

STATE BOARD OF EDUCATION

STATE OF GEORGIA

O. L.,	:	
	:	
Appellant,	:	
	:	
vs.	:	CASE NO. 2005-35
	:	
GWINNETT COUNTY	:	
BOARD OF EDUCATION,	:	
	:	
Appellee.	:	DECISION

This is an appeal by O. L. (Student) from a decision by the Gwinnett County Board of Education (Local Board) to uphold the decision of a student disciplinary tribunal to expel him from regular school and assign him to an alternative school until December 2, 2005, after finding him guilty of disrupting the school, being absent from class without permission, making a threat, and for chronic disciplinary problems. The Student, apparently, claims that the punishment is too harsh. The Local Board’s decision is sustained.

On November 12, 2004, a walkout occurred at the Student’s high school and approximately 150-200 students gathered in the hallways and common areas of the school and failed to report to their fourth period class. The Student was in the crowd and was more than ten minutes late to his class. The following day, he was overheard remarking to another student that there would be repercussions at the high school if he was disciplined because of the walkout. The Student was charged with disruption and interference with school, making a threatening statement, being absent from class without an excuse, and repeated violations.

A student disciplinary tribunal heard the evidence and found the Student guilty of all the charges. The tribunal expelled the Student until December 5, 2005, and assigned him to an alternative school. The Local Board upheld the tribunal’s decision when the Student appealed. The Student then filed an appeal with the State Board of Education.

In his appeal to the State Board of Education, the Student failed to set forth any reasons for reversing the Local Board’s decision. There was evidence to support the Local Board’s decision and the Local Board has the authority to expel the Student based on his actions. There was evidence that the Student had been involved in numerous disciplinary actions during the year. The State Board of Education concludes that there is no basis for overturning the Local Board’s decision.

Based upon the foregoing, it is the opinion of the State Board of Education that there was evidence to support the Local Board's decision. Accordingly, the Local Board's decision is
SUSTAINED.

This _____ day of May 2005.

William Bradley Bryant
Vice Chairman for Appeals