

1 HB648
2 169119-2
3 By Representative Johnson (R)
4 RFD: Education Policy
5 First Read: 12-MAY-15

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8 SYNOPSIS: This bill would provide a uniform date when
9 nontenured public school teachers would be notified
10 that their contracts would not be renewed and for
11 the filling of vacancies in teaching positions.

12
13 A BILL
14 TO BE ENTITLED
15 AN ACT

16
17 Relating to public education; to amend Section
18 16-22-15, Code of Alabama 1975, to provide further for the
19 notice of the nonrenewal of teaching contracts of nontenured
20 teachers and for the filling of vacancies in teaching
21 positions.

22 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

23 Section 1. Section 16-22-15, Code of Alabama 1975,
24 is amended to read as follows:

25 "§16-22-15.

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

1 "(1) BOARD OF EDUCATION or BOARD. All public county
2 and city boards of education; the Board of Trustees of the
3 Alabama Institute for Deaf and Blind; the Alabama Youth
4 Services Department School Board in its capacity as the Board
5 of Education for the Youth Services School District; the Board
6 of Directors of the Alabama School of Fine Arts; the Board of
7 Trustees of the Alabama High School of Mathematics and
8 Science; and the State Board of Education as applied to
9 two-year postsecondary education institutions.

10 "(2) EXECUTIVE OFFICER. The superintendent of any
11 public county or city school system; the President of the
12 Alabama Institute for Deaf and Blind; the president of any
13 two-year school or college under the auspices of the State
14 Board of Education; the Executive Director of the Alabama
15 School of Fine Arts; the Superintendent of the Department of
16 Youth Services School District; and the Executive Director of
17 the Alabama High School of Mathematics and Science.

18 "(3) EMPLOYEES. Employees or personnel of the board
19 except for the following:

20 "a. Those employees covered under the Alabama state
21 Merit System.

22 "b. Those employees of the Alabama Institute for
23 Deaf and Blind who work for the Alabama Industries for the
24 Blind and those satellite employees at its regional centers.

25 "(b) Each board of education, through its executive
26 officer, shall post a notice of vacancy for each vacant
27 personnel position. The notice shall be posted in a

1 conspicuous place at each school campus and worksite at least
2 14 calendar days before the position is to be filled. The
3 notice shall include, but not necessarily be limited to, all
4 of the following:

5 "(1) Job description and title.

6 "(2) Required qualifications.

7 "(3) Salary schedule and amount.

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

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

10 "(6) Any other relevant information.

11 "(c) If a personnel vacancy occurs during the time
12 when the schools are in session, the vacancy notice shall be
13 posted not less than seven calendar days before the position
14 is to be filled. All vacancies involving jobs which are
15 supervisory, managerial, or otherwise newly created positions
16 shall nevertheless require posting notices of at least 14
17 calendar days.

18 "(d) The board may adopt or continue policies which
19 are not inconsistent with this section. The board may adopt
20 policies to ensure the safety and welfare of its students
21 during dire emergency situations, but the posting of a vacancy
22 notice as required in this section shall not be abridged or
23 delayed except in dire emergency circumstances and then
24 delayed only temporarily in order to reasonably meet the
25 conditions of the emergency. The adoption of additional
26 policies shall comply with the requirements and procedures of
27 Section 16-1-30 by all boards defined in this section.

1 "(e) (1) Each board of education shall notify any
2 nontenured teacher on May 31 or the first business day
3 thereafter of each year if the teacher's contract will not be
4 renewed for the next school year.

5 "(2) A board of education may not post any vacancy
6 for a teaching position for the next school year until five
7 days after May 31 or the first business day thereafter.

8 "(3) This subsection shall not apply to a teaching
9 position to be filled when a vacancy occurs during the school
10 year and the position is being filled when school is in
11 session.

12 "(4) The date for the notice of nonrenewal of the
13 contract of nontenured teachers provided in this subsection
14 shall supersede the dates provided in Section 16-24C-4 and
15 Section 16-24C-5."

16 Section 2. This act shall apply to school years
17 commencing after the effective date of this act.

18 Section 3. All laws or parts of laws which conflict
19 with this act are repealed.

20 Section 4. This act shall become effective
21 immediately following its passage and approval by the
22 Governor, or its otherwise becoming law.