
TESTIMONY

Testimony To: House Education

Respectfully Submitted by: Bob Donohue, AOE School Facilities Program Manager

Subject: Job duties, School Construction Division Org Chart, Emergency Construction Aid

Date: 02/14/2025

What does the School Facilities Program Manager do?

- Assist in the implementation of the mandates of Act 72 of 2021
 - Supporting development of Facilities Inventory Dashboard resulting from the facilities assessments of the statewide portfolio of school buildings
 - Developing qualifications and/or certifications for designated School Facilities Managers in line with industry standards and accepted best practices.
 - Developing a template Operations and Maintenance Manual for Vermont schools and districts, in alignment with industry standards and best practices.
 - Developing Capital Improvement Planning template for use by school districts and develop communication plan for implementing use of tool.
- Assist in providing information to State Construction Aid Task Force and Working Group and any others who require facilities related information to help inform decisions
- Developing standards of proficiency for the Facilities Management section of the DQS standards.
- Review applications for school emergency construction aid. Provide feedback where needed, and issue recommendations for approval or denial and the basis for such.
- Represent AOE on Inter-Agency Environmental Justice Council and related committees, in support of Act 154 of 2024. Develop recommendations for AOE considerations when engaging in, or planning for, this work.
- Assist districts with enrollment calculations (upon request of district). On occasion, this work may include development of, or validation of, enrollment figures used for projection calculations
- Assist in federal grant application writing as requested
- Prepare information for dissemination to districts related to federal grant opportunities that arise



- Liaise with the VSA on their Facilities Manager meetings and present on relevant topics of interest on behalf of the AOE
- Develop presentations for and participate in, annual, National Council on School Facilities conference as member representative from Vermont AOE.
- Present or testify to SBE, VT State Legislature, and other official committees on content related to school facilities and school construction

**What would be needed in terms of staffing if H.129 were to pass?
Members remember mention of an AOE construction team of 2-3
FTE.**

Planning for the staffing of a future school construction division could consider that before the first dollar of aid is ever awarded there will be the need to:

- Develop the prioritization schema for Master Planning Grant awards
- Develop the rules and regulations for the program
- Develop specifications for minimum/maximum space requirements
- Develop construction planning guide
- Develop eligibility criteria
- Develop prioritization schema for construction aid
- Develop bonus incentives

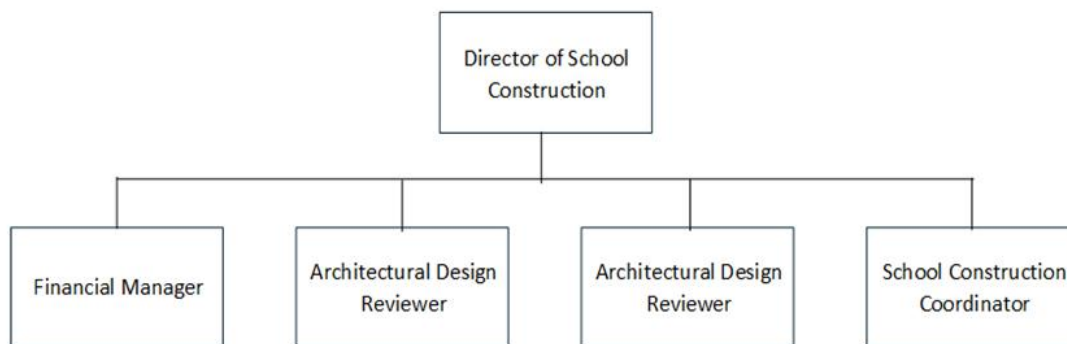
This work is a fundamental prerequisite before any construction aid can be awarded and will require a team dedicated to the development of the entire program.

At the outset, then, a minimum of two architectural/engineering type personnel would be needed for this work, one of which could certainly be the Director of the team.

Once monies were available for a sustained construction program, there would be the additional need for a finance manager overseeing the financial end of the program and the addition of further architectural/engineering design reviewers could be dependent on the number of preliminary applications in the queue for approval.

One potential organizational structure for the team is reflected in the chart below. Depending on the scope of the program, this could be first implemented with just the Director and one Architectural Design reviewer at the outset.

We would not be equipped to recommend a specific pay grade or salary range until detailed duties were created. At that time, we would need to rely on the State of Vermont classified employee compensation and classification policies to inform salary.



Emergency Aid – What is there now, what is the demand, what are some additional considerations?

Emergency Construction Aid is a **reimbursement** program.

Emergency Construction Aid

Title 16, V.S.A. §3448 (d), provides that 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.

- Emergency construction aid is:
 - reserved for projects that are both unanticipated and result in a safety concern for occupants.
 - limited to 30% of actual costs up to a maximum eligible project cost of \$100,000.
 - applied to eligible project costs after insurance claims and other sources of assistance.
 - paid on a first come / first serve based on the completion of a financial audit.
 - not for deferred maintenance.
- Currently, there is no emergency construction aid available for costs over \$100,000. If the net project costs exceed \$100,000, the district may still apply for aid, but emergency construction aid will be paid as 30% only on the first eligible \$100,000 expended.

- It is **not** necessary for a School District to receive approval prior to starting construction.
- The bid law (Title 16, V.S.A. §559) does not apply to emergency situations.
- The AOE requests \$50K/ year for Emergency projects which typically funds 2-4 projects.

SBE Rule 6129 Emergency Aid Approval

6129.1 A school board seeking emergency aid under this section shall make application on a form prescribed by the Commissioner. The application shall contain:

- (a) information on how the project will be funded;
- (b)(i) a detailed description of the nature and extent of the imminent health and safety hazards that exist, and the extent they would be alleviated by the project,
- (ii) certification by an independent and qualified authority that an imminent health and safety hazard exists to the building's occupants unless the emergency work is completed; and
- (c) the estimated cost of the emergency construction with documentation where feasible by two or more independent qualified cost estimators;

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).

Additional considerations made by members of the Construction Aid Working Group around emergency construction aid:

- Suggestion to increase the award amount
- Suggestion to consider allowance for emergencies that are a result of deferred maintenance to qualify