

**STATE BOARD OF EDUCATION**

**STATE OF GEORGIA**

<b>A. P.,</b>	:	
	:	
<b>Appellant,</b>	:	
	:	
<b>vs.</b>	:	<b>CASE NO. 2007-40</b>
	:	
<b>GWINNETT COUNTY</b>	:	
<b>BOARD OF EDUCATION,</b>	:	
	:	<b>DECISION</b>
<b>Appellee.</b>	:	

This is an appeal by A. P. (Student) from a decision by the Gwinnett County Board of Education (Local Board) to uphold the decision of a student disciplinary panel that the Student was guilty of fighting in school and referred him to an individualized educational program (IEP) committee because he is receiving services under the provisions of the Individuals with Disabilities Education Act, 20 U.S.C. Secs. 1400 *et seq.* (the "Act" or "IDEA").<sup>1</sup> Since the Local Board has not taken any disciplinary action against the Student, the issues raised by the Student are moot. If the IEP Committee makes a decision that the Student disagrees with, then he has the right to appeal under IDEA. Accordingly, the Student's appeal is hereby DISMISSED.

This \_\_\_\_\_ day of June 2007.

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William Bradley Bryant  
Vice Chairman for Appeals

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<sup>1</sup> In general, IDEA provides that if a student who is receiving special education services is found guilty of some infraction, the school system is prohibited from imposing any sanctions without going through an evaluation process provided for under IDEA, which has its own hearing process and rights to appeal.