

1 HB285
2 145829-1
3 By Representative Merrill
4 RFD: Education Policy
5 First Read: 14-FEB-13

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8 SYNOPSIS: This bill would decrease the time that
9 personnel vacancies are required to be posted by a
10 local board of education when school is in session
11 from not less than seven to not less than three
12 calendar days before the position is to be filled,
13 and for all vacancies involving jobs which are
14 supervisory, managerial, or otherwise newly created
15 positions from at least 14 to at least seven
16 calendar days before the position is to be filled.

17
18 A BILL
19 TO BE ENTITLED
20 AN ACT

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22 To amend Section 16-22-15, Code of Alabama 1975,
23 relating to the posting of personnel vacancies by local boards
24 of education; to decrease the time for posting when school is
25 in session from not less than seven to not less than three
26 calendar days before the position is to be filled, and for all
27 supervisory, managerial, or otherwise newly created position

1 vacancies, from at least 14 to at least seven calendar days
2 before the position is to be filled.

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

4 Section 1. Section 16-22-15 of the Code of Alabama
5 1975, is amended to read as follows:

6 "§16-22-15.

7 "(a) For the purposes of this section, the following
8 words shall have the following meanings:

9 "(1) BOARD OF EDUCATION or BOARD. All public county
10 and city boards of education; the Board of Trustees of the
11 Alabama Institute for Deaf and Blind; the Alabama Youth
12 Services Department School Board in its capacity as the Board
13 of Education for the Youth Services School District; the Board
14 of Directors of the Alabama School of Fine Arts; the Board of
15 Trustees of the Alabama High School of Mathematics and
16 Science; and the State Board of Education as applied to
17 two-year postsecondary education institutions.

18 "(2) EXECUTIVE OFFICER. The superintendent of any
19 public county or city school system; the President of the
20 Alabama Institute for Deaf and Blind; the president of any
21 two-year school or college under the auspices of the State
22 Board of Education; the Executive Director of the Alabama
23 School of Fine Arts; the Superintendent of the Department of
24 Youth Services School District; and the Executive Director of
25 the Alabama High School of Mathematics and Science.

26 "(3) EMPLOYEES. Employees or personnel of the board
27 except for the following:

1 "a. Those employees covered under the Alabama state
2 Merit System.

3 "b. Those employees of the Alabama Institute for
4 Deaf and Blind who work for the Alabama Industries for the
5 Blind and those satellite employees at its regional centers.

6 "(b) Each board of education, through its executive
7 officer, shall post a notice of vacancy for each vacant
8 personnel position. The notice shall be posted in a
9 conspicuous place at each school campus and worksite at least
10 14 calendar days before the position is to be filled. The
11 notice shall include, but not necessarily be limited to, all
12 of the following:

13 "(1) Job description and title.

14 "(2) Required qualifications.

15 "(3) Salary schedule and amount.

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

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

18 "(6) Any other relevant information.

19 "(c) If a personnel vacancy occurs during the time
20 when the schools are in session, the vacancy notice shall be
21 posted not less than ~~seven~~ three calendar days before the
22 position is to be filled. All vacancies involving jobs which
23 are supervisory, managerial, or otherwise newly created
24 positions shall nevertheless require posting notices of at
25 least ~~14~~ seven calendar days.

26 "(d) The board may adopt or continue policies which
27 are not inconsistent with this section. The board may adopt

1 policies to ensure the safety and welfare of its students
2 during dire emergency situations, but the posting of a vacancy
3 notice as required in this section shall not be abridged or
4 delayed except in dire emergency circumstances and then
5 delayed only temporarily in order to reasonably meet the
6 conditions of the emergency. The adoption of additional
7 policies shall comply with the requirements and procedures of
8 Section 16-1-30 by all boards defined in this section."

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