



STATE OF ALABAMA  
DEPARTMENT OF EDUCATION



Eric G. Mackey, Ed.D.  
State Superintendent of Education

September 30, 2022

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**MEMORANDUM**

**TO:** City and County Superintendents of Education

**FROM:** Eric G. Mackey *EGM*  
State Superintendent of Education

**RE:** Capital Improvement Projects (Act 2022-367)

Per Act 2022-367, all capital improvement projects must be submitted to the Division of Construction Management (DCM) beginning October 1, 2022. Fully locally funded capital improvement projects with an estimated cost certified by a licensed architect or engineer to be no more than \$750,000 after design completion, shall not be subject to approval by DCM. Nevertheless, the Act provides that:

*For any project exempt from approval pursuant to paragraph a., the governing body of the K-12 school or four-year public institution of higher education shall submit documents to the Division of Construction Management for the sole purpose of review and inspection for compliance with the Americans with Disabilities Act, 42 U.S.C. §12-1-1 et seq., and rules and regulations adopted thereunder, and for fire safety and life safety compliance, and issuance of written recommendations to the school or institution at no cost to the school or institution or the governing body for the school or institution. The Division of Construction Management shall issue its written recommendations no later than 30 days following receipt of documentation pursuant to subparagraph 1. If the division is unable to issue recommendations within the 30-day period following receipt of documentation, the division, prior to the expiration of the 30-day period, shall issue to the party that submitted the documentation a written notice explaining the reasons for the delay, and shall issue the recommendations no later than 45 days following the original receipt of documentation pursuant to subparagraph 1.*

Should assistance be required, please contact the School Facilities Section, by telephone at 334-694-4602.

EGM/BTP/JR

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