

STATE BOARD OF EDUCATION

STATE OF GEORGIA

S. G.,	:	
	:	
Appellant,	:	CASE NO. 2009-54
	:	
vs.	:	
	:	
GWINNETT COUNTY	:	
BOARD OF EDUCATION,	:	DECISION
	:	
Appellee.	:	

This is an appeal by S. G. (Student) from a decision by the Gwinnett County Board of Education (Local Board) to uphold the decision of a student disciplinary tribunal to expel her until March 10, 2010, with the option of attending alternative school during the period of expulsion, after finding her guilty of possessing marijuana, cigarettes, and matches at school. The Student complains that the punishment is too harsh because this is a first time offense. The decision of the Local Board is sustained.

The Student’s only complaint is 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).

Based upon the foregoing and a review of the record, it is the opinion of the State Board of Education that the punishment imposed is within the authority of the Local Board and there is no evidence of arbitrariness or capriciousness. Accordingly, the Local Board’s decision is  
SUSTAINED.

This \_\_\_\_\_ day of August 2009.

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William Bradley Bryant  
Vice Chairman for Appeals