

STATE BOARD OF EDUCATION

STATE OF GEORGIA

AMANDA R.,	:	
	:	
Appellant,	:	
vs.	:	
	:	CASE NO. 1991-4
	:	
PIKE COUNTY	:	DECISION
BOARD OF EDUCATION,	:	
	:	
Appellee.	:	

This is an appeal from a decision by the Pike County Board of Education (“Local Board”) to expel Amanda R. (“Student”) for the remainder of the 1990-1991 school year and the 1991-1992 school year because she was guilty of violating the code of student conduct by showing disrespect toward a teacher, using profanity and obscene language, disrupting class, and possessing a weapon on the school campus. The Student claims that the Local Board’s decision imposes punishment that is too severe. The Local Board’s decision is sustained.

On December 5, 1990, Amanda R., a student at Pike County High School, was talking to another student during her second period math class. After the Student failed to follow the teacher’s warnings to stop disrupting class, the teacher instructed the Student to go to the office. The Student replied, “I won’t go to hell.”

The Student then pulled out a knife and approached the teacher’s desk with the knife in her hand. The teacher asked for someone in the class to go to the office and report what was happening. The Student then rushed to the door, waved the knife and stood in front of the door to block the entrance. The Student then called another female student to the door and, after some discussion between them; they left the classroom and went to the girls’ rest room.

After being alerted, the principal of the Pike County High School waited outside the rest room for the girls to exit. The students came out and the principal took them to the office where he took the knife from the Student and called her mother.

The Student was charged with violating the Local Board's Code of Student Conduct, which prohibits the use of profane language, disobedience of a reasonable directive of a teacher, blocking the entrance to a classroom, disruption of a class, and possession of any object considered a weapon while at school.

On December 10, 1990, a hearing on the charges was held before the Local Board. The Student and her mother admitted that the Student violated all of the school policies as charged. The Local Board found the Student guilty of all charges and suspended her for the remainder of the 1990-1991 school year and for all of the 1991-1992 school year. In addition, the Local Board imposed a requirement that the Student submit evidence that she had obtained psychological counseling before she was re-admitted. A timely appeal was filed with the State Board of Education.

The Student argues on appeal that the decision of the Local Board imposed a punishment that was too severe considering that this was her first offense. At the hearing, she testified that she had no idea why she brought the knife to school or why she used it as she did.

In the absence of any evidence that the Local Board's decision was arbitrary and capricious, the State Board of Education is bound to uphold the Local Board's decision. The Code of Student Conduct clearly prohibited Appellant's actions and provided notice that suspension or expulsion, either temporarily or permanently, would result from violations.

We conclude that the Local Board had the authority to expel the Student for the remainder of the 1990-1991 school year and for the entire 1991-1992 school year. The parties

did not brief or argue the basis for requiring the Student to obtain psychological counseling before re-enrolling in school and we do not decide that issue in this opinion. If the Local Board insists upon proof of psychological counseling before re-admitting the Student, then the Student can raise the issue at that time. Accordingly, the Local Board's decision is sustained.

This 11th day of April, 1991.

Mr. Blanchard, Mr. Carrell and Mr. Sears were not present.

Larry A. Foster
Vice Chairman for Appeals