**South Carolina General Assembly**

124th Session, 2021-2022

**S. 322**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Fanning

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Introduced in the Senate on January 12, 2021

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

Summary: Teacher Bill of Rights

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/9/2020 Senate Prefiled

12/9/2020 Senate Referred to Committee on **Education**

1/12/2021 Senate Introduced and read first time ([Senate Journal‑page 265](file:///h:\sj\20210112.docx))

1/12/2021 Senate Referred to Committee on **Education** ([Senate Journal‑page 265](file:///h:\sj\20210112.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=322&session=124&summary=B) at the website

**VERSIONS OF THIS BILL**

[12/9/2020](file:///p:\pprever\2021-22\322_20201209.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 9 TO CHAPTER 25, TITLE 59 SO AS TO ENACT THE “TEACHER BILL OF RIGHTS” AND TO ENUMERATE THE BASIC RIGHTS TO WHICH ALL CERTIFIED PUBLIC SCHOOL TEACHERS IN THIS STATE ARE ENTITLED.

Whereas, respecting the professional judgment and authority of all public school teachers is essential to creating an environment conducive to learning, the implementation of effective instruction in the classroom, and the development of a culture of achievement in all of South Carolina’s public schools; and

Whereas, to maintain and protect the professionalism of South Carolina’s teachers, it is incumbent that all stakeholders in the public education system are fully informed and aware of the inalienable rights conferred upon all public school teachers in South Carolina. Now, therefore,

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

SECTION 1. Chapter 25, Title 59 of the 1976 Code is amended by adding:

“Article 9

Teacher Bill of Rights

Section 59‑25‑910. This act must be known and may be cited as the ‘Teacher Bill of Rights’.

Section 59‑25‑920. All certified public school teachers in South Carolina have a right to:

(1) have their professional judgment and discretion concerning disciplinary action or instructional decisions in the classroom made in accordance with school and district policy be fully respected by school and district officials;

(2) teach free from fear of frivolous lawsuits, including the right to qualified immunity and to a legal defense, and to indemnification by the employing school board for actions taken in the performance of duties of the teacher’s employment;

(3) take appropriate disciplinary measures, including the removal of persistently disruptive students, pursuant to school policy and district policy, to facilitate a learning environment built upon a mutual culture of respect between teacher and assigned students;

(4) work in a safe, secure, and orderly environment that is conducive to learning and free from recognized dangers, hazards, or threats that are causing or likely to cause serious injury or disability;

(5) an unencumbered daily planning time, equal to no less of one quarter of their assigned instructional time, free from meetings, duties, or requirements incompatible with the effective planning of instruction;

(6) a salary commensurate with that of the recognized southeastern average salary of public school teachers with similar years of experience, educational degrees, and certification;

(7) be free of excessive and burdensome paperwork related to disciplinary actions, state or district evaluation procedures, and other administrative inquiries that prevent fulfillment of the teacher’s primary directive to implement effective instruction for their students;

(8) additional compensation for work time required above and beyond stated contracted days and established work day parameters for duties associated with their responsibilities as teachers;

(9) receive, as teachers under induction contracts, leadership and support from school and district personnel, including the assignment of qualified mentors who:

(a) commit to helping them become competent and confident professionals in the classroom; and

(b) offer support and assistance as needed to meet performance standards and professional expectations; and

(10) to legal recourse should schools or school districts establish policies or implement standard expectations of behavior that prevent teachers from exercising the rights stated herein.”

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

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