
This act summary is provided for the convenience of the public and members of the General Assembly. It is intended to provide a general summary of the act and may not be exhaustive. It has been prepared by the staff of the Office of Legislative Counsel without input from members of the General Assembly. It is not intended to aid in the interpretation of legislation or to serve as a source of legislative intent.

Act No. 72 (H.426). Education; property; school facilities; health and safety; capital improvements

An act relating to addressing the needs and conditions of public school facilities in the State

This act directs the Secretary of Education, in consultation with the Executive Director of the Vermont Superintendents Association, the Chair of the State Board of Education, and the Commissioner of Buildings and General Services, to update the school construction facilities standards by January 15, 2023. This act also directs the State Board of Education to update and adopt a new rule on the Capital Outlay Financing Formula by January 15, 2023, and authorizes the Agency of Education to use \$100,000.00 of the State's Elementary and Secondary School Emergency Relief (ESSER) III funding to hire a consultant to provide technical assistance to the State Board to update the rule.

This act also directs the Secretary of Education to hire a third-party consultant to conduct a school facilities inventory and conditions assessment to ascertain the extent of need for additional support to school districts as a result of COVID-19 and to inform the Agency of Education of the statewide school facilities needs and costs. The act appropriates \$2.5 million from the State's ESSER III allocation for the inventory and assessment. The Secretary of Education is required to submit a report to the House and Senate Committees on Education by January 15, 2022, to present the findings of the inventory and a progress update on the assessment.

This act directs the Secretary of Education to submit a report on school construction funding to the General Assembly by January 15, 2023.

This act requires the superintendent for each school district or supervisory union to designate a person responsible for facilities management and requires that the designated person receive training and certification pursuant to guidelines established by the Secretary of Education.

This act directs each school district to develop and maintain a five-year capital operations and improvement plan that is updated annually.

This act creates one limited-service position in the Agency of Education through January 15, 2023, and appropriates \$127,500.00 in fiscal year 2022 from

the amount allocated to the Agency of Education Elementary and Secondary School Emergency Relief Fund for the position.

This act amends the threshold requiring schools to go out to bid for school construction projects from \$15,000.00 to \$40,000.00.

This act authorizes the Secretary of Education to hire a consultant until September 30, 2023, to assist schools in using ESSER III funds allocated to them to improve the overall health and safety of any district's school facilities as a result of COVID-19 and authorizes the Agency of Education to allocate \$500,000.00 of the State's ESSER III funds to pay for the consultant. This act also authorizes the Agency to reserve \$1,000,000.00 of the State's ESSER III funds to pay for projects where a school district requires additional funding to implement improvements.

This act directs the Agency of Education to coordinate with the Department of Buildings and General Services and report back to the House Committees on Corrections and Institutions and on Education and the Senate Committees on Education and on Institutions by January 15, 2023, on how to use the State Energy Management Program to support schools to implement energy efficiency and conservation needs identified in the inventory and assessment.

This act establishes the Renewable and Efficiency Heating Systems Grant Program, administered by Efficiency Vermont, to award grants for renewable and efficient heating systems in schools.

Finally, this act requires every public school and approved independent school to conduct a radon test by June 30, 2023, in any facility that has not had a test completed in five or more years, except that if a school is implementing an indoor air quality project, it has until June 30, 2024, to complete testing.

Effective Date: June 8, 2021