



To: House Education Committee
Senate Education Committee

From: Neil Odell, President, Vermont School Boards Association

Re: Impact of the PCB Testing, Mitigation and Remediation Cost Share on School Districts

Date: February 28, 2023

Thank you for the opportunity to testify on the 2023 PCBs in Schools Funding Report. My name is Neil Odell, and I am President of the Vermont School Boards Association (VSBA). I also serve on the Norwich, Dresden and SAU #70 School District Boards.

My testimony today is guided by two resolutions passed by VSBA's membership.

II.J. UNFUNDED MANDATES

All new educational requirements or programs mandated by the federal government or the State of Vermont should be fully funded by either the federal or state government.

II. B. 5. CAPITAL SPENDING

The VSBA advocates that the Vermont legislature allocate funds to assist school districts with PCB and radon remediation, including districts whose contamination was discovered prior to the legislation and irrespective of costs covered by capital bonding.

The PCBs in Schools Funding Report includes a proposed cost share method of 80% paid from the remediation fund and 20% paid by the affected District, with some caps on the total amounts available per District, and monies to be paid on a first come, first serve basis until the remediation fund is exhausted. The 80/20 cost share follows the approach for distribution of the \$2.5M Emergency Fund approved by the Emergency Board last fall which was a unilateral determination by the Board, without the benefit of consideration by the full General Assembly. It should not be used as the standard by which the larger pool of funds will be allocated.

The proposed cost share does not take into account the reality that the presence of PCBs in building materials and the requirement to remove them is unrelated to the size or age of the school. There is no way to predict how easy or complex the remediation effort will be in any particular school. Additionally, the proposed reimbursement process doesn't take into

account the capacity of any given district to raise the proportional 20% share of the mitigation and remediation costs. These factors, along with the Legislature's adoption of an unfunded mandate, make it impossible in most cases for a school board to budget for the 20% share of mitigation and remediation costs.

As purposeful as the requirements may be, and as important as addressing PCB contamination in schools is, the fact remains that this is an initiative brought about entirely without involvement on the part of school districts in creating the problem, and without any planned-for capacity on the part of school districts to contend with it. For these reasons, VSBA opposes the 80/20 cost share proposal and appeals to the General Assembly to fully fund whatever work is deemed necessary to address this problem in accordance with guidelines and requirements set forth by the State.

Thank you.