

STATE BOARD OF EDUCATION

STATE OF GEORGIA

LUTHER L. CRAWFORD,	:	
	:	
Appellant,	:	
	:	
v.	:	CASE NO. 1979-21
	:	
WASHINGTON COUNTY BOARD	:	
OF EDUCATION,	:	
	:	
Appellee.	:	

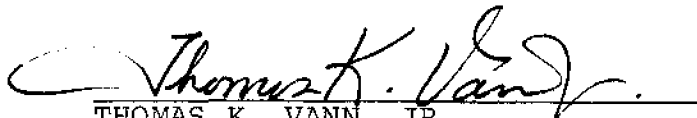
O R D E R

THE STATE BOARD OF EDUCATION, after due consideration of the record submitted herein and the report of the Hearing Officer, a copy of which is attached hereto, and after a vote in open meeting,

DETERMINES AND ORDERS, that the Findings of Fact and Conclusions of Law of the Hearing Officer are made the Findings of Fact and Conclusions of Law of the State Board of Education and by reference are incorporated herein, and

DETERMINES AND ORDERS, that the decision of the Washington County Board of Education herein appealed from is hereby sustained.

This 14th day of February, 1980.


THOMAS K. VANN, JR.
Vice Chairman for Appeals

STATE BOARD OF EDUCATION

STATE OF GEORGIA

LUTHER V. CRAWFORD,	:	CASE NO. 1979-21
	:	
Appellant,	:	
	:	
vs.	:	REPORT OF
	:	
WASHINGTON COUNTY BOARD	:	HEARING OFFICER
OF EDUCATION,	:	
	:	
Appellee.	:	

PART I

SUMMARY OF APPEAL

On August 3, 1979, Luther V. Crawford (hereinafter "Appellant") was sent a letter informing him that the Washington County Board of Education (hereinafter "Local Board") had decided to terminate his contract due to insubordination and unprofessional conduct. Appellant appealed to the State Board of Education on the grounds the weight of the evidence did not support the decision and he was denied due process because his questioning of witnesses was limited during the hearing before the Professional Practices Commission. The Hearing Officer recommends that the decision of the Local Board be sustained.

PART II
FINDINGS OF FACT

On May 21, 1979, Appellant was given notice that he was temporarily relieved from his teaching duties with pay because of charges of insubordination and unprofessional conduct arising from his having struck several students in his classroom contrary to the directives of his principal. He was also informed that the hearing would be conducted before the Professional Practices Commission and was given a list of the witnesses who would appear for the school system. The hearing before the Professional Practices Commission was held on June 22, 1979. The Professional Practices Commission issued its recommendations on August 2, 1979 and recommended that Appellant be dismissed. The Local Board met on August 2, 1979, and adopted a resolution which accepted the findings of fact of the Professional Practices Commission and terminated Appellant's teaching contract. Appellant thereafter submitted his appeal to the State Board of Education on August 25, 1979.

The Professional Practices Commission found that all of the statutory requirements of Ga. Code Ann. Chap. 32-21c (dealing with the termination, suspension, and demotion of teachers) had been complied with. Appellant did not raise any challenges to the statutory procedures followed by the Local Board.

The Professional Practices Commission also found that in October, 1978, Appellant was reprimanded by his principal because he had grabbed a student about the neck and hit the student's head against a desk three or four times so that the student had a knot and swelling on his head and pain to the point that he complained to the principal regarding the incident. Appellant was directed by the principal not to touch or handle students again or do any act which would lead to a charge of physical abuse of his students. Appellant was also told that he was subject to disciplinary action if he touched a student again. On five subsequent occasions, Appellant touched, handled, banged heads, punched ribs, and put his hands about students' throats, resulting in at least one student demanding that the student's mother be summoned. Another of these incidents involved a student being physically pulled from his desk by Appellant and carried to the blackboard in front of Appellant's classroom where Appellant struck the student's head against the blackboard several times and caused the student to fall to the floor. When the assistant principal asked Appellant about his treatment of the students, Appellant responded by stating to the assistant principal that he was tired of answering to the assistant principal regarding complaints of abuse of students.

PART III
CONCLUSIONS OF LAW

Appellant's appeal to the State Board of Education takes the position that the decision of the Local Board was against the weight of the evidence brought forward at the hearing before the Professional Practices Commission. Additionally, the appeal contends that Appellant was denied due process because the Professional Practices Commission did not allow him to question the disciplinary practices followed by other faculty members.

A review of the record shows that there was competent evidence presented at the hearing before the Professional Practices Commission to support the charges made against Appellant. Several students, many of whom testified they thought Appellant was a good teacher and a "good friend", gave testimony that Appellant disciplined his students by choking them, banging their heads on the desk, and banging their heads against the blackboard. The principal's reprimand and directive that Appellant not touch any students in the future was entered into evidence without objection.

The State Board of Education has adopted the rule that if there is any evidence to support the decision of a local board of education, that decision will not be disturbed upon review. Antone v. Greene County Board of Educ.,

Case No. 1976-11. The Hearing Officer, therefore, concludes that Appellant did violate the directives given to him by his principal and acted in an unprofessional manner in disciplining his students with the methods he used.

Appellant's complaint that the Professional Practices Commission erred in not permitting him to question the witnesses concerning the disciplinary measures practiced by other faculty members is without merit. Regardless of the practices followed by other faculty members, Appellant was specifically directed by his principal not to touch the students. Appellant additionally thwarted the efforts of the assistant principal to counsel with him concerning the discipline of students in the classroom. Based upon this evidence, the Local Board was authorized to terminate Appellant's teaching contract for insubordination. Evidence concerning the conduct of other faculty members would have been only mitigating evidence and would not have prevented the Professional Practices Commission from finding that Appellant was insubordinate and exhibited unprofessional conduct. The Hearing Officer, therefore, concludes that the Professional Practices Commission did not err in limiting Appellant's questions concerning the conduct of other faculty members.

PART IV
RECOMMENDATION

Based upon the foregoing findings and conclusions, and the record submitted, the Hearing Officer is of the opinion that there was evidence before the Local Board authorizing it to find that Appellant was insubordinate and exhibited unprofessional conduct. The Hearing Officer, therefore, recommends that the decision of the Washington County Board of Education to terminate Appellant's teaching contract be sustained.

L. O. Buckland

L. O. BUCKLAND
Hearing Officer