



**House Education Policy Reported Substitute for
SB33**

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A BILL
TO BE ENTITLED
AN ACT

Relating to public K-12 and public two-year institutions of higher education; to amend Section 16-24C-3, Code of Alabama 1975, relating to the Students First Act of 2011, to revise definitions relating to the teacher tenure law; to add Article 2, commencing with Section 16-24B-50, to Chapter 24B, Title 16, Code of Alabama 1975, to create the Assistant Administrator Accountability Act; to provide for the employment of assistant superintendents, assistant chief school finance officers, and assistant principals of a school system or school, including a vocational center, hired on or after July 1, 2024, on a contract basis; and to require for 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.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 16-24C-3 of the Code of Alabama 1975, is amended to read as follows:

"§16-24C-3

For purposes of this ~~chapter~~ article, the following terms shall have the following meanings:



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29 (1) CHIEF EXECUTIVE OFFICER. The chief administrative
30 and executive officer of an entity, institution, agency, or
31 political subdivision of the state that is subject to this
32 ~~chapter~~ article and includes, without limitation,
33 superintendents of city or county boards of education and
34 presidents of two-year educational institutions operated under
35 authority and control of the ~~Department of Postsecondary~~
36 ~~Education~~ Board of Trustees of the Alabama Community College
37 System. The term includes ~~persons~~ individuals serving in such
38 a capacity on an acting or interim basis under lawful
39 appointment or by operation of law.

40 (2) CLASSIFIED EMPLOYEE. All adult bus drivers, all
41 full-time lunchroom or cafeteria workers, janitors,
42 custodians, maintenance personnel, secretaries and clerical
43 assistants, instructional aides or assistants, whether or not
44 certificated, non-certificated supervisors, and, except as
45 hereinafter provided, all other ~~persons~~ individuals who are
46 not teachers as defined herein who are full-time employees of
47 a city or county board of education, two-year educational
48 institutions operated under the authority and control of the
49 ~~Department of Postsecondary Education~~ Board of Trustees of the
50 Alabama Community College System, the Alabama Institute for
51 Deaf and Blind, including production workers at the Alabama
52 Industries for the Blind, and educational and correctional
53 institutions under the control of the Department of Youth
54 Services. The term does not include the employer's chief
55 executive officer, vice president, ~~or~~ chief school financial
56 officer, or assistant administrative officer as defined in



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57 Section 16-24B-51. Full-time employees include adult bus
58 drivers and other employees whose duties require 20 or more
59 hours in each normal working week of the school term,
60 excluding holidays that are recognized by the employer.
61 Employees who are eligible for coverage under the state Merit
62 System are not covered by this ~~chapter~~ article. A probationary
63 classified employee is a classified employee who has not
64 attained nonprobationary status.

65 (3) EMPLOYEE. Unless otherwise specified, and as
66 appropriate to the context, the term includes either a teacher
67 or a classified employee, or both, whose employment is subject
68 to this ~~chapter~~ article.

69 (4) EMPLOYER. The entity, institution, agency, or
70 political subdivision of the state by which an employee who is
71 subject to this ~~chapter~~ article is employed. Employers subject
72 to this ~~chapter~~ article include all city and county boards of
73 education, all educational and correctional institutions under
74 the control of the Department of Youth Services, the Alabama
75 Institute for Deaf and Blind, and two-year educational
76 institutions operated under the authority and control of the
77 ~~Department of Postsecondary Education~~ Board of Trustees of the
78 Alabama Community College System. Each two-year institution
79 operated under the authority and control of the ~~Department of~~
80 ~~Postsecondary Education~~ Board of Trustees of the Alabama
81 Community College System is a separate employer for purposes
82 of this ~~chapter~~ article.

83 (5) GOVERNING BOARD. The body of elected or appointed
84 officials that is granted authority by law, ~~regulation~~ rule,



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85 or policy to make employment decisions on behalf of the
86 employer. If final decision-making authority with respect to
87 employment decisions is conferred by law, ~~regulation~~ rule, or
88 duly adopted policy on an official, administrator, or
89 organizational unit other than a separate governing board, the
90 decision or action of ~~such~~ the official, administrator, or
91 organizational unit, including the president of a two-year
92 educational institution operated under the authority and
93 control of the ~~Department of Postsecondary Education~~ Board of
94 Trustees of the Alabama Community College System, is that of
95 the governing board for purposes of this ~~chapter~~ article, and
96 no additional approval of ~~such~~ the decision or action shall be
97 required. Under ~~such~~ these circumstances, the official,
98 administrator, president, or organizational unit shall assume
99 and exercise the duties of the governing board established by
100 this ~~chapter~~ article. For purposes of this ~~chapter~~ article,
101 the State Board of Education shall not be deemed to be or
102 authorized to function as the employer or the governing board
103 of any employer covered by this ~~chapter~~ article.

104 (6) PROBATIONARY TEACHER. A teacher who has not
105 attained tenure.

106 ~~(6)~~ (7) PROFESSIONAL EDUCATOR'S CERTIFICATE. A
107 certificate or license, by whatever name, designation, or
108 subclassification known or identified, issued by the State
109 Department of Education, or recognized under an approved
110 interstate reciprocity program, and that must be maintained by
111 the employee in order to be employed as a teacher in the
112 county and city schools of this state. A professional



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113 educator's certificate does not include provisional,
114 alternative, or emergency certificates, or certificates or
115 licenses that are issued to instructional aides or assistants,
116 to substitute teachers, or to business, technical,
117 operational, or other employees whose job duties do not
118 require or entail the instruction of students or the regular
119 supervision of or interaction with employees with such job
120 duties.

121 ~~(7)~~ (8) SCHOOL YEAR. The period beginning with the first
122 day of the annual school term and ending with the last day of
123 the annual school term on which classroom instructors are
124 required to report for duty, as established by the governing
125 board. For a two-year educational institution, the school year
126 shall be deemed to begin on the first day of the fall academic
127 semester and continuing through the final day of the spring
128 academic semester, but shall not include the summer academic
129 semester.

130 ~~(8)~~ (9) TEACHER.

131 a. All employees of entities that are covered by this
132 ~~chapter article~~ who are required by law, ~~regulation rule~~, or
133 employer policy to maintain a professional educator's
134 certificate issued by the State Department of Education and
135 who are employed by a city or county board of education, the
136 Alabama Institute for Deaf and Blind, or educational and
137 correctional institutions under the control of the Department
138 of Youth Services. The term also includes instructors employed
139 by two-year educational institutions operated under the
140 authority and control of the ~~Department of Postsecondary~~



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141 ~~Education~~ Board of Trustees of the Alabama Community College
142 System and principals who had attained tenure under prior law,
143 but who have not elected to become contract principals under
144 subsection (h) of Section 16-24B-3.

145 b. The term does not include ~~an~~ any of the following:

146 1. An employer's chief executive officer, chief school
147 financial officer, or a principal who is employed as or who
148 has elected to become a contract principal under subsection
149 (h) of Section 16-24B-3, whether or not certification is
150 required for those positions by law or policy, ~~and does not~~
151 ~~include the.~~

152 2. An assistant administrative officer who is employed
153 as or who has elected to become a contract assistant
154 administrative officer under subsection (h) of Section
155 16-24B-52, whether or not certification is required for those
156 positions by law or policy.

157 3. Executive and administrative management, including
158 the president ~~or,~~ vice president, deans, executive directors,
159 directors, deputies, or chiefs of a public two-year
160 educational institution of higher education operated under the
161 authority and control of the ~~Department of Postsecondary~~
162 ~~Education~~ Board of Trustees of the Alabama Community College
163 System. ~~A probationary teacher is a teacher who has not~~
164 ~~attained tenure."~~

165 Section 2. The Teacher Accountability Act, Chapter 24B
166 of Title 16, consisting of Sections 16-24B-1 through 16-24B-8,
167 Code of Alabama 1975, is designated as Article 1, Chapter 24B,
168 Title 16, Code of Alabama 1975. Article 2, is added to Chapter



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169 24B of Title 16, Code of Alabama 1975, to read as follows:

170 Article 2. Assistant Administrator Accountability Act.

171 §16-24B-50. Short title.

172 This article shall be known and may be cited as the
173 Assistant Administrator Accountability Act.

174 §16-24B-51. Definitions.

175 As used in this article, the following terms have the
176 following meanings:

177 (1) ASSISTANT ADMINISTRATIVE OFFICER. Includes only
178 those individuals hired before July 1, 2024, and certified for
179 their position as prescribed by the State Board of Education
180 and who are employed by an employing board as an assistant
181 superintendent, assistant chief school finance officer, or
182 assistant principal of a school system or school, including a
183 vocational center.

184 (2) CHIEF EXECUTIVE OFFICER. The same as defined in
185 Section 16-24B-2.

186 (3) CONTRACT ASSISTANT ADMINISTRATIVE OFFICER. Includes
187 only those individuals hired on or after July 1, 2024, and
188 certified for their position as prescribed by the State Board
189 of Education and who are employed by a participating employing
190 board as an assistant superintendent, assistant chief school
191 finance officer, or assistant principal of a school system or
192 school, including a vocational center, pursuant to this
193 article.

194 (4) CONTRACT YEAR. The same as defined in Section
195 16-24B-2.

196 (5) DAY. The same as defined in Section 16-24B-2.



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197 (6) EMPLOYING BOARD. The same as defined in Section
198 16-24B-2.

199 (7) MEDIATOR. The same as defined in Section 16-24B-2.

200 (8) PARTICIPATING EMPLOYING BOARD. An employing board
201 that elects to employ assistant administrative officers
202 pursuant to contracts as provided by this article.

203 (9) PROBATIONARY ASSISTANT ADMINISTRATIVE OFFICER. Any
204 assistant superintendent, assistant chief school finance
205 officer, or assistant principal hired for the first time in
206 any local school system or school as an assistant
207 superintendent, assistant chief school finance officer, or
208 assistant principal on or after July 1, 2024.

209 §16-24B-52. Assistant administrative officers;
210 probationary and contract assistant administrative officers.

211 (a) Any other provision of law to the contrary
212 notwithstanding, any individual employed as an assistant
213 administrative officer in the public schools in Alabama on or
214 after July 1, 2024, at the election of a participating
215 employing board and upon the recommendation of the chief
216 executive officer, may be employed as a probationary assistant
217 administrative officer for up to one full contract year;
218 provided, however, that if the individual is being employed as
219 an assistant administrative officer for the first time, the
220 probationary period may be for up to two full contract years.
221 After completion of the probationary period, the same
222 participating employing board, upon the recommendation of the
223 chief executive officer, shall either offer the probationary
224 assistant administrative officer not less than a three-year



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225 contract pursuant to this section or terminate the
226 probationary assistant administrative officer for any reason,
227 or without a stated reason, as the case may be. In the case of
228 a probationary assistant administrative officer who is
229 terminated prior to the end of the school year, the
230 probationary assistant administrative officer shall be
231 entitled to the hearing process as described in this section.
232 Any contract assistant administrative officer hired on or
233 after July 1, 2024, to work in the capacity of a contract
234 assistant administrative officer in a public school in the
235 state shall be properly certified and shall be employed
236 pursuant to a written contract for an initial period of not
237 less than three years. The initial contract of not less than
238 three years may only be canceled for cause as described in
239 subdivision (e) (1). If the contract is canceled for cause
240 related to failure to perform duties in a satisfactory manner,
241 as evidenced by an unsatisfactory evaluation, the chief
242 executive officer and the participating employing board shall
243 be subject to the review provisions described in subsection
244 (j).

245 (b) Subject to the procedures described in subsection
246 (c), in the case of a contract assistant administrative
247 officer after the probationary term of the contract, the
248 contract shall be renewed for a period not less than three
249 years, and shall contain a provision for cancellation during
250 the term of the contract only for just cause, described in
251 subdivision (e) (1).

252 (c) Notwithstanding whether the contract is the



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253 **probationary or** initial contract or otherwise, should the
254 chief executive officer make a recommendation to the
255 participating employing board followed by a majority vote of
256 the board not to offer a new, renewed, or extended contract to
257 the contract assistant administrative officer, the vote of the
258 participating employing board shall be made at least 90 days
259 before the end of the existing contract. The recommendation
260 shall contain written notice of the decision of the chief
261 executive officer and the reasons for the decision to nonrenew
262 the contract. Notice shall be provided to the contract
263 assistant administrative officer either by personal service or
264 by certified mail, return receipt requested, mailed to the
265 last known address of the contract assistant administrative
266 officer. The decision of the chief executive officer and the
267 participating employing board may be based on any reason
268 except personal or political reasons.

269 (d) Nothing in this section or article shall be
270 construed to confer continuing service status or
271 nonprobationary status on any contract or probationary
272 assistant administrative officer.

273 (e) (1) A participating employing board may cancel the
274 contract of a contract assistant administrative officer for
275 cause at any time for any of the following reasons:

- 276 a. Immorality.
- 277 b. Insubordination.
- 278 c. Neglect of duty.
- 279 d. Conviction of a felony or a crime involving moral
280 turpitude.



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281 e. Failure to fulfill the duties and responsibilities
282 imposed upon an assistant administrative officer by law.

283 f. Willful failure to comply with policy of the
284 participating employing board.

285 g. A justifiable decrease in the number of positions
286 due to decreased enrollment or decreased funding.

287 h. Failure to maintain his or her certificate in a
288 current status.

289 i. Incompetency.

290 j. Failure to perform duties in a satisfactory manner.

291 k. Other good and just cause.

292 (2) Within five days of the action of the participating
293 employing board of canceling or nonrenewing the contract of a
294 contract assistant administrative officer, the participating
295 employing board shall provide written notice pursuant to
296 subsection (c) to the contract assistant administrative
297 officer with a statement of the reasons upon which the action
298 was taken.

299 a. Within 30 days after the date of receipt of notice
300 provided to a contract assistant administrative officer
301 informing him or her of an action by the participating
302 employing board to nonrenew the assistant administrative
303 officer's contract at the end of the current term of the
304 contract, the contract assistant administrative officer, by
305 filing written notice with the chief executive officer, may
306 request a nonjury, expedited evidentiary hearing to
307 demonstrate that the chief executive officer's or supervisor's
308 recommendation to nonrenew the contract was impermissibly



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309 based upon a personal or political reason, or the
310 recommendation was approved based upon personal or political
311 reasons of the chief executive officer, supervisor, or the
312 participating employing board, which shall be the sole issues
313 at the hearing. The contract assistant administrative officer
314 shall bear the burden of proof by a preponderance of the
315 evidence, except where the contract assistant administrative
316 officer has received satisfactory evaluations in each year of
317 the contract, in which case the burden shall shift to the
318 employing board to show by preponderance of the evidence that
319 the chief executive officer's stated reasons were legitimate
320 and warrant the nonrenewal of the contract. The hearing shall
321 be held before the circuit court in the judicial circuit of
322 the county in which the participating employing board sits.
323 The expedited evidentiary hearing shall be binding on all
324 parties. Promptly after delivering a written request for a
325 hearing, the contract assistant administrative officer, or his
326 or her designee, shall file with the appropriate circuit court
327 a request for an expedited hearing and shall provide a copy of
328 the request to the applicable chief executive officer.

329 b. In the case of a contract assistant administrative
330 officer who is recommended for cancellation for cause pursuant
331 to subdivision (1), within 30 days after the date of receipt
332 by the contract assistant administrative officer of the notice
333 informing him or her of an action by the participating
334 employing board to cancel the assistant administrative
335 officer's contract for cause as provided in subdivision (1),
336 the contract assistant administrative officer, by filing



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337 written notice with the chief executive officer, may request a
338 nonjury, expedited evidentiary hearing before the circuit
339 court in the county in which the participating employing board
340 sits. The chief executive officer shall provide notice to the
341 circuit court promptly after receiving notice, that the
342 participating employing board requests the nonjury, expedited
343 evidentiary hearing. At the hearing the participating
344 employing board shall bear the burden to prove, by a
345 preponderance of the evidence, that the cancellation is solely
346 for cause pursuant to subdivision (1).

347 (3) All contract assistant administrative officers
348 shall be entitled to an expedited evidentiary hearing process,
349 which shall occur within 45 days after the chief executive
350 officer's or the contract assistant administrative officer's
351 request, as the case may be, for an expedited hearing pursuant
352 to subdivision (2). If the circuit court determines that it is
353 not able to complete the expedited evidentiary hearing within
354 the 45-day period, the court shall refer the parties to a
355 mediator to conduct the expedited evidentiary hearing within
356 45 days after the chief executive officer's or the contract
357 assistant administrative officer's request for the expedited
358 hearing. The circuit court shall schedule the hearing or
359 assign a mediator within five days of the filing of a request
360 for a non-jury, expedited evidentiary hearing. The written
361 decision of the mediator shall be binding on the parties. The
362 45-day period may be waived by either party.

363 (4) The contract assistant administrative officer may
364 request reinstatement at the expedited evidentiary hearing. If



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365 such an action is initiated by the contract assistant
366 administrative officer, the pay and benefits of the contract
367 assistant administrative officer shall be discontinued only
368 upon a final order denying reinstatement by the circuit court
369 or the mediator.

370 (f) (1) Failure to file a timely request for an
371 expedited evidentiary hearing, unless excused by the court or
372 the mediator, shall result in a waiver of the right to appeal
373 the decision of the participating employing board. No further
374 action is necessary by the participating employing board.

375 (2) At the end of the term of the probationary
376 contract, or any subsequent contract, absent a written
377 recommendation by the chief executive officer for cancellation
378 or nonrenewal and an acceptance of that recommendation by a
379 majority vote of the participating employing board, the
380 participating employing board shall enter into a new contract
381 with the contract assistant administrative officer for a
382 period of not less than three years.

383 (g) The decision of the circuit court or mediator shall
384 be final and exclusively appealable to the Alabama Court of
385 Civil Appeals, as a nonevidentiary appeal in which review is
386 limited to the record from the expedited evidentiary hearing
387 as provided for in this article.

388 (h) (1) Any assistant administrative officer hired
389 before July 1, 2024, who has not obtained continuing service
390 status with an employing board under prior law and any
391 assistant administrative officer who attained continuing
392 service status under prior law before July 1, 2024, may



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393 voluntarily and irrevocably relinquish his or her continuing
394 service status as an assistant administrative officer and
395 elect to be employed by contract.

396 (2) The relinquishment of continuing service status and
397 election to serve under contract shall be made in writing to
398 the participating employing board at least 30 days before the
399 start of the immediately succeeding scholastic year to be
400 effective in that scholastic year, and thereafter.

401 (i) (1) The chief executive officer, or his or her
402 designee, shall at least annually evaluate the performance of
403 each contract assistant administrative officer. The evaluation
404 shall be performed in a manner prescribed by the State Board
405 of Education.

406 (2) The participating employing board, upon the written
407 recommendation of the chief executive officer, may at any time
408 enter into a new contract of not less than three years with
409 the contract assistant administrative officer. In the event of
410 an unsatisfactory but remediable performance on the evaluation
411 as prescribed by the State Board of Education, a conference
412 shall be held with the contract assistant administrative
413 officer and a specific plan of professional development shall
414 be presented by the chief executive officer, which specifies
415 the area or areas of unsatisfactory performance and recommends
416 a plan to correct the unsatisfactory performance. The contract
417 assistant administrative officer shall complete the specific
418 plan of professional development prior to the next evaluation.
419 In the event of an evaluation indicating unsatisfactory
420 performance as prescribed by the State Board of Education, the



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421 chief executive officer shall either recommend to the
422 participating employing board cancellation of the contract for
423 cause as outlined in subdivision (e) (1) or a conference shall
424 be held with the contract assistant administrative officer and
425 a specific plan of professional development shall be presented
426 by the chief executive officer, which specifies the area of
427 unsatisfactory performance and recommends a plan to correct
428 the unsatisfactory performance. The contract assistant
429 administrative officer shall complete the specific plan of
430 professional development prior to the next evaluation.

431 (j) (1) Within 15 days after an unsatisfactory
432 evaluation as prescribed by the State Board of Education and
433 upon receipt of a recommendation by the chief executive
434 officer for cancellation of the contract for cause as outlined
435 in subdivision (e) (1), a contract assistant administrative
436 officer, in writing to the chief executive officer, may
437 request a review of the evaluation.

438 (2) The review of the evaluation shall be conducted by
439 an independent third-party evaluator who shall determine
440 whether sufficient cause exists for the unsatisfactory finding
441 and be chosen in the following manner:

442 a. Within five days after the request for a review of
443 the evaluation, the chief executive officer or designee shall
444 request a list of five individuals who are certified to
445 evaluate contract assistant administrative officers from the
446 State Department of Education.

447 b. From the list described in paragraph a., the chief
448 executive officer and the contract assistant administrative



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449 officer shall each strike two names.

450 c. The State Superintendent of Education shall
451 designate an evaluator from the name or names remaining.

452 (3) The review of the evaluation shall be completed
453 within 30 days after the request for a review of the
454 evaluation is received by the chief executive officer.

455 (4)a. If the result of the review of the evaluation
456 overturns the unsatisfactory evaluation, then the contract of
457 the contract assistant administrative officer shall be
458 continued for the remainder of the term of the contract
459 subject to subdivision (e) (1).

460 b. If the result of the review of the evaluation
461 upholds the unsatisfactory evaluation, the contract assistant
462 administrative officer shall be informed of the reasons for
463 the upholding of the unsatisfactory evaluation and the
464 contract of the contract assistant administrative officer
465 shall be canceled.

466 (k) Except as provided in subsection (h), the contract
467 of an assistant administrative officer holding the position on
468 July 1, 2024, shall not be canceled, nonrenewed, reduced, or
469 changed in compensation or continuing service status, or time
470 toward continuing service status, due to the enactment of this
471 article.

472 (1) (1) Any decision not to continue the employment of a
473 probationary assistant administrative officer or contract
474 assistant administrative officer shall be made by a majority
475 vote of the participating employing board upon the written
476 recommendation of the chief executive officer.



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477 (2) The decision not to continue the employment of a
478 contract assistant administrative officer shall cancel the
479 employment relationship between the participating employing
480 board and the contract assistant administrative officer
481 effective at the end of the current contract period.

482 (3) Any contract assistant administrative officer who
483 had attained continuing service status in a position other
484 than as an assistant administrative officer with the
485 participating employing board before becoming a contract
486 assistant administrative officer shall retain that previously
487 earned status and be returned to a similar status position
488 within a reasonable time after the cancellation or nonrenewal
489 of his or her contract as an assistant administrative officer
490 with the participating employing board, provided that the
491 cause for cancellation is not for conviction of a felony or
492 crime involving moral turpitude.

493 (m) (1) Commencing on July 1, 2024, an employing board
494 may elect to employ assistant administrative officers pursuant
495 to this article on a contract basis in lieu of the tenure
496 process provided in Chapter 24C, the Students First Act of
497 2011. After an election is made, the participating employing
498 board may not revert back to the tenure process without the
499 passage of a local legislative act.

500 (2) Upon passage of a local legislative act mandating
501 reversion, the terms and conditions of any contract executed
502 pursuant to this article shall be fulfilled and any contract
503 assistant administrative officer who had previously attained
504 continuing service status with the employing board under the



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505 Students First Act of 2011, before becoming a contract
506 assistant administrative officer, shall revert back to his or
507 her previously earned status and be returned to a similar
508 status position.

509 (n) If a contract assistant administrative officer is
510 not evaluated as required by this section, during a
511 probationary, initial, or other contract, his or her contract
512 shall be extended one additional contract year for each
513 contract year not evaluated up to three years.

514 (o) The chief executive officer shall make a timely
515 written recommendation to the participating employing board
516 regarding the continued employment of a probationary assistant
517 administrative officer at the end of his or her probationary
518 period and the continued employment of a contract assistant
519 administrative officer at the end of his or her contract.
520 Failure of the chief executive officer to make a
521 recommendation shall not in any way prejudice the probationary
522 assistant administrative officer or contract assistant
523 administrative officer.

524 §16-24B-53. Assistant administrative officers;
525 cancellation of contract.

526 (a) Notwithstanding any other provision of this
527 article, the employment contract of an assistant
528 administrative officer or contract assistant administrative
529 officer, whose certificate is revoked by the State
530 Superintendent of Education pursuant to Section 16-23-5(b),
531 shall be immediately canceled.

532 (b) If the conviction resulting in the revocation of



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533 the certificate pursuant to Section 16-23-5(b) is overturned
534 on appeal, the State Superintendent of Education, upon receipt
535 of notice of the reversal shall immediately reinstate the
536 certificate of the assistant administrative officer or
537 contract assistant administrative officer, and the employing
538 board or participating employing board, at its discretion,
539 shall place the assistant administrative officer or contract
540 assistant administrative officer in a position commensurate
541 with the employee's licensure from the State Department of
542 Education or on paid administrative leave. Regardless of
543 whether the certificate of the assistant administrative
544 officer or contract assistant administrative officer is
545 reinstated or a new employment contract is entered into, the
546 assistant administrative officer or contract assistant
547 administrative officer, within 45 days, shall be reimbursed
548 for any back pay, plus benefits, from the date of
549 cancellation, up to and including the date his or her
550 conviction is overturned.

551 (c) Nothing in this section shall be construed to
552 preclude the State Superintendent of Education or the
553 employing board or participating employing board from pursuing
554 other legal action against the assistant administrative
555 officer or contract assistant administrative officer based
556 upon the underlying circumstances of the conviction.

557 §16-24B-54. Assistant administrative officers; duties.

558 (a) Subject to the authority of the chief executive
559 officer and the employing board or participating employing
560 board, an assistant administrative officer and contract



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561 assistant administrative officer shall assist his or her
562 supervisor with the supervision of the daily operation and
563 management of personnel, finances, facilities, and other
564 matters of the school or campus for which the assistant
565 administrative officer or contract assistant administrative
566 officer is responsible. An assistant administrative officer
567 and contract assistant administrative officer shall assist
568 with the administrative responsibility and instructional
569 leadership, as directed by the chief executive officer or his
570 or her supervisor, consistent with the policies of the
571 employing board or participating employing board, for the
572 planning, management, operation, and evaluation of the
573 education program of the school system, department, and each
574 school or campus, or both, under the responsibility of the
575 assistant administrative officer or contract assistant
576 administrative officer.

577 (b) An assistant administrative officer and contract
578 assistant administrative officer shall observe all rules,
579 policies, and procedures relative to the operation of the
580 public schools as established by applicable law, rule, and
581 standard of both the State Board of Education and the
582 employing board or participating employing board.

583 (c) An assistant administrative officer and contract
584 assistant administrative officer shall perform all other
585 duties assigned by the chief executive officer, consistent
586 with the policies of the employing board or participating
587 employing board and the law.

588 (d) An assistant administrative officer and contract



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589 assistant administrative officer, if asked by his or her
590 supervisor, shall make written advisory recommendations to the
591 chief executive officer or his or her supervisor, or both,
592 regarding the appointment, assignment, promotion, transfer,
593 and cancellation of the contracts of all personnel assigned to
594 the school system, department, and any school or campus under
595 his or her responsibility. Advisory recommendations are not
596 binding upon the chief executive officer or the supervisor of
597 the assistant administrative officer or the contract assistant
598 administrative officer, and the chief executive officer shall
599 have final authority for all personnel assignments within the
600 applicable school system.

601 §16-24B-55. Appeals.

602 (a) All appeals of a final decision from the expedited
603 evidentiary hearing shall lie with the Alabama Court of Civil
604 Appeals. An appeal shall be filed within 14 days after the
605 receipt of the final written decision of the circuit judge or
606 the mediator. An appeal by either party shall be perfected by
607 filing a written notice of appeal with the clerk of the Court
608 of Civil Appeals within 14 days after the receipt of the final
609 written decision of the circuit judge or the mediator by the
610 party. Failure to file a timely notice of appeal shall render
611 the decision of the circuit judge or the mediator final.
612 Within 28 days after an appeal is filed, the chief executive
613 officer shall transmit the record to the clerk. Failure of the
614 chief executive officer to timely transmit a full and accurate
615 record to the clerk shall result in a favorable decision being
616 entered by the court for the contract assistant administrative



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617 officer.

618 (b) The decision of the circuit judge or the mediator
619 shall be affirmed on appeal unless the Court of Civil Appeals
620 finds the decision to be against the great weight of the
621 evidence.

622 (c) The final written decision of a judge or mediator
623 which is not appealed, or is affirmed on appeal, shall have
624 the force and effect of a final judgment upon which execution
625 may issue, or which may be enforced by other appropriate writ.

626 §16-24B-56. Preliminary certificate; breach of
627 assistant administrative officer employment contract.

628 (a) An individual who has not completed a teacher
629 education program in Principal or Educational Administrator
630 may be eligible for a preliminary certificate, which could
631 lead to full certification by the State Department of
632 Education under rules approved by the State Board of
633 Education.

634 (b) No action shall lie for the recovery of damages for
635 the breach of any employment contract of a contract assistant
636 administrative officer in the public schools.

637 §16-24B-57. Opposition to employment action.

638 It shall be unlawful for an employing board or
639 participating employing board to cancel or reduce the contract
640 of a teacher, assistant administrative officer, or contract
641 assistant administrative officer or to transfer, reprimand, or
642 discipline a teacher because the teacher opposed any
643 employment action under this article or this title.

644 Section 3. Any provision of the Students First Act of



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645 2011 to the contrary notwithstanding, any executive and
646 administrative management personnel hired on or after July 1,
647 2024, including a president, vice president, dean, executive
648 director, director, deputy, or chief by a public two-year
649 institution of higher education under the authority and
650 control of the Board of Trustees of the Alabama Community
651 College System shall be employed on a contract basis as
652 provided by rule of the board.

653 Section 4. This act shall become effective on July 1,
654 2024.