

**STATE BOARD OF EDUCATION**

**STATE OF GEORGIA**

**JOHN DAVIS,**

**Appellant,**

**vs.**

**ATLANTA CITY  
BOARD OF EDUCATION,**

**Appellee.**

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**CASE NO. 2008-16**

**DECISION**

This is an appeal by John Davis (Appellant) from a decision by the Atlanta City Board of Education (Local Board) to terminate his teaching contract because he failed to obtain a teaching certificate, as provided for in O.C.G.A. § 20-2-940(a)(7). Appellant claims that he should have been given more time to complete his certification classes. The Local Board's decision is sustained.

On August 6, 2007, the Local Superintendent notified Appellant that a recommendation would be made to the Local Board to terminate his teaching contract because he had failed to obtain and maintain a valid certification for the 2007-2008 school year. Appellant requested a hearing, but failed to appear when the hearing was held on August 28, 2007. The Local Board received evidence that Appellant's certification expired on June 30, 2007, and that he thereafter failed to obtain a valid certification. The Local Board then voted to terminate Appellant's teaching contract.

Appellant filed an appeal to the State Board of Education and claims that the Local Board should have given him another year to obtain his certification because he was sick for one year. There is no evidence in the record of Appellant's illness and the State Board cannot consider his statement of illness. Nevertheless, his illness would not establish any requirement for the Local Board to grant him additional time to complete his certification and Appellant has not shown any other responsibility on the part of the Local Board to grant him another year to obtain his certification. O.C.G.A. § 20-2-940(a)(7) provides that a teacher's contract can be terminated for "[f]ailure to secure and maintain necessary educational training..." The Local Board, therefore, acted within its authority in terminating Appellant's contract. Based upon the foregoing, it is the opinion of the State Board of Education that there was evidence to support the Local Board's decision and the Local Board acted within its scope of authority. Accordingly, the Local Board's decision is  
**SUSTAINED.**

This \_\_\_\_\_ day of December 2007.

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William Bradley Bryant  
Vice Chairman for Appeals