

Alabama Students First Act
Alabama Code §§ 16-24c-1 – 16-24c-14
GUIDELINES FOR LOCAL EDUCATION AGENCIES (LEAs) AND POSTSECONDARY INSTITUTIONS

In 2011, the Students First Act ("SFA") was adopted by the Legislature. Under the SFA, the Alabama State Department of Education ("SDE") and the Alabama Department of Postsecondary Education ("DPE") were assigned certain payment and processing responsibilities. Forms and procedures have been developed so that cases can be tracked and the assigned obligations may be met.

1. **Form TFD 1, the Report of Contested Personnel Action**, is the principal form used to report actions under the Students First Act. This form can be found on the Alabama State Department of Education website at <http://www.alsde.edu>. Click Department Offices/Office of Financial Management/SDE Accounting/Documents. Form **TFD 1A** is for use by LEAs and **TFD 1B** is for use by postsecondary institutions. Upon initial submission of the form, a case / tracking number will be assigned and must be used in all subsequent communications with SDE or DPE concerning the case. The **TFD 1** form needs to be completed and submitted in three instances:
 - A. Hearing Request. Form **TFD 1** should be submitted by fax to SDE Accounting when an employee requests a hearing at which a court reporter is required under the SFA. This submission will alert Accounting that a request for payment for a court reporter may be forthcoming.
 - B. Appeal to State Superintendent. Form **TFD 1** should be submitted by fax to SDE Accounting when the LEA or postsecondary institution receives notice that a decision is being appealed to the State Superintendent of Education. This submission will alert SDE Accounting that a request for payment of a hearing officer may be forthcoming. **In addition to faxing the TFD 1A to SDE Accounting, an LEA reporting an appeal should also email a copy to: SFA@alsde.edu.**
 - C. Resolution. Form **TFD 1** should be submitted to SDE when a previously reported case can be closed. This would be appropriate when the employee who initiated the hearing request does not appeal the local decision by filing an appeal, or when the hearing officer issues a final decision, or for any other circumstance that resolves a case.

Form TFD 1 is for use ONLY by LEAs and postsecondary institutions for reporting cases. It is not intended for use by employees who are contesting personnel actions under the SFA, or for requests for payment or reimbursement under the SFA.

2. **Form TFD 2, the Hearing Costs Claim Form**, should be used to request reimbursements under the SFA. Form **TFD 2A** is for use by LEAs and **TFD 2B** is for use by postsecondary institutions. This form can also be found on the SDE website by clicking Department Offices/Office of Financial Management/SDE Accounting/Documents. In most instances, SDE will endeavor to review claim forms and supporting documentation and process for payment within two days of receipt, provided the submission is in order.
3. **Form TFD 2A** should be used to request reimbursement for the costs to have a court reporter record the proceedings of the hearing held before the LEA. The LEA is responsible for obtaining the services of the court reporter. Fees should be reasonable (call and check prices), and should in all cases include an electronic copy of the transcript. To curb expenses, LEAs are encouraged to either print necessary copies from the electronic transcript or make copies as needed instead of purchasing expensive copies from the court reporter. LEAs should complete and fax the **Hearing Costs Claim Form** to SDE Accounting to request reimbursement of court reporter expenses. Copies of receipts, invoices, and other documentation of costs must be included with the form.
4. **Form TFD 2** is also used to request reimbursement of hearing officer costs when a case is appealed. Effective January 1, 2015, the rate of pay for SFA hearing officers is **\$150.00 per hour**. Hearing officers must submit itemized invoices to the employer showing the hours worked and the services performed during those hours, including time spent in travel status. Copies of itemized invoices, hearing officer decisions, and all other documentation of costs must be included with the **Hearing Costs Claim Form**.
5. Employers should pay court reporters and/or hearing officers within ten days of receipt of the State warrant. If employers fail to submit or process claims in a timely manner and late fees are incurred, the late fees will be the responsibility of the employer and will not be paid by SDE.