

APA-2
07/04

STATE DEPARTMENT OF EDUCATION

NOTICE OF INTENDED ACTION

AGENCY NAME: State Department of Education

RULE NO. & TITLE: Rule 290-2-2-.01, School Facilities: Approval of Construction.

INTENDED ACTION: The Alabama State Board of Education will propose to amend Rule 290-2-2-.01.

SUBSTANCE OF PROPOSED ACTION: The Alabama State Board of Education will amend Rule 290-2-2-.01 to be consistent with Act 2021-476 (HB220) pertaining to management of construction and renovation of property that is part of a state educational institution.

TIME, PLACE, MANNER OF PRESENTING VIEWS: A public hearing will be held at 10:00 a.m., April 14, 2022, at the Auditorium, Plaza Level, Gordon Persons Building, 50 North Ripley Street, Montgomery, Alabama. All persons wishing to express their views should contact the State Superintendent of Education (334-694-4900) no later than April 4, 2022, to be scheduled on the agenda. All persons wishing to express their views in writing to the State Superintendent of Education should address all written comments to the State Superintendent of Education, Gordon Persons Building, P.O. Box 302101, Montgomery, Alabama 36130-2101.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: April 14, 2022

CONTACT PERSON AT AGENCY: Dr. Brandon T. Payne
Assistant State Superintendent of
LEA Auxiliary Services
Alabama State Department of Education
50 North Ripley Street
P.O. Box 302101
Montgomery, Alabama 36130-2101
(334-694-4900)



Eric G. Mackey
State Superintendent of Education

ALABAMA STATE BOARD OF EDUCATION
STATE DEPARTMENT OF EDUCATION
ADMINISTRATIVE CODE

CHAPTER 290-2-2
SCHOOL FACILITIES

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

(1) New construction or renovation of school Facilities, not including maintenance or repair of HVAC or roofing, 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 **Repealed and Replaced:** Filed September 19, 1997; effective October 24, 1997.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 2-10-22; effective 2-10-22; amended rule adopted ___; effective ___;