

STATE BOARD OF EDUCATION

STATE OF GEORGIA

BRADLEY S.,	:	
	:	
Appellant,	:	
	:	CASE NO. 1996-26
vs.	:	
	:	DECISION
TOWNS COUNTY	:	
BOARD OF EDUCATION,	:	
	:	
Appellee.	:	

This is an appeal by Bradley S. (Student) from a decision by the Towns County Board of Education (Local Board) not to consider his appeal from an October 2, 1995, decision of a Student Disciplinary Tribunal to expel him for the remainder of the 1995-1996 school year. The Local Board's decision was made because the appeal to it was not timely filed since more than twenty days had elapsed from the time of the Student Disciplinary Tribunal's decision.

The State Board of Education lacks jurisdiction to consider the Student's appeal because the Local Board has not conducted a hearing. O.C.G.A. § 20-2-1160. While the facts alleged by the Student indicate many irregularities exist in the way his appeal was processed and that he was denied due process, the State Board of Education is still without jurisdiction in the absence of a hearing by the Local Board. Further, the Student's appeal is moot since the period of suspension has passed. The Student's appeal, therefore, is **DISMISSED.**

This 8th day of August, 1996.

Mr. Brinson, Mr. Sessoms, and Ms. King were not present. The seat for the Eleventh District is vacant.

J. T. Williams, Chairman
State Board of Education