

**STATE BOARD OF EDUCATION**

**STATE OF GEORGIA**

<b>Q. D.,</b>	:	
	:	
<b>Appellant,</b>	:	
	:	
<b>vs.</b>	:	<b>CASE NO. 2006-04</b>
	:	
<b>PAULDING COUNTY</b>	:	
<b>BOARD OF EDUCATION,</b>	:	
	:	
<b>Appellee.</b>	:	<b>DECISION</b>

This is an appeal by Q. D. (Student) from a decision by the Paulding County Board of Education (Local Board) to uphold the decision of a student disciplinary tribunal to expel him for one year after finding him guilty of possessing a knife with a blade more than three inches in length.<sup>1</sup> The Student claims that the punishment was too harsh. The Local Board’s decision is sustained.

On May 20, 2005, the Student brought a knife to school. The knife had a blade longer than two inches. A physical education coach discovered the knife when the Student threw his pants into a locker after changing into his gymnasium clothes and the coach heard the knife hit the locker. After the gymnasium class, the Student was taken before the principal and asked to empty his pockets. After much hesitation and repeated requests to empty his pockets, the Student produced the knife. The Student was charged with possession of a weapon and a hearing was held before a student disciplinary tribunal.

The student disciplinary tribunal decided to expel the Student for one year. The Student disagreed with the decision and appealed to the Local Board, which upheld the tribunal’s decision. The Student then filed a timely appeal with the State Board of Education.

On appeal, the Student argues that the punishment was too harsh. The State Board of Education, however, cannot adjust the level or degree of discipline imposed by a local board of education. *B. K. v. Bartow Cnty. Bd. of Educ.*, Case No. 1998-33 (Ga. SBE, Sep. 10, 1998). The Local Board’s Policy JDD provides that a student possessing a weapon shall be expelled for not less than one year. The Local Board’s decision, therefore, must stand.

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<sup>1</sup> The Student was assigned to alternative school during his period of expulsion.

Based upon the foregoing, it is the opinion of the State Board of Education that the Local Board acted within its discretionary authority. The Local Board's decision, therefore, is  
SUSTAINED.

This \_\_\_\_\_ day of October 2005.

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Wanda T. Barrs  
Chair, State Board of Education