

STATE BOARD OF EDUCATION

STATE OF GEORGIA

RHUNETTE THOMAS,	:	
	:	
Appellant,	:	
v.	:	
	:	CASE NO. 1992-24
GRADY COUNTY	:	
BOARD OF EDUCATION,	:	DECISION
	:	
	:	
Appellee.	:	

This is an appeal by Rhunette Thomas (“Appellant”) from a decision by the Grady County Board of Education (“Local Board”) not to renew her teaching contract. The Local Board’s decision is sustained.

Appellant taught for 34 years, most of which was as an employee of the Local Board. She served as a special education teacher. During the last three years, she taught the same seven moderately to severely disabled students. The students range in age from 14 to 19.

At the end of the 1990-1991 school year, the Local Superintendent recommended against renewing Appellant’s teaching contract. The Local Board, however, agreed to renew Appellant’s contract upon the condition that she implement a professional development plan and improve her performance during the 1991-1992 school year.

Appellant’s supervisor prepared a professional development plan at the end of the 1990-1991 school year. The professional development plan was based upon the areas where Appellant was deemed to need improvement under the evaluations made during the 1990-1991 school year. The main deficiencies were Appellant’s failure to establish objectives, failure to teach at the students’ level of understanding, failure to engage the students in the process, failure to provide appropriate feedback, and inefficient use of time.

During the 1991-1992 school year, Appellant was observed and evaluated by her supervisor, the assistant principal, and her principal. The observers noted the same problems that Appellant had exhibited in the previous year. Upon the recommendation of Appellant’s supervisor and the principal, the Local Superintendent did not recommend renewal of Appellant’s teaching contract based upon incompetency, willful neglect of duty, insubordination, and other good and sufficient cause under the provisions of O.C.G.A. § 20-2-940. After a hearing, the Local Board voted to sustain the Local Superintendent’s recommendation. Appellant then filed a timely appeal.

On appeal, Appellant argues that there was no evidence that she was incompetent, insubordinate, or neglected her duties. Instead, Appellant argues, the evidence shows that a personality conflict existed and the school administration was determined not to renew her contract.

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 of 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).

Appellant claims that the any evidence rule is inapplicable because the school administration failed to offer her any substantive assistance to remediate her performance. Additionally, she claims that the evidence is too general to support any specific charges.

The record shows that Appellant did not effectively teach her students and failed to make any improvements in her teaching performance. Evaluations were conducted throughout the 1991-1992 school year and each of the evaluators noted the same problems: Appellant did not regularly obtain responses from the students; when the students did respond, Appellant did not correct the responses, and Appellant did not teach on a level that her students were able to comprehend. Appellant's response during the hearing before the Local Board was to blame her aide, her supervisor, the assistant principal, and her principal. We conclude that there was evidence to show that Appellant was incompetent.

Because of the substantial documentation compiled against her, Appellant claims the evidence shows that the school system was more interested in building a case against her than in assisting her. This argument, however, is without merit. We conclude that the amount of documentation does not have any bearing on the merits.

Based upon our review, we conclude that there was evidence that Appellant was incompetent. We do not, however, find that there was any evidence of insubordination or willful neglect of duty.

Based upon the foregoing, the State Board of Education is of the opinion that there was evidence that Appellant was incompetent and the Local Board's decision was appropriate under the provisions of O.C.G.A. § 20-2- 940. The Local Board's decision, therefore, is hereby

SUSTAINED.

This 12th day of November, 1992.

Mr. Lathem and Mr. Williams were not present.

James H. Blanchard
Vice Chairman for Appeals