

## MEMORANDUM No. 10

TO: Kentucky School Architects

FROM: Timothy K. Lucas; [tim.lucas@education.ky.gov](mailto:tim.lucas@education.ky.gov)  
Planning Branch Manager, Division of Facilities Management

DATE: December 15, 2009

RE: Building Evaluations under 702 KAR 1:001 and under 702 KAR 4:180

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For some time the new Planning Regulation, 702 KAR 4:180, has been in effect having replaced 702 KAR 1:001. This revised regulation was an outgrowth of Research Report 332, prepared by the Legislative Research Commission (LRC) in 2006 and recommendations made by the Kentucky Facilities Task Force that was empanelled as a result of action of the General Assembly under HB 380. The changes made in the regulation primarily codified some items that were being used to direct school planning, developed and expanded the Model Programs of spaces for school design and provided new tools to be used for the review and analysis of buildings.

One of the major concerns expressed by the General Assembly, members of the LRC and Task Force members was the ability of Architects and Engineers to provide an unbiased and accurate evaluation of the schools in the Commonwealth. For years this was not an issue since the evaluation of buildings into Categories 1-5 was primarily a tool by which this office could discuss buildings with districts and Architects without having been to the actual sites.

This changed in 2005 when the General Assembly enacted the first Urgent Needs Program to address the school buildings in the Commonwealth that were in the worst condition. Many factors played into this funding such as school size and the district's bonding capability, but the primary point that stood out was the designation of each building that received funding as a Category 5. Suddenly districts, that before tried everything they could not to have a Category 5 building, were moving to have their facilities reevaluated as a Category 5. This did not go unnoticed by the General Assembly, this office or the LRC. This questioning and reevaluation again resurged during the recent Special Session as the General Assembly began to look at school building projects to be funded with gaming proceeds.

The previous building evaluation process had several problems;

1. The various building components were evaluated with no ability to provide an actual numerical total for the entire building. This led to ambiguity in the conclusions reached in the rating process.
2. Some Architects were better than others in their understanding of the process and what constituted a Category 4 building vs. a Category 5.
  - a. In some cases the evaluation of the Architect was not shared by this office. The information submitted by the Architect did not support their conclusion of the assessment total.
  - b. Along with other things, the building's actual and functional age should be taken into account by the Architect during the building evaluation as it relates to system and building condition. Just being 60 years old does not make a building a 5.
3. Probably the greatest challenge is to evaluate buildings that were constructed over many years in which portions of the building may well be a 5 while new or renovated sections were in much better condition. Some of these building portions would be a 5, but not the entire building.

4. Finally there were no actual weighted values to determine the importance of various components of the buildings being evaluated.

As part of the changes noted in 702 KAR 4:180 a new evaluation tool has been added that provides a spreadsheet that gives a numerical total based on a weighted system developed by the Task Force. This tool is in response to one recommendation which was to exclude the Architects from the process and hire a national firm to provide an unbiased, quantifiable evaluation of each school building in the Commonwealth. Currently there is no money for such a process and this office feels that the Architects in the state are perfectly capable of providing this service in a fair and unbiased manner. The few anomalies noted do not, in our mind, change our confidence in the abilities of our Architects and Engineers to perform this task.

We will be making a concerted effort to work with our districts and Architects in the evaluations of our buildings as we poise for the General Assembly Session of 2010 and beyond. We have included as part of this memo a copy of the new evaluation tool. The current school building assessment chart is on the Web.

We cannot emphasis enough the importance of this effort. With control of our inventory system being within sight, this will be our next major project. The building assessment is currently the major tool used by the General Assembly to consider targeted funding and by the Department in the review of some types of bonding. It is imperative that we provide an accurate statewide survey of our building conditions. Upon review of the attachments, if you have any questions, please contact this office.

We have adjusted the form in which the list of those individuals that are receiving this memo is presented. Since last time we have also attempted to correct the errors in our e-mail directory. Thanks to all of those individuals who contacted us to update or list (including my e-mail address). By including the e-mail addresses it is our hope that you we can begin to form a communication network to allow the discussion of the issues in school construction that we all face. If you have any questions, please do not hesitate to contact me at 502-564-4326 or e-mail me at [tim.lucas@education.ky.gov](mailto:tim.lucas@education.ky.gov)