

DISCIPLINE, SUSPENSION AND DISMISSAL OF PROFESSIONAL STAFF

Code **GCQF** Issued **3/05**

Purpose: To establish the basic structure for discipline, suspension and dismissal of professional staff in order to ensure accountability for due process as well as a quality educational program.

It is the responsibility of the board and school administration to operate the public schools of the district in a manner that will maintain a broad community confidence in and support of the public schools. In the absence of such support, the district cannot maintain a strong, effective public educational program.

Induction and annual contract teachers

The dismissal or non-renewal of certified employees who hold induction or annual contracts will be carried out in accordance with S.C. Code Ann., Section 59-26-40 (Supp 2002.).

Continuing contract teachers

The dismissal or non-renewal of district certified employees who hold continuing contracts will be carried out in accordance with the S.C. Employment and Dismissal of Teachers Act, S.C. Code Ann., Section 59-25-410, et seq. (Rev. 1990).

It is the policy of the board to remove from employment any teacher or administrator who fails, or who may be incompetent, to give instruction in accordance with the directions of the superintendent, or who otherwise manifests an evident unfitness for teaching. Evident unfitness for teaching is manifested by conduct such as, but not limited to, the following.

- persistent neglect of duty
- willful violation of rules and regulations of the board
- drunkenness
- conviction of a violation of the law of this state or the United States
- gross immorality
- dishonesty
- illegal use, sale or possession of drugs or narcotics

Whenever a principal or other school administrator charged with the supervision of a teacher finds it necessary to reprimand a teacher for a reason that he/she believes may lead to dismissal or cause the teacher not to be re-employed, he/she will generally take the following steps in consultation with the superintendent or his/her designee.

Performance concerns

If the issue involves a performance problem, the principal or designated school administrator will discuss the concern(s) with the teacher and provide the teacher with an opportunity to respond to the concerns. The administrator should, where appropriate, follow up such a conference in writing.

If an informal discussion does not resolve the matter, the principal or designated school administrator will bring the concern(s) in writing, to the attention of the teacher involved and make a reasonable effort to assist the teacher to correct whatever appears to be the cause of potential dismissal or failure to be re-employed. Such efforts may include formally evaluating the teacher, placing the teacher on an improvement plan and/or some other acceptable means of

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notice and assistance. Except in those cases warranting immediate suspension and recommendation for termination, the administration should allow reasonable time for improvement.

Misconduct concerns

If the issue involves misconduct, the principal or designated school administrator will immediately confer with the superintendent or his/her designee. The superintendent or his/her designee, after consultation with the board's legal counsel, will advise the principal regarding appropriate actions to take. The administration is authorized to place an employee on administrative leave, with pay, while an investigation is conducted, when appropriate.

Reporting terminations

The board directs the superintendent to report to the state board of education the name and certificate number of any certified educator who is dismissed, resigns or is otherwise separated from employment with this district based on allegations of misconduct including, but not limited to, the following.

- misconduct involving drugs
- sexual misconduct
- the commission of a crime
- immorality
- dishonesty
- other conduct that the superintendent reasonably believes would constitute grounds for revocation or suspension of the employee's professional certificate

Adopted 7/1/75; Revised 8/13/91, 10/13/92, 9/14/93, 3/8/05

Legal references:

- A. S.C. Code of Laws, 1976, as amended:
 1. Section 59-18-1300 - District accountability system.
 2. Section 59-25-410, et. seq. - Teacher Employment and Dismissal Act.
 3. Section 59-26-40 - Induction, annual, provisional and continuing contracts; termination of employment for annual contract teachers; hearing.
- B. State Board of Education Regulations:
 1. R-43-58.1 - Reporting terminations of certain district employees.