



Kentucky Department of
EDUCATION

For official use only.

Date Received:

Waiver Application No.:

FACILITY PROJECT REQUEST FORM

READ THIS DOCUMENT CAREFULLY AND COMPLETE ALL FORM FIELDS. MISSING INFORMATION MAY RESULT IN APPLICATION DENIAL.

Pursuant to KRS 156.161 and 701 KAR 5:170, Click or tap here to enter text. School District “District” hereby submits this waiver request to the Kentucky Board of Education seeking waiver from compliance with one or more statutes or administrative regulations governing the acquisition or disposal of real property, school facility planning, or the construction, renovation, maintenance, or demolition of school facilities.

The waiver(s) sought herein by District are sought to apply to the following District schools or programs: Click or tap here to enter text..

This waiver request, including any attachments hereto, were presented to the District board of education and approved by said board during a meeting on Click or tap to enter a date..

KENTUCKY BOARD OF EDUCATION REVIEW DATE

KRS 156.161 provides that waiver requests shall be reviewed by the Kentucky Board of Education within thirty (30) calendar days following receipt. However, if a waiver request is received less than twenty (20) calendar days in advance of the next Kentucky Board of Education meeting, the Kentucky Board of Education will be notified that the department did not have sufficient time to conduct a meaningful review of the request, along with notice of the disadvantage of approving a waiver request that has not undergone meaningful review. You can view the calendar of Kentucky Board of Education meeting dates on the [Kentucky Board of Education website](#).

Optional Request – District may, but is not required to, select the following:

- ☐ If this waiver request is received by the department less than twenty (20) calendar days in advance of the next Kentucky Board of Education meeting, to avoid this waiver request being presented to the Kentucky Board of Education with notice that the department did not have sufficient time to conduct a meaningful review, the District requests this waiver request be postponed to a future Kentucky Board of Education meeting to allow for meaningful review.

PREVIOUS TECHNICAL ASSISTANCE

District may, but is not required to, seek technical assistance from the Kentucky Department of Education to identify the statutes or administrative regulations under the authority of the Kentucky Board of Education or Education Professional Standards Board that must be waived to engage in practices proposed by the school district.

District must select only one of the following

- ☒ District did not seek previous technical assistance from the Kentucky Department of Education related to the waiver sought herein.
- ☐ District did seek previous technical assistance from the Kentucky Department of Education related to the waiver sought herein. **District must attach the Waiver Technical Assistance Form previously submitted, along with the written technical assistance provided by the Kentucky Department of Education.**

WAIVER JUSTIFICATION

Statute(s) or Administrative Regulation(s) District requests be waived:

Districts should include the specific section(s), subsection(s), paragraph(s), or subparagraph(s) that it requests be waived for each statute or administrative regulation listed.

702 KAR 4:050 Section 4(4)b

Describe how the District wishes to operate the facility project for the school(s) or program(s) listed above and how each statute or administrative regulation listed above prevents desired operations.

The Maintenance Department and District IT Department will be housed at this facility. There is a waste water easement that runs through the middle of the lot. It will not prevent any operations from meeting its desired outcomes and the district will be building any facility on this property.

Describe in detail how waiver of each statute or administrative regulation listed above will improve operations in the school(s) or program(s) listed above. Optionally, the District may also describe how waiver of each statute or administrative regulation listed above will improve student academic achievement in the school(s) or program(s) listed above.

Allowing the district to purchase this facility will give our maintenance department a storage facility for equipment that sits outside right now. It will also give our district a central storage facility for items that the school does not have room for. The front building will give out IT department space to operate and have extra office space for our growing district. The current IT department is in our old bus garage that will need to be demolished for the building of a new central office. Once the central office is complete we will have the opportunity to start the building of a new high school. The current central office sits in the parking lot of the high school.

Describe how waiver of each statute or administrative regulation listed above may hinder student academic achievement in the school(s) or program(s) listed above. Describe how District will address any hindrance of student academic achievement if the waiver is granted.

This will not hinder any academic achievement of any student in our district. It will allow us to build better learning spaces for our students at FSHS.

List every attachment to this form District provides in support of its responses above, including a brief description of how the attachment supports District's responses.

DISTRICT ACKNOWLEDGEMENT AND AGREEMENT

In submitting this waiver request, District acknowledges and agrees to each of the following:

1. The Kentucky Board of Education does not have the authority to waive any statute or administrative regulation:
 - (a) Relating to health and safety, including required criminal background checks for staff and volunteers specified in KRS 160.380 and 161.148;
 - (b) Relating to civil rights;
 - (c) Required by federal law;
 - (d) Relating to compulsory attendance requirements under KRS 158.030 and 158.100 or the recording of data necessary for participation in the fund to support education excellence in Kentucky;
 - (e) Establishing certification requirements for teachers, except a waiver may authorize up to twenty-five percent (25%) of the teaching staff of a school may be employed without teacher certification if the individual possesses a: (1) baccalaureate or graduate degree in the subject the individual is hired to teach; or (2) recognized industry credential in the technical education area the individual is hired to teach;
 - (f) Requiring students' participation in state assessment of student performance, as required under KRS 158.6453;
 - (g) Financial audits, audit procedures, and audit requirements under KRS 156.265;
 - (h) Open records and open meeting requirements under KRS Chapter 61;
 - (i) Purchasing requirements and limitations under KRS Chapter 45A and KRS 156.074 and 156.480; or
 - (j) Requiring instructional time that is at least equivalent to the student instructional year specified in KRS 158.070.
2. The Kentucky Board of Education does not have the authority to waive any statute outside of its enforcement authority, or any administrative regulation promulgated by an agency other than the Kentucky Board of Education, except certain administrative regulations promulgated by the Education Professional Standards Board (EPSB) following consultation with the EPSB.
3. District conducted a thorough review of this waiver request prior to submission to ensure that no part of its waiver request involves statutes or administrative regulations beyond the authority of the Kentucky Board of Education to waive as described in paragraphs (1) and (2) above. District understands that if it is determined that any portion of its request involves statutes or administrative regulations beyond the authority of the Kentucky Board of Education to waive as described in paragraphs (1) and (2) above, District's waiver request will be denied.

4. District reviewed and understands the requirements and provisions of 701 KAR 5:170 as it relates to this waiver request.
5. In determining whether to grant this waiver request, in whole or in part, the Kentucky Board of Education will evaluate whether the request demonstrates that the waiver is more likely than not: (a) to improve the operation of the school(s) or program(s) listed in the forms attached hereto, without hindering student academic achievement; or (b) to improve student academic achievement at the school(s) or program(s) listed in the forms attached hereto. District recognizes that such evaluation and determination is within the discretion of the Kentucky Board of Education.
6. District understands that if the Kentucky Board of Education at any time finds by a two-thirds (2/3) vote that a waiver granted pursuant to this request hindered school or program operations, endangered students, impeded student academic achievement, or supported financial malfeasance or criminal activity, then the waiver shall be rescinded. District recognizes that such a determination is within the discretion of the Kentucky Board of Education.
7. District recognizes that the existence of a waiver shall not negate the legal duties or professional responsibilities of a District employee, and agrees that it shall implement policies and procedures accordingly. District recognizes and agrees that any waiver granted pursuant to this request shall not be implemented in a way that violates, diminishes, or adversely impacts the civil rights of any student.
8. District understands and agrees that any waiver granted pursuant to this request shall not expire unless the Kentucky Board of Education specifically provides for expiration when granting the waiver. District recognizes that such a determination is within the discretion of the Kentucky Board of Education. If the Kentucky Board of Education designates a waiver granted pursuant to this request as one that shall expire, the waiver shall expire on June 30 of the third full school year following the date the request was approved by the Kentucky Board of Education, regardless of subsequent amendment, unless the Kentucky Board of Education renews the waiver prior to expiration. District further understands and agrees that it shall track the expiration date, if applicable, of any waiver(s) granted pursuant to this request and will immediately implement all statutory and regulatory requirements upon the expiration date of any waivers granted pursuant to this request. District acknowledges that it is District's responsibility to request any renewals pursuant to the requirements of 701 KAR 5:170.
9. The information provided in this waiver request application and the attachments hereto are true and correct to the best of District's knowledge. The representations made by District in this waiver request application and the attachments hereto will be relied upon by the Kentucky Board of Education as material in its decision making. Upon learning that any information provided herein is inaccurate or incomplete, District will take affirmative steps to correct such information.
10. District understands that no waiver granted as part of this request shall imply, suggest, or otherwise indicate that any other statute or administrative regulation is implicitly waived and

that District will continue to comply with all statutes and administrative regulations not specifically waived by the Kentucky Board of Education in response to this request.

Signature
David Webster
District Board Chair

6/18/2026
Date

Mail this completed form and all attachments to:

Kentucky Department of Education
ATTN: Waiver Request
300 Sower Blvd. 5th Floor
Frankfort, KY 40601

OR

KDEWaiverRequests@education.ky.gov