

**STATE BOARD OF EDUCATION**  
**STATE OF GEORGIA**

<b>K. A.,</b>	:	
	:	
<b>Appellant,</b>	:	
	:	<b>CASE NO. 1997-8</b>
<b>vs.</b>	:	
	:	<b>DECISION</b>
<b>DEKALB COUNTY</b>	:	
<b>BOARD OF EDUCATION,</b>	:	
	:	
<b>Appellee.</b>	:	

This is an appeal by K. A. (Student) from a decision by the DeKalb County Board of Education (Local Board) to uphold the decision of a student disciplinary tribunal to suspend her for the remainder of the 1996-1997 school year, with the opportunity to attend an alternative school, because she was involved in two incidents on the same day and injured another student in one of the incidents. The Student claims the punishment is too harsh. The Local Board's decision is sustained.

In the morning of November 22, 1996, a disruption occurred in the lunchroom before school began at Lithonia High School. The Student, a fifteen year old tenth grader, began cursing another student in the lunchroom. The two students were escorted out of the lunchroom, but continued their arguing and exchanging profanities. Both students were suspended for ten days and directed to leave the campus. Following their suspension, the two met at their lockers and began fighting. The other student was injured when she was thrown against a locker.

The student discipline tribunal found the Student guilty of battery, refusing to follow instructions, and school disturbance and suspended her for the remainder of the 1996-1997 school year, with the option of attending an alternative school during her suspension. The Local Board upheld the tribunal's decision on January 22, 1997, and the Student appealed to the State Board of Education.

On appeal to the State Board of Education, the Student complains that the suspension period is too harsh. "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 of Telfair County, 203 Ga. 152 (1947); Braceley v. Burke County Bd. of Ed., Case No. 1978-7." Joseph M. v. Jasper County. Bd. of Educ., Case

No. 198 1-40 (Ga. SBE, Feb. 11, 1982). The State Board of Education concludes that the Local Board did not abuse its discretion or exceed its authority.

Based upon the foregoing, it is the opinion of the State Board of Education that the Local Board's decision did not constitute an abuse of discretion. The Local Board's decision, therefore, is  
SUSTAINED.

This 10<sup>th</sup> day of April, 1997.

Dr. Bill Grow, Ms. Willou Smith and -. J.T. Williams were not present.

Larry Thompson  
Vice Chairman for Appeals