MEMORANDUM

TO: District Superintendents

FROM: Molly M. Spearman
State Superintendent of Education

DATE: January 21, 2020

RE: Educator Contracts for the 2020–21 School Year

Many of you have begun the process of contracting with teachers for the upcoming 2020–21 school year. I would like to take this opportunity to remind you of the South Carolina statutory provisions which govern the contracting process between districts and teachers. This memorandum specifically deals with the timing requirements of notice of employment between a district and a teacher.

First, pursuant to S.C. Code Ann. § 59-25-410, districts are required to give written notice to all currently employed teachers regarding the status of their employment for the upcoming school year before May 1 (i.e., by April 30). Failure to provide this written notice on or before April 30 will necessitate the issuance of a contract to that teacher.

Second, superintendents have until on or before August 15 to notify teachers of their tentative assignment for the next year.

Third, pursuant to S.C. Code Ann. § 59-25-420, teachers who have been offered reemployment by the district must notify the district’s board of trustees in writing of their acceptance of the contract before May 11 (i.e., by May 10). Other than these statutory deadlines, there is no prescribed amount of time that must, or cannot, pass between the issuance of an offer of employment and the acceptance of that offer by the teacher.

Regardless of whether employment was offered to the teacher on February 1 or April 30, that teacher has until at least May 10 to give written notice to the district regarding his or her decision.

All districts are required to abide by these requirements as it is beneficial to the entire system to have a clearly delineated process by which contracting occurs. The statutes provide both districts and employees a fair and comfortable framework to operate under as well as establish a statewide standard; thus, reducing the stressors that teachers may encounter when moving between districts.

Thank you for you continued commitment to public education in South Carolina.