



incompetency, insubordination, willful neglect of duties, and other good and sufficient causes.

The hearing before the PPC tribunal was held on July 11, 1988. The PPC tribunal issued its report on August 12, 1988. The tribunal found that Appellant was initially employed by the Local Board for the 1977-1978 school year as a high school English teacher. Beginning with the 1983-1984 school year, and continuing through the 1985-1986 school year, Appellant received low assessments. On the 1985-1986 evaluation, Appellant received the lowest possible ratings in several areas. Prior to the 1986-1987 school year, Appellant was transferred to a junior high school, but she objected to the transfer because it involved teaching outside her subject area. Appellant was then transferred back to a high school to teach English. Appellant, nevertheless, frequently was late for school, failed to communicate with students, and did not diagnose the learning needs of the students or develop specific techniques to address the students' needs.

The PPC tribunal found that Appellant's principal attempted to assist Appellant during the 1987-1988 school year. Appellant, however, was uncooperative. Appellant did not observe another teacher, as suggested by the principal, and reacted in a negative manner towards all improvement efforts the principal made. Appellant received a reprimand for arriving at school late. Appellant's teaching ability deteriorated further during the school year. Appellant displayed inappropriate behavior in parent conferences and with students. Appellant failed to maintain classroom control and major classroom disturbances occurred.

The PPC tribunal concluded that sufficient evidence existed to sustain all of the charges and recommended that Appellant's teaching contract not be renewed for the 1988-1989 school year. On August 22, 1988, the Local Board adopted the findings and recommendation of the PPC tribunal and voted not to renew Appellant's contract. Appellant then filed a timely appeal to the State Board of Education.

**PART III**  
**DISCUSSION**

Appellant maintains on appeal that there was insufficient evidence to sustain the decision not to renew her contract. The State Board of Education is bound by the rule that the decision of a local board of education will be sustained if there is any evidence to support the decision of the local board. See, Ransum v. Chattooga Cnty. Bd. of Educ., 144 Ga. App. 783 (1978); Antone v. Greene Cnty. Bd. of Educ., Case No. 1976-11.

The record shows that Appellant was unable to maintain control in the classroom and refused to cooperate with the principal in developing effective teaching techniques. The record also shows that Appellant was frequently late in arriving at school. On November 24, 1987, Appellant received a written reprimand for being three hours late without notifying anyone at the school. All of the principals that Appellant worked with attempted to assist with suggestions for improvement. There is, therefore, evidence in the record that Appellant was incompetent.

The record, however, does not support a finding that Appellant was insubordinate or that there was willful neglect of duties. Appellant was uncooperative and took a defensive attitude whenever suggestions were made, but an uncooperative attitude does not translate into insubordination. Similarly, it does not translate into willful neglect of duties.

The State Board of Education concludes that there was evidence presented to support the charge of incompetency and other good and sufficient cause not to renew Appellant's teaching contract.

**PART IV**  
**DECISION**

Based upon the foregoing, the record submitted, and the arguments of the parties, the State Board of Education is of the opinion that there was evidence that Appellant was incompetent. The decision of the Local Board not to renew Appellant's teaching contract for the 1988-1989 school year is, therefore,

SUSTAINED.

This 8<sup>th</sup> day of December, 1988.

John M. Taylor  
Vice Chairman For Appeals