

STATE BOARD OF EDUCATION

STATE OF GEORGIA

D. B., :
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 Appellant, :
 :
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 vs. : **CASE NO. 2000-07**
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 MADISON COUNTY : **DECISION**
 BOARD OF EDUCATION, :
 :
 :
 Appellee. :

This is an appeal by D. B. (Student) from a decision by the Madison County Board of Education (Local Board) to uphold the decision of a student disciplinary tribunal to permanently expel him after finding him guilty of violating probation, disrespect, misbehavior, and refusal to follow directions. The Local Board made its decision on December 20, 1999, but the appeal was not filed until January 20, 2000, or 31 days after the Local Board's decision. "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 timely filed, the State Board of Education is without jurisdiction to consider the appeal." *Kenisha B. v. Cobb Cnty. Bd. of Educ.*, Case No. 1994-14 (Ga. SBE, May 12, 1994). The record shows that even if the appeal had been timely filed, there was evidence to support the Local Board's decision and the Local Board did not deny the Student any due process rights. Accordingly, the appeal is hereby DISMISSED.

This _____ day of May 2000.

Bruce Jackson
Vice Chairman for Appeals