

1 **Proposed CRF Education Language from SEC to SAC**

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4 Sec. 1. 2020 Acts and Resolves No. 120, Sec. A.50 is amended to read:

5 Sec. A.50. PRE-K–12 EDUCATION PANDEMIC COSTS:

6 CORONAVIRUS RELIEF FUND APPROPRIATIONS

7 (a) Total appropriation. The sum of \$50,000,000 is appropriated in fiscal
8 year 2020, and the sum of \$53,000,000 is appropriated in fiscal year 2021, to
9 the Agency of Education to fund eligible fiscal years 2020 and 2021
10 expenditures of Vermont prekindergarten–grade 12 public schools and
11 approved independent schools. Eligible expenditures shall conform with the
12 requirements of Sec. 5001 of the CARES Act, Pub. L. No. 116-136, and
13 related guidance, and shall be determined by the Secretary of Education.

14 (1) This funding is allocated to the categories under subsections (b); and
15 (c), and (d) of this section.

16 (A) It is the intent of the General Assembly that CARES Act funding
17 appropriated to the Agency of Education under this section be used to ensure
18 the safe opening and operation of public schools during the COVID-19 state of
19 emergency and that public schools use these funds to the maximum extent
20 permitted by law. If the Agency determines that any allocation to a category
21 is likely not to be fully used by December 20, 2020, it shall reallocate that

1 funding to one or more of the other categories that it believes has or will have
2 the highest amount of uncovered eligible CARES Act expenses.

3 (B) If the Agency expects that during the period from December 20,
4 2020 to December 30, 2020 a recipient of funding under this section will have
5 eligible CARES Act expenses, then it shall provide funding for those expenses
6 to the extent funding is available.

7 (C) Any reallocation under this subdivision (1) shall be reported to
8 the Joint Fiscal Committee, the Commissioner of Finance and Management,
9 and the Joint Fiscal Office within five business days of the reallocation.

10 (2) Any unused portion of this funding shall carry over into fiscal year
11 2021.

12 (b) Efficiency Vermont. The amount of ~~\$6,500,000~~ \$13,500,000 shall be
13 granted to Efficiency Vermont for the air quality improvement program in Sec.
14 A.51 of this act.

15 (c) Prekindergarten-12 schools.

16 (1) Public schools. The sum of ~~\$41,000,000~~ \$88,000,000 shall be
17 granted for the purpose of reimbursing COVID-19 costs incurred by school
18 districts. As used in this section, “school district” means a school district, as
19 defined in 16 V.S.A. § 11(11), or a regional career technical center school
20 district, as defined in 16 V.S.A. § 1571.

21 * * *

1 (2) Approved independent schools. The sum of up to \$1,500,000 shall
2 be granted for the purpose of reimbursing COVID-19 costs incurred by
3 approved independent schools that, as of March 27, 2020 (the date of
4 enactment of the CARES Act), had one or more students enrolled whose
5 tuition was funded by the student’s sending school district (publicly funded
6 student).

7 * * *

8 (d) ~~Accounting and technical assistance. Up to \$1,000,000 shall be~~
9 ~~available to provide accounting and technical assistance to the supervisory~~
10 ~~unions and school districts to fully identify COVID-19 expenses and~~
11 ~~accurately process these within the statewide accounting system. [Repealed.]~~

12 * * *

13 Sec. 2. 2020 Acts and Resolves No. 120, Sec. A.51 is amended to read:

14 Sec. A.51. SCHOOL INDOOR AIR QUALITY GRANT PROGRAM;
15 CORONAVIRUS RELIEF FUND; APPROPRIATION

16 (a) Appropriation. The sum of ~~\$6,500,000~~ \$13,500,000 appropriated in
17 Sec. A.50(b) of this act from the Coronavirus Relief Fund for Efficiency
18 Vermont in fiscal year 2021 is for purposes of providing grants to Vermont K–
19 12 covered schools to upgrade heating, ventilation, and air conditioning
20 (HVAC) systems, and filtration and other methods of air treatment, in response
21 to the COVID-19 emergency.

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Sec. 3. SUPPLIES AND EQUIPMENT FOR MEALS TO CHILDREN

(a) 2020 Acts and Resolves No. 120, Sec. 50, as amended by this act, appropriates \$88,000,000 to the Agency of Education for CARES Act expenditures incurred by prekindergarten-12 schools. 2020 Acts and Resolves No. 136, Sec. 12, allocated up to \$12,000,000 of this funding for the purpose of reimbursing costs of providing summer meals to children during the months of June, July, and August 2020.

(b) Not all of the allocation for summer meals was used prior to the end of August 2020. Therefore, up to \$4,000,000 of the funds remaining from 2020 Acts and Resolves No. 136, Sec. 12 may be distributed by the Agency of Education to School Food Authorities and other Child Nutrition Program sponsors for the purchase of CARES Act eligible supplies and equipment, including vehicles, freezers, and other capital assets, necessary to provide meals to children using the federal child nutrition programs during the COVID-19 state of emergency. These funds are restricted to costs that exceed the federal per-meal reimbursement received for meals provided through these programs.

(c) If the Agency determines that the \$4,000,000 allocation under subsection (b) of this section is likely not to be fully used by December 20, 2020, it shall reallocate the unused portion of that funding to eligible CARES

1 Act expenditures incurred by school districts under 2020 Acts and Resolves
2 No. 120, Sec. 50, as amended by this act.

3 (1) If the Agency expects that during the period from December 20,
4 2020 to December 30, 2020 a recipient of funding under this section will have
5 eligible supplies and equipment food services CARES Act expenses, then it
6 shall provide funding for those expenses to the extent funding is available.

7 (2) Any reallocation shall be reported to the Joint Fiscal Committee, the
8 Commissioner of Finance and Management, and the Joint Fiscal Office within
9 five business days of the reallocation.

10 Sec. 4. LENGTH OF 2020–2021 SCHOOL YEAR

11 Notwithstanding 16 V.S.A. § 1071(a), for the 2020–2021 school year, each
12 public school shall be maintained and operated for not less than 170 student
13 attendance days, except as provided in subsection (g) of that section, which
14 allows for waivers of this requirement.

15 Sec. 5. ADM ADJUSTMENT; DECLINE IN STUDENT ENROLLMENT
16 DUE TO HOME STUDY

17 Notwithstanding 16 V.S.A. §§ 4001(1) and 4010(b), for the 2020–2021
18 school year, the Secretary of Education shall determine the average daily
19 membership (ADM) for each school district at a count of not less than the
20 district's 2019–2020 school year ADM.

21 Sec. 6. 2020–2021 SCHOOL YEAR; WAIVER OF ONLINE TEACHING

1 ENDORSEMENT

2 Notwithstanding 16 V.S.A. § 1694, for the 2020–2021 school year, the
3 Standards Board for Professional Educators (SBPE) shall waive its
4 requirement for a teacher to hold an endorsement for online teaching in order
5 to teach online or implement remote learning.

6 Sec. 7. REIMBURSEMENT OF TRANSPORTATION EXPENSES

7 INCURRED DURING THE COVID-19 STATE OF EMERGENCY

8 Notwithstanding 16 V.S.A. §§ 1222 and 4016, allowable transportation
9 expenditures shall include the costs incurred by a school district or supervisory
10 union for the transportation of food and other aid to students, families, and
11 members of the community during the COVID-19 state of emergency,
12 provided that if these expenditures were already reimbursed by federal or State
13 funds, they shall not also be reimbursed under these sections.

14 Sec. 8. PREKINDERGARTEN; TEACHERS; WAIVER

15 Notwithstanding 16 V.S.A. § 829, if a private provider was prequalified on
16 or before March 15, 2020, then the provider shall retain its prequalified status
17 for the 2020–2021 school year despite the loss of services of a teacher who is
18 licensed and endorsed in early childhood education or in early childhood
19 special education under 16 V.S.A. chapter 51, provided that the private
20 provider continues to meet all other qualification criteria.

21 Sec. 9. ELECTIONS; UNIFIED UNION SCHOOL DISTRICT

1 (a) Notwithstanding any provision of law to the contrary, the election of a
2 director on the board of a unified union school district who is to serve on
3 the board after expiration of the term for an initial director shall be held at the
4 unified union school district’s annual meeting unless otherwise provided in the
5 district’s articles of agreement.

6 (b) Notwithstanding any provision of law to the contrary, if
7 a vacancy occurs on the board of a unified union school district and
8 the vacancy is in a seat that is allocated to a specific town, the clerk of the
9 unified union school district shall immediately notify the selectboard of the
10 town. Within 30 days after the receipt of that notice, the unified
11 union school district board, in consultation with the selectboard, shall appoint a
12 person who is otherwise eligible to serve as a member of the unified
13 union school district board to fill the vacancy until an election is held at an
14 annual or special meeting unless otherwise provided in accordance with the
15 unified union school district’s articles of agreement.

16 (c) This section is repealed on July 1, 2022.

17 Sec. 10. EFFECTIVE DATE

18 This act shall take effect on passage.