

1 SJR9
2 115683-3
3 By Senator Bedford
4 RFD:
5 First Read: 12-JAN-10

1 SJR9

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4 ENROLLED, SJR9,

5 SUSTAINING THE DISAPPROVAL BY THE JOINT COMMITTEE ON

6 ADMINISTRATIVE REGULATION REVIEW OF THE STATE DEPARTMENT OF

7 EDUCATION PROPOSED AMENDMENT TO RULE 290-4-1, ENTITLED

8 "EDUCATION ACCOUNTABILITY" AND SUPPORTING THE RECOMMENDED

9 ALABAMA EDUCATOR CODE OF ETHICS PROPOSED BY THE JOINT

10 COMMITTEE WHICH WILL GIVE ALABAMA ONE OF THE TOUGHEST CODES OF

11 ETHICS FOR TEACHERS IN THE NATION.

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13 WHEREAS, Alabama educators must comply with standard

14 practices and ethical conduct toward students, professional

15 colleagues, school officials, parents, and members of the

16 community; and

17 WHEREAS, in maintaining the dignity of the

18 profession, Alabama educators must respect and obey the law,

19 demonstrate personal integrity, and exemplify honesty; and

20 WHEREAS, Alabama educators are in positions of

21 public trust and must act accordingly; and

22 WHEREAS, the State Department of Education filed a

23 "Notice of Intended Action" of a proposed amendment to Rule

24 290-4-1, entitled "Education Accountability," which notice was

25 published in the May 2009 Alabama Administrative Monthly; and

1 WHEREAS, the State Department of Education certified
2 to the Legislative Reference Service the adoption by the State
3 Board of Education of the proposed rule on July 14, 2009,
4 which was the subject of review at a meeting of the Joint
5 Committee on Administrative Regulation Review on August 12,
6 2009; and

7 WHEREAS, the Alabama Legislature supports an Alabama
8 Educator Code of Ethics requiring educators to adhere to a
9 high ethical standard; and

10 WHEREAS, after hearing from interested persons, the
11 Joint Committee determined the proposed rule was ambiguous and
12 incapable of being enforced as currently drafted, and, in
13 accordance with Section 41-22-23, Code of Alabama 1975,
14 disapproved the proposed rule change and proposed a revised
15 rule to be adopted by the board and to be known as the Alabama
16 Educator Code of Ethics; and

17 WHEREAS, the revised rule defined the professional
18 behavior for Alabama educators and set forth standards for
19 ethical conduct and clearly defined unethical conduct
20 resulting in disciplinary sanctions; and

21 WHEREAS, the revised rule proposed by the Joint
22 Committee would give Alabama one of the toughest codes of
23 ethics for teachers in the nation; and

24 WHEREAS, the State Board of Education refused to
25 accept the recommended amendment and resubmit the revised rule

1 while continuing to support an ambiguous and unenforceable
2 rule; now therefore,

3 BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH
4 HOUSES THEREOF CONCURRING, That because the State Board of
5 Education refused to accept the proposed amendment and
6 resubmit the revised rule proposed by the Joint Committee, the
7 decision of the Joint Committee to disapprove the proposed
8 amendment to Rule 290-4-1, entitled "Education
9 Accountability," is sustained.

10 BE IT FURTHER RESOLVED, That the Legislature
11 recommends the Department of Education and the State Board of
12 Education reconsider the proposed amendment and revised rule
13 suggested by the Joint Committee on August 12, 2009, to be
14 entitled the Alabama Educator Code of Ethics, which will give
15 Alabama one of the toughest codes of ethics for teachers in
16 the nation.

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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SJR9
Senate 12-JAN-10
I hereby certify that the within Senate Joint Resolution
originated in and was adopted by the Senate.

McDowell Lee
Secretary

House of Representatives
Adopted: 14-JAN-10

By: Senator Bedford

1 Senate 28-JAN-10
2 I hereby certify that the within Act originated in and adopted
3 by the Senate, the Executive veto to the contrary
4 notwithstanding.

5 Yeas 22
6 Nays 10

7 House of Representatives
8 Adopted 02-FEB-10, the Executive veto to the contrary
9 notwithstanding.

10 Yeas 53
11 Nays 25

12 I hereby certify that the vote shown above in the two Houses
13 of the Legislature overriding the governor's veto is true and
14 correct.

15 McDowell Lee,
16 Secretary

17 By Senator Bedford