

**STATE BOARD OF EDUCATION**

**STATE OF GEORGIA**

<b>B. G.,</b>	:	
	:	
<b>Appellant,</b>	:	
	:	
<b>vs.</b>	:	<b>CASE NO. 2000-10</b>
	:	
<b>BULLOCH COUNTY</b>	:	
<b>BOARD OF EDUCATION,</b>	:	
	:	
<b>Appellee.</b>	:	<b>DECISION</b>

This is an appeal filed by B. G. (Student) from a decision by a Bulloch County student disciplinary tribunal to assign him to an alternative school after he was found guilty of possessing marijuana on school property. The Student failed to appeal the tribunal's decision to the Bulloch County Board of Education (Local Board) and the Local Board has not rendered any decision regarding the matter. The tribunal's decision was made on November 29, 1999 and the appeal was filed January 25, 2000. The Student's appeal is dismissed because the State Board of Education does not have jurisdiction to consider the matter.

O.C.G.A. § 20-2-1160 permits appeals to the State Board of Education from decisions of local boards of education. O.C.G.A. § 20-2-1160(a). In the absence of a hearing by the local board, the State Board of Education does not have any jurisdiction. *See, Boney v. County Bd. of Educ. of Telfair County*, 203 Ga. 152, 45 S.E.2d 442 (1947).

O.C.G.A. § 20-2-1160 also requires appeals to be filed within 30 days after the decision of the local board. O.C.G.A. § 20-2-1160(b). If the tribunal's decision is deemed to be the Local Board's decision, the appeal was filed too late, thus denying jurisdiction to the State Board of Education.

For the reasons stated, it is the opinion of the State Board of Education that it does not have jurisdiction to consider the appeal. Accordingly, the appeal is hereby **DISMISSED**.

This \_\_\_\_\_ day of May 2000.

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Bruce Jackson  
Vice Chairman for Appeals