

**STATE BOARD OF EDUCATION
STATE OF GEORGIA**

MICHAEL POWELL	:	
	:	
Appellant,	:	
	:	CASE NO. 1990-19
vs.	:	
	:	DECISION
FITZGERALD CITY	:	
	:	
BOARD OF EDUCATION,	:	
	:	
Appellee.	:	
	:	
	:	
	:	
SHAE SINGLETARY,	:	
	:	
Appellant,	:	
	:	CASE NO. 1990-20
vs.	:	
	:	DECISION
FITZGERALD CITY	:	
BOARD OF EDUCATION,	:	
	:	
Appellee.	:	

Michael Powell (“Powell”) and Shae Singletary (“Singletary”) appealed a decision by the Fitzgerald City Board of Education (“Local Board”) to suspend them from school for the remainder of the spring semester, 1990 because they possessed or used alcoholic beverages on school property on May 4, 1990.

Powell had attended a birthday party the week before. The trash from the party, which included a six-pack of beer, was thrown into the back of his pickup truck. Powell disposed of the trash at a dumpsite, but the six-pack of beer, which was in a paper bag, had fallen into a pasteboard box that contained some old motor parts. As a result, the beer was not detected and thrown away. On the morning of May 4, 1990, Powell drove the pickup truck into the parking lot of Fitzgerald High School. After he arrived, Singletary and a group of other student gathered at the truck. Singletary discovered the beer and removed one of the cans from the bag. Powell told Singletary to leave the beer alone. Powell then proceeded to start towards the school building. Singletary opened the beer can and took a drink. A police officer observed the incident and took Powell and Singletary to the principal. Hearings were conducted before a student disciplinary

committee and before the Local Board. None of the facts were disputed at the hearings.

The Local Board has a policy that prohibits the use or possession of alcoholic beverages on school property, or in any vehicle on school property. The policy further provides that students are subject to expulsion for any violations.

Both Powell and Singletary raise a number of issues on appeal. Both appeals, however, are moot since the suspension period has passed and the State Board of Education cannot provide any relief. Both appeals, therefore, are

DISMISSED.

This 13th day of September, 1990.

Mr. Owens was not present.

Larry A. Foster, Jr.
Vice Chairman For Appeals