

Act 72: Updates from 2022 and the Work Ahead

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Background to Act 72

Suspension on state construction aid program from 2008.

2008-2019 school districts have issued \$211,000,000 in bonds for school facilities with \$445,000,000 planned in the future

There is a substantial backlog of construction and maintenance projects that has resulted in potentially “unsafe/unhealthy schools” and growing inequities between communities.

COVID-19 highlighted serious deficits in indoor air quality and created new opportunities in funding as part of Education Recovery planning.

Purpose of Act 72

Address school facilities as part of larger focus on education quality standards → school conditions are a critical component of equitable access to high quality learning environments

The work of Act 72 will position the state to address the backlog of facilities needs “in an efficient and equitable manner”.

Major Components of Act 72

Component	Ownership	Purpose	Deadline
Facilities Inventory	AOE	Initial, self-reported baseline data	Mar-22
Facilities Assessment	AOE	Comprehensive assessment and prioritization	Oct-23
Facilities Standards	AOE/SBE/VSA	Update standards to reflect changes in educational delivery models and requirements for safe, healthy and efficient schools	Jan-23
Capital Outlay Formula	SBE/AOE	1) square footage allowance per student or program and 2) establish an allowable cost per square foot of construction	Jan-23
School Construction Funding	AOE	Report on funding needs, recommendations for source of funding and analysis of other state approaches	Jan-23
School Facilities Management and Certification Program	AOE with partners	Update to 16 V.S.A. § 837 to Establish guidelines and certification for facilities management position; every district required to have a designated facilities manager	N/A
District Capital Improvement Plan	SU/SDs and AOE	5-year capital improvement plan, format developed by AOE, updated annually	TBD
Radon Testing	SU/SDs	Schools must complete radon testing and provide results to all students and employees	Jun-25

Other Components of Act 72

Component	Ownership	Purpose	Deadline
Public Bid Threshold	SU/SDs	Increase of threshold from \$15,000 to \$40,000	N/A
State Energy Management Program	AOE and BGS	Report on how State Energy Management funding program can support schools to implement energy efficiency and conservation measures	Jan-23
Health and Safety Projects	AOE	Hire consultant to advise schools and coordinate with AOE (Norm Etkind); emergency funding grants using ARP ESSER funds for facilities improvements	N/A
Renewable and Efficient School Heating Grant Program	Efficiency VT	Funding for this program has not been authorized, but a parallel program is in operation through DPS (Chris Heine)	N/A

Facilities Inventory and Assessment

Facilities Inventory was completed

- Building Reports made available to SD/SUs
- Report submitted to Legislature
- Dashboard will be released in late summer/early fall 2022 → public-facing inventory info on AOE website

Facilities Assessment work underway

- Pilot districts in December 2022
- Kickoff meeting on January 11, 2023
- All assessments are scheduled for completion by September 2023
- Final reports for each district by November 1, 2023
- Final report for Legislature, January 2024

Facilities Assessment Purpose/Intent

To collect and analyze, “...sufficient information to assist the General Assembly to establish a ranking system based on categories to prioritize schools with the highest needs for future school construction funding.”

- Comprehensive review of buildings and systems
- Evaluation of systems and assignment of costs/needs (including data from projects/programs in flight, like PCB testing, HVAC projects, etc)
- Creation of summary report and database with public-facing dashboard to support communication and strategic planning and policy-making by stakeholders

Facilities Assessment Major Components

Review of all previous data collections

Description and assessment of:

- major systems (roofing, HVAC, windows, etc)
- square footage and capacity to delivery education (technology/STEAM, enrollment, etc)
- Energy use

Project and deficiency summaries

Prioritization/Categorization/Classification of Data

- Updated Facilities Condition Index from Inventory
- Classification of needs
- Cost estimates

Planned work for 2023

Facilities Assessment- Completion of district reports, October 2023

Update Facilities Standards (District Quality Standards)

Update of Capital Outlay Financing Formula (anticipated completion, Fall 2023-Winter 2024)

School Construction Funding Report (anticipated completion, May 2023)

Hire Safe and Healthy Schools position created in FY23

Planned work for 2024-2025

Facilities Management training and certification program

SU/SD designation of certified facilities management position

Development of 5-year capital operations and improvement plan and adoption by SU/SDs

Radon testing required of all public and approved independent schools (June 2025)