

**STATE BOARD OF EDUCATION**

**STATE OF GEORGIA**

<b>R. L. C.,</b>	:	
	:	
<b>Appellant,</b>	:	
	:	<b>CASE NO. 1997-5</b>
<b>vs.</b>	:	
	:	<b>DECISION</b>
<b>TROUP COUNTY</b>	:	
<b>BOARD OF EDUCATION,</b>	:	
	:	
<b>Appellee.</b>	:	

This is an appeal by R. L. C. (Student) from a decision by the Troup County Board of Education (Local Board) to uphold the decision of a student disciplinary tribunal to suspend him for the remainder of the 1996-1997 school year, with an option of attending an alternative school, because he engaged in a fist fight in a classroom with another student. The Student, a ninth grader, claims on appeal that the decision is too harsh and that he was merely acting in self defense. He also claims that he was punished because he filed a complaint about other students harassing him at school. The Student also claims that he has additional evidence to support his claims.

The Student did not raise any of these issues before either the tribunal or the Local Board. If an issue is not raised at the initial hearing, it cannot be raised for the first time when an appeal is made. Hutcheson v. DeKalb County Bd. of Educ., Case No. 1980-5 (Ga. SBE, May 8, 1980). The State Board of Education, as an appellate body, is not authorized to consider matters that have not been raised before the Local Board. Sharpley v. Hall County Bd. of Educ., 251 Ga. 54, 303 S.E.2d 9 (1983). "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. 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 County Bd. of Educ., Case No. 198 1-40 (Ga. SBE, Feb. 11, 1982). The State Board of Education, therefore, concludes that there is no basis for the Student's appeal.

Based upon the foregoing, it is the opinion of the State Board of Education that the Local Board's decision is supported by the evidence contained in the record and there was no abuse of discretion. The Local Board's decision, therefore, is SUSTAINED.

This 17<sup>th</sup> day of March, 1997.

Mrs. Braswell and Mr. Williams were not present.

Larry Thompson  
Vice Chairman or Appeals