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**HOUSE BILL NO. 786**

Offered January 8, 2014

Prefiled January 7, 2014

A *BILL to amend and reenact § 22.1-307 of the Code of Virginia, relating to dismissal of teachers and other school board employees; grounds.*

Patrons—Wilt, Campbell, Chafin, Kilgore, Landes and O'Quinn

Referred to Committee on Education

**Be it enacted by the General Assembly of Virginia:****1. That § 22.1-307 of the Code of Virginia is amended and reenacted as follows:****ARTICLE 3****GRIEVANCES, DISMISSAL, ETC., OF TEACHERS AND OTHER SCHOOL BOARD EMPLOYEES****§ 22.1-307. Dismissal of teachers and other school board employees; grounds.**

A. Teachers may be dismissed for incompetency, immorality, noncompliance with school laws and regulations, disability as shown by competent medical evidence when in compliance with federal law, conviction of a felony or a crime of moral turpitude, or other good and just cause. A teacher shall be dismissed if such teacher is or becomes the subject of a founded complaint of child abuse and neglect, pursuant to § 63.2-1505, and after all rights to an appeal provided by § 63.2-1526 have been exhausted. The fact of such finding, after all rights to an appeal provided by § 63.2-1526 have been exhausted, shall be grounds for the local school division to recommend that the Board of Education revoke such person's license to teach. No teacher shall be dismissed or placed on probation solely on the basis of the teacher's refusal to submit to a polygraph examination requested by the school board.

B. *No school board employee shall be dismissed or placed on probation solely on the grounds that (i) he possessed an unloaded firearm that is in a closed container in or upon his vehicle or in the locked trunk of his vehicle, a knife having a metal blade in or upon his motor vehicle, or an unloaded shotgun or rifle in a firearms rack in or upon his motor vehicle or (ii) the employee, who has a valid concealed handgun permit, possessed a concealed handgun while in his motor vehicle in a parking lot, traffic circle, or other means of vehicular ingress or egress to the school.*

~~B.~~ C. For the purposes of this article, "incompetency" may be construed to include, but shall not be limited to, consistent failure to meet the endorsement requirements for the position or one or more unsatisfactory performance evaluations.