

## TESTIMONY

**Testimony To:** Senate Committee on Institutions  
**Respectfully Submitted by:** Daniel M. French, Ed.D., Secretary of Education  
**Subject:** H.739 Section 6 - Emergency School Construction Aid  
**Date:** April 7, 2022

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Thank you for the opportunity to testify on this bill. Emergency School Construction aid has proven to be a useful policy to ensure the continuous operations of schools when they experience unanticipated events related to the safety of their facilities.

### Overview of Emergency School Construction Aid

- Statutory Language
  - Per 16 VSA §3448 (d), school construction projects under \$100,000 that are necessary to address immediate health and safety threats to students and employees created by unanticipated circumstances or events may be eligible for 30 percent school construction aid.
  - Maximum reimbursement is \$30,000.
  - The definition of an allowable project is one that is both unanticipated and represents an unsafe situation for students/staff. The definition makes sense but does place limitations on qualifying the project. For example, a project may be unanticipated, but not unsafe or vice versa.
- State Board Rule
  - Rule 6129 - Emergency Aid Approval states that a school board seeking emergency aid under this section shall make application on a form prescribed by the Commissioner.
  - Rule 6129.2 - Upon determination that such emergency exists and can be corrected in a manner consistent with the construction proposed in the application, the Commissioner may award such funds as are permitted under 16 V.S.A. § 3448(d).
- Summary
  - School Board must apply.
  - Agency determines if emergency exists.
  - Reimbursement is 30% up to a max of \$30,000.
  - The Agency currently has had an annual budget of \$100,000 for Emergency Construction Aid.

### History of the Appropriation

- Historically the Agency had budgeted \$50,000 per year.
- Given the age of school facilities, we recommended increasing the budget to \$100,000 in FY2020. We again recommend increasing the appropriation to \$100,000 for FY2023.