
TESTIMONY

Testimony To: Senate Committee on Finance

Respectfully Submitted by: Vermont Agency of Education

Subject: H.955 Sections 66-77, School Construction

Date: April 28, 2026

Overview

Sections 66 through 77 of H.955 place the school construction program on the same accelerated timeline as broader system transformation.

The bill requires rulemaking and program development beginning in 2026, with implementation expectations following shortly thereafter. However, the timeline does not fully align the development of Agency capacity, particularly staffing and technical infrastructure, with those expectations. As a result, the State is effectively being asked to stand up a complex construction program, complete rulemaking, and begin implementation while building the underlying systems in parallel and without the necessary resources and expertise in place.

Background

Over the past several years, the Legislature has already laid important groundwork. Through Act 72, the Agency completed a comprehensive statewide facilities assessment, confirming that Vermont school buildings average over 60 years old and face significant deferred maintenance, with direct impacts on health, safety, and equity for students. Through Act 73, the Legislature established the framework for a statewide construction program, including roles, responsibilities, and expectations for how projects should be prioritized and approved.

What remains is the capacity to implement that program responsibly.

Analysis of H.955

As outlined in the Agency's [Section 9 of Act 73 Report](#), successful implementation requires the creation of a dedicated School Construction Division to develop rules, provide technical assistance, evaluate projects, and oversee them from concept through completion. This is not administrative overhead, it is the core



infrastructure required to ensure that state investments are strategic, prioritized, and fiscally sound.

Without that capacity in place, the State risks making capital investments without the systems necessary to consistently evaluate need, control costs, or ensure alignment with statewide priorities. This creates avoidable fiscal risk and potential long-term inefficiencies.

In addition, Sections 66 through 77 of H.955 assign significant new responsibilities to the School Construction Advisory Board, including the requirement to produce a comprehensive report by December 1, 2026 identifying construction opportunities aligned with new governance structures, conducting siting studies for each project, and analyzing statewide consolidation scenarios. This scope of work is substantial and highly technical, requiring extensive fieldwork, data collection, transportation and enrollment modeling, and cost analysis. The Board, however, is composed of members who serve on a part-time basis and meet periodically, which is not aligned with the level of effort required to complete what is effectively a statewide planning study within the proposed timeframe. This creates additional risk that the analysis may be incomplete, inconsistent, or not sufficiently developed to support major capital investment decisions.

Recommendation

Our recommendation is to ensure that implementation capacity is established first, or at least in parallel, so that when state dollars begin flowing, they are supported by strong oversight, clear rules, and consistent statewide processes. This would mean funding the facilities master planning grant, creating the positions for the AOE Construction Team *before* requiring rule-making and permitting time for system-level governance decisions to be made prior to the investment of state dollars in school construction.

We are not asking to slow this work, we are asking to sequence it responsibly. The proposed approach ensures that as the State begins investing in school construction, it has the systems in place to evaluate projects, control costs, and provide appropriate oversight. This protects both students and taxpayers.

Ultimately, this is about safeguarding the State's investment and ensuring that every dollar contributes to safe, healthy, and effective learning environments for Vermont students.

