

STATE BOARD OF EDUCATION
STATE OF GEORGIA

ETHEL FULLER,

Appellant

vs.

CRISP COUNTY BOARD OF
EDUCATION,

Appellee


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CASE NO. 1975-14

ORDER

NUNC PRO TUNC

The decision in this case was entered by the State Board of Education on March 10, 1976, notwithstanding the erroneous entry of February 12, 1976, set forth in the former order.


Richard Neville
Vice-Chairman for Appeals

STATE BOARD OF EDUCATION

STATE OF GEORGIA

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CASE NO. 1975-14

Mrs. Ethel Fuller, a teacher in the Crisp County School System for many years, was notified in writing on March 23, 1975, that her contract for the 1975/76 school year would not be renewed. For the next several months, there were legal proceedings in the Superior Court of Crisp County as result of a suit filed by the Appellant regarding dates of the hearing to be afforded Mrs. Fuller. Those Court proceedings, however, are not material to this decision and Mrs. Fuller's hearing was on August 26, 1975, brought upon the charges of incompetency; failure to comply with reasonable orders, requests and directions of the Superintendent or other superior official; failure to maintain orderly discipline of her students; and use of corporal punishment in violation of school board policy.

The Fair Dismissal Act of 1975 (1975 Ga. Laws, p. 360) states that the burden of proof in teacher contract non-renewal cases shall be upon the school system. It would serve no useful purpose to review all the evidence as it specifically related to the charges but after a careful review of the transcript, we find that the burden of proof was not carried by the Crisp County Board of Education. Therefore, the decision of that board not to renew the contract of Mrs. Fuller for the 1975/76 school year is reversed.

Mr. Hendricks, Mr. Kilpatrick, Mr. McClung,
Mr. Whaley and Mrs. Huseman voting to reverse; Mr. Smith,