

STATE BOARD OF EDUCATION

STATE OF GEORGIA

C. W.,	:	
	:	
Appellant,	:	
	:	
vs.	:	CASE NO. 2000-29
	:	
GWINNETT COUNTY	:	
BOARD OF EDUCATION,	:	
	:	
Appellee.	:	DECISION

This is an appeal by C. W. (Student) from a decision by the Gwinnett County Board of Education (Local Board) to uphold the decision of a student disciplinary tribunal to expel her from regular school until October 13, 2000 after finding her guilty of engaging in sexual intercourse on school grounds. The Student has the option of attending alternative school during the expulsion period. The Student claims the punishment is too harsh. The Local Board's decision is sustained.

The only issue raised on appeal is that the punishment was too harsh because this was the Student's first disciplinary infraction. "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). The Student has not shown that the Local Board's decision was arbitrary or capricious or illegal.

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

This _____ day of August 2000.

Bruce Jackson
Vice Chairman for Appeals