

**STATE BOARD OF EDUCATION**

**STATE OF GEORGIA**

<b>S. H.,</b>	:	
	:	
<b>Appellant,</b>	:	
	:	
<b>vs.</b>	:	<b>CASE NO. 2007-35</b>
	:	
<b>HOUSTON COUNTY</b>	:	
<b>BOARD OF EDUCATION,</b>	:	
	:	
<b>Appellee.</b>	:	<b>DECISION</b>

This is an appeal by S. H. (Student) from a decision by the Houston County Board of Education (Local Board) to uphold the decision of a student disciplinary tribunal to expel him until the end of the first semester of the 2007-2008 school year after finding him guilty of calling in a bomb threat. The Student claims that the punishment is too harsh because other students were involved and were not similarly punished. The Local Board's decision is sustained.

During the morning of November 30, 2006, the Student was involved in calling the emergency 911 telephone number and reporting that there was a bomb in the Warner Robins High School. The school was evacuated and the police searched for a bomb without finding anything. Other students identified the Student as the individual who placed the telephone call and the police took him into custody. While in police custody, the Student admitted that he was the one who made the telephone call. School officials charged the Student with disorderly or disruptive conduct and referred him to a student disciplinary tribunal.

After hearing the evidence, a student disciplinary tribunal expelled the Student until the end of the first semester of the 2007-2008 school year, but gave the Student the option of attending alternative school during his period of expulsion. The Local Board upheld the tribunal's decision when the Student appealed. The Student then filed an appeal with the State Board of Education.

The Student claims that the punishment is 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). "A local board of education ... is charged with the responsibility of managing the operation of its schools, and, in matters of discipline, the State Board of Education cannot substitute its judgment for the judgment of the local board. *See, Boney v. County Board of Education for Telfair County*, 203 Ga. 152, 45 S.E.2d 442 (1947); *Braceley v.*

*Burke County Bd. of Ed., Case No. 1978-7." Joseph M. v. Jasper Cnty. Bd. of Educ., Case No. 1981-40 (Ga. SBE, Feb. 11, 1982).*

In the instant case, there was evidence that the Student made the call to the emergency number. While he claims that others were involved, there was no evidence to support his claim. The Student's actions resulted in the evacuation of the high school, thus causing a major disruption to the operation of the school. The sanctions imposed by the tribunal and the Local Board were within the authority of the Local Board.

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 and the Student was not denied any due process rights. Accordingly, the Local Board's decision is SUSTAINED.

This \_\_\_\_\_ day of May 2007.

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William Bradley Bryant  
Vice Chairman for Appeals

**Summary**

This is an appeal by S. H. (Student) from a decision by the Houston County Board of Education (Local Board) to uphold the decision of a student disciplinary tribunal to expel him until the end of the first semester of the 2007-2008 school year after finding him guilty of calling in a bomb threat. The Student claims that the punishment is too harsh because other students were involved and were not similarly punished. The Local Board's decision is sustained.