

“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 (1978); *Antone v. Greene County Bd. of Educ.*, Case No. 1976-11 (Ga. SBE, Sep. 8, 1976).” *Roderick J. v. Hart Cnty. Bd. of Educ.*, Case No. 1991-14 (Ga. SBE, Aug. 8, 1991).

Appellant's principal testified that she noted a change in Appellant's attitude at the beginning of the 1996-1997 school year. On October 2, 1996, she found Appellant absent from her classroom and in attendance at a gun safety program. When the principal directed Appellant to return to her classroom, Appellant refused and said she was not going to leave because her niece was presenting the program. On October 7, 1996, Appellant threw a leave form at the principal. When the principal handed the form back to Appellant and asked her not to throw the forms, Appellant responded by throwing the forms again. Later in the day, Appellant left the school without signing out and without permission.

In another situation, Appellant was on the telephone for an extended length of time. An emergency arose concerning another teacher and the principal asked Appellant to relinquish the telephone. Appellant refused, stating that she was going to use the telephone and could not be stopped. The principal then disconnected the telephone line to obtain compliance with her request. Appellant then announced that she was leaving the building to use a telephone. The principal told her not to leave because her class was unsupervised. Appellant, nevertheless, left the building without permission.

In another situation, the principal entered Appellant's classroom and observed a student moving a ladder. Sensing that the ladder was too heavy for the student and presented a dangerous situation, the principal told the student to put the ladder down. Appellant told the student not to listen to the principal and to pick up the ladder because the principal did not have any control in the classroom.

On several occasions, the principal and assistant principal found Appellant's classroom unsupervised.

Based upon the foregoing, it is the opinion of the State Board of Education that there was evidence to support the Local Board's decision that Appellant was insubordinate and willfully neglected her duties. The Local Board's decision, therefore, is SUSTAINED.

This 8th day of January, 1998.

Larry Thompson
Vice Chairman for Appeals