

STATE BOARD OF EDUCATION

STATE OF GEORGIA

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| J. S., | : | |
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| Appellant, | : | |
| | : | |
| vs. | : | CASE NO. 2006-47 |
| | : | |
| DEKALB COUNTY | : | |
| BOARD OF EDUCATION, | : | |
| | : | DECISION |
| Appellee. | : | |

This is an appeal by J. S. (Student) from a decision by the DeKalb County Board of Education (Local Board) that upheld a student disciplinary tribunal’s finding that he was guilty of vandalism to school property, aggravated battery, threatening students, and rude behavior to school personnel. Upon hearing the Student’s appeal, the Local Board permitted the Student to reenter regular school immediately, i.e., on December 4, 2005. The Student claims that the evidence did not support the charges.

The Student claims that there was no definite evidence that he was present when eggs were thrown at a school bus and the tribunal failed to consider the affidavits of two individuals who placed him at a different location at the time of the incident. During the hearing before the tribunal, the Student was represented by an attorney who did not call the two individuals as witnesses and there was no attempt to submit any affidavits. There is, therefore, nothing in the record to support the Student’s contentions regarding an affidavit.

Because the period of suspension has passed, the State Board of Education cannot provide the Student with any relief and the issues raised are moot. Accordingly, the appeal is hereby
DISMISSED.

This _____ day of April 2006.

William Bradley Bryant
Vice Chairman for Appeals