



not complied with the terms of her Professional Development Plan, and had not shown any improvement in her ability to teach. The Local Board requested the Professional Practices Commission to convene a tribunal to hear the charges against Appellant.

A three-day hearing was conducted by a Professional Practices Commission Tribunal over the period February 2, 1994, through February 9, 1994. During the hearing, Appellant's main defense was that her principal had harassed her and set her up for failure. The Tribunal heard several witnesses testify about Appellant's teaching and the efforts made to assist her. After the hearing, the Tribunal found that Appellant's failure to complete portions of her Professional Development Plan amounted to willful neglect of duty and insubordination. As a consequence, the Tribunal recommended termination of Appellant's teaching contract. The Local Board adopted the Tribunal's recommendation and voted to terminate Appellant's contract.

### PART III

#### DISCUSSION

On appeal, Appellant again maintains that she was harassed by her principal. "The standard for review by the State Board of Education is that if there is any evidence to support the decision of the local board of education, then the local board's decision will stand unless there has been an abuse of discretion or the decision is so arbitrary and capricious as to be illegal. See. Ransum v. Chattooga County Bd. of Educ., 144 Ga. App. 783, 242 S.E.2d 374 (1978); Antone v. Greene County Bd. of Educ., Case No. 1976-11 (Ga. SBE, Sep. 8, 1976)." Roderick J. v. Hart Cnty. Bd. of Educ., Case No. 1991-14 (Ga. SBE, Aug. 8, 1991)

In the instant case, there is evidence that Appellant consistently failed to submit her lesson plans as required by the Professional Development Plan. Additionally, there was evidence that Appellant's teaching ability did not improve even though various forms of assistance were provided to her. The Tribunal had an opportunity to weigh the testimony of the witnesses and make a determination whether Appellant's principal was harassing her. Appellant has not shown where there has been any error of law.

### PART IV

#### DECISION

Based upon the foregoing, the State Board of Education is of the opinion there was evidence to support the decision of the Local Board. Accordingly, the Local Board's decision to terminate Appellant's teaching contract is  
SUSTAINED.

This 11<sup>th</sup> day of August, 1994.

Mrs. King, Mr. Sessoms, Dr. Thomas and Mr. Williams were not present. Mr. McGlamery abstained.

Robert M. Brinson  
Vice Chairman for Appeals