

02.22 Students First Act

Original Approval: **DATE**

Last Updated: **DATE**

Last Reviewed: **DATE**

Policy / Purpose:

It is the policy of Wallace Community College – Selma (WCCS) to ensure compliance with the [Students First Act](#), Act No. 2011-70. The Students First Act of 2011 repeals and replaces the Alabama Fair Dismissal Act. The Students First Act returns primary decision-making authority and responsibility to the employer. The act provides rights, remedies, procedures, and obligations with respect to employment actions, such as discipline, termination, transfer, and reassignment affecting or involving certain employees or categories of employees of city and county boards of education and of two-year educational institutions operated by the Alabama Community College System. The following information is referenced in the Students First Act:

- Tenure/Non-Probationary Status
- Termination of Probationary Employees
- Reduction in Force
- Suspensions
- Transfers

All employment with institutions of the Alabama Community College System (ACCS) is subject to the provisions of the [Students First Act](#) of 2011-270.

Scope:

This policy applies to all WCCS students and employees during any activity involving the College, including the workday. In addition, visitors, vendors, contractors, and all other non-employees are expected to recognize and comply with College policies.

Definitions:

There are no definitions applicable to this policy.

Details:

1. **Positions Not Eligible for Tenure/Non-Probationary Status:** Per the 2016 Code of Alabama, Title 16 Education, Students First Act (Section 16-24C-4), “neither tenure nor non-probationary status may be attained as a chief executive officer, a chief school financial officer, as a president or vice president of a two-year educational institution operated under the authority and control of the Department of Postsecondary Education, or in or by virtue of employment in temporary, part-time, substitute, summer school, occasional, seasonal, supplemental, irregular, or like forms of employment, or in positions that are created to serve experimental, pilot, temporary, or like special programs, projects, or purposes, the funding and duration of which are finite.”

“The employment of executive and administrative management personnel by public two-year institutions of higher education hired on or after July 1, 2024, on a contract basis.”

This includes positions funded with restricted funds (generally grant funded positions), unless the employee was hired prior to May 26, 2011, and is, therefore, grandfathered from this rule.

2. **Loss of Tenure/Non-Probationary Status:** Per the 2016 Code of Alabama, Title 16 Education, Students First Act (Section 16-24C-4), "Service performed as a teacher may not be converted to, recognized, or otherwise credited to the employee for the purpose of attaining non-probationary status as a classified employee. Service performed in the capacity of a classified employee may not be converted to, recognized, or otherwise credited to the employee for the purpose of attaining tenure as a teacher, whether or not the classified employee holds a certificate issued by the State Department of Education."

This means that an employee may lose their tenure under one of the following conditions:

- Moving from a staff to faculty position;
- Moving from a faculty to staff position;
- Moving from a restricted funded position to a non-restricted funded position; and/or
- Moving from a non-restricted funded position to a restricted funded position.

3. **Terminations of Employment:** Refer to Section 5 and 6 of the [Students First Act](#).
4. **Reductions in or Modifications to Employee Compensation or Benefits or Length of Work or School Year:** Refer to Section 6 of the [Students First Act](#).
5. **Suspensions:** Refer to Section 6 of the [Students First Act](#).

Procedure(s):

1. The College will follow the provisions listed within the [Students First Act](#).

Additional Provisions / Information:

There are no Additional Provisions / Information applicable to this policy.