

STATE BOARD OF EDUCATION, STATE OF GEORGIA

MAY K. HUDSON

CASE NO. 1975-8

VS.

APPEAL

BIBB COUNTY BOARD OF
EDUCATION

ORDER

From the undisputed facts, May Kay Hudson, the appellant, received notice from the Bibb County Board of Education on April 11, 1975, that it had decided not to renew her teaching contract for the 1975-1976 school year. On May 16, 1975, Ms. Hudson requested a hearing before the local board questioning the merits of the allegations of the local board regarding non-renewal of her contract. The request for a hearing was denied by the local board of education on the basis that she had not requested a hearing on or before May 1, 1975, as the law requires.


The appellant filed a Notice of Appeal to the State Board of Education to force the Bibb County Board of Education to grant her a hearing contending that the notice to her did not contain reasons for the non-renewal of her contract and she was not advised by the written notice that she must request a hearing before the local board of education not later than May 1.

The State Board of Education finds that the appeal is not properly founded for the clear language of the Fair Dismissal Act (Ga. Laws 1975, pg. 360) requires only that the employee be notified not later than April 15 of the tentative decision not to renew the contract, and the employee so notified shall have the right to request, not later than May 1 thereafter, a written statement of the reasons upon which the decision not to renew was based, and a hearing would then follow. (See Section 3 of this Act, Non-renewal or Demotion After Three Years' Service.) Language quoted by appellant from Georgia

Code Annotated Section 32-607.1; Ga. Laws 1973, pg. 907;
1974, pg. 1104, requiring the notice to also state the reasons
for non-renewal was repealed by the 1975 legislation. (Section
10, Ga. Laws 1975, pp. 360, 367.)

From the record, the Bibb County Board of Education
complied with the 1975 Fair Dismissal Act and acted within
the purview of this Act in its notice to Ms. Turner. Therefore,
the State Board of Education dismisses this appeal as a matter
of law.

This the 11th day of September, 1975. By unanimous
vote of the State Board of Education.


Richard Neville
Vice Chairman for Appeals