

suffers a reduction in pay because of the loss of her counselor supplement in the future, Appellant will be entitled to a hearing. See, *Cromer v. Polk County Bd. of Educ.*, Case No. 1991-29 (Ga. SBE, Jan. 9, 1992).

Appellant also claims that her transfer was punitive and contrary to the State Board of Education's decision in *Wilner v. Fulton County Bd. of Educ.*, *supra* (transfers are not a permitted form of discipline). During the hearing before the Local Board, the principal testified that he decided to move Appellant to the *ISS* position because she was not a "team player" because she would not "go along with the direction that we were trying to take the school ... she had her own agenda, her own methodology that she wanted to go about rather than what we wanted to do." The principal stated that Appellant had the skills necessary to be effective in the 155 program. The principal also testified that Appellant had been insubordinate, but the insubordination was inconsequential and not repeated. On Appellant's evaluation, the principal did not give Appellant any unsatisfactory ratings. Appellant, however, claims that the principal transferred her in retaliation for her insubordination.

Unlike *Wilner, supra*, this case does not present clear evidence that Appellant's transfer was disciplinary. Instead, there is evidence that the transfer was made to further the best interests of the school system. The standard for review by the State Board of Education is that if there is any evidence to support the decision of the local board of education, then the local board's decision will stand unless there has been an abuse of discretion or the decision is so arbitrary and capricious as to be illegal. See, *Ransum v. Chattooga County Bd. of Educ.*, 144 Ga. App. 783, 242 S.E.2d 374 (1978); *Antone v. Greene County Bd. of Educ.*, Case No. 1976-11 (Ga. SBE, Sep. 8, 1976). We, therefore, conclude that Appellant's transfer was not punitive.

Based upon the foregoing, the State Board of Education is of the opinion that Appellant was not demoted because she has not suffered a loss in pay. Additionally, Appellant was not transferred as a disciplinary measure. The decision of the Local Board, therefore, is

SUSTAINED.

This 14th day of May, 1992.

Mr. Brinson and Mr. Sears were not present..

James H. Blanchard
Vice Chairman for Appeals