

STATE BOARD OF EDUCATION

STATE OF GEORGIA

C. R.,	:	
	:	
Appellant,	:	
	:	
vs.	:	CASE NO. 2005-39
	:	
BULLOCH COUNTY	:	
BOARD OF EDUCATION,	:	
	:	
Appellee.	:	DECISION

This is an appeal by C. R. (Student) from a decision by the Bulloch County Board of Education (Local Board) to uphold the decision of a student disciplinary tribunal to expel her until the second semester of the 2005-2006 school year after finding her guilty of distributing prescription drugs to other students. The Student claims that the punishment was too harsh. The Local Board’s decision is sustained.

The Student admitted that she gave two other students prescription pills that she possessed. The Student was involved in several prior disciplinary actions during the school year and had been warned that future problems could result in her expulsion. The student disciplinary tribunal expelled the Student until the beginning of the second semester of the 2005-2006 school year. The Local Board upheld the tribunal’s decision and the Student filed a timely appeal to the State Board of Education.

On appeal, the Student claims 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, it is the opinion of the State Board of Education that the punishment provided to the Student was within the authority of the Local Board and the Local Board did not abuse its discretion. Accordingly, the Local Board’s decision is SUSTAINED.

This _____ day of June 2005.

William Bradley Bryant
Vice Chairman for Appeals