



The Student claims that there was no credible evidence that he smoked marijuana or had possession of a marijuana pipe. "The standard for review by the State Board of Education is that if there is any evidence to support the decision of the local board of education, then the local board's decision will stand unless there has been an abuse of discretion or the decision is so arbitrary and capricious as to be illegal. *See, Ransum v. Chattooga County Bd. of Educ.*, 144 Ga. App. 783, 242 S.E.2d 374 (1978); *Antone v. Greene County Bd. of Educ.*, Case No. 1976-11 (Ga. SBE, Sep. 8, 1976)." *Roderick J. v. Hart Cnty. Bd. of Educ.*, Case No. 1991-14 (Ga. SBE, Aug. 8, 1991). There was testimony that the Student smoked marijuana and had possession of a marijuana pipe. The fact that the principal was unable to find the marijuana pipe does not, as the Student claims, make the testimony of the other three students any less credible.

Based upon the foregoing, it is the opinion of the State Board of Education that there was evidence that the Student engaged in smoking marijuana, possessed a marijuana pipe, smoked a cigarette, and was absent from campus without permission. Accordingly, the Local Board's decision is SUSTAINED.

This \_\_\_\_\_ day of January 2005.

---

William Bradley Bryant  
Vice Chairman for Appeals