

BOARD AGENDA ITEM
August 28, 2018

SUBJECT:

Changes to Policy GCB Professional Staff Contracts and Compensation

BACKGROUND:

This policy establishes the structure for professional staff contracts and compensation. Recent legislation extends the annual deadline for boards of trustees to extend offers of reemployment to teachers. SECTION 59-25-410 of the S.C. Code, 1976, as amended states, "The boards of trustees of the several school districts annually before May first shall decide and notify, in writing, a teacher, as defined in Section 59-1-130, whom the district employs concerning his reemployment for the ensuing year."

ADMINISTRATIVE CONSIDERATION:

The proposed policy clarifies board approval of contracts and changes the language concerning written notification of reemployment of teachers from "by April 15" to "on or before April 30."

The section addressing the supervision of rental property has been removed because it is addressed in Policy KF Community Use of School Facilities.

RECOMMENDATION:

Adopt the proposed policy on final reading

ATTACHMENT:

Policy GCB Professional Staff Contracts and Compensation

PREPARED BY:

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PROFESSIONAL STAFF CONTRACTS AND COMPENSATION

Code **GCB** Issued **8/18**

Purpose: To establish the basic structure for professional staff contracts and compensation.

Compensation

The board will attempt to pay its professional employees at a level that will attract and hold personnel dedicated to education.

The compensation of certificated personnel is based on the state salary schedule with local supplements as approved by the board. The schedule takes into consideration the levels of professional training and years of service.

The effective date for all salary changes as determined by the salary schedule or by action of the board is July 1.

No teacher employed in the same position, over the same time period, will receive less total salary, including any normal incremental increase, than the teacher received for the previous fiscal year.

As a minimum requirement, certified applicants must have in their possession or must have completed before the assumption of professional duties all technical certification requirements for the position in question or be eligible for exceptions by the accrediting agencies by which the schools of the district are assessed.

Certified employees must maintain their certification and meet the requirements of applicable accrediting agencies in order to continue employment in the district.

At the option of the appropriate executive director, newly employed personnel who assume coaching duties may be employed with provisions in their contracts which require continuing coaching duties as a condition of continued employment by the district.

Contracts

All personnel assigned to regular positions will be given contracts for the specific number of days or months of work.

The board will approve all contracts for the employment of teachers and other employees, and no contract will be binding upon the board or upon the district prior to such approval. Only the interim services account will be liable for payment for any services performed, until board action is taken on the recommendation in the event of an interim placement pending board approval. Interim utilization of services by a recommended employee who has otherwise completed and cleared all pre-hiring interview and screening requirements is authorized prior to board action on the superintendent's recommendation where the administration reasonably believes the best interests of students and/or staff will most efficiently and continuously be served by such conditional authorization to commence work. Written acknowledgment of the conditional nature of such services, subject to board approval, will be obtained by the human resources department.

Contracts of certified personnel may be renewed annually with the exception of those persons under consideration for contract changes or termination.

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All certified personnel will be notified of the status of their contracts (whether renewed or not renewed) on or before April 30 of each year. Employees must give written acceptance of their contracts to the superintendent before May 11. Failure to give such notification constitutes contract rejection.

Summer Employment

Personnel employed for summer school will be paid for the contracted period of time at the rate established for the position. Should the summer school contractual time overlap with the employee's annual work schedule and payment, only the regular salary will be paid for the overlap days in the contractual period.

Adopted prior to 1974; Revised 2/28/78, 1/22/85, 9/13/88, 1/14/92, 11/27/01, 2/8/11, 2/7/12, 1/24/17

Legal references:

A. S.C. Code, 1976, as amended:

1. Section 9-1-2210 - Teacher and Employee Retention Incentive Program; operation.
2. Section 59-19-80 - Requirements as to purchases and teacher employment (teacher contracts to be awarded in public).
3. Section 59-19-290 - Contracts in excess of apportioned funds void.
4. Section 59-20-50 - Minimum salary schedule.
5. Section 59-21-20 - Teacher contracts to be based on school term of 190 days.
6. Section 59-24-15 - Rights of certified education personnel employed as administrators.
7. Section 59-25-57 - Salaries negotiable below schedule for non-TERI retired teachers.
8. Section 59-25-410 - Notice to teacher of employment status.
9. Section 59-25-420 - Teacher required to notify board of acceptance; opportunity for hearing if not reemployed.
10. Section 59-25-710 - Salary complaints.

B. S.C. Cases:

1. *Henry-Davenport v. Sch. Dist. of Fairfield Cnty.*, 391 S.C. 85, 705 S.E.2d 26 (2011).

C. State Board of Education Regulations:

1. R43-205.1 - Assisting, Developing, and Evaluating Professional Teaching (ADEPT).