

STATE BOARD OF EDUCATION

STATE OF GEORGIA

R. LARRY BURKE,	:	
	:	
Appellant,	:	
	:	CASE NO. 1995-15
vs.	:	
	:	DECISION
SAVANNAH-CHATHAM COUNTY	:	
BOARD OF EDUCATION,	:	
	:	
Appellee.	:	

On March 7, 1995, Larry Burke (Appellant) appealed to the State Board of Education from a decision made on February 1, 1995, by the Savannah-Chatham County Board of Education (Local Board). O.C.G.A. § 20-2-1160(b) provides, in part:

... The appeal shall be filed with the superintendent within 30 days of the decision of the local board

If an appeal is filed later than thirty days after the local board's decision, then the State Board of Education does not have jurisdiction to consider the appeal. See. Boney v. County Board of Education of Telfair County, 203 Ga. 152, 45 S. E.2d 442 (1947); Fussell v. Atlanta City Board of Educ., Case No. 1992-2 (Ga. SBE, May 14, 1992). Appellant was given written notice on February 8, 1995, that the Local Board had made a decision on February 1, 1995, and that he had thirty days from the date of the Local Board's decision to file an appeal. The appeal in this matter, therefore, had to be filed with the Local Superintendent on March 3, 1995.

Based upon the foregoing, it is the opinion of the State Board of Education that it does not have jurisdiction to consider the appeal because it was not timely filed. Accordingly, the appeal is hereby **DISMISSED.**

This 8TH day of June, 1995.

Robert M. Brinson
Vice Chairman for Appeals