STATE BOARD OF EDUCATION

STATE OF GEORGIA

:

D. S., :

Appellant :

:

CASE NO. 1998-49

:

vs.

:

DEKALB COUNTY :

BOARD OF EDUCATION:

DECISION

Appellee :

This is an appeal by D. S. (Student) from a decision by the DeKalb County Board of Education to uphold the decision of a student disciplinary tribunal to expel him until the end of the first semester of the 1998-1999 school year, with the opportunity to attend an alternative school, after finding him guilty of inappropriate physical contact with a female student. The Student claims that the decision is too harsh. The Local Board's decision is sustained.

The Student failed to file a brief or request oral argument, but stated in the letter of appeal that the punishment was too harsh. The Student has not pointed out any error of law in the Local Board's decision. "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 for Telfair County, 203 Ga. 152,45 S.E.2d 442 (1947); Braceley v. Burke County Bd. of Ed, Case No. 1978-7." Joseph M. v. Jasper Cnty. BL of Educ., Case No. 198140 (Ga. SBE, Feb. 11, 1982).

Based upon the foregoing, it is the opinion of the State Board of Education that the Local Board's decision was not too harsh. Accordingly, the Local Board's decision is SUSTAINED.

Mr. J.T. Williams, Jr. was not present. The seat for the 2nd Congressional District is vacant.

This 12TH _day of November 1998.

Larry Thompson Vice Chairman for Appeals