**South Carolina General Assembly**

125th Session, 2023-2024

**S. 219**

**STATUS INFORMATION**

General Bill

Sponsors: Senator McLeod

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Introduced in the Senate on January 10, 2023

Currently residing in the Senate Committee on **Education**

Summary: Teacher Employment Contracts

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 11/30/2022 Senate Prefiled

 11/30/2022 Senate Referred to Committee on **Education**

 1/10/2023 Senate Introduced and read first time (Senate Journal‑page 219)

 1/10/2023 Senate Referred to Committee on **Education** (Senate Journal‑page 219)

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=219&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[11/30/2022](https://www.scstatehouse.gov/sess125_2023-2024/prever/219_20221130.docx)

A bill

to amend the South Carolina Code of Laws by adding Section 59‑26‑65 so as to PROVIDE TEACHER EMPLOYMENT CONTRACTS MAY NOT IMPOSE ANY RESTRAINTS ON TEACHERS WHO TERMINATE SUCH CONTRACTS FOR EMPLOYMENT IN OTHER DISTRICTS; TO PROHIBIT DISTRICTS FROM DIVULGING OR ASKING ABOUT SUCH TERMINATIONS OR CONSIDERING SUCH TERMINATIONS IN TEACHER EVALUATIONS OR HIRING DECISIONS, AMONG OTHER THINGS; TO EXEMPT RELATED INFORMATION IN EMPLOYMENT RECORDS FROM DISCLOSURE UNDER THE FREEDOM OF INFORMATION ACT; AND TO PROVIDE MEANS OF REDRESS FOR VIOLATIONS.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chapter 26, Title 59 of the S.C. Code is amended by adding:

 Section 59‑26‑65. (A) An induction contract, annual contract, or continuous contract may not impose any restraints or penalties on a teacher who terminates the contract for employment in another district, including limitations or prohibitions on such employment, damages, or other restraints or penalties. Any such provisions are void and unenforceable.

 (B) A school district may not:

 (1) divulge or ask whether a teacher terminated an induction contract, annual contract, or continuous contract with a district;

 (2) consider whether a teacher terminated an induction contract, annual contract, or continuous contract with a district when evaluating a teacher or making a hiring or retention decision about a teacher; or

 (3) retaliate against a teacher who attempts to terminate or terminates an induction contract, annual contract, or continuous contract with a district.

 (C) Information in the employment records of a teacher indicating that he has terminated an induction contract, annual contract, or continuous contract is not subject to disclosure under the Freedom of Information Act and must be redacted before any such records may be made available to the public.

 (D) A district that violates the provisions of this section is subject to civil penalties, including actual damages, putative damages, and equitable relief. A teacher whose rights under this section are violated by a school district may bring a cause of action in circuit court against the district and may be awarded actual damages, putative damages, reasonable attorney’s fees, and other equitable relief that the court considers appropriate.

SECTION 2. This act takes effect upon approval by the Governor.

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