

STATE BOARD OF EDUCATION

STATE OF GEORGIA

R. R. G.,	:	
	:	
Appellant,	:	
	:	
vs.	:	CASE NO. 2000-22
	:	
HENRY COUNTY	:	
BOARD OF EDUCATION,	:	
	:	
Appellee.	:	DECISION

This is an appeal by R. R. G. (Student) from a decision by the Henry County Board of Education (Local Board) to uphold the decision of a student disciplinary tribunal to expel him from regular school through the end of the 1999-2000 school year after finding him guilty of beating on another student, insubordination, and use of vulgar language. The Student claims that the punishment was too harsh. The Local Board's decision is sustained.

The student disciplinary officer found that the Student was involved in a fight with another student. When the other student ran into a trailer classroom, the Student followed him and continued to strike him in spite of the commands of a teacher to stop. The disciplinary hearing officer expelled the Student for the remainder of the 1999-2000 school year. When the Student appealed to the Local Board, the Local Board upheld the tribunal's decision. The Student then 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 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. Bd. of Educ.*, Case No. 1981-40 (Ga. SBE, Feb. 11, 1982). In the instant case, there was competent evidence that the Student engaged in the fight, failed to obey the commands of a teacher, and cursed while he was engaged in the fight. The Student has not shown that any procedural errors occurred in the hearing, nor has he shown any other errors of law.

Based upon the foregoing, it is the opinion of the State Board of Education that the Local Board had the authority to expel the Student for the remainder of the school year and the punishment was not too harsh. Accordingly, the Local Board's decision is **SUSTAINED.**

This _____ day of July 2000.

Bruce Jackson
Vice Chairman for Appeals