

HOUSE BILL 1278

By McCormick

AN ACT to amend Tennessee Code Annotated, Title 8 and Title 49, relative to the Alvin C. York Institute.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. There is hereby created and established the Alvin C. York Institute transition planning committee.

SECTION 2. The nine (9) members of the Alvin C. York Institute transition planning committee shall include:

- (1) The executive director of the state board of education, who shall serve as chair of the committee;
- (2) One (1) member of the state board of education appointed by the chair of the state board of education;
- (3) A representative of the department of education appointed by the commissioner of education;
- (4) The commissioner of finance and administration or the commissioner's designee;
- (5) The county mayor of Fentress County;
- (6) The chair of the Fentress County school board;
- (7) The Fentress County director of schools;
- (8) One (1) member of the Fentress County Commission appointed by the chair of the Fentress County Commission; and
- (9) The superintendent of the Alvin C. York Institute.

SECTION 3. It is the duty of the Alvin C. York Institute transition planning committee to study and consider all issues involved in the transition of the Alvin C. York Institute from the

operation and control of the state to the Fentress County board of education and to make a written recommendation for a transition plan no later than January 14, 2014, to help to ensure that transfer of the Institute will be completed within a reasonable time, but no later than the start of the 2016-2017 school year. The committee's recommendation and the proposed transition plan shall be filed with the governor, the Fentress County board of education, the Fentress County Commission, the education committees of the senate and the house of representatives and finance, ways and means committees of the senate and house of representatives.

SECTION 4. All appointed members of the transition planning committee shall be appointed within fifteen (15) days of the effective date of this act. Within thirty (30) days after the transition planning committee is constituted, its members shall hold an organizational meeting at a time and place fixed by the chair of the committee, with notice of the organizational meeting provided to all members.

SECTION 5. Future meetings of the transition planning committee shall be held at times and places it may determine, with special or additional meetings to be held upon call of its chair.

SECTION 6. Members of the committee who are not state employees shall serve without compensation. Members of the committee who are state employees shall serve without additional compensation. Members of the committee shall be eligible for reimbursement for travel expenses in accordance with the provisions of the comprehensive travel regulations as promulgated by the department of finance and administration and approved by the attorney general and reporter.

SECTION 7. Necessary expenses of the planning committee shall be paid from funds appropriated to the state board of education in the general appropriations act. The state board shall supply administrative services to the committee.

SECTION 8. Before presentation of any recommendation or a proposed transition plan, the committee shall hold at least one (1) public hearing duly advertised at least one (1) week prior to the hearing in a newspaper of general circulation throughout Fentress County. At any

public hearing so conducted by the committee, minutes of the proceedings shall be recorded and preserved by the state board of education.

SECTION 9. In developing a transition plan for transfer of the governance of Alvin C. York Institute to the Fentress County board of education, the planning committee shall consider and provide the following:

- (1) A method to ensure no diminution on the level of educational service provided after transfer than before the transfer;
- (2) Appropriate disposition of assets and liabilities of the school, including those that may be unnecessary for the continuation of the school's educational functions;
- (3) Plans for compliance with Tennessee Code Annotated § 49-5-203;
- (4) Proposed allocations of and responsibilities for funding by the state and the county for the operation of the school, during each year of the period of transition, which period shall not extend beyond three (3) years beginning with Fiscal Year 2013-2014;
- (5) Any other matters deemed by the planning committee to be pertinent to transfer of governance of the school.

SECTION 10. This act shall take effect upon becoming law, the public welfare requiring it.