

STATE BOARD OF EDUCATION

STATE OF GEORGIA

S. R.,	:	
	:	
Appellant,	:	
	:	
vs.	:	CASE NO. 2009-57
	:	
FLOYD COUNTY	:	DECISION
BOARD OF EDUCATION,	:	
	:	
Appellee.	:	

This is an appeal by S. R. (Student) from a decision by the Floyd County Board of Education to uphold the decision of a student disciplinary tribunal to expel her from regular school through the first semester of the 2009-2010 school year, with the option of attending an alternative school during her period of expulsion after finding her guilty of bringing a prescription drug to school and giving it to another student. The Student failed to timely file a brief, as required by the State Board of Education, or request oral argument. The Student's appeal, therefore, is deemed to have been abandoned. *Chris M. v. McIntosh Cnty. Bd. of Educ.*, Case No. 1995-47 (Ga. SBE, Jan. 11, 1996). Accordingly, the appeal is hereby DISMISSED.

Furthermore, the only issue raised by the Student in untimely filed brief 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).

This _____ day of August 2009.

William Bradley Bryant
Vice Chairman for Appeals