

KENTUCKY DEPARTMENT OF EDUCATION STAFF NOTE

Topic: Bullitt County School District Request for Waiver of 702 KAR 4:180 and the 2008 Kentucky School Facilities Planning Manual which is incorporated by reference

Date: April 2022

Action Requested: Review Action/Consent Action/Discussion

Held In: Full Board Curriculum, Instruction and Assessment Operations

SUMMARY OF ISSUE BEFORE THE BOARD:

To approve the waiver of the 2008 Kentucky School Facilities Planning Manual, incorporated by reference in 702 KAR 4:180 which defines discretionary project, in part, as “Extracurricular Facilities – Construction of field houses; stadiums; sports field facilities; or any athletic facility.”

COMMISSIONER’S RECOMMENDATION:

The Commissioner recommends approval of the waiver request from Bullitt County Schools.

APPLICABLE STATUTE OR REGULATION:

702 KAR 4:180, KRS 156.070(4), KRS 157.420

BACKGROUND:

Existing Policy:

In accordance with 702 KAR 4:180, the Kentucky School Facilities Planning Manual provides that a discretionary project means a project to be noted on the District Facilities Plan (DFP) in Priority 5. These projects do not qualify to be included in priorities 1 through 4 and as such cannot be completed using restricted funds. Priority 5 projects shall be used to list projects by school or building that do not qualify for inclusion in the DFP in the first four (4) priorities. This priority includes extracurricular facilities such as the construction of field houses, stadiums, sports field facilities, or any athletic facility.

Summary of Issue:

Bullitt County Public Schools has submitted a District Facility Plan (DFP) to the Kentucky Board of Education (KBE) for review and approval at the April 20, 2022, meeting. In addition to this approval, the Bullitt County School Board has requested a waiver which would allow the district to use restricted funds on several discretionary projects. Specifically, the request asks to use restricted funds for renovations to athletic facilities which are listed on the submitted DFP as “...number 24, 25, and 26, with the exception of turf, multi-purpose synthetic playing surface at football field”. This waiver request would include work at Bullitt Central High School, Bullitt East High School, and North Bullitt High School. The work includes, but is not limited to, replacement or construction of bleachers, construction of concession buildings, press boxes, field houses and field lighting. A specific list of work under the waiver can be found on the DFP.

Budget Impact:

While there is no budgetary impact to the Kentucky Department of Education, these types of waivers can impact the unmet need calculation which is used to determine a district’s

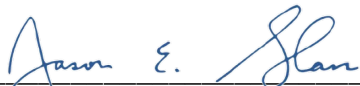
participation level in SFCC offers of assistance. Additionally, while discretionary projects are not used to determine unmet need, the restricted funds spent on discretionary projects will not be available for the district's other facility needs.

GROUPS CONSULTED AND BRIEF SUMMARY OF RESPONSES:

The School Facilities Construction Commission

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Commissioner of Education

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