**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE “SUPPORTING TEACHERS ACT” BY ADDING SECTION 59‑25‑52 SO AS TO INCREASE EFFORTS TO RETAIN EDUCATORS BY CONDUCTING AN ANONYMOUS SEMIANNUAL WORKPLACE SATISFACTION OPINION SURVEY OF SOUTH CAROLINA PUBLIC SCHOOL TEACHERS, AND TO PROVIDE FOR THE REPORTING OF THE RESULTS OF THESE SURVEYS; BY ADDING SECTION 59‑25‑435 SO AS TO PROVIDE PUBLIC SCHOOL DISTRICTS MAY NOT RETALIATE AGAINST TEACHERS FOR MAKING PUBLIC POLICY EXPRESSIONS, TO PROVIDE A RELATED CAUSE OF ACTION AND REMEDIES, AND TO CLARIFY THE APPLICABILITY OF THIS ACT TO TEACHERS UNDER NONRENEWABLE INDUCTION CONTRACTS AND TEACHERS UNDER CONTINUING CONTRACTS; TO AMEND SECTION 59‑1‑425, RELATING TO THE STATUTORY SCHOOL TERM, SO AS TO PROVIDE TEACHERS WITH FIVE ADDITIONAL PLANNING DAYS; AND TO AMEND SECTION 59‑21‑20, RELATING TO APPROPRIATION REQUIREMENTS FOR TEACHER SALARIES, SO AS TO INCREASE THE NUMBER OF DAYS THESE APPROPRIATIONS ARE REQUIRED TO TWO HUNDRED DAYS.

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

SECTION 1. This act must be known and may be cited as the “Supporting Teachers Act”.

SECTION 2. Article 1, Chapter 25, Title 59 of the 1976 Code is amended by adding:

“Section 59‑25‑52. (A) Recognizing that supportive working conditions for teachers make it more likely that teachers will continue with, and prosper in the profession, the Center for Educator Recruitment, Retention and Advancement shall develop and semiannually shall administer a uniform, confidential, anonymous, and online opinion survey of all public school teachers to evaluate teacher satisfaction, especially teacher perceptions of their existing working conditions associated with the basic psychological needs of competence, autonomy, and relatedness. Among other things, the survey should assess teacher perceptions of:

(1) administrative support;

(2) student behavior;

(3) decision-making roles;

(4) parental support;

(5) amount of paperwork and routine duties;

(6) availability of resources;

(7) communication with principal;

(8) cooperation among the staff;

(9) staff recognition;

(10) control in classroom;

(11) influence over school policy;

(12) student absenteeism;

(13) student apathy; and

(14) violence.

(B) The results of this survey must be compiled, analyzed, and reported for each school, district, and statewide. These reports must be:

(1) provided to the Education Oversight Committee and each school district board, school district superintendent, school principal, and school teacher; and

(2) published on the websites of the State Department of Education, each school district, and each school. A district only must publish the results for the district and a school only must publish the results for the school. Yearly results must be published online and maintained for ten years.

(C) The survey must be conducted anonymously and no identifying information about a teacher surveyed may be collected, retained, or disclosed.”

SECTION 3. Article 5, Chapter 25, Title 59 of the 1976 Code is amended by adding:

“Section 59‑25‑435. (A) The public or private support of a public policy decision of any kind by a teacher does not constitute:

(1) evident unfitness for teaching pursuant to Section 59‑25‑430;

(2) unprofessional conduct or a breach of contract pursuant to Section 59‑25‑530; or

(3) any other basis for the transfer or termination of a teacher by a school district or the failure of a school district to renew the contract of a teacher.

(B) A public school district may not wilfully transfer, terminate, or fail to renew the contract of a teacher because the teacher has publicly or privately supported a public policy decision of any kind.

(C) A teacher who is injured by reason of a violation of subsection (B) may bring a cause of action in circuit court for three times the teacher’s salary at the time of the violation, provided he bears the burden of proving the school district wilfully intended to violate the provisions of subsection (B).

(D) The provisions of this section apply to a teacher employed under:

(1) nonrenewable induction contracts, notwithstanding the provisions of Section 59‑26‑40; and

(2) continuing contracts, who also may avail himself of other remedies available under the provisions of this chapter.”

SECTION 4. Section 59‑1‑425(A) of the 1976 Code is amended to read:

“(A) A local school district board of trustees of the State has the authority to establish an annual school calendar for teachers, staff, and students. The statutory school term is one hundred ninety days annually and must consist of a minimum of ~~one~~ two hundred ~~eighty~~ days of instruction covering at least nine calendar months. However, beginning with the 2007‑2008 School Year, the opening date for students must not be before the third Monday in August, except for schools operating on a year‑round modified school calendar. Three days must be used for collegial professional development based upon the educational standards as required by Section 59‑18‑300. The professional development must address, at a minimum, academic achievement standards including strengthening teachers’ knowledge in their content area, teaching techniques, and assessment. No more than two days may be used for preparation of opening of schools and the remaining ~~five~~ ten days may be used for teacher planning, academic plans, and parent conferences. The number of instructional hours in an instructional day may vary according to local board policy and does not have to be uniform among the schools in the district.”

SECTION 5. Section 59‑21‑20 of the 1976 Code is amended to read:

“Section 59‑21‑20. The General Assembly shall make sufficient appropriation to pay state aid to salaries of all school teachers in the public schools on the basis and for the length of ~~one~~ two hundred ~~ninety~~ days in the elementary, middle, and secondary schools in the State.”

SECTION 6. This act takes effect upon approval of the Governor.

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