

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

8 SUSTAINING THE DISAPPROVAL BY THE JOINT COMMITTEE ON
9 ADMINISTRATIVE REGULATION REVIEW OF THE STATE DEPARTMENT OF
10 EDUCATION PROPOSED AMENDMENT TO RULE 290-4-1, ENTITLED
11 "EDUCATION ACCOUNTABILITY" AND SUPPORTING THE RECOMMENDED
12 ALABAMA EDUCATOR CODE OF ETHICS PROPOSED BY THE JOINT
13 COMMITTEE WHICH WILL GIVE ALABAMA ONE OF THE TOUGHEST CODES OF
14 ETHICS FOR TEACHERS IN THE NATION.
15

16 WHEREAS, Alabama educators must comply with standard
17 practices and ethical conduct toward students, professional
18 colleagues, school officials, parents, and members of the
19 community; and

20 WHEREAS, in maintaining the dignity of the
21 profession, Alabama educators must respect and obey the law,
22 demonstrate personal integrity, and exemplify honesty; and

23 WHEREAS, Alabama educators are in positions of
24 public trust and must act accordingly; and

25 WHEREAS, the State Department of Education filed a
26 "Notice of Intended Action" of a proposed amendment to Rule

1 290-4-1, entitled "Education Accountability," which notice was
2 published in the May 2009 Alabama Administrative Monthly; and

3 WHEREAS, the State Department of Education certified
4 to the Legislative Reference Service the adoption by the State
5 Board of Education of the proposed rule on July 14, 2009,
6 which was the subject of review at a meeting of the Joint
7 Committee on Administrative Regulation Review on August 12,
8 2009; and

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

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

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

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

1 WHEREAS, the State Board of Education refused to
2 accept the recommended amendment and resubmit the revised rule
3 while continuing to support an ambiguous and unenforceable
4 rule; now therefore,

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

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