

STATE BOARD OF EDUCATION
STATE OF GEORGIA

LASHANTA C.,	:	
	:	
Appellant,	:	
	:	CASE NO. 1995-4
vs.	:	
	:	DECISION
HEARD COUNTY	:	
BOARD OF EDUCATION,	:	
	:	
Appellee.	:	

This is an appeal by Lashanta C. (Student) from a decision by the Heard County Board of Education (Local Board) to affirm the decision of a Student Disciplinary Tribunal to suspend him for the remainder of the 1994-1995 school year and for the first semester of the 1995—1996 school year with the option of attending alternative school during the suspension period because he had a gun on school premises. The Student claims that the decision is too harsh. The Local Board’s decision is sustained.

On November 16, 1994, the Student’s principal heard that the Student might be in possession of a gun on campus. When the principal questioned the Student, the Student admitted that he had been in possession of a gun, but he had given it to another student. The principal referred the matter to a Student Disciplinary Tribunal. After notice, the Disciplinary Tribunal held a hearing on December 1, 1995. At the hearing, the Student testified that he had received a pistol from another student and had then given it to another student. The Student Disciplinary Tribunal found the Student guilty of violating the Local Board’s policy that bans the possession of guns on school premises and decided to suspend the Student through the first semester of the 1995-1996 school year.

The Student appealed to the Local Board. The Local Board affirmed the Tribunal’s decision, but decided that the Student could attend alternative school during the suspension period. The Student then filed a timely appeal with the State Board of Education.

On appeal, the Student claims that the decision to suspend him for a full year was too harsh. 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); Bracelev 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 had the authority to suspend the Student and let him attend an alternative school.

Based upon the foregoing, the Local Board's decision is
SUSTAINED.

This 11th day of May, 1995.

Mrs. King, Mr. Sessoms and Mr. Williams were not present.

Robert M. Brinson
Vice Chairman for Appeals