

1 HB538
2 176902-1
3 By Representatives Collins, Baker, McMillan, Rich, Beech,
4 Black, Greer, Johnson (K), Patterson, Whorton (R),
5 Williams (P), Pettus, Nordgren, Robinson and Davis
6 RFD: Education Policy
7 First Read: 12-APR-16

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8 SYNOPSIS: Under existing law, the State Superintendent
9 of Education is appointed by the State Board of
10 Education and serves at the pleasure of the state
11 board.

12 This bill would provide for the appointment
13 of the Superintendent of Education by the Governor,
14 would provide that the superintendent would serve
15 as a member of the Governor's Cabinet, and would
16 condition the effectiveness upon the approval of a
17 constitutional amendment.

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19 A BILL
20 TO BE ENTITLED
21 AN ACT
22

23 To amend Section 16-4-1, Code of Alabama 1975,
24 relating to the State Superintendent of Education, to provide
25 for the appointment of the superintendent by the Governor; to
26 provide that the superintendent would serve as a member of the

1 Governor's Cabinet; and would provide for a conditional
2 effective date.

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

4 Section 1. Section 16-4-1, Code of Alabama 1975, is
5 amended to read as follows:

6 "§16-4-1.

7 "(a) As the chief executive officer of the State
8 Department of Education there shall be a State Superintendent
9 of Education, who shall be appointed by the ~~State Board of~~
10 ~~Education~~ Governor and shall serve at the pleasure of the
11 ~~State Board of Education; provided, however that the State~~
12 ~~Board of Education may enter into a contract with the State~~
13 ~~Superintendent of Education for his services for a period not~~
14 ~~to exceed four years~~ Governor. The superintendent shall serve
15 as a member of the Governor's Cabinet and shall advise the
16 Governor on matters relating to education.

17 "(b) The Superintendent of Education shall be a
18 person of good moral character, with academic and professional
19 education equivalent to graduation from a standard university
20 or college, who is knowledgeable in school administration and
21 has training and experience sufficient to qualify him to
22 perform the duties of his or her office.

23 "The salary of the State Superintendent of Education
24 shall be ~~such amount per annum as shall be set by the State~~
25 ~~Board of Education in an amount within the range now or~~
26 ~~hereafter established by law~~ the same as provided to other
27 members of the Governor's Cabinet, to be paid in installments

1 from the annual appropriation of the State Department of
2 Education."

3 Section 2. This act shall become effective only upon
4 the ratification of an amendment to Amendment No. 284 of the
5 Constitution of Alabama of 1901, that would provide for the
6 appointment of the Superintendent of Education by the
7 Governor.