

HB163 INTRODUCED



1 HB163
2 CUSVJQJ-1
3 By Representatives Almond, McCampbell, Travis, Brinyark, Lamb,
4 Bolton
5 RFD: Ways and Means Education
6 First Read: 14-Feb-24

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4 SYNOPSIS:

5 This bill creates a program known as the Alabama
6 School of Healthcare Sciences in Demopolis, Alabama;
7 provides legislative intent; provides definitions;
8 provides for the membership, powers, compensation, and
9 terms of a board of trustees; provides for programs and
10 the operation of the school; provides for
11 extracurricular activities; and prescribes eligibility
12 requirements.

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15 A BILL
16 TO BE ENTITLED
17 AN ACT
18

19 To create a program known as the Alabama School of
20 Healthcare Sciences in Demopolis, Alabama; to provide
21 legislative intent; to provide definitions; to provide for the
22 membership, powers, compensation, and terms of a board of
23 trustees; to provide for programs and the operation of the
24 school; to provide for extracurricular activities; and to
25 prescribe eligibility requirements.

26 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

27 Section 1. It is the intent of the Legislature to
28 establish an independent, state-wide, residential school for

HB163 INTRODUCED

academically and professionally motivated Alabama students with educational opportunities and experiences in science, technology, engineering, math, and medicine (STEMM) and in the healthcare sciences to address the chronic healthcare workforce shortage in Alabama.

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

(1) DEPARTMENT. The State Department of Education.

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

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

(4) SUPERINTENDENT. The State Superintendent of Education.

Section 3. (a) There is created a program to be called the Alabama School of Healthcare Sciences, which shall be a residential institution located in Demopolis in Marengo County, at a site to be determined by the board of trustees. The school may open and formally begin operation with the fall semester of 2026. The school shall be funded by the state from monies appropriated for the school and grants, donations, and funds from any other source including, but not limited to, corporations, individuals, and foundations.

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

(c) The school shall coordinate its programs and curriculum with the department, but shall be independent of the control of the superintendent, the state board, and any local board of education except its board of trustees, unless

HB163 INTRODUCED

otherwise provided by this act.

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

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

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

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

(4) The President of the University of West Alabama, or his or her designee.

(5) The President of the University of South Alabama, or his or her designee.

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

(7) The President of Auburn University, or his or her designee.

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

(9) The Chair of the Alabama School of Healthcare Sciences Foundation Board of Directors.

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

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

(12) Eight members to be appointed by the Governor, one

HB163 INTRODUCED

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

(b) The terms of the eight members appointed by the Governor shall be for six years, except for original appointees who shall serve staggered terms with three appointees serving two years, three appointees serving four years, and two appointees serving six years. The terms of the initial members who are elected officials, or their respective designees, shall commence with their appointment, run concurrently with their terms of office, and shall end when their successors take office. The terms of members who are not serving by virtue of an elected office shall commence with their appointment and shall end when their successor is appointed. All members may succeed themselves. No member shall be appointed for more than three consecutive full terms.

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

(1) Accept donations, bequests, or other forms of financial assistance for educational purposes from any public or private person or agency and comply with rules and

HB163 INTRODUCED

113 regulations governing grants from the federal government or
114 from any other person or agency, which are not in
115 contravention of the constitution and laws.

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

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

121 (4) Sell or exchange land or other real property not
122 needed for school purposes, but only when specifically
123 authorized by law and then only in accordance with the
124 procedures provided for the sale of unused school lands. The
125 sale shall be authorized by resolution adopted by the board of
126 trustees, and the act of sale shall be signed by the president
127 of the board of trustees or such other person to whom the
128 signing may be delegated by the board of trustees in the
129 authorizing resolution.

130 (5) Adopt, amend, or repeal rules, regulations, and
131 policies necessary or proper for the conduct of the business
132 of the board of trustees.

133 (6) Award certificates and issue diplomas for
134 successful completion of programs of study. All certificates
135 and diplomas shall be in addition to a regular high school
136 diploma, which shall be issued by the state board in
137 accordance with state law to any student who successfully
138 completes the program of study adopted by the board of
139 trustees.

140 (7) Enter into contracts and agreements which have been

HB163 INTRODUCED

recommended by the president of school, in accordance with applicable law, and to the extent that funds are specifically appropriated therefor, with other public agencies with respect to cooperative enterprises and undertakings related to or associated with an educational purpose or program affecting education in the school. This shall not preclude the board of trustees from entering into other contracts and agreements that the board of trustees may deem necessary to carry out the duties and functions of the board of trustees.

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

(b) The board of trustees shall delegate to the president of school those powers and duties the board of trustees deems appropriate to aid the president of school in the efficient administration of his or her responsibility for the implementation of the policies of the board of trustees.

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

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

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

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

HB163 INTRODUCED

169 be subject to approval by the state board.

170 (4) Select a president of school who shall be the chief
171 executive officer of the school and who shall administer the
172 rules, regulations, and policies adopted by the board of
173 trustees pursuant to this act. The president of school shall
174 also be the chief administrative officer of the board of
175 trustees and shall be responsible for all the administrative
176 functions, duties, and needs of the board of trustees. Until
177 such time as the board of trustees selects a president of
178 school, the superintendent shall serve as the chief
179 administrative officer of the board of trustees and shall be
180 responsible for the duties of the president of school as they
181 relate to the board of trustees. The superintendent shall
182 relinquish administrative duties provided to the board of
183 trustees to the president of school when the president of
184 school officially assumes his or her duties with the board of
185 trustees.

186 (5) Oversee the staffing plan development and
187 implementation necessary for the efficient operation of the
188 school.

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

191 (7) Pay the expenses, per diem, and travel expenses of
192 the board of trustees and its members, which shall be the same
193 as allowed state employees when the board member is traveling
194 on board business. The board shall also pay the salaries and
195 expenses including, but not limited to, facilities, equipment,
196 and supplies of the administration, faculty, and staff of the

HB163 INTRODUCED

197 school out of funds appropriated or otherwise made available
198 for the operating and administrative expenses of the board of
199 trustees and the school.

200 (8) Exercise budgetary responsibility and allocate for
201 expenditure by the school and programs under its jurisdiction
202 all monies appropriated or otherwise made available for
203 purposes of the board of trustees and of the school and
204 programs.

205 (9) Oversee selection and use in the school free
206 textbooks and other materials of instruction for students
207 enrolled in the school and programs under its jurisdiction for
208 which the Legislature provides funds. Wherever practical, the
209 school shall select and the board of trustees approve the same
210 textbooks and other materials of instruction as are adopted by
211 the state board.

212 (10) Prepare and adopt or approve programs of study and
213 rules, bylaws, and regulations for the discipline of students
214 and for the government of the school and programs under its
215 jurisdiction, which may not be inconsistent with the law and
216 which shall be enforced by the administration, staff, and
217 faculty of the school. Programs of study shall initially be
218 subject to approval by the state board, and thereafter, any
219 changes in programs of study shall be subject to approval by
220 the state board.

221 (11) Any provision of law to the contrary
222 notwithstanding, prescribe the qualifications of educators at
223 the school, provided that any educator employed at the school,
224 who does not hold certification, shall hold an advanced

HB163 INTRODUCED

225 degree, or be acknowledged by the board of trustees as an
226 expert, in his or her field of instruction.

227 (12) Develop and adopt a formula or system under which
228 students shall be admitted. The formula or system shall be
229 sufficient to ensure that at least one qualified applicant for
230 admission from within the geographical boundaries of each
231 state senate district shall be eligible for admission to the
232 school each year. If no qualified applicant from a state
233 senate district applies for admission, then the slots
234 available to that senate district shall be lost to that senate
235 district for that school year and shall be reallocated by the
236 board of trustees to provide for the admission of qualified
237 applicants from other senate districts. Any provision of this
238 subdivision to the contrary notwithstanding, the board of
239 trustees shall admit additional students, utilizing admission
240 criteria provided by the adopted formula or system and as
241 resources and facilities allow, by also taking into
242 consideration the enrollment size of the city or county public
243 school systems in the state senate district of the student
244 applicant.

245 (13) Work with the Alabama Department of Education to
246 assist teachers, administrators, and superintendents across
247 the state to extend elements of the school's curriculum and
248 other offerings to schools and programs across Alabama.
249 Assistance shall include, but not be limited to, workshops,
250 career conversations, and fostering communities of practice in
251 the areas of healthcare sciences.

252 (14) Adopt rules and regulations to provide for the

HB163 INTRODUCED

253 evaluation of any applicant who has not been evaluated but who
254 satisfies all other criteria for participation in the program.

255 (d) A majority of actively serving members of the board
256 of trustees shall constitute a quorum for the transaction of
257 business, and all official action of the board of trustees
258 shall require the favorable vote of a majority of those
259 members present and voting. Members may participate by means
260 of telephone conference, video conference, or by similar
261 communications equipment so that all individuals participating
262 in the meeting may hear each other at the same time.
263 Participation by these means shall constitute presence in
264 person at a meeting for all purposes, including the
265 establishment of a quorum.

266 (e) Members of the board of trustees shall be
267 compensated for all actual vouchered expenses incurred in the
268 performance of their duties and functions as required by this
269 act. Expenses shall be paid by the president of school from
270 funds appropriated therefor by the Legislature and upon the
271 warrant of the board of trustees.

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

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

279 (b) A summer program may be offered for full-time
280 students and for students who qualify to attend the school

HB163 INTRODUCED

during that period.

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

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

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

Section 8. Nothing in this act shall be so construed as to prohibit or prevent the board of trustees from accepting federal funds or monies from any corporation or other private contributor for use in operating the school or providing programs by the school.

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

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