

STATE BOARD OF EDUCATION

STATE OF GEORGIA

J. K.,	:	
	:	
Appellant,	:	
	:	
vs.	:	CASE NO. 2007-47
	:	
GWINNETT COUNTY	:	
BOARD OF EDUCATION,	:	
	:	
Appellee.	:	DECISION

This is an appeal by J. K. (Student) from a decision by the Gwinnett County Board of Education (Local Board) to uphold the decision of a student disciplinary tribunal to suspend him from regular school until June 1, 2007, with the option of attending an alternative school during his suspension, after finding him guilty of pulling down the shorts of a female student in gym class. The Student claims that it was an abuse of discretion to impose long-term suspension on him, the hearing was not fair and impartial because the victim committed perjury, his due process rights were violated because the tribunal members were not subjected to *voir dire* and did not have any knowledge of the incident before the hearing, and his right to equal protection was violated because of his race. The Student's period of suspension has passed and the State Board of Education cannot provide him with any relief. The issues raised by the Student, therefore, are moot. Accordingly, the Student's appeal is DISMISSED.

This _____ day of July 2007.

William Bradley Bryant
Vice Chairman for Appeals