

STATE BOARD OF EDUCATION

STATE OF GEORGIA

A. G.,	:	
	:	
Appellant,	:	
	:	
vs.	:	CASE NO. 2008-32
	:	
HENRY COUNTY	:	
BOARD OF EDUCATION,	:	
	:	
Appellee.	:	DECISION

This is an appeal by A. G. (Student) from a decision by the Henry County Board of Education (Local Board) to uphold the decision of a student disciplinary tribunal to suspend him from bus services for the remainder of the school year after finding him guilty of damaging school property and misconduct on the bus. The tribunal had also suspended the Student until the end of the school year, but the Local Board dropped the suspension. The Student claims that the punishment is too harsh. The Local Board's decision is sustained.

On October 25, 2007, the Student was involved in an altercation on his bus and he broke out a window of the bus. The Student was charged with several charges, including bus misconduct, damaging school property, and battery. A student disciplinary tribunal found the Student guilty of all the charges based on testimony of witnesses. The tribunal suspended the Student from school until the end of the first semester of the 2007-2008 school year and suspended him from the bus until the end of the school year. The Local Board allowed the Student to return to school immediately, but left the school bus suspension in place. The Student then appealed to the State Board of Education.

The Student claims that the punishment is too harsh. The State Board of Education, however, 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). "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).

Based upon the foregoing, it is the opinion of the State Board of Education that there was evidence to support the Local Board's decision and the Local Board acted within its discretion. Accordingly, the Local Board's decision is SUSTAINED.

This _____ day of April 2008.

William Bradley Bryant
Vice Chairman for Appeals