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:

Dr. Brandon T. Payne
Assistant State Superintendent of LEA Auxiliary Services
State of Alabama Department of Education
50 North Ripley Street
PO Box 302101
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(334) 694-4900

ERIC G. MACKEY
State Superintendent of Education
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 place only at places 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.