

1 Sec. 1. FINDINGS; INTENT

2 (a) The General Assembly finds that:

3 (1) In 2007 Acts and Resolves No. 52, Sec. 36, the General Assembly
4 suspended State aid for school construction in order to permit the Secretary of
5 Education and the Commissioner of Finance and Management to recommend a
6 sustainable plan for State aid for school construction.

7 (2) In 2008 Acts and Resolves No. 200, Sec. 45, as amended by 2009
8 Acts and Resolves No. 54, Sec. 22, the General Assembly, in the absence of a
9 recommendation, extended the suspension until a sustainable plan for State aid
10 for school construction is developed and adopted.

11 (3) Between Fiscal Years 2008 and 2016, the State honored its
12 obligation to repay the remaining outstanding obligations for projects for
13 which State aid had been committed prior to the suspension.

14 (b) The General Assembly also finds that:

15 (1) The State of Vermont is the only state in the Northeast that does not
16 have a school construction program.

17 (2) Between 2008 and 2019, school districts in Vermont issued
18 approximately \$211,000,000.00 in bonds for school construction projects. In
19 2020, there was an estimated \$445,000,000.00 in bonding planned and
20 proposed by school districts for future school construction projects statewide.

21 (c) The General Assembly also finds that the backlog in the State's school
22 construction projects has resulted in unsafe and unhealthy learning

1 environments and disparities in the quality of education, including between
2 wealthier communities and communities in need across the State.

3 (d) It is the intent of the General Assembly to develop a plan to address the
4 needs and conditions of the State’s school buildings in order to create better
5 learning environments for Vermont’s students and increase the equity in the
6 quality of education around the State.

7 (e) The purpose of the funding appropriated in this Act is to enable
8 supervisory unions and supervisory districts to utilize their ESSR allocations to
9 improve the conditions for health and safety of students and staff, to address
10 other eligible facilities needs and to position the State in addressing the
11 backlog of school facilities needs in an efficient and equitable manner.

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12 Sec. 2. SCHOOL FACILITIES INVENTORY; AGENCY
13 OF EDUCATION;

14 (a) On or before November 1, 2021, the Secretary of Education, shall
15 conduct an inventory of school facilities in the State to ascertain the extent of
16 need for additional support to school districts as a result of the COVID-19
17 pandemic and other causes. The inventory shall collect information about the
18 current state of school facilities and immediate plans to invest in school
19 facilities including:

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20 General information about facilities, age of buildings and major
21 mechanical systems.

1 Sec. 3. 16 V.S.A. § 559 is amended to read:

2 § 559. PUBLIC BIDS

3 (a) Cost threshold. When the cost exceeds ~~\$15,000.00~~ \$40,000.00, a
4 school board or supervisory union board shall publicly advertise or invite three
5 or more bids from persons deemed capable of providing items or services if
6 costs are in excess of ~~\$15,000.00~~ \$40,000.00 for any of the following:

7 (1) the construction, purchase, lease, or improvement of any school
8 building;

9 (2) the purchase or lease of any item or items required for supply,
10 equipment, maintenance, repair, or transportation of students; or

11 (3) a contract for transportation, maintenance, or repair services.

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13 Sec. 4. SCHOOL FACILITIES; HEALTH AND SAFETY PROJECTS;

14 COVID-19

15 (a) On or before September 30, 2023, Agency of Education shall contract
16 with an independent third party to assist any school district using funds
17 allocated to it from the Elementary and Secondary School Emergency Relief
18 Fund pursuant to Section 313(f) of the Consolidated Appropriations Act, 2021,
19 Pub. L. No. 116–260, and any other federal sources, to improve the overall
20 health and safety of any of the district’s school facilities as a result of the
21 COVID-19 pandemic. The contractor’s responsibilities shall include:

22 (1) project coordination;

23 (2) servicing as a liaison;

1 (A) between the school district, the Agency of Education, the
2 Department of Health, and any other relevant entities in the State that may be
3 leveraged to support the work, including to coordinate the use of federal
4 funding programs and maximize funding, labor, and equipment resources;

5 (B) between the school district and the Agency of Education to:

6 (i) facilitate the district prioritization of school safety and health
7 issues;

8 (ii) support a school district, in coordination with the Agency of
9 Education, in defining their investment strategies for the improvement of
10 school facilities in a manner consistent with the intent and purpose of any
11 funding source; and

12 (iii) develop communications to support the prioritization of
13 projects; and

14 (C) provide status updates and a final report on project work to the
15 school district and the Agency of Education, including recommendations on
16 how to maintain the facility after the performance period of the grant funds.

17 (b)(1) The Agency is authorized to allocate not more than \$500,000.00 of
18 the amount allocated to the Agency of Education from the Elementary and
19 Secondary School Emergency Relief Fund pursuant to Section 313(f) of the
20 Consolidated Appropriations Act, 2021, Pub. L. No. 116–260 for the purpose
21 described in subsection (a) of this section.

22 (2) The Agency of Education shall reserve not more than \$1,000,000.00
23 from the amount allocated to the Agency of Education from the Elementary

1 and Secondary School Emergency Relief Fund pursuant to Section 313(f) of
2 the Consolidated Appropriations Act, 2021, Pub. L. No. 116–260 if a school
3 district has used all of the funds allocated to it from the Elementary and
4 Secondary School Emergency Relief Fund pursuant to Section 313(e) of the
5 Consolidated Appropriations Act, 2021, Pub. L. No. 116–260 and needs
6 additional funding to plan and implement improvements to its facilities
7 pursuant to this section.

8 Sec. 5. EFFECTIVE DATES

9 This act shall take effect on passage.

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