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SENATE JOINT RESOLUTION NO. 226

Offered January 24, 2000

Establishing the joint subcommittee to study public school grievance procedures.

Patron—Rerras

Referred to Committee on Rules

WHEREAS, the grievance procedure for public school teachers and administrators must provide due process and preserve the constitutional rights of those involved; and

WHEREAS, reasonable grievance procedures and regulations should allow the removal of ineffective and incompetent instructional and administrative personnel; and

WHEREAS, administrators may be reluctant to challenge the competence of teachers and administrators if they view the grievance procedure as being too complicated or ineffective; and

WHEREAS, some administrators believe that continuing contract law provides teachers with a privileged status that is unique among public employees; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That a joint subcommittee be established to study public school grievance procedures. The joint subcommittee shall be composed of 10 members, which shall include seven legislative members, and three nonlegislative citizen as follows: four members of the House of Delegates, to be appointed by the Speaker; three members of the Senate, to be appointed by the Senate Committee on Privileges and Elections; a representative of the Virginia School Boards Association, to be appointed by the Speaker; a representative of the Virginia Education Association, to be appointed by the Senate Committee on Privileges and Elections; and a representative of the Virginia Board of Education, appointed by the Speaker, to serve as a nonvoting ex officio member.

In conducting its study, the joint subcommittee shall consider and evaluate the continuing contract statutes and case law for instructional and administrative personnel. The study shall include, but not be limited to: (i) a thorough review of the statutory grievance procedure, (ii) an examination of the benefits and disadvantages of the continuing contract system relative to the provisions of the grievance procedure, (iii) the extent to which statutes governing the rights of principals and supervisors are not consistent with those of teachers, and (iv) how the grievance procedure is applied at public colleges and universities and for state employees. The study shall consider any existing guidelines for the evaluation of teachers, the development of a model teacher evaluation form, and the development of a comprehensive training program for the evaluation of school administrators and teachers, which includes the proper use of the teacher and administrator evaluation forms.

The direct costs of this study shall not exceed \$9,750.

The Division of Legislative Services shall provide staff support for the study. Technical assistance shall be provided by the Department of Education and the Department of Employee Relations Counselors. All agencies of the Commonwealth shall provide assistance to the joint subcommittee, upon request.

The joint subcommittee shall complete its work in time to submit its findings and recommendations to the Governor and the 2001 Session of the General Assembly as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents.

Implementation of this resolution is subject to subsequent approval and certification by the Joint Rules Committee. The Committee may withhold expenditures or delay the period for the conduct of the study.

INTRODUCED

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