

1 HB387
2 197382-1
3 By Representative McMillan
4 RFD: Education Policy
5 First Read: 09-APR-19

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8 SYNOPSIS: Under existing law, a county superintendent
9 of education may be elected if authorized under a
10 local law or amendment to the Constitution of
11 Alabama of 1901.

12 This bill would require all county
13 superintendents to be appointed by the county board
14 of education, except as otherwise provided by the
15 Constitution of Alabama of 1901.

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17 A BILL
18 TO BE ENTITLED
19 AN ACT

20
21 Relating to county superintendents of education; to
22 require all county superintendents to be appointed by the
23 county board of education, except as otherwise provided by the
24 Constitution of Alabama of 1901; and to provide transition to
25 the appointed office.

26 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. (a) Except as otherwise provided by the
2 Constitution of Alabama of 1901, a county superintendent of
3 education shall be appointed by the county board of education.

4 (b) This section shall apply at the expiration of
5 the term of office of any elected county superintendent of
6 education or upon a vacancy occurring in the office of an
7 elected county superintendent of education occurring before
8 the expiration of his or her term of office and after January
9 1, 2023.

10 (c) Commencing on the effective date of this
11 section, a county board of education may continue the services
12 of an elected superintendent of education as an appointed
13 superintendent of education for an additional term without
14 following the posting and selecting procedures required under
15 Section 16-9-11, Code of Alabama 1975, by appointing and
16 extending the contract between the board and the
17 superintendent. The contract may be executed at any time
18 during the term of office of the elected county superintendent
19 of education. On or before September 1, 2019, for elected
20 county superintendents of education whose terms end in 2020,
21 or September 1, 2021, for elected county superintendents of
22 education whose terms end in 2022, the county board of
23 education shall notify the elected superintendent of whether
24 the board intends to contract with the elected superintendent
25 of education for an additional term pursuant to this
26 subsection.

1 Section 2. This act shall become effective
2 immediately following its passage and approval by the
3 Governor, or its otherwise becoming law.