

STANDARDS OF CONDUCT FOR SOUTH CAROLINA

Pursuant to State Board of Regulation 43-58, the State Board of Education has the legal authority to deny, revoke, or suspend a certificate, or issue a public reprimand, for the following causes:

- incompetence,
- willful neglect of duty,
- willful violation of the rules and regulation of the State Board of Education,
- unprofessional conduct,
- drunkenness,
- cruelty,
- crime against the law of this state or the United States,
- immorality,
- any conduct involving moral turpitude,
- dishonesty,
- evident unfitness for the position for which one is employed,
- test security violation,
- sale or possession of narcotics,
- obtaining or attempting to obtain a certificate by fraudulent means or through misrepresentation of material facts,
- failure to comply with the provisions of a contract without the written consent of the local school board,
- failure to comply with a court order for child support, and
- failure for a second time to complete successfully the formal evaluation process as an annual contract teacher.

The State Board of Education may impose any one of the following disciplinary actions on an educator certificate:

- permanent revocation;
- revocation with the right to reapply after three years,
- suspension for a specified period of time;
- suspension for a specified period of time, upon satisfaction of certain conditions such as drug or alcohol testing, counseling, or treatment; psychiatric testing, counseling, or treatment; or other conditions appropriate to the facts of the case,
- public reprimand.

The process for taking disciplinary action on an educator certificate:

1. The Department of Education may learn of possible grounds for disciplinary action on an educator certificate from a school district superintendent pursuant to State Board of Education Regulation 43-58.1, other states, the

media, and individual complaints.

2. Once the Department of Education learns of conduct that may constitute just cause for disciplinary action, the Department will notify the educator of pending disciplinary action and of the educator's right to a hearing. The educator has fifteen days from the receipt of the notice to make a written request for a hearing.

3. If the educator fails to request a hearing within this time frame, he or she will waive the right to a hearing and the State Board may impose disciplinary action based on the information presented by the Department.

4. If the educator requests a hearing, a hearing will be conducted before the Board or a hearing officer, pursuant to State Board of Education Rule BCAF, Procedures for Educator Certification Hearings.

South Carolina educators have had disciplinary action taken on their certificates for

- pursuing a personal, inappropriate relationship with a student;
- touching a student inappropriately;
- engaging in a physical altercation with a student;
- supplying alcohol or drugs to a student;
- using a school computer to view or download pornography;
- sending or receiving prurient e-mails;
- violating test security;
- violating state or federal laws involving drugs or alcohol or other illegal behavior;
- embezzling public funds;
- committing breach of trust; and
- breaching a teaching contract.

Applicants for certification in South Carolina have had their applications for certification denied because they have serious criminal records and, in some cases, failed to fully disclose their criminal records.

Notice of the denial, public reprimand, suspension or revocation of an educator's certificate is sent to all districts in South Carolina and to the National Association of State Directors of Teacher Education and Certification (NASDTEC) Clearinghouse.