In addition to many other responsibilities, the ALSDE Office of Supporting Programs, School Architect, is responsible for maintaining a complete inventory of all school facilities as provided by local education agencies. This includes the publishing of unused facilities on the Alabama State Department of Education (ALSDE) website and updating the information at least once a year by May 1.

Access to Local School System Facilities and Land

One requirement of the Alabama School Choice and Student Opportunity Act (Act 2015-3) is a website publication by the Alabama State Department of Education (ALSDE) of unused school facilities statewide.

Act 2015-3, Section 11 (b)(1-3), states:

- A public charter school shall have a right of first refusal to purchase or lease at or below fair market value a closed or unused public school facility or property located in a school system from which it draws its students if the school system decides to sell or lease the public school facility or property.
- Unused facility means a school building or other local board of education owned building that is or could be appropriate for school use, in which more than 60 percent of the building is not being used for direct student instruction or critical administration purposes and for which no offer to purchase has been executed.
- The ALSDE shall publish the names and addresses of unused facilities on its website in a list that is searchable at least by each facility’s name and address. This list shall be updated at least once a year by May 1.

The ALSDE Public Charter School webpage publicizes a list of the names and addresses of unused facilities that is searchable by each facility’s name and address. Pursuant to Act 2015-3, the list was first published on May 1, 2015, and updates continuously throughout the year.

Access to Alabama Public School and College Authority (PSCA) Funds

Act 2015-3, Section 11(b)(1-2), states:

- Public charter schools shall have the same rights and access to PSCA funding opportunities as non-charter public schools.
- The PSCA and the department shall adopt and maintain a policy to ensure that public charter schools receive access to equitable facilities funding.

From time to time, the legislature provides for the sale of bonds through the PSCA for capital improvements and specifies how the grant funds will be distributed.
FREQUENTLY ASKED QUESTIONS

What existing facilities access is granted to public charter schools?
Public charter schools have the right of first refusal to purchase or lease any closed or unused facility placed on the market by the local school system. These facilities are enumerated on the Alabama State Department of Education (ALSDE), Office of Public Charter Schools, webpage and are updated annually by the local school systems.

Are public charter schools eligible to receive state bond funds for capital improvements?
Yes. From time to time, the Alabama Legislature will issue bonds through the Public School and College Authority (PSCA) and provide grants for capital improvements. Systems are allotted funds as established by the Legislature in Act 2015-3 normally on an ADM basis. Public charter schools also receive their portion of the Public School Fund for capital improvements and payment of capital debt.

If a school facility has been unused for a period of time, what actions are required?
An architect or engineer must inspect the facility to insure that health and safety issues, such as fire alarms and extinguishers, egress signage, hardware, sanitary systems, and American with Disabilities Act (ADA) requirements are in place. The Alabama Building Commission must be notified of this inspection and advised of any required corrective actions.

If a public charter school decides to construct a new facility or renovate an existing one, what state agencies have jurisdiction?
Title 41 of the Code of Alabama states that the code of minimum building standards promulgated and enforced by the Building Commission shall be applicable to schoolhouses, both public and private. This entails the services of architects/engineers, submittal of plans and specifications, and inspections as required. Submittals made to the Building Commission must also be made to the ALSDE Office of Supporting Programs, School Architect’s office.

Does the Alabama State Department of Education (ALSDE) provide guidelines for the design and construction of schools?
Yes. The ALSDE Office of Supporting Programs, School Architect webpage contains Construction Requirements for County and City Public Schools that assist with the renovation and construction of school facilities.

NOTE: This working document “highlights” some key components of the Alabama School Choice and Student Opportunity Act (Act 2015-3), but does not attempt to address all content specific to school facilities, unused facilities, or Alabama Public School and College Authority funds. Information included in this working document will be updated as the Alabama State Department of Education develops specific guidance regarding Alabama public charter schools. Please send questions to pcs@alsde.edu.