

**STATE BOARD OF EDUCATION**

**STATE OF GEORGIA**

**M.S.,**

**Appellant,**

**vs.**

**CASE NO. 1999-53**

**DOUGLAS COUNTY  
BOARD OF EDUCATION,**

**Appellee.**

**DECISION**

This is an appeal by M.S. ("Student") from a decision by the Douglas County Board of Education ("Local Board") to uphold the findings of a student disciplinary tribunal that the Student violated the Local Board's Rule 5, which governs physical abuse, assault or battery, but reduced the period of suspension to ten days. The Student claims that the evidence does not support the charges.

The Student was charged with violation of Rule 5 of the Douglas County Student Conduct Behavior Code, a copy of which is in the record. Because the note in question was intentionally directed to a group of students, including female students, and because of the highly obscene and threatening context of the note, which contained profanity, ethnic, racial and sexual slurs as embodied in the rule, it could reasonably be construed as a remark which threatens the safety or well being of the students to whom the note was directed or to have had the foreseeable likelihood of provoking a fight, as embodied in the rule. Accordingly, the Local Board's decision is AFFIRMED.

This            day of February 2000.

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Bm~ Jackson  
Vice Chairman for App'als

