



teaching contract. Appellant then filed a timely appeal with the State Board of Education.

In his appeal, Appellant claims that the requirement of a teacher to “secure and maintain necessary educational training” contained in O.C.G.A. Sec. 20-2-940(a)(7) only refers to the educational training requirements imposed by the State Board of Education and does not refer to any educational training requirements imposed by a nongovernmental organization to which a local board may subscribe. Appellant claims that he cannot be dismissed under O.C.G.A. 20-2-940(a)(7) because he holds a life certificate issued by the State Board of Education, which establishes that he has acquired all of the educational training required by O.C.G.A. § 20-2-940(a)(7). Appellant also claims that Local Board Policy MX does not require him to maintain the educational training requirements of SACS because it only states an expectancy or desire for future status without putting the teachers on notice of any educational requirements that have to be maintained.

The Local Board claims that it adopted the standards required by SACS and it can impose the requirements upon its teachers, and the failure of a teacher to adhere to the standards permits dismissal for failure to maintain the required educational training. The Local Board also argues that Appellant was fully aware of the educational training requirements he was supposed to meet since the requirements were set out in the Teachers Handbook and Appellant was given notice on April 17, 1997, that he had to earn 10 SDUs by August 17, 1997.

Appellant claims that the Local Board cannot adopt the standards of a private organization and require teachers to meet requirements beyond that necessary to obtain certification from the State Board of Education through the Professional Standards Commission. The control and management of local school systems is vested in local boards of education. Georgia Constitution of 1983, Art. 8, Sec. 5, Par. II. The State Board of Education is of the opinion that the control and management of the schools necessarily includes the authority to impose requirements on its teachers that may go beyond the minimum requirements established by the State Board of Education for a teacher to become certified. Accordingly, Appellant’s argument that the Local Board was without authority to adopt the SACS standards is without merit.

Local School personnel testified that SACS requires a teacher to obtain 10 SDUs during a five-year period. Additionally, testimony was given that the Teachers Handbook sets out the requirement that teachers have to keep their SDU credits current to meet the SACS standards. The Local Board argues that Appellant’s principal warned him on April 17, 1997 of the need to obtain his units, but Appellant simply ignored the principal’s directive. Before the principal’s letter, Appellant had not earned any SDU credits during the current SACS cycle. The record shows that Appellant obtained only four SDUs after he received the principal’s letter. Appellant testified that it was impossible for him to complete all 10 units after he received the letter from the principal because classes were unavailable. Appellant, however, was a veteran teacher and aware of the requirement to remain current with his SDUs to meet the SACS standards. With such knowledge, he had ample time to complete his studies over more than four months. The State Board of Education, therefore, is of the opinion that Appellant had ample notice to meet the SACS standards.

Based upon the foregoing, it is the opinion of the State Board of Education that the Local Board's decision was not arbitrary or capricious and the Local Board had the right to impose the certification requirements that permit it to maintain accreditation with SACS. Accordingly, the Local Board's decision is

SUSTAINED.

This 13<sup>th</sup> day of March, 1998.

Larry Thompson  
Vice Chairman for Appeals