

**KENTUCKY DEPARTMENT OF EDUCATION STAFF NOTE**

**Topic:** Paducah Independent School District Request for Waiver of 702 KAR 4:160  
**Date:** October 2021  
**Action Requested:**  Review  Action/Consent  Action/Discussion  
**Held In:**  Full Board  Curriculum, Instruction and Assessment  Operations

**SUMMARY OF ISSUE BEFORE THE BOARD:**

To take action on a regulation waiver request submitted by the Paducah Independent School District related to the allowable floor area of a new Early Childhood Center (Head Start/Preschool) facility which is in the district’s highest new construction Priority on its District Facility Plan.

The district requests a waiver of 702 KAR 4:160 Capital Construction Process Section 6 (1)(c)4.c.(ii) floor area limitation related to Section 305 of the Kentucky School Facilities Planning Manual, as incorporated by reference into 702 KAR 4:180.

**COMMISSIONER’S RECOMMENDATION:**

The Commissioner recommends that the Kentucky Board of Education (KBE) approve the waiver to allow the proposed construction of the Early Childhood Center.

**APPLICABLE STATUTE OR REGULATION:**

KRS 162.060, KRS 156.160; 702 KAR 4:160, 702 KAR 4:180

**BACKGROUND:**

*Existing Policy:*

702 KAR 4:160 Capital Construction Process Section 6 (1)(c)4.c.(ii) limits the maximum gross floor area of an elementary school to one hundred fifteen percent (115%) of the Model Program of Spaces.

702 KAR 4:180 The Kentucky School Facilities Planning Manual Section 305. The planning manual establishes the space and efficiency requirements for early learning centers and elementary schools.

*Summary of Issue:*

The new Early Learning Center will serve 320 students, three (3) to five (5) years in age. It will be funded by a federal grant that includes requirements that exceed the Kentucky Department of Education (KDE) model program standards for space and staff positions and is proposed to be 55,111 gsf (gross square feet). The additional space is primarily comprised of administrative and support facilities such as mental health components, family advocate offices, nursing clinics, a disability office, kitchenettes, storage requirements and some additional indoor physical

education space. The KDE Model Program interpolated for the proposed 320 student enrollment is 34,459 gsf. The allowable increase of 115% establishes a 39,628 gsf limit which is less than the requested area of 55,111 gsf (or 160%) and requires a waiver.

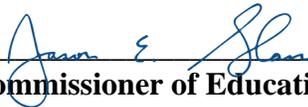
Due to its location adjacent to Paducah Tilghman High School, the project will include the construction of an additional 15,541 gsf indoor athletic practice facility to be bid as an Alternate a bid to identify its cost and will be funded by unrestricted district funds and not by the federal grant associated with the Early Childhood Center.

*Budget Impact:*

Approval has no budget impact on state funds. The project is funded by a federal grant for the early childhood center areas and local, unrestricted cash funds for the indoor practice facility.

**CONTACT PERSON(S):**

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**Commissioner of Education**

Category:	<input type="checkbox"/> Educator Workforce Diversity	<input type="checkbox"/> Portrait of a Graduate Partnerships	<input type="checkbox"/> Racial Equity Commitment	<input type="checkbox"/> Student-Centered Accountability System	<input type="checkbox"/> Early Childhood	<input checked="" type="checkbox"/> District Support
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