

**HB163 ENROLLED**



1 HB163

2 XXF1EEE-3

3 By Representatives Almond, McCampbell, Travis, Brinyark, Lamb,

4 Bolton

5 RFD: Ways and Means Education

6 First Read: 14-Feb-24



## HB163 Enrolled

1 Enrolled, An Act,

2 To create a program known as the Alabama School of  
3 Healthcare Sciences in Demopolis, Alabama; to provide  
4 legislative intent; to provide definitions; to provide for the  
5 membership, powers, compensation, and terms of a board of  
6 trustees; to provide for programs and the operation of the  
7 school; to provide for extracurricular activities; and to  
8 prescribe eligibility requirements.

9 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

10 Section 1. It is the intent of the Legislature to  
11 establish an independent, state-wide, residential school for  
12 academically and professionally motivated Alabama students  
13 with educational opportunities and experiences in science,  
14 technology, engineering, math, and medicine (STEMM) and in the  
15 healthcare sciences to address the chronic healthcare  
16 workforce shortage in Alabama.

17 Section 2. For the purposes of this act, the following  
18 terms shall have the following meanings:

19 (1) DEPARTMENT. The State Department of Education.

20 (2) SCHOOL. The Alabama School of Healthcare Sciences.

21 (3) STATE BOARD. The State Board of Education.

22 (4) SUPERINTENDENT. The State Superintendent of  
23 Education.

24 Section 3. (a) There is created a program to be called  
25 the Alabama School of Healthcare Sciences, which shall be a  
26 residential institution located in Demopolis in Marengo  
27 County, at a site to be determined by the board of trustees.  
28 The school may open and formally begin operation with the fall



## HB163 Enrolled

29 semester of 2026. The school shall be funded by the state from  
30 monies appropriated for the school and grants, donations, and  
31 funds from any other source including, but not limited to,  
32 corporations, individuals, and foundations.

33 (b) The school shall be governed by a board of trustees  
34 whose membership, powers, duties, and responsibilities shall  
35 be as provided in this act.

36 (c) The school shall coordinate its programs and  
37 curriculum with the department, but shall be independent of  
38 the control of the superintendent, the state board, and any  
39 local board of education except its board of trustees, unless  
40 otherwise provided by this act.

41 Section 4. (a) There is created a board of trustees for  
42 the school. The board of trustees shall be composed of the  
43 following members:

44 (1) An assistant state superintendent in charge of  
45 curriculum development with the department, or his or her  
46 designee.

47 (2) The Chief Executive Officer of Whitfield Regional  
48 Hospital, or his or her designee.

49 (3) The Chief Executive Officer of the Alabama Hospital  
50 Association, or his or her designee.

51 (4) The Chief Executive Officer of the Alabama Nursing  
52 Home Association, or his or her designee.

53 (5) The President of the University of West Alabama, or  
54 his or her designee.

55 (6) The President of the University of South Alabama,  
56 or his or her designee.



## HB163 Enrolled

57 (7) The President of the University of Alabama at  
58 Birmingham, or his or her designee.

59 (8) The President of Auburn University, or his or her  
60 designee.

61 (9) The Chancellor of the Alabama Community College  
62 System, or his or her designee.

63 (10) The Chair of the Alabama School of Healthcare  
64 Sciences Foundation Board of Directors.

65 (11) The Chair of the House Ways and Means Education  
66 Committee, or his or her designee.

67 (12) The Chair of the Senate Finance and Taxation  
68 Education Committee, or his or her designee.

69 (13) Eight members to be appointed by the Governor, one  
70 member from each congressional district and one member  
71 appointed at large, who shall be a resident of Marengo County.  
72 Five of the eight members appointed by the Governor shall have  
73 a background in healthcare, public health, or healthcare  
74 administration. The other three members appointed by the  
75 Governor may include appointees with backgrounds in academia,  
76 government, business, or other career fields that provide a  
77 strong basis for service. The Governor shall make his or her  
78 appointments so that diversity of gender, race, and  
79 geographical areas is reflective of the makeup of this state.

80 (b) The terms of the eight members appointed by the  
81 Governor shall be for six years, except for original  
82 appointees who shall serve staggered terms with three  
83 appointees serving two years, three appointees serving four  
84 years, and two appointees serving six years. The terms of the



## HB163 Enrolled

85 initial members who are elected officials, or their respective  
86 designees, shall commence with their appointment, run  
87 concurrently with their terms of office, and shall end when  
88 their successors take office. The terms of members who are not  
89 serving by virtue of an elected office shall commence with  
90 their appointment and shall end when their successor is  
91 appointed. All members may succeed themselves. No member shall  
92 be appointed for more than three consecutive full terms.

93 Section 5. (a) The board of trustees may perform the  
94 following functions:

95 (1) Accept donations, bequests, or other forms of  
96 financial assistance for educational purposes from any public  
97 or private person or agency and comply with rules and  
98 regulations governing grants from the federal government or  
99 from any other person or agency, which are not in  
100 contravention of the constitution and laws.

101 (2) Purchase or lease real estate and equipment and  
102 make improvements to facilities necessary for the use of the  
103 school, in accordance with applicable law.

104 (3) Lease land or other property belonging to the board  
105 of trustees or to the school.

106 (4) Sell or exchange land or other real property not  
107 needed for school purposes, but only when specifically  
108 authorized by law and then only in accordance with the  
109 procedures provided for the sale of unused school lands. The  
110 sale shall be authorized by resolution adopted by the board of  
111 trustees, and the act of sale shall be signed by the president  
112 of the board of trustees or such other person to whom the



## HB163 Enrolled

113 signing may be delegated by the board of trustees in the  
114 authorizing resolution.

115 (5) Adopt, amend, or repeal rules, regulations, and  
116 policies necessary or proper for the conduct of the business  
117 of the board of trustees.

118 (6) Award certificates and issue diplomas for  
119 successful completion of programs of study. All certificates  
120 and diplomas shall be in addition to a regular high school  
121 diploma, which shall be issued by the state board in  
122 accordance with state law to any student who successfully  
123 completes the program of study adopted by the board of  
124 trustees.

125 (7) Enter into contracts and agreements which have been  
126 recommended by the president of school, in accordance with  
127 applicable law, and to the extent that funds are specifically  
128 appropriated therefor, with other public agencies with respect  
129 to cooperative enterprises and undertakings related to or  
130 associated with an educational purpose or program affecting  
131 education in the school. This shall not preclude the board of  
132 trustees from entering into other contracts and agreements  
133 that the board of trustees may deem necessary to carry out the  
134 duties and functions of the board of trustees.

135 (8) Perform such other functions as are necessary to  
136 the supervision and control of those phases of education under  
137 the board of trustees.

138 (b) The board of trustees shall delegate to the  
139 president of school those powers and duties the board of  
140 trustees deems appropriate to aid the president of school in



## HB163 Enrolled

141 the efficient administration of his or her responsibility for  
142 the implementation of the policies of the board of trustees.

143 (c) In addition to the authorities granted in this act  
144 and any powers, duties, and responsibilities vested by any  
145 other applicable laws, the board of trustees shall perform all  
146 of the following duties:

147 (1) Adopt rules, regulations, and policies necessary  
148 for the efficient operation of the school.

149 (2) Establish criteria to be used in determining  
150 eligibility of applicants for enrollment.

151 (3) Approve subjects and extracurricular activities to  
152 be offered. Subjects shall initially be subject to approval by  
153 the state board, and thereafter, changes in the subjects shall  
154 be subject to approval by the state board.

155 (4) Select a president of school who shall be the chief  
156 executive officer of the school and who shall administer the  
157 rules, regulations, and policies adopted by the board of  
158 trustees pursuant to this act. The president of school shall  
159 also be the chief administrative officer of the board of  
160 trustees and shall be responsible for all the administrative  
161 functions, duties, and needs of the board of trustees. Until  
162 such time as the board of trustees selects a president of  
163 school, the superintendent shall serve as the chief  
164 administrative officer of the board of trustees and shall be  
165 responsible for the duties of the president of school as they  
166 relate to the board of trustees. The superintendent shall  
167 relinquish administrative duties provided to the board of  
168 trustees to the president of school when the president of



## HB163 Enrolled

169 school officially assumes his or her duties with the board of  
170 trustees.

171 (5) Oversee the staffing plan development and  
172 implementation necessary for the efficient operation of the  
173 school.

174 (6) Prepare and adopt an annual budget necessary for  
175 the continued operation of the school.

176 (7) Pay the expenses, per diem, and travel expenses of  
177 the board of trustees and its members, which shall be the same  
178 as allowed state employees when the board member is traveling  
179 on board business. The board shall also pay the salaries and  
180 expenses including, but not limited to, facilities, equipment,  
181 and supplies of the administration, faculty, and staff of the  
182 school out of funds appropriated or otherwise made available  
183 for the operating and administrative expenses of the board of  
184 trustees and the school.

185 (8) Exercise budgetary responsibility and allocate for  
186 expenditure by the school and programs under its jurisdiction  
187 all monies appropriated or otherwise made available for  
188 purposes of the board of trustees and of the school and  
189 programs.

190 (9) Oversee selection and use in the school free  
191 textbooks and other materials of instruction for students  
192 enrolled in the school and programs under its jurisdiction for  
193 which the Legislature provides funds. Wherever practical, the  
194 school shall select and the board of trustees approve the same  
195 textbooks and other materials of instruction as are adopted by  
196 the state board.





## HB163 Enrolled

197           (10) Prepare and adopt or approve programs of study and  
198 rules, bylaws, and regulations for the discipline of students  
199 and for the government of the school and programs under its  
200 jurisdiction, which may not be inconsistent with the law and  
201 which shall be enforced by the administration, staff, and  
202 faculty of the school. Programs of study shall initially be  
203 subject to approval by the state board, and thereafter, any  
204 changes in programs of study shall be subject to approval by  
205 the state board.

206           (11) Any provision of law to the contrary  
207 notwithstanding, prescribe the qualifications of educators at  
208 the school, provided that any educator employed at the school,  
209 who does not hold certification, shall hold an advanced  
210 degree, or be acknowledged by the board of trustees as an  
211 expert, in his or her field of instruction.

212           (12) Develop and adopt a formula or system under which  
213 students shall be admitted. The formula or system shall be  
214 sufficient to ensure that at least one qualified applicant for  
215 admission from within the geographical boundaries of each  
216 state senate district shall be eligible for admission to the  
217 school each year. If no qualified applicant from a state  
218 senate district applies for admission, then the slots  
219 available to that senate district shall be lost to that senate  
220 district for that school year and shall be reallocated by the  
221 board of trustees to provide for the admission of qualified  
222 applicants from other senate districts. Any provision of this  
223 subdivision to the contrary notwithstanding, the board of  
224 trustees shall admit additional students, utilizing admission



## HB163 Enrolled

225 criteria provided by the adopted formula or system and as  
226 resources and facilities allow, by also taking into  
227 consideration the enrollment size of the city or county public  
228 school systems in the state senate district of the student  
229 applicant.

230 (13) Work with the Alabama Department of Education to  
231 assist teachers, administrators, and superintendents across  
232 the state to extend elements of the school's curriculum and  
233 other offerings to schools and programs across Alabama.  
234 Assistance shall include, but not be limited to, workshops,  
235 career conversations, and fostering communities of practice in  
236 the areas of healthcare sciences.

237 (14) Adopt rules and regulations to provide for the  
238 evaluation of any applicant who has not been evaluated but who  
239 satisfies all other criteria for participation in the program.

240 (d) A majority of actively serving members of the board  
241 of trustees shall constitute a quorum for the transaction of  
242 business, and all official action of the board of trustees  
243 shall require the favorable vote of a majority of those  
244 members present and voting. Members may participate by means  
245 of telephone conference, video conference, or by similar  
246 communications equipment so that all individuals participating  
247 in the meeting may hear each other at the same time.  
248 Participation by these means shall constitute presence in  
249 person at a meeting for all purposes, including the  
250 establishment of a quorum.

251 (e) Members of the board of trustees shall be  
252 compensated for all actual vouchered expenses incurred in the



## HB163 Enrolled

253 performance of their duties and functions as required by this  
254 act. Expenses shall be paid by the president of school from  
255 funds appropriated therefor by the Legislature and upon the  
256 warrant of the board of trustees.

257 (f) The board of trustees shall serve as the local  
258 educational agency for the school.

259 Section 6. (a) The school, at the discretion of the  
260 board of trustees, shall operate on the same school year basis  
261 as all other public schools in the state. Full-time students  
262 shall be enrolled for the entire school year and may enroll in  
263 the summer program.

264 (b) A summer program may be offered for full-time  
265 students and for students who qualify to attend the school  
266 during that period.

267 (c) The school may also offer short courses, workshops,  
268 seminars, weekend instructional programs, and other innovative  
269 programs, which may be used to offer instruction to students  
270 not enrolled as full-time students in the school.

271 (d) The school, at the discretion of the board of  
272 trustees, may provide extension courses and campuses on the  
273 campuses of other schools, colleges, and universities within  
274 the state.

275 Section 7. Whenever possible, the school may offer such  
276 extracurricular activities as may be found in any public  
277 secondary school in the state.

278 Section 8. Nothing in this act shall be so construed as  
279 to prohibit or prevent the board of trustees from accepting  
280 federal funds or monies from any corporation or other private



## HB163 Enrolled

281 contributor for use in operating the school or providing  
282 programs by the school.

283           Section 9. It is not the intent of this Legislature to  
284 conflict with existing or future programs of the Alabama High  
285 School of Mathematics and Science, Chapter 26A of Title 16,  
286 Code of Alabama 1975, the Alabama School of Fine Arts, Chapter  
287 26B of Title 16, Code of Alabama 1975, or the Alabama School  
288 of Cyber Technology and Engineering, Chapter 26D of Title 16,  
289 Code of Alabama 1975.

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



**HB163 Enrolled**

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Speaker of the House of Representatives

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President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in and was passed by the House 16-Apr-24, as amended.

John Treadwell  
Clerk

Senate

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**02-May-24**

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Passed