

STATE BOARD OF EDUCATION

STATE OF GEORGIA

COREY L.,	:	
	:	
Appellant,	:	
	:	CASE NO. 1994-48
vs.	:	
	:	DECISION
HENRY COUNTY	:	
BOARD OF EDUCATION,	:	
	:	
Appellee.	:	

This is an appeal by Corey L. (Student) from a decision by the Henry County Board of Education (Local Board) to uphold the decision of a Student Disciplinary Tribunal to suspend the Student for one calendar year because he was found in possession of a knife on school property. The Student claims that a one-year suspension is too harsh. The Local Board’s decision is sustained.

On March 9, 1994, the Student was involved in a fight with another student. While he was being questioned after the fight, the Student was asked whether he had a weapon. The Student answered, “Yes,” and pulled out a double-edged knife.

At the hearing before the Student Disciplinary Tribunal on March 15, 1994, the Student did not deny his possession of the knife. He claimed he obtained the knife from another student earlier in the day. He did not attempt to pull the knife from his pocket during his fight. The Student Disciplinary Tribunal found the Student guilty of violating the Local Board’s rule that prohibits possession of weapons on campus and suspended him for one calendar year. The Local Board upheld the Tribunal’s decision and the Student appealed to the State Board of Education.

“A local board of education ... is charged with the responsibility of managing the operation of its schools, and, in matters of discipline, the State Board of Education cannot substitute its judgment for the judgment of the local board. See. Boney v. County Board of Education of Telfair County, 203 Ga. 152 (1947); Braceley v. Burke County Bd. of Ed., Case No. 1978-7.” Joseph M. v. Jasper Cnty. Bd. of Educ., Case No. 1981-40 (Ga. SBE, Feb. 11, 1982). In this case, the Local Board acted within its authority, and there was no showing of any abuse of discretion.

Based upon the foregoing, the State Board of Education is of the opinion the Local Board's decision is within its authority and there was no abuse of discretion. The Local Board's decision, therefore, is
SUSTAINED.

This 8th day of September, 1994.

Messrs. McGlamery, Sessoms and Williams were not present.

Robert M. Brinson
Vice Chairman for Appeals