

STATE BOARD OF EDUCATION

STATE OF GEORGIA

C. C.,	:	
	:	
Appellant,	:	
	:	
vs.	:	CASE NO. 2009-58
	:	
THOMAS COUNTY	:	DECISION
BOARD OF EDUCATION,	:	
	:	
Appellee.	:	

This is an appeal by C. C. (Student) from a decision by the Thomas County Board of Education to uphold the decision of a student disciplinary tribunal to suspend him from regular school for four days after finding him guilty of kissing a female student on campus. Because the suspension period has passed, the State Board of Education cannot provide the Student with any relief and the issues raised are moot. Accordingly, the appeal is hereby DISMISSED.

The Student complains that the evidence was not trustworthy and should not have been accepted by the tribunal. "It is the duty of the hearing tribunal to determine the veracity of the witnesses and the State Board of Education will not go behind such determination if there is any evidence to support the decision." *David L. v. DeKalb Cnty. Bd. of Educ.*, Case No. 1996-1 (Ga. SBE, Apr. 11, 1996). "The tribunal sits as the trier of fact and, if there is conflicting evidence, must decide which version to accept. When that judgment has been made, the State Board of Education will not disturb the finding unless there is a complete absence of evidence." *F. W. v. DeKalb Cnty. Bd. of Educ.*, Case No. 1998-25 (Ga. SBE, Aug. 13, 1998)

This \_\_\_\_\_ day of September 2009.

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William Bradley Bryant  
Vice Chairman for Appeals