



On appeal, the Student's parent asks for disciplinary action against the principal for improperly administering the paddling. The State Board of Education, however, only has the authority to uphold or reverse a local board of education's decision; it cannot order a local board of education to take disciplinary action against an employee. "The standard for review by the State Board of Education is that if there is any evidence to support the decision of the local board of education, then the local board's decision will stand unless there has been an abuse of discretion or the decision is so arbitrary and capricious as to be illegal. *See, Ransum v. Chattooga County Bd. of Educ.*, 144 Ga. App. 783, 242 S.E.2d 374 (1978); *Antone v. Greene County Bd. of Educ.*, Case No. 1976-11 (Ga. SBE, Sep. 8,1976)." *Roderick J. v. Hart Cnty. Bd. of Educ.*, Case No. 1991-14 (Ga. SBE, Aug. 8,1991). The Student's parent has not shown that the Local Board abused its discretion or committed any error, or that any issues involving the administration or interpretation of school law are involved.

In the recent case of *Eric J. v. Fannin Cnty. Bd. of Educ.*, Case No. 1993-11 (Ga. SBE, May 13, 1993), a similar case was presented to the State Board of Education. In *Eric J.*, we pointed out that the control and management of the public schools rests with the local boards of education, and the discipline of a teacher is a matter of internal administration over which the State Board of Education does not have any jurisdiction. We conclude that this appeal is governed by *Eric J.*

Based upon the foregoing, the State Board of Education concludes that it does not have any jurisdiction over the subject matter of the appeal. The appeal, therefore, is hereby

DISMISSED.

This 12<sup>th</sup> day of August, 1993.

Messrs. Sears and Williams were not present.

Robert M. Brinson  
Vice Chairman for Appeals