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.

Therefore, it is the policy of the board to remove from employment any professional staff member who fails or who may be incompetent to follow directives of the superintendent or work in the district. Furthermore, it is the policy of the board to also remove from employment any professional staff member who fails or who may be incompetent to give instruction in accordance with the directions of the principal/supervisor or who otherwise manifests an evident unfitness for teaching. The supervisor or principal should be actively involved in this process for the district and school.

Any action of the district under this policy will be taken pursuant to the provisions of the Teacher Employment and Dismissal Act, S.C. Code of Laws, 1976, as amended, Section 59-25-410, et seq., except for action related to persons employed under an induction contract or an annual contract as defined in state law.

It is the responsibility of the 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 of the District. In the absence of such support, the District cannot maintain a strong, effective public education program.

Induction and Annual Contract Teachers

The dismissal or non-renewal of District certified employees who hold induction or annual contracts will be carried out in accordance with S.C. Code Ann. § 59-26-40.

Continuing Contract Teachers

The dismissal or non-renewal of District certified employees who hold continuing contracts will be carried out in accordance with the South Carolina Employment and Dismissal of Teachers Act, S.C. Code Ann. § 59-25-410 et seq.

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:

RICHLAND SCHOOL DISTRICT TWO
persistent neglect of duty
- willful violation of rules, regulations and policies 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 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 will advise the principal regarding appropriate actions to take. The Superintendent or his/her designee is authorized to place an employee on administrative leave, with pay, while an investigation is conducted.
  - Disciplinary action, up to and including a recommendation of termination, may be taken against any certified employee who is determined to have engaged in unprofessional or inappropriate conduct towards students, parents or staff members.
  - Such conduct may include, but is not limited to, violating District policies or procedures; engaging in criminal conduct; engaging in inappropriate conduct of a sexual nature towards other employees or students; harassment, intimidation, or bullying; or making inappropriate comments.
to students. This includes any action or conduct communicated or performed in person, in writing, or electronically through such means as a telephone, cell phone, computer, personal data assistant, social networking, or other telecommunication device, and includes text messaging or instant messaging. Disciplinary action, including a recommendation of termination, may also be taken against any employee whose conduct the administration has determined has impaired the employee's ability to be an effective teacher.

Reporting expectations

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 set forth in State Board of Education Regulation 43-58, including, but not limited to, the following:

- misconduct involving drugs
- sexual misconduct
- the commission of a crime
- immorality
- moral turpitude
- dishonesty
- failure to comply with the provisions of a contract without the written consent of the Board
- other conduct that the Superintendent reasonably believes would constitute grounds for revocation or suspension of the employee's professional certificate.

Cf. GBEB, GBEBB

Adopted 1/28/75; Revised 8/13/02, 10/23/12

Legal references:

A. S.C. Code, 1976, as amended:
   1. Section 59-18-1300 - District accountability system.
   2. Section 59-25-150 - State board of education may revoke/suspend certificate for just cause.
   4. Section 59-25-160 - Revocation or suspension of certificate; “just cause” defined.
   5. Section 59-26-40 - Teacher Evaluation.
   7. Section 59-25-150 - State board of education may revoke/suspend certificate for just cause.
   8. Section 59-26-40 - Induction, annual and continuing contracts; termination of employment for annual contract teachers; hearing.
   9. Section 59-25-160 - Revocation or suspension of certificate; ”just cause” defined.

B. State Board of Education Regulations:
2. R-43-58.1 - Reporting terminations of certain district employees