

STATE BOARD OF EDUCATION

STATE OF GEORGIA

CAROLYN WILLIAMS, :
 :
 Appellant, :
 :
 vs. : **CASE NO. 2001-20**
 :
 ATLANTA CITY :
 BOARD OF EDUCATION, :
 :
 Appellee. : **DECISION**

This is a remand from the Superior Court of Fulton County of an appeal by Carolyn Williams (Appellant) from a decision by the Atlanta City Board of Education (Local Board) to terminate her teaching contract because of incompetency, insubordination, and other good and sufficient cause under the provisions of O.C.G.A. § 20-2-940. The State Board of Education upheld the Local Board’s decision in *Carolyn Williams v. Atlanta Board of Education*, Case No. 1998-61 (Ga. SBE, Apr. 4, 1999) (*Williams I*), and the Superior Court remanded on the basis that the State Board of Education made its decision based upon an incomplete transcript. Appellant claims that the evidence does not support the charges. The Local Board’s decision is sustained.

"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). The Local Board’s decision was primarily based upon evidence that Appellant’s failure rates were excessive and she was constantly tardy. As stated in *Williams I*, the tribunal that conducted the hearing accepted the evidence of high failure rates as evidence of incompetence despite Appellant’s contention that the failure rates were due to excessive absenteeism by the students. Nothing presented upon remand changes the conclusion that there was evidence presented to support the Local Board’s decision.

Appellant also claims that her tardiness did not require another staff member to supervise her homeroom. While the result of her tardiness might go to mitigation, it does not change the fact that Appellant was consistently tardy despite repeated warnings and professional development plans. Again, Appellant has not presented anything on remand to change the conclusion that there was evidence to support the Local Board’s decision.

Based upon the foregoing, it is the opinion of the State Board of Education that there was evidence before the Local Board to support its decision. Accordingly, the Local Board's decision is
SUSTAINED.

This _____ day of February 2001.

Bruce Jackson
Vice Chairman for Appeals