

STATE BOARD OF EDUCATION

STATE OF GEORGIA

ARTHENIA BRYANT,	:	
	:	
Appellant,	:	
	:	
vs.	:	CASE NO. 2001-08
	:	
TIFT COUNTY	:	
BOARD OF EDUCATION,	:	
	:	
Appellee.	:	DECISION

This is an appeal by Arthenia Bryant (Appellant) from a decision by the Tift County Board of Education (Local Board) not to renew her teaching contract because of insubordination under the provisions of O.C.G.A. § 20-2-940. Appellant claims that the Local Board improperly admitted prior year evidence and the evidence does not support the Local Board’s decision. The Local Board’s decision is sustained.

On April 6, 2000, Appellant received written notice that the Local Superintendent would not recommend renewal of her teaching contract for the 2000-2001 school year. When Appellant requested a hearing and reasons for the non-renewal, the Local Superintendent gave her a written list of charges, which included insubordination. At the end of a hearing before the Local Board on July 7, 2000, the Local Board voted not to renew Appellant’s contract because of insubordination. Appellant then appealed to the State Board of Education.

"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)." *Roderick J. v. Hart Cnty. Bd. of Educ.*, Case No. 1991-14 (Ga. SBE, Aug. 8, 1991).

At the end of the 1998-1999 school year, Appellant’s principal placed Appellant on a Professional Development Plan (PDP) for the 1999-2000 school year to improve her working relations with other teachers. Despite instructions to avoid confrontations with other teachers, Appellant became embroiled in an argument with another teacher at the beginning of the 1999-2000 school year. The principal met with the two teachers and instructed them to avoid any confrontation. After the meeting with the principal, Appellant again confronted the other teacher, accused her of being racist and cursed her. Later in the 1999-2000 school year, Appellant was directed to sort a test in alphabetical order but she refused. Instead, she took the tests into the assistant principal’s office and threw them on the assistant principal’s desk and accused another teacher of not communicating. In both of these incidents, Appellant received a valid directive,

which she then disobeyed. The State Board of Education concludes that there was evidence to support the charge of insubordination under the provisions of O.C.G.A. § 20-2-940.

Appellant claims that the Local Board improperly allowed the admission of irrelevant evidence of conduct in prior years that was prejudicial to her and requires reversal of the Local Board's decision. A substantial part of the hearing was devoted to Appellant's conduct in previous years in which Appellant's contract was renewed. Although, as Appellant points out, the evidence of prior conduct was not relevant to whether she was insubordinate in the current year, the evidence was relevant to the charges of willful neglect of duties and other good and sufficient causes. Since the Local Board did not find willful neglect of duty or other good and sufficient cause, it does not appear that the evidence was prejudicial to Appellant.

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 and the Local Board did not err in receiving evidence of incidents in previous years. The Local Board's decision, therefore, is SUSTAINED.

This _____ day of January 2001.

Bruce Jackson
Vice Chairman for Appeals