

STATE BOARD OF EDUCATION

STATE OF GEORGIA

N. K.,	:	
	:	
Appellant,	:	
	:	CASE NO. 1997-30
vs.	:	CASE NO. 1997-30
	:	
GWINNETT COUNTY	:	
BOARD OF EDUCATION,	:	
	:	DECISION
Appellee.	:	

This is an appeal by N. K. (Student) from a decision by the Gwinnett County Board of Education (Local Board) to uphold the decision of a student disciplinary tribunal to suspend him from riding the Gwinnett County school buses until December 12, 1997, after he admitted that he threw fire crackers out of a bus window. The Student claims that the suspension is too harsh because he has no other way to get to school. The Local Board's decision is sustained.

The Local Board adopted policies that prohibit the use of explosive devices and the possession of lighters. On May 5, 1997, the Student lit four firecrackers with a lighter and threw them out the window of the bus he was riding. A student disciplinary tribunal suspended him from riding the bus until December 12, 1997, and the Local Board upheld the decision when the Student appealed. The Student then appealed to the State Board of Education and claimed that the punishment was 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 for Telfair County*, 203 Ga. 152, 45 S.E.2d 442 (1947); *Braceley v. Burke County Bd. of Ed.*, Case Nol. 1978-7." *Joseph M. v. Jasper Cnty. Bd. of Educ.*, Case No. 1981-40 (Ga. SBE, Feb. 11, 1982). The Local Board was authorized to impose the suspension in the instant case and the Student has not shown any error of law.

Based upon the foregoing, it is the opinion of the State Board of Education that the Local Board committed no error in suspending the Student from riding the bus until December 12, 1997. Accordingly, the Local Board's decision is

SUSTAINED.

This 13th day of November, 1997.

Larry Thompson
Vice Chairman for Appeals