

STATE BOARD OF EDUCATION

STATE OF GEORGIA

DOROTHY B. CRAWFORD,

Appellant,

vs.

THE BOARD OF PUBLIC EDUCATION
FOR THE CITY OF SAVANNAH AND
THE COUNTY OF CHATHAM,

Appellee.

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CASE NO. 1977-3

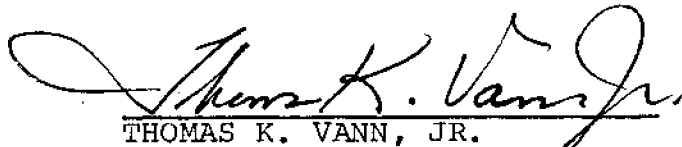
O R D E R

THE STATE BOARD OF EDUCATION, after due consideration of the record submitted herein and the report of the Hearing Officer, attached hereto, and, after a vote in open meeting,

DETERMINES AND ORDERS, that the decision herein of the Board of Public Education for the City of Savannah and the County of Chatham be, and is hereby, affirmed.

Mr. A. J. McClung dissents.

This 9th day of June, 1977.


THOMAS K. VANN, JR.
Vice Chairman for Appeals

STATE BOARD OF EDUCATION

STATE OF GEORGIA

DOROTHY B. CRAWFORD,	:	CASE NO. 1977-3
	:	
Appellant,	:	
	:	
vs.	:	
	:	
THE BOARD OF PUBLIC EDUCATION	:	
FOR THE CITY OF SAVANNAH AND	:	REPORT OF
THE COUNTY OF CHATHAM,	:	HEARING OFFICER
	:	
Appellee.	:	

PART I

SUMMARY OF APPEAL

On December 21, 1976, the Board of Public Education For the City of Savannah and the County of Chatham (hereinafter Local Board) entered an order demoting Dorothy B. Crawford (hereinafter Appellant) from her position of Administrative Coordinator of Guidance and Testing pursuant to the findings and recommendations of the Hearing Tribunal which held a hearing on November 24, 1976.

The demotion came as a result of charges that the Appellant:

- (1) Lacked financial integrity;
- (2) Lacked competency in managing her budget account;
- (3) Violated her trust and discredited

herself with her immediate supervisor,
and

- (4) Acted in a manner unacceptable to her position when she requested that two walkie-talkies, cases, and an antenna be delivered to her office without specifying that they were personal purchases and not for school use.

The Appellant appeals to the State Board of Education from the order of demotion by the Local Board.

PART II

FINDINGS OF FACT

The Appellant was Administrative Coordinator of Guidance and Testing and assigned the responsibility of approving purchases made by her department. In August, 1975, Appellant had her secretary call a vendor of electronic equipment and had two walkie-talkies, hearing cases, and an antenna delivered to her office. The vendor, who frequently did business with Appellant, delivered the walkie-talkies, and other equipment to Appellant's office where they were tested and accepted.

Contrary to existing policies, the vendor did not receive an approved purchase order, Form P-1, before delivering the walkie-talkies and equipment to Appellant's office.

After receiving the walkie-talkies and equipment, Appellant telephoned a coach in one of the junior high schools and asked him to come to her office. When the coach arrived, she gave him the walkie-talkies and equipment without indicating whether they had been purchased or if he was to take any other action besides using the walkie-talkies and equipment.

Walkies-talkies were not used in the Guidance and Testing Department and their purchase was outside the scope of Appellant's authority. Appellant made the purchase as a result of a previous social conversation with the coach where he indicated that walkie-talkies would assist in the functioning of the football team. Appellant did not have any authority to approve or make purchases for the football team.

The coach used the walkie-talkies in connection with the operation of the football team and to assist him in monitoring the hallways of the school where he was employed. When the walkie-talkies were not in use, the coach carried them in the trunk of his car. At no time

were the walkie-talkies placed into the property records of the Local Board.

In January, 1976, the vendor began sending invoices addressed to Appellant at her business address. The invoices referred to the walkie-talkies as "Johnson Messenger 109". The vendor's bookkeeper sent invoices every month from January, 1976 through September, 1976, to Appellant at her business address with personal notes attached to the invoices inquiring about the payment or the disposition to be made of the invoices. In March or April, 1976, Appellant sent one of the invoices to the coach. The Appellant did not take any other action with regard to the invoices or make payment to the local vendor.

In September, 1976, the vendor sent a letter to the Purchasing Department inquiring about payment of the invoice. The Purchasing Department was unable to contact Appellant and, therefore, notified Appellant's immediate supervisor. When Appellant's immediate supervisor questioned her about the walkie-talkies, Appellant stated that she did not know anything about them and that she would check on the matter. After a number of days, the immediate supervisor again questioned

Appellant and she again stated that she would check on the matter. In the interim, Appellant asked the Security Department to investigate the loss of two walkie-talkies. The immediate supervisor then began an investigation and called the vendor. The vendor disclosed that the walkie-talkies had been delivered to Appellant. The immediate supervisor also determined that there was a possibility the walkie-talkies had been given to a coach. When confronted with this information, Appellant admitted ordering the walkie-talkies for some coaches. The immediate supervisor then told Appellant that she would have to consider the walkie-talkies a personal purchase and make restitution. The Appellant agreed.

The immediate supervisor thereafter determined that Appellant should be demoted and he so notified the associate superintendent in charge of his area of operations. On October 18, 1976, the associate superintendent and the immediate supervisor had a conference with Appellant. At this conference, Appellant denied knowing what a Johnson Messenger 109 was and the whereabouts of the Johnson Messenger 109's when asked by the associate superintendent. On November 8, 1976, Appellant was given a letter of demotion and notice of the charges and of a hearing on the charges.

On November 24, 1976, the hearing was held before a tribunal appointed pursuant to Ga. Code Ann. §32-2101c (e). On November 29, 1976, the tribunal issued its report and upheld the first, third, and fourth charges. The hearing tribunal determined that the charge that "Appellant lacked competency in managing her entire budget account" was not substantiated by the evidence. On December 21, 1976, the Local Board accepted the findings of the hearing tribunal and entered an order demoting Appellant. It is from this decision that Appellant entered an appeal to the State Board of Education on January 13, 1977.

PART III

CONCLUSIONS OF LAW

1.

Appellant was granted procedural and substantive due process by the Local Board.

2.

The evidence was sufficient to establish that Appellant lacked financial integrity, violated the trust imposed upon her by virtue of her position, and acted in

a manner unacceptable for her position. There was no dispute that Appellant ordered the walkie-talkies and gave them to a coach without following established procedures. There was similarly no dispute that walkie-talkies were not used in Guidance and Testing and Appellant therefore exceeded her authority in initially ordering them.

Appellant maintains that the entire incident resulted from a lack of communication in that Appellant did not know that a "Messenger 109" was a walkie-talkie. Appellant, therefore, contends that the disciplinary action taken was too severe. "The State Board of Education has held. . .that a decision of a local board of education will not be disturbed unless an abuse of its discretion is shown and where there is any evidence to support the decision below, it will not be overturned." Antone v. Greene County Board of Educ., Case No. 1976-11. The Local Board had the power to demote Appellant and no abuse of discretion has been shown. Ga. Code Ann. §32-2104c; Salisbury v. Harrison, et al., Case No. 1976-19. There was sufficient evidence for the Local Board to find that something more than a simple misunderstanding existed.

PART IV

RECOMMENDATION

Based upon the above findings and conclusions, the record submitted, and the briefs and argument of counsel, the Hearing Officer concludes that the Board of Public Education for the City of Savannah and the County of Chatham had the power and authority to demote Appellant. The Hearing Officer, therefore, recommends that the decision of the Board of Public Education for the City of Savannah and the County of Chatham be affirmed.



L. O. BUCKLAND
Hearing Officer