

1 AN ACT relating to school facilities.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 162.062 is amended to read as follows:

4 ***A local school district shall provide for the care and maintenance of water bottle filling***
 5 ***stations and water fountains in public school buildings as described in this section.***

6 (1) ~~[(The chief state school officer shall not approve the plans and specifications for a~~
 7 ~~new public school building contemplated by a board of education or for any addition or~~
 8 ~~alteration of old buildings, as required by KRS 162.060, unless the plans and~~
 9 ~~specifications provide for:~~

10 (a) ~~A minimum of two (2) water bottle filling stations in each school;~~

11 (b) ~~A minimum of one (1) drinking fountain or water bottle filling station on each~~
 12 ~~floor and wing of each school building; and~~

13 (c) ~~A minimum of one (1) drinking fountain or water bottle filling station for~~
 14 ~~every seventy five (75) students projected to attend the school upon~~
 15 ~~completion of the proposed construction.~~

16 (2) ~~]~~Any water bottle filling station~~[(installed)]~~ in a public school building shall:

17 (a) Dispense filtered, clean drinking water; **and**

18 (b) Be regularly cleaned and maintained~~[-; and~~

19 (c) ~~If there is no drinking fountain on the same floor and wing as the water bottle~~
 20 ~~filling station, be accompanied by a cup dispenser].~~

21 **(2)**~~[(3)]~~ Any drinking fountain~~[(installed)]~~ in a public school building shall:

22 (a) Be equipped with a protective cowl;

23 (b) Be equipped with a water spout~~[- at least one (1) inch above the overflow rim~~
 24 ~~of the drinking fountain];~~

25 (c) Dispense filtered, clean drinking water; and

26 (d) Be regularly cleaned and maintained.

27 ➔Section 2. KRS 158.162 is amended to read as follows:

- 1 (1) As used in this section:
- 2 (a) "Emergency management response plan" or "emergency plan" means a written
3 document to prevent, mitigate, prepare for, respond to, and recover from
4 emergencies; and
- 5 (b) "First responders" means local fire, police, and emergency medical personnel.
- 6 (2) (a) Each local board of education shall require the school council or, if none
7 exists, the principal in each public school building in its jurisdiction to adopt
8 an emergency plan to include procedures to be followed in case of fire, severe
9 weather, or earthquake, or if a building lockdown as defined in KRS 158.164
10 is required.
- 11 (b) Following adoption, the emergency plan, along with a diagram of the facility,
12 shall be provided to appropriate first responders.
- 13 (c) The emergency plan shall be reviewed following the end of each school year
14 by the school council, the principal, and first responders and shall be revised
15 as needed.
- 16 (d) The principal shall discuss the emergency plan with all school staff prior to
17 the first instructional day of each school year and shall document the time and
18 date of any discussion.
- 19 (e) The emergency plan and diagram of the facility shall be excluded from the
20 application of KRS 61.870 to 61.884.
- 21 (3) Each local board of education shall require the school council or, if none exists, the
22 principal in each public school building to:
- 23 (a) Establish primary and secondary evacuation routes for all rooms located
24 within the school and shall post the routes in each room by any doorway used
25 for evacuation;
- 26 (b) Identify the best available severe weather safe zones, in consultation with
27 local and state safety officials and informed by guiding principles set forth by

1 the National Weather Service and the Federal Emergency Management
2 Agency, and post the location of safe zones in each room of the school;

3 (c) Develop practices for students to follow during an earthquake; and

4 (d) Develop and adhere to practices to control the access to each school building.

5 Practices shall include but not be limited to:

6 1. Controlling outside access to exterior doors during the school day;

7 2. Controlling the main entrance of the school with electronically locking
8 doors, a camera, and an intercom system;

9 3. Controlling access to individual classrooms;

10 4. Requiring classroom doors to be equipped with hardware that allows the
11 door to be locked from the outside but opened from the inside;

12 5. Requiring classroom doors to remain closed and locked during
13 instructional time;

14 6. Requiring classroom doors with windows to be equipped with material
15 to quickly cover the window during a building lockdown;

16 7. Requiring all visitors to report to the front office of the building, provide
17 valid identification, and state the purpose of the visit; and

18 8. Providing a visitor's badge to be visibly displayed on a visitor's outer
19 garment.

20 (4) All schools shall be in compliance with the provisions of subsection (3)(d) of this
21 section as soon as practicable but no later than July 1, 2022. **To comply with this**
22 **subsection, notwithstanding any requirement by the Kentucky Board of**
23 **Education to convene a local planning committee, a district may modify its**
24 **district facilities plan to include any unmet requirements of subsection (3)(d) of**
25 **this section as the highest priority, subject to approval by the local board of**
26 **education and the commissioner of education.**

27 (5) Each local board of education shall require the principal in each public school

1 building in its jurisdiction to conduct, at a minimum, emergency response drills to
2 include one (1) severe weather drill, one (1) earthquake drill, and one (1) lockdown
3 drill within the first thirty (30) instructional days of each school year and again
4 during the month of January. Required fire drills shall be conducted according to
5 administrative regulations promulgated by the Department of Housing, Buildings
6 and Construction. Whenever possible, first responders shall be invited to observe
7 emergency response drills.

8 (6) No later than November 1 of each school year, a local district superintendent shall
9 send verification to the Kentucky Department of Education that all schools within
10 the district are in compliance with the requirements of this section.

11 (7) A district with a school not in compliance with the requirements of subsection
12 (3)(d) of this section by July 1, 2022, shall not be eligible for approval for new
13 building construction or expansion in the 2022-2023 school year and any
14 subsequent year without verification of compliance, except for facility
15 improvements that specifically address school safety and security issues required by
16 this section or in essential cases for the protection of student or staff health and
17 safety.

18 ➔Section 3. KRS 157.455 is amended to read as follows:

19 (1) As used in this section:

20 (a) "Life-cycle cost analysis" means to calculate and compare different building
21 designs to identify which is the best investment over the long term. Life-cycle
22 costs include design and construction costs, operating costs, maintenance
23 costs, and repair and replacement costs, adjusted for the time value of money;

24 (b) "Net zero building" means a building in which the amount of energy provided
25 by on-site renewable energy sources is equal to the amount of energy used by
26 the building; and

27 (c) "Efficient school design" means a school building design:

- 1 1. That meets, at a minimum, the requirements of the United States Green
2 Building Council's Leadership in Energy and Environmental Design
3 (LEED) for schools at the "Certified" level or certification under a
4 comparable system with equivalent requirements or other building
5 performance certification systems, such as the United States Department
6 of Energy's Energy Star program;
 - 7 2. That ensures energy savings from a building design that equates to or
8 exceeds ten percent (10%) over the American Society of Heating,
9 Refrigerating, and Air Conditioning Engineers energy standard 90.1-
10 2007; and
 - 11 3. For which whole building life-cycle cost analysis illustrates that the
12 design is cost-effective.
- 13 (2) The General Assembly hereby finds that schools that are constructed or renovated
14 using efficient school design are proven effective vehicles for accomplishing some
15 or all of the following beneficial public purposes:
- 16 (a) Lower operating costs and increased asset value;
 - 17 (b) Reduced waste sent to landfills;
 - 18 (c) Conservation of energy and water;
 - 19 (d) Reduced storm drainage runoff;
 - 20 (e) Healthier, safer environments for occupants;
 - 21 (f) Reduced emissions of greenhouse gases; and
 - 22 (g) Improved student attendance and performance by:
 - 23 1. Using the building as a teaching tool;
 - 24 2. Using the local environment as a context for curriculum integration;
 - 25 3. Providing rigorous, highly relevant, and applied learning; and
 - 26 4. Improving productivity by making buildings healthier for occupants,
27 especially through the increased use of natural light.

- 1 (3) The Kentucky Department of Education and all school districts undertaking the
2 construction of new school buildings or the major renovation of existing school
3 buildings are strongly encouraged to:
- 4 (a) Meet or exceed efficient school design standards in planning and designing all
5 new buildings and major renovation projects;
 - 6 (b) Use life-cycle cost analysis to evaluate different design proposals; and
 - 7 (c) Consider the possibility that each new school building or major renovation of
8 a building could be a net zero building, either during the construction or
9 renovation, or at a later date as resources become available.
- 10 (4) ~~{(a) The Kentucky efficient school design trust fund is hereby created as a~~
11 ~~restricted account to be administered by the Department of Education.~~
- 12 ~~(b) The account may receive contributions, gifts, donations, appropriations, and~~
13 ~~any other moneys made available for the account. Notwithstanding KRS~~
14 ~~45.229, any moneys remaining in the account at the close of a fiscal year shall~~
15 ~~not lapse, but shall be carried forward into the succeeding fiscal year to be~~
16 ~~used for the purposes set forth in this section. Interest on moneys in the~~
17 ~~account shall accrue to the account.~~
 - 18 ~~(c) Moneys in the account shall be used to offset the initial additional cost, if any,~~
19 ~~associated with the construction or renovation of school buildings using~~
20 ~~efficient school design.~~
 - 21 ~~(d) The Kentucky Board of Education shall promulgate administrative regulations~~
22 ~~pursuant to KRS Chapter 13A to prescribe how a local school district may~~
23 ~~qualify for and use funds from the account created by this subsection.~~
- 24 (5) The Department of Education shall develop and adopt guidelines for efficient
25 school design, net zero buildings, and life-cycle cost analysis, including the
26 identification of appropriate computer-based simulation programs for use in
27 undertaking life-cycle cost analysis.

1 ~~(5)~~~~(6)~~ The Department of Education and the Office of Energy Policy shall assist
2 school districts in:

- 3 (a) Developing methods for measuring ongoing operating savings resulting from
4 the use of efficient school design;
- 5 (b) Identifying sources for training for school staff and students to ensure that
6 efficient school design features and components are fully utilized; and
- 7 (c) Identifying ways that efficient school design and its energy-saving
8 components can be integrated into the school curriculum.†

9 ~~(7) The Department of Education and the Office of Energy Policy shall, by
10 November 1, 2010, and each year thereafter, for the fiscal year ending on June
11 30 of that year, prepare a report that shall be submitted to the Legislative
12 Research Commission and the Governor. The report shall address new school
13 buildings or building renovations and shall include but not be limited to the
14 following:~~

- 15 ~~(a) An assessment of the implementation of efficient school design within
16 Kentucky's education system;~~
- 17 ~~(b) Documented energy savings from any buildings built using efficient school
18 design or net zero school buildings in operation;~~
- 19 ~~(c) A list of the new or renovated school buildings completed or identified for
20 future construction during the prior year using efficient school design,
21 including the name of the school district, name of the school, total project
22 cost, additional cost or savings, if any, associated with efficient school design
23 features, and efficient school design features included in the project;~~
- 24 ~~(d) A list of all school buildings that operate as a net zero building, and school
25 buildings which school districts plan to convert to net zero. The list shall
26 include the name of the school district, the name of the school, the total cost
27 associated with the school building becoming a net zero building, and the~~

- 1 ~~components that will be installed to make the building a net zero building;~~
- 2 ~~(e) Any recommendations relating to efficient school design; and~~
- 3 ~~(f) A list of new school buildings completed during the prior year without using~~
- 4 ~~efficient school design and an explanation of why efficient school design was~~
- 5 ~~not used.]~~

6 ➔Section 4. The following KRS section is repealed:

7 157.450 Intent of KRS 157.450 and 157.455.