

STATE BOARD OF EDUCATION

STATE OF GEORGIA

SUSAN B. STEFFEY,	:	
	:	
Appellant,	:	
	:	
vs.	:	CASE NO. 1998-26
	:	
FORSYTH COUNTY	:	
BOARD OF EDUCATION,	:	
	:	
Appellee.	:	DECISION

This is an appeal by Susan B. Steffey (Appellant) following the Forsyth County Board of Education's decision not to grant her a hearing regarding a grievance she had filed against her principal. Appellant claims that the Local Board violated state law by not providing her a hearing, thus depriving her of due process. The appeal is dismissed because the State Board of Education lacks jurisdiction in the absence of a hearing by the Local Board.

O.C.G.A. § 20-2-1160 permits appeals to the State Board of Education from decisions made by local boards of education after a hearing. O.C.G.A. § 20-2-1160(b)(Michie, 1996 ed.). In the absence of a hearing, the State Board of Education lacks jurisdiction to consider the appeal. *See, Boney v. County Board of Education of Telfair County*, 203 Ga. 152, 45 S.E.2d 442 (1947). In addition, the grievance procedures contained in O.C.G.A. §§ 20-2-989.5 *et seq.* do not grant independent jurisdiction to the State Board of Education. *See, Kelly v. Gwinnett Cnty. Bd. of Educ.*, Case No. 1996-68 (Ga. SBE, Apr. 10, 1997).

Based upon the foregoing, it is the opinion of the State Board of Education that it lacks jurisdiction to consider Appellant's appeal because the Local Board did not conduct a hearing. Accordingly, the appeal is hereby **DISMISSED**.

This 13th day of August 1998.

Larry Thompson
Vice Chairman for Appeals