

**STATE BOARD OF EDUCATION**

**STATE OF GEORGIA**

<b>SHAQUITA K.,</b>	:	
	:	
<b>Appellant,</b>	:	
	:	<b>CASE NO. 1995-36</b>
<b>vs.</b>	:	
	:	<b>DECISION</b>
<b>BURKE COUNTY</b>	:	
<b>BOARD OF EDUCATION,</b>	:	
	:	
<b>Appellee.</b>	:	

This is an appeal by Shaquita K. (Student) from a decision by the Burke County Board of Education (Local Board) not to provide her with a hearing in connection with her March 27, 1995, suspension by her principal from riding the bus for the remainder of the 1994-1995 school year because she was disrespectful and used profane language towards her bus driver. The Student claims that the Local Board's decision denies her due process by allowing her to be disciplined for more than ten days without a hearing. The Local Board claims that the issues raised are moot because the suspension period has ended. The appeal is dismissed because the issues raised are moot.

The Student, a fifteen-year-old ninth-grader, lives twenty-two miles from school and her parents do not own an automobile. The principal's decision to suspend the Student has resulted in the Student missing school, being late to school, or getting home very late, depending upon how she is able to obtain a ride.

The Student claims that the issues raised by the appeal are not moot because there is a high risk of repetition and because other students are subject to the same disciplinary measures without a hearing. In addition, the Student claims she should be granted compensatory relief through summer schooling.

The State Board of Education does not have the authority to order compensatory education. The only issue raised in this appeal is whether the Local Board should be directed to hold a hearing to determine if the principal's decision to suspend the Student from the bus for the remainder of the 1994-1995 school year was proper. Regardless of the Local Board's decision, the suspension period has passed, the Student has missed school and has failed to complete her classes. Under the circumstances, even if the Local Board decided that the principal's action was improper, it is entirely speculative whether the Local Board could fashion a remedy for the Student. The State Board of Education, therefore, concludes that the issues raised by the Student's appeal are moot.

Based upon the foregoing, it is the opinion of the State Board of Education that the appeal is moot and must be, and is hereby,  
DISMISSED.

This 14<sup>th</sup> day of September, 1995.

Mr. McGlamery and Dr. Thomas were not present. The seat for the Tenth District is vacant.

Robert M. Brinson  
Vice Chairman for Appeals