

STATE BOARD OF EDUCATION

STATE OF GEORGIA

MATTHEW I.,	:	
	:	
Appellant,	:	
	:	CASE NO. 1996-25
vs.	:	
	:	DECISION
BRANTLEY COUNTY	:	
BOARD OF EDUCATION,	:	
	:	
Appellee.	:	

This is an appeal by Matthew I. (Student) from a decision by the Brantley County Board of Education (Local Board) not to permit him to make up the work he missed while he was suspended from school. The Student claims that the Local Board's decision is too harsh under the circumstances. The Student was suspended from school after he struck a teacher, but a disciplinary tribunal found that while the Student was engaged in improper conduct, the striking was accidental.

According to the Student, there were procedural errors committed that denied him due process. Two of the Local Board members are related to the teacher who was struck, but they did not recuse themselves. The record, however, does not show such relationships and the State Board of Education is required to confine itself to the record.

The Local Board argues that the issues are moot because the Student was able to go to summer school, complete his course requirements, and receive a diploma, which the Student admits. Under these circumstances, the State Board of Education cannot provide the Student with any relief and the issues are moot. The Student's appeal, therefore, is **DISMISSED**.

This 8th day of August, 1996.
Mr. Brinson, Mr. Sessoms, and Ms. King were not present. The seat for the Eleventh District is vacant.

J. T. Williams, Jr., Chairman
State Board of Education