's first and second fiscal year 2021 education  
9 fund payments an amount it determines is unnecessary to fund the district's  
10 budget.

11 (2) Approved independent schools.

12 (A) Notwithstanding any provision of law to the contrary, an  
13 approved independent school that received a fiscal year 2020 appropriation  
14 under this section that results in a fiscal year 2020 surplus shall carry those  
15 surplus funds into fiscal year 2021 as revenue without waiting for an audit to  
16 confirm the existence or amount of the surplus funds.

17 (B) Notwithstanding any other provision of law to the contrary, an  
18 approved independent school that has a surplus under subdivision (A) of this  
19 subdivision (2) shall use that surplus to reduce the amount of tuition paid by  
20 publicly funded students for the 2020-2021 school year in a proportionate  
21 amount per student.