

STATE BOARD OF EDUCATION

STATE OF GEORGIA

J. G.,

Appellant,

vs.

**EVANS COUNTY
BOARD OF EDUCATION,**

Appellee.

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CASE NO. 1996-50

DECISION

This is an appeal by J. G. (Student) from a decision by the Evans County Board of Education (Local Board) to deny him credit for his ninth grade French I class because he missed ten classes in violation of the Local Board's attendance policy. The Student contends that one of the counted absences was not an absence because he was in school. The Local Board's decision is reversed.

The Local Board has a policy that provides:

A student is allowed to miss only nine (9) days per semester in ANY CLASS, regardless of the reason, and still receive credit in THAT CLASS unless the following procedures are adhered to:

(1) Parent notes will be accepted for five (5) of the absences.

(2) Each additional absence must be covered by a note from a doctor (or if the absence is because of a death in the immediate family a parent's note will be accepted). These notes must specify each day of absence All notes must be brought within five (5) days of the student's return to school. Doctor's notes will be accepted for any absence beginning with the first and it is therefore advised that each time a student is absent due to an illness and has seen a doctor that he/she bring a note from the doctor.

Evans County Student Handbook, p. 44-45 (emphasis in original).

Based upon the foregoing, it is the opinion of the State Board of Education that the Local Board's decision was arbitrary and capricious. The Local Board's decision, therefore, is hereby REVERSED.

This 14th day of November, 1996.

Mr. Walter Sessoms was not present. The seats for the 9th, 10th, and 11th Districts are vacant.

Robert M. Brinson
Vice Chairman for Appeals