

KENTUCKY DEPARTMENT OF EDUCATION

STAFF NOTE

Action/Consent Item:

Waiver of Section 304 of the Kentucky School Facilities Manual, as incorporated by reference into 702 KAR 4:180, for the Danville Independent School District

Commissioner's Recommendation:

It is recommended that the Kentucky Board of Education approve the waiver of Section 304 of the Kentucky School Facilities Manual in order to permit the Danville Independent School District to proceed with renovation plans for Toliver Elementary School.

Rationale:

Toliver Elementary School was constructed in 1928. The building predates modern efficiency and size regulations for school buildings. The Danville Board of Education seeks to renovate the building and merge two schools. The proposed construction to the existing structure necessitates a waiver to existing efficiency and size standards.

Action Question:

Should the Kentucky Board of Education (KBE) approve a request from the Danville Independent School District to waive the requirements of Section 304 of the Kentucky School Facilities Manual, as incorporated by reference to 702 KAR 4:180, regarding the allowable size and efficiency for the proposed renovation and addition to the elementary school?

Applicable Statute or Regulation:

KRS 156.070: 702 KAR 4:160 and 702 KAR 4:180

History/Background:

Existing Policy: The Kentucky School Planning Manual is incorporated by reference into 702 KAR 4:180. The planning manual establishes the space and efficiency requirements for elementary schools. KRS 156.160 allows the Kentucky Board of Education to approve a written request from a local board of education to waive an administrative regulation when the school district demonstrates good cause.

Summary: The combined floor areas of the existing building and the proposed addition (86,596 sq. ft.) exceed the allowable square footage for a 600-student elementary school based on the Model Program of Spaces (65,736 sq. ft.) including the permissible increase (115%).

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| Total Gross Floor Area | 86,381 sq. ft. |
| Less Allowable Floor Area | 75,596 sq. ft. |

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|----------------------------------------|------------------------|
| Less Adjustment for Existing Gymnasium | <u>- 1,595 sq. ft.</u> |
| Total Floor Area above Allowable | 9,190 sq. ft. |

In addition, the 60% efficiency (percentage of assignable space to gross floor area) does not meet the required minimum (74%). The new construction and renovated areas provide the required assignable spaces; however, even with this redesign, the new configuration will not comply with regulation.

KDE staff believes that the larger building area and lower efficiency will have no impact on student proficiency. The elementary school's existing three-story building has a central open air courtyard which is enclosed on three sides by corridors and on the fourth side by the gymnasium. The main floor is elevated above finish grade. A new two-story grade level addition is proposed.

Budget Impact: There is no budget impact at the state level.

Groups Consulted and Brief Summary of Responses:

The Danville Board of Education voted unanimously to request a waiver of this requirement from the Kentucky Board of Education.

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Commissioner of Education

Date:

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