
TESTIMONY

Testimony To: House Ways & Means Committee

Respectfully Submitted by: Bob Donohue, Safe and Healthy Schools Division,
Vermont Agency of Education

Subject: State Aid for School Construction

Date: February 4, 2026

Introduction

In 2021, the Legislature passed and the Governor signed Act 72, funding a statewide inventory and assessment of all public school buildings. The purpose of this data collection was to inform a future Legislature on the extent of school facilities needs in Vermont and to provide a foundation should a new statewide school construction aid program be created.

With an average age of 61 years for Vermont schools, the suspension of state construction aid has contributed to a backlog of school construction projects and the decline of school facilities conditions statewide. This has resulted in less safe and less healthy learning environments, as well as disparities in the quality of education between better-resourced communities and high-need districts.

The work completed under Act 72 has produced data that has informed the legislature on the magnitude of needs of school facilities across the state and has also provided information that has helped the legislature in crafting the construction related sections of Act 73. Moving forward, a school construction division will need to be created and funded in order to develop and implement the school construction program envisioned in Act 73.

Act 72 – Facilities Assessment

As required by Act 72 of 2021, the Agency completed a facilities assessment of the entire portfolio of school buildings across the state in 2023 with the aim of informing legislators of the magnitude of school building facilities needs across the state. In early 2024, the Agency launched a publicly accessible and searchable Dashboard of the findings resulting from the facilities assessment. [Facilities Dashboard](#)



Further, Act 72 required the Agency with updating the Capital Outlay Financing Formula (COFF) to reflect current construction sector pricing for K-12 school building construction. The Agency updated the COFF, which was approved by the State Board of Education in late 2023 and is included in the School Construction Planning guide.

Construction Aid eligibility considerations

Districts intending to construct a new school or to renovate an existing school shall submit a Preliminary Application for construction aid as required under Act 73. The items to be considered by the Secretary when considering preliminary application approval are:

- the project or part of the project fulfills a need occasioned by conditions that threaten the health or safety of students or employees
- facilities that are inadequate to provide programs required by State or federal law or regulation;
- excessive energy use resulting from the design of a building or reliance on fossil fuels or electric space heat;
- deterioration of an existing building;
- the project results in consolidation of two or more school buildings and will serve the educational needs of students in a more cost effective and educationally appropriate manner as compared to individual projects constructed separately;
- the need addressed by the project cannot reasonably be met by another means;
- the proposed type, kind, quality, size, and estimated cost of the project are suitable for the proposed curriculum and meet all legal standards;
- the applicant achieves the level of “proficiency” in the school district quality standards regarding facilities management adopted by rule by the Agency; and
- the applicant has completed a facilities master planning process that:
 - engages robust community involvement;
 - considers regional solutions;
 - evaluates environmental contaminants; and
 - produces a facilities master plan that unites the applicant’s vision statement, educational needs, enrollment projections, renovation needs, and construction projects



Recommended composition of a School Construction Division

Under Act 73, the Agency of Education is tasked with the implementation of a State Aid for School Construction Program. The creation of the rules, regulations, educational specifications and construction planning guide will require a team within the Agency of Education devoted to this work and the continual oversight of construction projects from concept to completion. The proposed composition of this team is as follows;

- School Construction Program Director
- Financial Manager
- School Construction Coordinator
- Architectural Design Reviewers/Educational Facility Planners
- Additional Reviewers/Planners recruited to match workload

Here is a link to the Agency's [Legislative Report: Section 9, Act 73 of 2025 Statewide Systems & School Construction](#).

