

HB163 ENGROSSED



1 HB163

2 XXF1EEE-2

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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A BILL
TO BE ENTITLED
AN ACT

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

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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



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29 (4) SUPERINTENDENT. The State Superintendent of
30 Education.

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

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

43 (c) The school shall coordinate its programs and
44 curriculum with the department, but shall be independent of
45 the control of the superintendent, the state board, and any
46 local board of education except its board of trustees, unless
47 otherwise provided by this act.

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

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

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

56 (3) The Chief Executive Officer of the Alabama Hospital



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57 Association, or his or her designee.

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

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

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

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

66 (8) The President of Auburn University, or his or her
67 designee.

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

70 (10) The Chair of the Alabama School of Healthcare
71 Sciences Foundation Board of Directors.

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

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

76 (13) Eight members to be appointed by the Governor, one
77 member from each congressional district and one member
78 appointed at large, who shall be a resident of Marengo County.
79 Five of the eight members appointed by the Governor shall have
80 a background in healthcare, public health, or healthcare
81 administration. The other three members appointed by the
82 Governor may include appointees with backgrounds in academia,
83 government, business, or other career fields that provide a
84 strong basis for service. The Governor shall make his or her



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85 appointments so that diversity of gender, race, and
86 geographical areas is reflective of the makeup of this state.

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

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

102 (1) Accept donations, bequests, or other forms of
103 financial assistance for educational purposes from any public
104 or private person or agency and comply with rules and
105 regulations governing grants from the federal government or
106 from any other person or agency, which are not in
107 contravention of the constitution and laws.

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

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



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113 (4) Sell or exchange land or other real property not
114 needed for school purposes, but only when specifically
115 authorized by law and then only in accordance with the
116 procedures provided for the sale of unused school lands. The
117 sale shall be authorized by resolution adopted by the board of
118 trustees, and the act of sale shall be signed by the president
119 of the board of trustees or such other person to whom the
120 signing may be delegated by the board of trustees in the
121 authorizing resolution.

122 (5) Adopt, amend, or repeal rules, regulations, and
123 policies necessary or proper for the conduct of the business
124 of the board of trustees.

125 (6) Award certificates and issue diplomas for
126 successful completion of programs of study. All certificates
127 and diplomas shall be in addition to a regular high school
128 diploma, which shall be issued by the state board in
129 accordance with state law to any student who successfully
130 completes the program of study adopted by the board of
131 trustees.

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



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141 duties and functions of the board of trustees.

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

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

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

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

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

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

162 (4) Select a president of school who shall be the chief
163 executive officer of the school and who shall administer the
164 rules, regulations, and policies adopted by the board of
165 trustees pursuant to this act. The president of school shall
166 also be the chief administrative officer of the board of
167 trustees and shall be responsible for all the administrative
168 functions, duties, and needs of the board of trustees. Until



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169 such time as the board of trustees selects a president of
170 school, the superintendent shall serve as the chief
171 administrative officer of the board of trustees and shall be
172 responsible for the duties of the president of school as they
173 relate to the board of trustees. The superintendent shall
174 relinquish administrative duties provided to the board of
175 trustees to the president of school when the president of
176 school officially assumes his or her duties with the board of
177 trustees.

178 (5) Oversee the staffing plan development and
179 implementation necessary for the efficient operation of the
180 school.

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

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

192 (8) Exercise budgetary responsibility and allocate for
193 expenditure by the school and programs under its jurisdiction
194 all monies appropriated or otherwise made available for
195 purposes of the board of trustees and of the school and
196 programs.



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197 (9) Oversee selection and use in the school free
198 textbooks and other materials of instruction for students
199 enrolled in the school and programs under its jurisdiction for
200 which the Legislature provides funds. Wherever practical, the
201 school shall select and the board of trustees approve the same
202 textbooks and other materials of instruction as are adopted by
203 the state board.

204 (10) Prepare and adopt or approve programs of study and
205 rules, bylaws, and regulations for the discipline of students
206 and for the government of the school and programs under its
207 jurisdiction, which may not be inconsistent with the law and
208 which shall be enforced by the administration, staff, and
209 faculty of the school. Programs of study shall initially be
210 subject to approval by the state board, and thereafter, any
211 changes in programs of study shall be subject to approval by
212 the state board.

213 (11) Any provision of law to the contrary
214 notwithstanding, prescribe the qualifications of educators at
215 the school, provided that any educator employed at the school,
216 who does not hold certification, shall hold an advanced
217 degree, or be acknowledged by the board of trustees as an
218 expert, in his or her field of instruction.

219 (12) Develop and adopt a formula or system under which
220 students shall be admitted. The formula or system shall be
221 sufficient to ensure that at least one qualified applicant for
222 admission from within the geographical boundaries of each
223 state senate district shall be eligible for admission to the
224 school each year. If no qualified applicant from a state



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225 senate district applies for admission, then the slots
226 available to that senate district shall be lost to that senate
227 district for that school year and shall be reallocated by the
228 board of trustees to provide for the admission of qualified
229 applicants from other senate districts. Any provision of this
230 subdivision to the contrary notwithstanding, the board of
231 trustees shall admit additional students, utilizing admission
232 criteria provided by the adopted formula or system and as
233 resources and facilities allow, by also taking into
234 consideration the enrollment size of the city or county public
235 school systems in the state senate district of the student
236 applicant.

237 (13) Work with the Alabama Department of Education to
238 assist teachers, administrators, and superintendents across
239 the state to extend elements of the school's curriculum and
240 other offerings to schools and programs across Alabama.
241 Assistance shall include, but not be limited to, workshops,
242 career conversations, and fostering communities of practice in
243 the areas of healthcare sciences.

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

247 (d) A majority of actively serving members of the board
248 of trustees shall constitute a quorum for the transaction of
249 business, and all official action of the board of trustees
250 shall require the favorable vote of a majority of those
251 members present and voting. Members may participate by means
252 of telephone conference, video conference, or by similar



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253 communications equipment so that all individuals participating
254 in the meeting may hear each other at the same time.
255 Participation by these means shall constitute presence in
256 person at a meeting for all purposes, including the
257 establishment of a quorum.

258 (e) Members of the board of trustees shall be
259 compensated for all actual vouchered expenses incurred in the
260 performance of their duties and functions as required by this
261 act. Expenses shall be paid by the president of school from
262 funds appropriated therefor by the Legislature and upon the
263 warrant of the board of trustees.

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

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

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

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

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



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281 the state.

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

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

290 Section 9. It is not the intent of this Legislature to
291 conflict with existing or future programs of the Alabama High
292 School of Mathematics and Science, Chapter 26A of Title 16,
293 Code of Alabama 1975, the Alabama School of Fine Arts, Chapter
294 26B of Title 16, Code of Alabama 1975, or the Alabama School
295 of Cyber Technology and Engineering, Chapter 26D of Title 16,
296 Code of Alabama 1975.

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



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House of Representatives

Read for the first time and referred14-Feb-24
to the House of Representatives
committee on Ways and Means
Education
Read for the second time and placed11-Apr-24
on the calendar:
1 amendment
Read for the third time and passed16-Apr-24
as amended
Yeas 103
Nays 0
Abstains 0

John Treadwell
Clerk