

KENTUCKY DEPARTMENT OF EDUCATION STAFF NOTE

Topic: Request from the Jefferson County Public School District to Waive 702 KAR 4:050 Section (3) and portions of 702 KAR 4:170 Related to Project Site Acquisition Size Requirements for a New Elementary School

Date: June 2020

Action Requested: Review Action/Consent Action/Discussion

Held In: Full Board Curriculum, Instruction and Assessment Operations

SUMMARY OF ISSUE BEFORE THE BOARD:

To approve regulation waiver requests submitted by the Jefferson County school district to allow the acquisition of the site for the construction of the proposed new West Broadway Elementary School on a site smaller than permitted by regulation; provide the required gymnasium by sharing the existing adjacent YMCA gymnasium through the creation of a shared-use agreement; increase the allowable area of the cafeteria to hold the entire student body for non-athletic functions; construct the art room on the west rather than the north side of the building; and increase the allowable area of the administrative suite to provide additional services to the students. Accordingly, the district requests a waiver to 702 KAR 4:050 Section 3 and portions of 702 KAR 4:170.

COMMISSIONER’S RECOMMENDATION:

The Commissioner recommends that the Kentucky Board of Education (KBE) approve the waivers to allow the site to be acquired and program areas to be modified.

APPLICABLE STATUTE OR REGULATION:

KRS 156.160(g); KRS 162.060; 702 KAR 4:050 Section 3; 702 KAR 4:160 Section 6; ; 702 KAR 4:170 Part 2.b.7; 702 KAR 4:170 Part 2.b.10; 702 KAR 4:170 Part 2.b.21 and 702 KAR 4:170 Part 2.b.19.

BACKGROUND:

Existing Policy:

702 KAR 4:050 Section 3 requires a new elementary school site to be a minimum of five acres plus one additional acre for each 100 students or fraction thereof. The proposed West Broadway Elementary School is intended to consolidate the student population from two nearby older schools in West Louisville into a new facility with a designed capacity of 650 students; therefore, the required site is 12 acres. The proposed site is approximately 4.57 acres. It consists of the southern portion of a 10.5-acre block bounded by Dixie Highway on the west, West Broadway on the north, South 17th Street on the east and Maple Street on the south. The northern portion of the block is occupied by the Republic Bank Foundation YMCA which includes a gymnasium and parking for approximately 150 automobiles.

The regulation does not contemplate the shared use of nondistrict facilities and is intended to provide adequate area for the school building, outdoor play areas, and separation of bus and car traffic, parking for staff and visitors and ancillary service areas. This waiver request is similar to a waiver granted by the KBE in December 2014 related to a noncompliant site and the joint use of a YMCA facility by the district's elementary school.

Plan Review and Approval: 702 KAR Section 6 requires the department to review site plans for compliance with 702 KAR 4:170 educational program specifications and floor plans for compliance with 702 KAR 4:170 and 702 KAR 4:180.

Gymnasium: Physical education is an integral component of the curriculum for all grade levels. Table 304.7.1 in the Planning Manual incorporated by reference in 702 KAR 4:180 requires a physical education space of 5,500 square feet (SF) for elementary schools. 702 KAR 4:170 Part 2(b)10 restates this need and adds the requirement for bleacher seating for the entire student body for non-athletic functions and assemblies.

Cafeteria: Table 304.7.1 in the Planning Manual incorporated by reference in 702 KAR 4:180 requires a 4,600 SF cafeteria area for an elementary school with this design capacity. 702 KAR 4:170 Part 2(b)21 restates this requirement.

Art Room: Table 304.7.1 in the Planning Manual incorporated by reference in 702 KAR 4:180 requires one 800 SF art room for an elementary school. 702 KAR 4:170 Part 2(b)7 restates this need and adds the requirement for the "art classroom unit" to include a ground floor location on the north exterior wall.

Administration Suite: Table 304.7.1 in the Planning Manual incorporated by reference in 702 KAR 4:180 requires an administration area of 1,870 SF for an elementary school of the design capacity. 702 KAR 4:170 Part 2(b)19 restates this need and adds additional details.

Summary of Issue:

Site: The unique challenges of developing an urban school site have been addressed by alternate methods to achieve substantial compliance with the regulation. The two story design reduces the building footprint and the shared use of the gymnasium and parking further reduces the site area needed for the elementary school. The existing road network has been determined by Louisville metro Public Works to be adequate in width and capacity to accommodate the bus and car traffic generated by the school in addition to the normal traffic and routinely works with the district regarding car stacking in rights of way at peak hours to minimize distributions and provide student safety.

Gymnasium: The adjacent 6,600 SF YMCA gymnasium is larger than the required 5,500 SF, however, it does not have bleacher seating. The successful shared use of a gym by students and YMCA patrons has been demonstrated at the Norton Commons Elementary School.

Cafeteria: With the shared gymnasium not having seating, the school's cafeteria is the logical alternative location. Cafeterias commonly are used for other functions such as assembly areas

and/or additional physical education space. Increasing the size of the cafeteria to 7,000 SF to accommodate the entire student population at one time in movable chairs for assembly purposes is a reasonable request.

Art Room: The site narrows to the north from midway of the west property line and is limited by the YMCA building and parking on the north and east. Consequently, the building has a north/south orientation and a small north elevation. The art room is on the ground floor on the west elevation and will not receive direct sunlight during most instructional hours which is the intent of the regulation.

Administration Suite: The larger administration area will provide office space needed for additional counselors, academic and behavior coaches and health service providers to serve the school's at-risk population.

Budget Impact:

Approval of this request has no budget impact on state funds.

CONTACT PERSON(S):

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Category: <input type="checkbox"/> District Innovation <input type="checkbox"/> Strengthening Educators <input checked="" type="checkbox"/> Family/Community Involvement <input type="checkbox"/> Student/Family Supports <input type="checkbox"/> Student Interventions <input type="checkbox"/> Coursework Completion <input type="checkbox"/> Accountability Reporting
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