

this case, Appellant has not shown that the Local Board's decision involved the interpretation or administration of school law. Thus, even if we assume that Appellant performed all the duties of a coordinator, she has not shown that the Local Board violated any law or policy by keeping her in a liaison specialist position. The record does not contain any indication that the Local Board has a policy that requires an employee to be promoted simply because they are performing the duties normally performed by a higher grade employee. The only thing Appellant has shown is her ability to carry out many of the duties of a coordinator. This showing of ability may be a positive consideration if she ever applies for a coordinator position, but it does not require the Local Board to recognize a promotion because of the circumstances. The State Board of Education concludes that it does not have jurisdiction to consider Appellant's claim that the Local Board erred in not recognizing a promotion because the Local Board's decision did not involve the administration or interpretation of school law.

"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 County. Bd. of Educ., Case No. 1991-14 (Ga. SBE, Aug. 8, 1991). There was evidence before the Local Board to support its decision that Appellant's supervisor did not act unprofessionally. The Local Board heard testimony from Appellant's supervisor about his interactions with Appellant. For example, the supervisor directed Appellant to spend more time with the schools she was responsible for rather than spending all of her time in the central office. The Local Board served as the finder of fact and was free to accept the supervisor's explanations. The State Board of Education, therefore, concludes 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 it does not have jurisdiction to consider Appellant's claim of error by the Local Board in deciding not to recognize a de facto promotion, and that there was evidence to support the Local Board's decision that Appellant's supervisor did not act in an unprofessional manner. Accordingly, the Local Board's decision is SUSTAINED.

This ___ day of March, 1997.

Mrs. Braswell and Mr. Williams were not present.

Larry Thompson
Vice Chair for Appeals