

APA-2

Alabama Commission on Higher Education

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Commission on Higher Education (Commission)

RULE NO. & TITLE:

300-1-1-.02 Commission Membership And Tenure

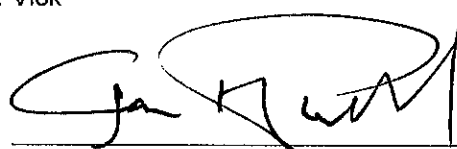
INTENDED ACTION: Amendment

SUBSTANCE OF PROPOSED ACTION: The purpose of this amendment is to eliminate outdated language and to streamline the administrative procedures

TIME, PLACE, MANNER OF PRESENTING VIEWS: Persons wishing to present views on this amended rule may contact Tim Vick, Director of Operations and Fiscal Services, Alabama Commission on Higher Education, P.O. Box 302000, Montgomery, Alabama 36130-2000, Telephone 334-353-9153 between 8 a.m. and 5 p.m. each day up to and including August 8, 2018.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: August 8, 2018

CONTACT PERSON AT AGENCY: Timothy W. Vick



James E. Purcell, Ed.D.
Executive Director

300-1-1-.02 Commission Membership And Tenure.

(1) The Commission consists of 12 members, 10 appointed by the governor, one by the lieutenant governor, and one by the speaker of the house of representatives. All proposed members must be confirmed by the senate.

(a) One person shall be appointed from each United States Congressional District in Alabama, and shall reside or maintain an office or place of business within the congressional district from which he or she is appointed.

(b) The remaining members shall be appointed from the state at large with no more than two of the total twelve members being from the same congressional district.

(c) Each commissioner shall be a citizen of the state.

(d) Commissioners shall be appointed, as far as may be practicable, based on their interest in higher education.

(e) Appointees shall be selected without regard to political affiliation and shall be of a nature as to aid the work of the Commission and to inspire the highest degree of cooperation and confidence.

(f) No member of the Commission shall be on the governing boards, be employed by or directly connected with any institution of higher education in the state, the State Department of Education, or any county or other local board of education.

(g) No member of the Commission shall act as the representative of any particular region or of any particular institution of higher learning. All members of the Commission are deemed members at large charged with the responsibility of serving the best interests of the entire system of higher education in the state.

(h) New appointments to the Commission are made so that the total membership of the Commission is broadly representative of the total population of the state of Alabama.

(2) Tenure

(a) Members of the Commission shall be selected for nine-year terms expiring on August 31 of the respective year.

(b) The members of the Commission shall continue to

serve after the expiration of their terms until their successors have been appointed.

(c) In the event that the number of congressional districts shall change, incumbents on the Commission shall complete their terms as members of the Commission. The membership would remain at twelve with the number of at-large memberships being adjusted, if necessary, so that each congressional district is represented.

(d) If the senate is not in session or is in recess when the term of a member expires, the initial appointing authority shall make a temporary appointment of a succeeding member who shall serve subject to subsequent senate approval of the appointment.

(e) Vacancies and new appointments on the Commission are filled by appointment of the ex officio officer responsible for the initial appointment. If the senate is not in session or is in recess when the appointment is made, the appointee shall serve subject to subsequent approval of the appointment.

(f) Any person who serves five or more years as a member of the Commission shall not be eligible for reappointment to succeed himself or herself until the next vacancy occurs after his or her successor is named.

~~(g) No member of the Commission shall serve past June 30 following his or her 70th birthday.~~

(~~h~~ g) If any member of the Commission does not attend three consecutive regular meetings for reasons other than personal illness or family illness, that member shall may be requested by the chairman to submit his or her resignation to the governor.

(~~±~~ h) Members of the Commission shall serve without compensation but shall be reimbursed for actual expenses incurred in the performance of their duties.

Author: William O. Blow; Timothy W. Vick

Statutory Authority: Code of Ala. 1975, §§16-5-1, et seq.

History: Filed September 30, 1982. **Amended:** Filed

December 12, 1989. Filed June 12, 2018.