

STATE BOARD OF EDUCATION

STATE OF GEORGIA

A. J.,	:	
	:	
Appellant,	:	
	:	
vs.	:	CASE NO. 2006-68
	:	
ATLANTA CITY	:	DECISION
BOARD OF EDUCATION,	:	
	:	
Appellee.	:	

This is an appeal by A. J. (Student) from a decision by the Atlanta City Board of Education to uphold the decision of a student disciplinary tribunal to place him on probation until May 26, 2006 after finding him guilty of fighting with another student in school. The Student claims that he was not involved in the fight and the other witnesses lied during the tribunal hearing. "The tribunal sits as the trier of fact and, if there is conflicting evidence, must decide which version to accept. When that judgment has been made, the State Board of Education will not disturb the finding unless there is a complete absence of evidence." *F. W. v. DeKalb Cnty. Bd. of Educ.*, Case No. 1998-25 (Ga. SBE, Aug. 13, 1998). Additionally, because the probation period 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 July 2006.

William Bradley Bryant
Vice Chairman for Appeals

Summary

This is an appeal by A. J. (Student) from a decision by the Atlanta City Board of Education to uphold the decision of a student disciplinary tribunal to place him on probation until May 26, 2006 after finding him guilty of fighting with another student in school. The Student claims that he was not involved in the fight and the other witnesses lied during the tribunal hearing. "The tribunal sits as the trier of fact and, if there is conflicting evidence, must decide which version to accept. When that judgment has been made, the State Board of Education will not disturb the finding unless there is a complete

absence of evidence." *F. W. v. DeKalb Cnty. Bd. of Educ.*, Case No. 1998-25 (Ga. SBE, Aug. 13, 1998). Additionally, because the probation period 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.