

1 HB472  
2 158546-1  
3 By Representative Johnson (R)  
4 RFD: Education Policy  
5 First Read: 12-FEB-14

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8 SYNOPSIS: Under existing law, the president of a  
9 two-year school or college under the auspices of  
10 the State Department of Education is an executive  
11 officer to whom certain interim appointment term  
12 limits apply. Also under existing law, the  
13 applicable board may temporarily fill the position  
14 of executive officer on an interim basis for not  
15 more than two six-month periods.

16 This bill would authorize the Chancellor of  
17 Postsecondary Education, subject to the rules and  
18 procedures of the State Board of Education, to  
19 appoint an interim executive officer to serve as  
20 the president of any two-year school or college  
21 under the auspices of the State Department of  
22 Education for such terms as the Chancellor  
23 determines to be in the best interests of the  
24 two-year school or college.

25  
26 A BILL  
27 TO BE ENTITLED

1 AN ACT

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3 To amend Section 16-60-111.9, Code of Alabama 1975,  
4 relating to the terms and limits for interim appointments of  
5 executive officers to serve as an interim president of a  
6 two-year school or college under the auspices of the State  
7 Board of Education.

8 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

9 Section 1. Section 16-60-111.9 of the Code of  
10 Alabama 1975, is amended to read as follows:

11 "§16-60-111.9.

12 "(a) For the purposes of this section, the following  
13 terms shall have the following meanings:

14 "(1) BOARD. The Board of Trustees of the Alabama  
15 Institute for Deaf and Blind; the Alabama Youth Services  
16 Department School Board in its capacity as the Board of  
17 Education for the Youth Services School District; the Board of  
18 Directors of the Alabama School of Fine Arts; the Board of  
19 Trustees of the Alabama High School of Mathematics and  
20 Science; and the State Board of Education as applied to  
21 two-year postsecondary education institutions.

22 "(2) EXECUTIVE OFFICER. The President of the Alabama  
23 Institute for Deaf and Blind; the president of any two-year  
24 school or college under the auspices of the State Board of  
25 Education; the Executive Director of the Alabama School of  
26 Fine Arts; the Superintendent of the Department of Youth

1 Services School District; and the Executive Director of the  
2 Alabama High School of Mathematics and Science.

3 "(b) Notice of a vacancy in the position of  
4 executive officer shall be posted by the applicable board. The  
5 notice shall be posted on the Internet and in a conspicuous  
6 place at each school campus and worksite at least 30 calendar  
7 days before the position is to be filled. The notice shall  
8 remain posted until the position is filled and shall include,  
9 but not necessarily be limited to, all of the following:

10 "(1) Job description and title.

11 "(2) Required qualifications.

12 "(3) Salary range.

13 "(4) Information on where to submit an application.

14 "(5) Information on any deadlines for applying.

15 "(6) Any other relevant information.

16 "(c) The board may adopt or continue policies which  
17 are not inconsistent with this section. The position shall not  
18 be filled during the required posting period, except as herein  
19 provided. The posting of a vacancy notice as required in this  
20 section shall not be abridged or delayed except in emergency  
21 circumstances and then delayed only temporarily in order to  
22 reasonably meet the conditions of the emergency. The adoption  
23 of additional policies shall comply with the requirements and  
24 procedures of Section 16-1-30.

25 "(d) (1) Except as otherwise provided in subdivision  
26 (2), a ~~A~~ vacancy in the position of executive officer shall be  
27 filled by the board within 120 days after such vacancy occurs,

1       except in the case of a financial emergency. The board may  
2       temporarily fill the position on an interim basis for not more  
3       than two six-month periods.

4               "(2) The Chancellor of Postsecondary Education,  
5       subject to the rules and procedures of the State Board of  
6       Education, may appoint an interim executive officer to serve  
7       as the president of any two-year school or college under the  
8       auspices of the State Board of Education for such terms as the  
9       Chancellor determines to be in the best interests of the  
10       two-year school or college.

11               "(3) Experience gained by employment on a temporary  
12       interim or emergency basis may not be applied toward job  
13       experience requirements.

14               "(e) Violation of the notice requirements of this  
15       section by the board shall void any related employment action  
16       taken by the board."

17               Section 2. This act shall become effective on the  
18       first day of the third month following its passage and  
19       approval by the Governor, or its otherwise becoming law.