

SUPREME COURT OF ALABAMA

Dr. Tracy Smitherman, in her official capacity as Superintendent of the Alabama Department of Youth Services School District; and Robert Duke, Crissy Griffin, Gayla Caddell, and William McDowell, in their official capacities as members of the Alabama Department of Youth Services School District Education Committee v. Derrick Roberts

SC-2025-0500 · No. SC-2025-0500 · Decided February 27, 2026

SUMMARY

The Supreme Court of Alabama considers whether Derrick Roberts attained tenure under the Students First Act based on the date his employment with the Alabama Department of Youth Services became effective. The court holds that his employment became effective when he began required training and began receiving pay and benefits on October 7, 2019, rather than when he accepted the position in September 2019. The court also rejects estoppel principles as a basis for awarding tenure, reverses the Montgomery Circuit Court's judgment, and remands the case.

CASE DETAILS

COURT	Supreme Court of Alabama
WRITING FOR THE COURT	Shaw, Justice; Stewart, C.J.; Wise, J.; Bryan, J.; Sellers, J.; Mendheim, J.; Cook, J.; McCool, J.; Parker, J.
JURISDICTION	Supreme Court of Alabama
DECIDED	February 27, 2026
DOCKET	SC-2025-0500
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	The DYS defendants appealed from a Montgomery Circuit Court bench-trial judgment holding that Derrick Roberts had attained tenure or, alternatively, that the defendants were equitably estopped from denying his tenure.
STANDARD OF REVIEW	Ore tenus findings on disputed facts are presumed correct and will not be reversed unless palpably erroneous or manifestly unjust, but that

presumption does not apply to conclusions of law or incorrect applications of law to facts; questions of law are reviewed de novo.

PRECEDENTIAL VALUE

Published

PARTIES

Dr. Tracy Smitherman, in her official capacity as Superintendent of the Alabama Department of Youth Services School District, Robert Duke, in his official capacity as a member of the Alabama Department of Youth Services School District Education Committee, Crissy Griffin, in her official capacity as a member of the Alabama Department of Youth Services School District Education Committee, Gayla Caddell, in her official capacity as a member of the Alabama Department of Youth Services School District Education Committee, William McDowell, in his official capacity as a member of the Alabama Department of Youth Services School District Education Committee v. Derrick Roberts

TOPICS

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QUESTIONS PRESENTED

1. Whether Roberts's employment with DYS was effective before October 1, 2019, under Ala. Code § 16-24C-4(1), such that the 2019-2020 school year counted toward tenure.
2. Whether equitable-estoppel principles barred the DYS defendants from denying that Roberts had attained tenure.

HOLDINGS

1. Roberts's employment was not effective until October 7, 2019, when he was required to report, perform employment-related work, and began receiving pay and employment benefits. Because his employment was not effective before October 1, 2019, the 2019-2020 school year did not count as a complete school year, and Roberts did not attain tenure under Ala. Code § 16-24C-4(1).
2. Equitable estoppel did not apply because the record did not show that the DYS defendants misrepresented the circumstances under which Roberts could attain tenure, that Roberts relied on incorrect information from them, or that they engaged in conduct inconsistent with their position.

KEY QUOTATIONS

"we hold that, under the facts of this case, Roberts's employment was "effective," as that term is used in § 16-24C-4(1), when he was actually required to report and to perform and was being paid for that work." (20)

“Based on the foregoing, we hold that the trial court erred in concluding that Roberts was, either under the Act or applying principles of equitable estoppel, a tenured DYS employee before the nonrenewal of his employment by DYS.” (24)

FACTUAL BACKGROUND

Roberts, a tenured teacher in the Montgomery County public-school system, accepted a probationary teaching position with the Alabama Department of Youth Services in September 2019. Although he received an email indicating that he would join DYS and later resigned from his prior position effective September 27, his DYS appointment, mandatory training, pay, insurance, retirement, and other employment benefits began on October 7, 2019. DYS declined to renew his employment in 2023, and the parties disputed whether his employment became effective before October 1, 2019, so that the 2019-2020 school year would count toward the three complete school years required for tenure.

PROCEDURAL HISTORY

Roberts filed a verified complaint seeking declaratory and injunctive relief, mandamus-related relief, and rescission of his nonrenewal. After the Alabama Supreme Court dismissed claims against agency defendants on State-immunity grounds in *Ex parte Alabama Department of Youth Services*, the Montgomery Circuit Court conducted a bench trial on Roberts's claims against the DYS defendants. The circuit court ruled for Roberts, concluding that he was tenured and alternatively that estoppel applied. The Supreme Court of Alabama reversed and remanded.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The case is remanded for further proceedings consistent with the opinion.

CASES CITED

- *Ex parte Alabama Dep't of Youth Servs.*, 401 So. 3d 276 (Ala. 2024)
- *Water Works & Sanitary Sewer Bd. v. Parks*, 977 So. 2d 440, 443 (Ala. 2007)
- *Fadalla v. Fadalla*, 929 So. 2d 429, 433 (Ala. 2005)
- *Philpot v. State*, 843 So. 2d 122, 125 (Ala. 2002)
- *Waltman v. Rowell*, 913 So. 2d 1083, 1086 (Ala. 2005)
- *Dennis v. Dobbs*, 474 So. 2d 77, 79 (Ala. 1985)
- *Retail Developers of Alabama, LLC v. East Gadsden Golf Club, Inc.*, 985 So. 2d 924, 929 (Ala. 2007)
- *Alabama Republican Party v. McGinley*, 893 So. 2d 337, 342 (Ala. 2004)
- *Moultrie v. Wall*, 172 So. 3d 828, 839 (Ala. 2015)
- *City of Birmingham Ret. & Relief Sys. v. McGough*, 232 So. 3d 838, 841 (Ala. 2017)
- *IMED Corp. v. Systems Eng'g Assocs. Corp.*, 602 So. 2d 344, 346 (Ala. 1992)

- Ex parte Mullen, 394 So. 3d 1072, 1076 (Ala. 2024)
- State v. City of Birmingham, 299 So. 3d 220, 226 (Ala. 2019)
- Alabama State Tenure Comm'n v. Green, 409 So. 2d 850, 851 (Ala. Civ. App. 1981)
- Allen v. Bennett, 823 So. 2d 679, 685 (Ala. 2001)
- BSI Rentals, Inc. v. Wendt, 893 So. 2d 1184, 1187 (Ala. Civ. App. 2004)
- Talladega City Bd. of Educ. v. Yancy, 682 So. 2d 33, 36 (Ala. 1996)
- Boutwell v. State, 988 So. 2d 1015, 1026 (Ala. 2007)

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