

1 SB405
2 159036-1
3 By Senator Waggoner
4 RFD: Finance and Taxation Education
5 First Read: 25-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.

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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. Subject to the provisions of this
14 section, a duly appointed interim or emergency executive
15 officer shall not be prohibited from consideration for
16 selection to fill an executive officer vacancy.

17 "(e) Violation of the notice requirements of this
18 section by the board shall void any related employment action
19 taken by the board."

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