

STATE BOARD OF EDUCATION

STATE OF GEORGIA

J. C.,	:	
	:	
Appellant,	:	
	:	
vs.	:	CASE NO. 2002-03
	:	
GWINNETT COUNTY	:	
BOARD OF EDUCATION,	:	
	:	
Appellee.	:	DECISION

This is an appeal by J. C. (Student) from a decision by the Gwinnett County Board of Education (Local Board) to uphold the decision of a student disciplinary tribunal to expel him until January 2, 2002 after finding him guilty of disorderly conduct, swearing, and failing to follow directions. The Student failed to file a brief or request oral argument. The Student is deemed to have abandoned his appeal. *Chris M. v. McIntosh Cnty. Bd. of Educ.*, Case No. 1995-47 (Ga. SBE, Jan. 11, 1996). Accordingly, the appeal is dismissed.

Even consideration of the merits by the State Board of Education would not change the outcome. "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 State Board of Education ... cannot adjust the level or degree of discipline imposed by a local board of education." *B. K. v. Bartow Cnty. Bd. of Educ.*, Case No. 1998-33 (Ga. SBE, Sep. 10, 1998). There has not been any showing that the Local Board abused its authority.

Based upon the foregoing, the appeal is deemed to have been abandoned and is, therefore,
DISMISSED.

This _____ day of October 2001.

Bruce Jackson
Vice Chairman for Appeals