



The Local Board conducted a hearing on October 17, 1989. During the hearing, Appellant admitted his possession of the handguns. At the conclusion of the hearing, the Local Board voted to suspend Appellant for the remainder of the 1989-1990 school year, including summer school. In addition, if Appellant wants to complete high school, he would have to apply for re—admission to the board of education.

Appellant maintains on appeal that the decision of the Local Board was too severe because he is in his last year of school and has never had an previous disciplinary measures during the entire time he has been in school. In addition, he was merely attempting to assist a friend.

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. In this case, the Local Board had a rule that stated:

A student shall not possess, handle, or transmit a ... pistol ... or other object that reasonably can be considered a weapon:

- (1) on the school grounds at any time;

The rules also provides that an infraction will result in expulsion for the remainder of the school term.

The rule adopted by the Local Board is within its authority and responsibility to insure the safety of all students. There was no showing that the rule is arbitrary and capricious. The

State Board of Education, therefore, is required to uphold the decision of the Local Board. The Local Board's decision, therefore, is

SUSTAINED.

This 8th day of February, 1990.

Mr. Owens and Mr. Blanchard were not present.

LARRY A. FOSTER, SR.  
Vice Chairman For Appeals