

Scenario 4 – Academic Freedom

A seventh grade classroom teacher has been fired based on a parent complaint about what has been taught in the classroom. Teacher Z has been fired for not following the expected behavior of district employees, not following the established curriculum, and using unapproved curricular materials.

This teacher works in a state that does not allow public sector employees to participate in collective bargaining.

During a six-week instructional unit about the United States Constitution, Teacher Z has asked pairs of students to research and create projects about the “authors” of the constitution. Plans for the unit have been submitted to the principal in accordance with approved procedures. Teacher Z has been working with the media center at both the school and district level to source learning materials for the students as they need them. One of the books, “Jefferson’s Sons” was sent and given to one of the teams to use. It provides a story of Jefferson’s children that he had with his enslaved mistress, Sally Hemmings. The parents took their complaint to the principal, who immediately placed Teacher Z on unpaid administrative leave while an investigation was made.

Findings of the investigation:

- The parents brought their concerns to Teacher Z who rudely told them that the full and honest story of Thomas Jefferson is part of American history and the story of the U.S. Constitution. When the parents told Teacher Z that George Washington was the author of the Constitution, they felt that they had been bullied when Teacher Z corrected their understanding about who actually wrote the document.
- The parents were distraught that anti-American content was used with their child without their prior knowledge.
- The student reported feeling bad about how Sally Hemmings and her children had been treated by Thomas Jefferson.
- The book was part of an approved purchase by the district’s media center.
- There are no approved curricular materials at the district level for the state’s required curriculum unit on the United States Constitution.

AR GCO-R Personnel Evaluation

Issued: 06/11

Rescinds: GCO-R

Issued 01/07

I. Teacher Personnel Evaluation

Appropriate personnel will be assigned to fairly and periodically evaluate the performance of instructional employees. The Superintendent, through the administrative staff, will establish procedures for conducting performance evaluation consistent with S.C. Department of Education regulations: 1. [R-43-205.1](#) Assisting, Developing and Evaluating Professional Teaching (ADEPT) (See [GCO-E](#)).

Continuing Contract Teachers

Continuing contract teachers may be evaluated under the ADEPT Goals-Based Evaluation (GBE), the ADEPT **Formal Evaluation of Teachers (SAFE-T)**, or through the National Board certification process.

Continuing teachers normally will be evaluated using the GBE process. In such cases, the continuing teacher and the building-level administrator will jointly agree upon one or more goals to be addressed during the teacher's five-year certification cycle. Each year the continuing teacher must provide satisfactory evidence that at least one of the goals has been met or satisfactory progress is being made to achieve the goal(s). At any time during the five-year cycle, the building-level administrator may require a continuing teacher to undergo the SAFE-T evaluation process, provided the requirements, as described below, have been met.

1. The teacher has been notified of the weakness(es) that he/she exhibits during the current school term.
2. The building level administrator has provided conferences with the teacher about the weakness(es).
3. The building level administrator has provided some means of assistance (building level and/or district staff) to the teacher to help correct the weakness(es).
4. The building level administrator has provided a time frame for improvement to occur.
5. The building level administrator must provide evidence that classroom observations indicated areas of weakness in one or more of the performance standards.
6. The building level administrator must provide verbal and written notification stating the intention to formally evaluate the teacher during the subsequent school year. This must be done prior to April 15th of the current school year.

Continuing teachers may be allowed to work towards National Board certification, in lieu of the GBE process, for up to a three-year period. However, before continuing teachers will be eligible to undertake the National Board certification process in lieu of GBE, they must have the recommendation of the building-level administrator and they must not currently be undergoing or be scheduled to undergo the **SAFE-T** evaluation process.

II. Administrative Personnel Evaluation

A. Principals

Appropriate personnel will be assigned to fairly and periodically evaluate the performance of principals. The Superintendent, through the administrative staff, will establish procedures for conducting principal performance evaluation in accordance with S.C. Department of Education regulations: [R43-165.1](#) - Principal Evaluation Program. In addition, the District administration will

establish a professional development plan based on the principal's strengths and identified areas for improvement, taking into consideration factors including, but not limited to: the school's strategic plan, school test scores, and other performance goals.

B. District/Building Administrators

District/building administrators (including Assistant Principals and Curriculum Specialists) will be evaluated based on written goals developed by the administrators with the review and approval of their supervisors. Administrators will meet with their supervisors at least annually to discuss progress and effective completion of the identified goal(s). Additional goals may be required by the supervisor to assist with continual growth and development of an administrator.

III. Classified Support Personnel Evaluations

Supervisors will fairly and periodically evaluate the performance of classified support employees. Employees will be rated on key performance elements relevant to their assigned positions. The supervisor will meet with the employee annually to review the written evaluation, discuss the employee's satisfactory areas of performance and give developmental feedback on areas for improvement.

Georgetown County Board Of Education

Policy IFE Curriculum Guides Modification and Assessment

Issued: 1/07

Rescinds: IFE

Issued: 7/02

The curriculum will be guided by State standards, goals and objectives in all content areas from Pre K 3 through grade 12.

Pacing guides will be developed annually at the school level and monitored at each grading period by the school administration.

Policy IIAB Supplementary Materials Selection and Adoption

Issued: 7/9/96

Rescinds: IFAB

Issued: 6/87

Supplementary materials are any instructional materials other than textbooks. The Board believes that the availability of a carefully selected and widely varied collection of supplementary materials enhances students' opportunity to acquire knowledge and to learn how to learn.

Principals, teachers, supervisors and students will be involved in the selection of supplementary materials through suggestions, recommendations and other assistance. The principal must approve supplementary materials.

Unauthorized reproduction and/or use of copyrighted materials is illegal and not permitted by the Board and violations of the copyright law may result in criminal or civil suits and/or suspension or dismissal from employment in the system.

The detailed regulations governing the use of copyrighted materials will be maintained in the media center of each school. It is the responsibility of the school principal to schedule an annual review of the copyright law at school staff orientation. It is the responsibility of the media specialist to keep the school staff informed on the use of copyrighted materials.

Policy Character Education

Issued: 01/07

Rescinds: NEW

The Board of Education is committed to the ideals of good character and citizenship through character education as part of the District's mission of successful teaching and learning.

These ideals include, but are not limited to, the following.

- personal integrity and honest
- respect for the rights of all persons regardless of race, religion, sex, sexual orientation, age, physical condition or mental state
- sense of justice and fair play
- trustworthiness
- patriotism
- citizenship
- understanding, sympathy, concern and compassion for others
- discipline and pride in one's work
- respect for one's property and the property of others, including public property
- understanding of the rights and obligations of a citizen in a democratic society
- respect for authority

The District's program of character education will include a meaningful and challenging curriculum that respects all learners and helps them succeed. The district will maintain school communities in which positive behavior is practiced, demonstrated, modeled, and reinforced within an environment of mutual respect and dignity. The District will implement this program in close cooperation with parents of students.

The District will provide opportunities for the integration of character education throughout the curriculum in grades K-12. The district will include a discussion of the informational pamphlet issued by the Governor's office in respect to the sex and family education curriculum.

The process of integrating character education in school programs will include the involvement of students, staff, families and the greater school community (elected officials, community/civic/business leaders, religious institutions, youth organizations, government, media, and citizens at large).

The Superintendent will recommend any changes to the curriculum necessary to include character education objectives in the instructional program.

The Superintendent will develop guidelines to implement this policy as necessary.

The District will assess the character education program periodically. The evaluation will assess the character of the school, the school staff functioning as character educators and the extent to which students exhibit good character.

Policy INB Teaching About Controversial Issues

Issued: 7/9/96

Rescinds: IKC

Issued: 5/31/81

Education for effective citizenship is a major goal of the district. To achieve this purpose, students should have an opportunity to examine controversial issues within the context of their formal education experiences.

Emotional criticism and the promotion of a cause within the classroom are inappropriate and will not be tolerated. Teachers should guard against giving their personal opinions on sectarian or political questions or any other controversial issues. The teacher's attitude should be that of the true scholar.

Before introducing a controversial topic, a teacher will discuss it with the principal as to these conditions.

- appropriateness to the course
- appropriateness for the maturity of the students
- approach to instruction
- teaching materials to be used

The principal must approve all aspects of the instruction in line with the statements in this policy.

Policy GBEB Staff Conduct

Issued: 2/10

Rescinds: New

Purpose: To establish the Board's expectations for School District staff conduct.

The Board reaffirms the belief that one of the best methods of instruction is that of setting a good example. Therefore, District staff members are expected to set the kind of example that will serve students well in managing their own conduct and behavior and subsequently, will contribute to an appropriate school atmosphere.

Staff members are expected to present a professional appearance, dressing in accordance with safety regulations and in a manner appropriate for the work assigned. To that end, in dress, conduct and interpersonal relationships, all staff should recognize that they are being observed continuously by students and that their actions and demeanor will be reflected in the conduct of the students.

The personal life of an employee will be the concern of and warrant the attention of the District if the employee's conduct impairs his/her ability to effectively perform his/her job responsibilities; if it casts the District in a negative light, or if the conduct violates Federal law, State law, and/or Board policy.

No employee will commit or attempt to induce students or others to commit an act or acts of immoral conduct or criminal conduct. If it appears an employee may have violated the law, the district will cooperate with law enforcement agencies.

Employees of the District who are in the presence of students while on duty will not use profanity, will not consume alcoholic beverages and will not use tobacco in any form.

All employees will maintain professional and appropriate relationships with students at all times, both inside and outside of school. No employee may engage in any conduct of a sexual nature with students at any time. This includes any action or conduct communicated or performed in person, in writing or electronically.

The following list, though not all-inclusive, includes some of the conduct that will subject an employee to disciplinary action:

- possessing, using, selling, manufacturing, distributing or dispensing any illegal drug or alcoholic beverage while on duty or on any District property
- fighting or deliberately harming another person
- being absent without approval
- refusing to follow a supervisor's instructions and directions
- failing to adhere to safety and health rules as established by Federal law, State law and/or District rules and regulations
- intentionally damaging or destroying District property
- using profane or obscene language which is inappropriate in the school setting
- having any interaction/activity of a sexual nature or intent with a student
- possessing weapons on District property unless otherwise authorized by law
- using District property without prior authorization
- behaving in an inappropriate manner to the extent that the employee's ability to perform his/her work is adversely affected
- harassing, intimidating or bullying a student, coworker or member of the public
- posting inappropriate personal information or pictures on any social networking website which results in disruption of the school environment or which impairs the employee's credibility or performance.

Any violation of the staff conduct policy by an employee will be grounds for immediate disciplinary action as determined appropriate by the District, including unpaid suspension and possible termination of employment. In such cases, an employee will be informed of his/her right to any hearing or due process procedure that may be applicable under State law or Board policy.

Arrest of an employee

The Board delegates specific authority to the Superintendent to take appropriate employment action with regard to an employee who has been arrested for any reason. The nature of the offense, whether a misdemeanor or a felony, and any possible danger or perceived danger to students, coworkers or the District will be considered in determining the most appropriate disciplinary sanction or employment action. An employee is expected to notify the District administration within 24 hours of any arrest and to keep the administration informed of the continuing status of any criminal charges filed against the employee.

Georgetown County Board Of Education

Policy IB Academic Freedom

Issued: 7/9/96

Rescinds: NEW

The Georgetown County Board of Education believes that academic freedom is essential to the fulfillment of the purposes of the school system. Board policy must protect teachers from any censorship or restraint which might hinder classroom functions. The district will maintain an atmosphere of academic freedom in the schools. Therefore, the Board sets out the following positions on academic freedom.

- Citizens of our American democracy must be able to listen to all sides of a controversial issue. They must be able to sort out the facts and to arrive at independent conclusions. The schools must expose students to current issues which are within the appropriate intellectual grasp.
- Teachers will not attempt, directly or indirectly, to limit or control students' judgment concerning any issue. Teachers will make certain that full and fair consideration is given to the subject and that facts are carefully examined as to the accuracy and interpretation.
- The community has a right to expect that teachers will present controversial issues in a fair and unbiased manner. The community also has a right to communicate concerns regarding these matters through proper channels to the Board.
- Teachers will consult with the administration on the appropriateness of discussing any planned controversial issues with students.

State Code Title 59 - Education
CHAPTER 29
Subjects of Instruction
ARTICLE 1
General Provisions

SECTION 59-29-10. Required subjects.

The county board of education and the board of trustees for each school district shall see that in every school under their care there shall be taught, as far as practicable, orthography, reading, writing, arithmetic, geography, English grammar and instruction in phonics, the elements of agriculture, the history of the United States and of this State, the principles of the Constitutions of the United States and of this State, morals and good behavior, algebra, physiology and hygiene (especially as to the effects of alcoholic liquors and narcotics upon the human system), English literature, and such other branches as the state board may from time to time direct.

Section 59-29-12. Critical Race Theory

Public school districts, public schools, and public institutions of higher learning may not:

1. direct or otherwise compel students to personally affirm, adopt, or adhere to the tenets of critical race theory; or
2. introduce a course of instruction or unit of study directing or otherwise compelling students to personally affirm, adopt, or adhere to any of the tenets of critical race.

For purposes of this chapter, 'critical race theory' means any of the following tenets:

1. any sex, race, ethnicity, religion, color, or national origin is inherently superior or inferior;
2. individuals should be adversely treated on the basis of their sex, race, ethnicity, religion, color, or national origin; or
3. individuals, by virtue of sex, race, ethnicity, religion, color, or national origin, are inherently responsible for actions committed in the past by other members of the same sex, race, ethnicity, religion, color, or national origin. "

SECTION 59-29-55. Instruction on Black history.

The State Board of Education shall examine the current status of the teaching of this state's History. By the 1989-1990 school year, each public school of the State must instruct students in the history of the black people as a regular part of its history and social studies courses. The State Board of Education shall establish regulations for the adoption of history and social studies textbooks which incorporate black history and shall, through the State Department of Education, assist the school districts in developing and locating suitable printed materials and other aids for instruction in black history. The State Board of Education shall examine curricular material for grades 1-6 to determine the level of emphasis on the relationship of agriculture and other industries to the state's economy.

SECTION 59-29-120. Study of United States Constitution requisite for graduation; attendance at veteran's activities.

All public high schools must give instruction in the essentials of the United States Constitution, the Declaration of Independence, the Emancipation Proclamation, and the Federalist Papers. No student in any such school may receive a certificate of graduation without previously passing a course that includes instruction in the provisions and principles of the United States Constitution, the Declaration of Independence, the Emancipation Proclamation, and the Federalist Papers.

On November eleventh of each year which is a legal holiday in this State as provided by Section 53-5-10 to commemorate and honor veterans, all elementary, middle, and high schools in this State if they are open, shall devote at least one hour of the school day in either classroom instruction or at a student body assembly program to study the United States Constitution and the Declaration of Independence. If any such school is not open on November eleventh, this instruction or assembly program must be given on the day the school is open immediately preceding November eleventh.

On November eleventh of each year, schools may permit students to attend activities to commemorate and honor veterans that are held at locations within their respective counties. The parent of a student seeking to be excused pursuant to this subsection shall provide prior written consent to the appropriate school personnel. Attendance at such activities shall count as a part of the instructional day for purposes of Section 59-1-440.

Policy GBK Complaints and Grievances

Issued: 11/98

Rescinds: GAE

Issued: 6/94

The Board of Education recognizes the need to provide an orderly means for the expeditious resolution of disputes concerning the application of any of the provisions of the district's policies, rules or regulations as they affect the work activity of employees.

It is the intent of the Board that all employees having a complaint or grievance be provided a process through which such complaints and grievances will be heard and acted upon. The Superintendent shall develop guidelines to implement this policy.

Employees should secure an equitable solution of grievances at the most immediate administrative level. Employees are encouraged to seek resolution of disputes under the existing grievance regulation and will have the right to do so with complete freedom from reprisal.