

*PERFORMANCE DEFICIENCIES OR UNACCEPTABLE CONDUCT*

With full recognition that traditionally recognized, accepted standards exist for faculty within the regental system, the following proscriptions or failures, though not all inclusive, do not comport with such standards and are unacceptable:

1. A substantial breach of recognized published standards of professional ethics;
2. Conviction of any felony or the conviction of a misdemeanor involving moral turpitude;
3. Unauthorized absence from duties without prior notification or justifiable cause or excuse for the absence;
4. The unauthorized possession, use or distribution of alcoholic beverages, marijuana or controlled substances, while on duty, while on premises under control of the board or while participating in any capacity in activities sponsored by the board;
5. The wrongful refusal or failure to follow or comply with lawful orders or instructions of a superior, unless such instruction or order shall be in contravention of the applicable provisions of this agreement, statute or regulation;
6. The use of alcohol, marijuana, or other controlled substances which significantly impairs the faculty unit member in the performance of his duties;
7. Theft, misuse or abuse of state owned or controlled property;
8. Participation in a strike as proscribed by SDCL Chapter 3-18;
9. Sexual harassment of students or employees, for which the board may be vicariously responsible under law;
10. Intentionally and wrongfully counseling, inciting, or participating in validly proscribed student or faculty unit activity;
11. Any substantial or irremediable impairment of the ability of a faculty unit member to perform assigned duties.