

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

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ENROLLED, An Act,

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

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

"§16-60-111.9.

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

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

"(2) EXECUTIVE OFFICER. The President of the Alabama Institute for Deaf and Blind; the president of any two-year school or college under the auspices of the State Board of Education; the Executive Director of the Alabama School of

1 Fine Arts; the Superintendent of the Department of Youth
 2 Services School District; and the Executive Director of the
 3 Alabama High School of Mathematics and Science.

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

11 "(1) Job description and title.

12 "(2) Required qualifications.

13 "(3) Salary range.

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

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

16 "(6) Any other relevant information.

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

1 "(d) (1) Except as otherwise provided in subdivision
2 (2), a vacancy in the position of executive officer shall be
3 filled by the board within 120 days after such vacancy occurs,
4 except in the case of a financial emergency. The board may
5 temporarily fill the position on an interim basis for not more
6 than two six-month periods.

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

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

17 "Subject to the provisions of this section, a duly
18 appointed interim or emergency executive officer shall not be
19 prohibited from consideration for selection to fill an
20 Executive Officer vacancy."

21 "(e) Violation of the notice requirements of this
22 section by the board shall void any related employment action
23 taken by the board."

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

