

H.718

Introduced by Representative Trombley of Grand Isle

Referred to Committee on

Date:

Subject: Education; state aid; high performance design and construction standards

Statement of purpose: This bill proposes to require the development of high performance school design and construction standards. It requires that with regard to applications for school construction aid submitted on or after July 1, 2009, full state aid shall be available only if the project's preliminary aid application states the intent to comply with the standards and if compliance with the standards is documented upon project completion. The bill proposes that the department of education may determine that compliance with the standards is impractical for a specific project and may elect to provide partial or full state aid absent compliance.

**AN ACT RELATING TO HIGH PERFORMANCE SCHOOL DESIGN AND
CONSTRUCTION STANDARDS**

It is hereby enacted by the General Assembly of the State of Vermont:

Sec.1. 16 V.S.A. § 3448g is added to read:

§ 3448g. CONSTRUCTION AID; HIGH PERFORMANCE SCHOOL DESIGN AND
CONSTRUCTION STANDARDS REQUIRED

(a) Definitions. For purposes of this section, “Vermont high performance school design and construction standards” (the “standards”) means a set of required and elective criteria for all school construction projects that addresses indoor environmental quality, energy efficiency, use of renewable energy, water efficiency, building materials selection, building siting, construction practices, and ongoing building operations and maintenance. The standards shall be based on models of high performance design and construction used in other regions of the country, including the New England High Performance School Protocol, the Massachusetts Collaborative for High Performance Schools Scorecard, and the United States Green Building Council’s Leadership in Energy and Environmental Design (LEED) standards.

(b) Development of the standards. The commissioner of education, in consultation with the department of public service and the advisory committee authorized by this subsection, shall develop and issue criteria and procedures to implement this section, including adoption of standards for public school buildings, certification responsibilities, and compliance mechanisms. The commissioner of education shall convene an advisory committee which may include school board members, building designers, builders, facility managers, representatives of the Vermont superintendents association, representatives of the Vermont principals’ association, and other persons with relevant technical expertise in energy efficiency and green building design. The advisory committee shall work with the commissioner to establish clear goals for use of the

standards to achieve healthy, efficient, cost-effective construction and sustainable operations and maintenance in Vermont schools. In addition, the advisory committee shall provide information and recommendations for all of the following:

(1) The development and implementation of the standards.

(2) Coordination among schools, state agencies, and service providers.

(3) Mechanisms for integrating and streamlining the design and building process.

(4) Assessment of compliance with the standards.

(5) The provision of professional development opportunities to raise awareness and to train a sustainable workforce for the design and construction of high performance schools.

(c) Adoption of high performance school design and construction standards. For projects regarding which a preliminary aid application is submitted on or after July 1, 2009, full state aid under this chapter shall be available only if the preliminary aid application states the intent to comply with the standards and if compliance with the standards is documented upon project completion. State aid for applicants that choose not to comply or that fail to comply shall not exceed 20 percent of the approved cost of the project; provided that upon request from an applicant, the department of education may determine that compliance with the standards is impractical for a specific project and may elect to provide partial or full state aid absent compliance.

(d) Review of the standards. The commissioner of education shall study and report to the senate and house committees on institutions at the beginning of each biennium regarding the implementation, practicality, costs, and benefits resulting from compliance with this section.

(e) Revision of the standards. The department of education, in consultation with the advisory committee established under this section, shall review and, as necessary, revise the standards to meet the objective of creating high performance educational environments. Any revisions to the standards shall be:

(1) Consistent with adopted state education and energy policies.

(2) Evaluated relative to their technical feasibility, applicability, costs, benefits, and reliability.

Sec. 2. 16 V.S.A. § 3448e(e) is amended to read:

(e) Award of construction aid. ~~The~~ Except as provided in subsection 3448g(c) of this title, the amount of an award shall be 50 percent of the approved cost of the project.

Where the construction of technical education facilities is undertaken in conjunction with the construction of nontechnical education facilities, the approved costs of the project shall be allocated as determined by the commissioner of education.

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