

STATE BOARD OF EDUCATION

STATE OF GEORGIA

C. S.,	:	
	:	
Appellant,	:	
	:	
vs.	:	CASE NO. 2001-03
	:	
GWINNETT COUNTY	:	
BOARD OF EDUCATION,	:	
	:	
Appellee.	:	DECISION

This is an appeal by C. S. (Student) from a decision by the Glin County Board of Education (Local Board) to uphold the decision of a student disciplinary panel to suspend the Student until August 14, 2000, with an opportunity to go to summer school, after finding that the Student ingested drugs on campus in violation of Local Board policy. The Student claims that the punishment was too harsh. The Local Board's decision is sustained.

On April 21, 2000, school officials found several non-prescribed pills in the Student's purse. Most of the pills turned out to be a cough medication that the Student and others were taking excessively to obtain a sense of elation and euphoria. The Student was charged with disrupting and interfering with school, use of drugs, providing false information, and possession of a cell phone on campus.

A student disciplinary tribunal heard evidence on the charges, found the Student guilty, and expelled her until August 14, 2000, with an opportunity to attend summer school. On appeal, the Local Board sustained the tribunal's decision. The Student then appealed to the State Board of Education.

On appeal, the Student claims that the decision was too harsh because it was her first offense. "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). The Local Board had the authority to expel the Student and expulsion for approximately three months for drug usage on campus does not constitute an abuse of discretion.

Based upon the foregoing, it is the opinion of the State Board of Education that the Local Board's decision was not too harsh. Accordingly, the Local Board's decision is sustained.

This _____ day of October 2000.

Bruce Jackson
Vice Chairman for Appeals