

STATE BOARD OF EDUCATION

STATE OF GEORGIA

KENISHA B.,	:	
	:	
Appellant,	:	
	:	CASE NO. 1994-14
vs.	:	
	:	DECISION
COBB COUNTY	:	
BOARD OF EDUCATION,	:	
	:	
Appellee .	:	

This is an appeal by Kenisha B. (Student) from a December 30, 1993, decision by the Cobb County Board of Education to uphold the decision of a Student Disciplinary Tribunal to impose the minimum punishment of a 20-day suspension because the Student brought a disposable razor to school. The suspension period ended on January 18, 1994. Since the suspension period is over, the State Board of Education cannot provide any relief and the appeal is moot. Accordingly, the appeal is hereby dismissed.

Additionally, the appeal was not filed timely. The Local Board made its decision on December 30, 1993, and the appeal was not filed with the Local Superintendent until January 31, 1994, which was 31 days later. O.C.G.A. § 20-2-1160 requires appeals to be filed within 30 days after a local board makes a decision. Since the appeal was not filed timely, the State Board of Education is without jurisdiction to consider the appeal. See. Barry M. v. Houston Cnty. Bd. of Educ., Case No. 1993-4 (Ga. SBE, Mar 11, 1993); Eric S. v. Fulton Cnty. Bd. of Educ., Case No. 1993-18 (Ga. SBE, May 13, 1993).

The appeal was late and the issues are moot. The appeal, therefore, is hereby

DISMISSED.

This 12th day of May, 1994.

Mr. Billingslea, Mrs. King, Mr. Sessoms and Mr. Williams were not present. Mr. Latham's seat is vacant due to his resignation effective December 31, 1993.

Robert M. Brinson
Vice Chairman for Appeals