

STATE BOARD OF EDUCATION
STATE OF GEORGIA

JERRY SNIPES, b/n/f,	:	
	:	
Appellant,	:	
	:	
vs.	:	CASE NO. 1978-20
	:	
PEACH COUNTY BOARD OF	:	
EDUCATION,	:	
	:	
Appellee.	:	

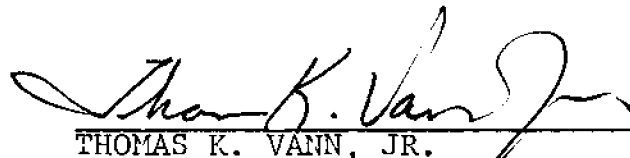
O R D E R

THE STATE BOARD OF EDUCATION, after due consideration of the record submitted herein and the report of the Hearing Officer, a copy of which is attached hereto, and after vote in open meeting,

DETERMINES AND ORDERS, that the Findings of Fact and Conclusions of Law of the Hearing Officer are made the Findings of Fact and Conclusions of Law of the State Board of Education and by reference are incorporated herein, and

DETERMINES AND ORDERS, that the appeal herein be, and is hereby, dismissed.

This 13th day of July, 1978.


THOMAS K. VANN, JR.
Vice Chairman for Appeals

STATE BOARD OF EDUCATION

STATE OF GEORGIA

JERRY SNIPES, b/n/f,	:	CASE NO. 1978-20
	:	
Appellant,	:	
	:	
vs.	:	
	:	
PEACH COUNTY BOARD OF	:	REPORT OF
EDUCATION,	:	
	:	HEARING OFFICER
Appellee.	:	

The appeal filed is from a decision of the Peach County Board of Education on May 2, 1978 which denied the petition for rehearing filed by the mother of Jerry Snipes. The petition for rehearing was a request to the Peach County Board of Education to reconsider its decision to permanently expel Jerry Snipes (hereinafter "Appellant") which was made October 26, 1976.

Ga. Laws 1969, p. 39 (Ga. Code Ann. §32-910) did not provide for a time period in which to appeal from a decision of a local board of education. Ga. Laws 1977, p. 875, however, amended the former law and imposed a thirty-day time limit for submitting appeals. Additionally, the Appeals Policy of the State Board of Education, as amended August, 1976, provides that an appeal must be filed within thirty days from the date the decision appealed from is made.

Since the original decision was made in October, 1976, the motion for rehearing and the appeal from the decision denying the rehearing were not timely made.

The Hearing Officer recommends that the appeal be dismissed because the basis upon which it was made was untimely and the State Board of Education does not have jurisdiction. In order for the State Board of Education to have jurisdiction, it would be necessary for Appellant to appeal from a new decision which prevented him from attending school during the 1978-1979 school term following his application for admission for the term.

L. O. Buckland

LAUREN O. BUCKLAND
Hearing Officer