

STATE BOARD OF EDUCATION

STATE OF GEORGIA

D. D.,	:	
	:	
Appellant,	:	
	:	
vs.	:	CASE NO. 2002-21
	:	
EVANS COUNTY	:	DECISION
BOARD OF EDUCATION,	:	
	:	
Appellee.	:	

This is an appeal by D. D. (Student) from a decision by the Evans County Board of Education (Local Board) to uphold the decision of a student disciplinary tribunal to expel her from regular school until the end of the 2001-2002 school year after finding her guilty of striking a teacher in the face after being told to stop fighting. The Student failed to file a brief or request oral argument. The Student's appeal, therefore, is deemed to have been abandoned. *Chris M. v. McIntosh Cnty. Bd. of Educ.*, Case No. 1995-47 (Ga. SBE, Jan. 11, 1996). Accordingly, the appeal is hereby
DISMISSED.

The only issue raised by the Student before the Local Board was the veracity of the witnesses. "It is the duty of the hearing tribunal to determine the veracity of the witnesses and the State Board of Education will not go behind such determinations if there is any evidence to support the decision. *David L. v. DeKalb Cnty Bd. of Educ.*, Case No. 1996-1 (Ga. SBE, Apr. 11, 1996). The testimony of the teacher who was struck constitutes sufficient evidence to support the decision. Thus the Local Board's decision would be sustained even if this appeal was not being dismissed.

This _____ day of March 2002.

Bruce Jackson
Vice Chairman for Appeals