

THE STATE BOARD OF EDUCATION

STATE OF GEORGIA

JEAN COOLIK, *
Appellant * CASE NO. 1975-11
vs. *
MUSCOGEE COUNTY BOARD OF *
EDUCATION, *
Appellee *

Mrs. Coolik had been teaching in the Muscogee County System for 17 years, but on April 15, 1975, she was notified as follows:

April 15, 1975

Mrs. Jean Coolik
2511 Edgewood Road
Columbus, Georgia 31906

Dear Mrs. Coolik:

This is to officially inform you that on Wednesday, April 9, the Muscogee County Board of Education in official action did not renew your contract.

Under the statute relating to hearings which may be required by teachers whose contracts are not renewed, you can no later than May 1 request in writing a written statement from the Superintendent of "good and sufficient cause on which the non-renewal of the contract was based."

Sincerely,

s/ Braxton A. Nail

BRAXTON A. NAIL
Superintendent of Education

BAN:jeg

cc: Mr. R. Brice Carson

A hearing was afforded Mrs. Coolik on June 17 and 18, 1975, and from a decision adverse to Mrs. Coolik, she appealed to the State Board of Education on two basic issues: (1) Was the Muscogee County Board of Education qualified to hear this case on June 17, 1975, after it had met on April 9, 1975, and decided not to renew the appellant's contract? (2) Was the evidence sufficient to support the decision of the local board?

(1)

We have previously held in Kauffman v. Putnam County Board of Education, 1976-9, that just because a local board tentatively decided against renewing a teacher's contract it is not for that reason alone automatically disqualified to sit as an impartial body. We find nothing in the record to suggest the board was partial or prejudiced against Mrs. Coolik.

Counsel for the appellant strongly argues that board action on the 9th of April was not tentative but official. We cannot agree with this interpretation for such would have clearly violated the express terms of the Fair Dismissal Act, (Ga. Laws 1975, page 360). The very essence of the Act requires a hearing, if one is desired, before final action and we do not believe it is reasonable to say that the Muscogee County Board of Education either intentionally or unintentionally failed to follow the law, especially since the second paragraph of the Superintendent's letter made express reference to the rights under the Act.

(2)

After a careful review of the entire record we find that there was sufficient evidence to support the decision of the local board and we affirm its decision.

By all members of the State Board of Education.

This the 8th day of September, 1976.


Richard Neville,
Vice Chairman for Appeals