

CERTIFICATION OF EMERGENCY RULES
FILED WITH THE LEGISLATIVE SERVICES AGENCY
OTHNI LATHRAM, DIRECTOR

Pursuant to Code of Alabama, 1975, §§41-22-5(b) and 41-22-6(c)(2)a. and b.

I certify that the attached emergency amendment is a correct copy as promulgated and adopted on the 13th day of January 2022.

AGENCY NAME: State Department of Education

RULE NO. AND TITLE: 290-2-2-.01-.01ER, School Facilities: Approval of Construction.

EFFECTIVE DATE OF RULE: February 10, 2022

EXPIRATION DATE (If less than 120 days):

NATURE OF EMERGENCY: Emergency Rule 290-2-2-.01-.01ER, must be adopted immediately to comply with Act 2021-476 (HB 220) which pertains to construction requirements for public schools;

STATUTORY AUTHORITY: Code of Alabama, 1975, §§41-22-5; 41-22-6;

SUBJECT OF RULE TO BE ADOPTED ON PERMANENT BASIS:

YES NO

NAME, ADDRESS, AND TELEPHONE NUMBER OF PERSON TO CONTACT FOR COPY OF RULE:

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of LEA Auxiliary Services
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Eric G. Mackey
State Superintendent of Education

REC'D & FILED

FEB 10 2022

LEGISLATIVE SVC AGENCY

ALABAMA STATE BOARD OF EDUCATION
STATE DEPARTMENT OF EDUCATION
ADMINISTRATIVE CODE

CHAPTER 290-2-2
SCHOOL FACILITIES

290-2-2-.01-.01 ER School Facilities: Approval of Construction.

(1) New construction or renovation of school facilities with an estimated cost of \$500,000 or more shall have the approval of the State Superintendent of Education.

(2) New construction shall take school only at place centers approved by the State Superintendent of Education.

Author: Jimmy H. Baker and Eric G. Mackey

Statutory Authority: Code of Ala. 1975, §§16-3-12, 16-3-14, 16-4-10, 16-4-13 through 14, 16-4-21, 16-8-36, 16-9-22, 16-13-90.

History: New October 1, 1927. **Amended** December 29, 1975, September 12, 1978, April 22, 1981. **Amended:** December 12, 1991 section name effective January 16, 1992. **Repealed and Replaced:** Filed September 19, 1997; effective October 24, 1997. Emergency rule adopted February 10, 2022; effective February 10, 2022;