

**STATE BOARD OF EDUCATION**

**STATE OF GEORGIA**

**DAN JAMES,**

**Appellant,**

**vs.**

**DOUGHERTY COUNTY  
BOARD OF EDUCATION,**

**Appellee.**

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**CASE NO. 2002-13**

**DECISION**

This is an interlocutory appeal by Dan James (Appellant) from the decision of a hearing officer to continue a hearing before it started because a witness was absent. In the absence of a hearing or a decision by a local board of education, the State Board of Education lacks any jurisdiction to consider a matter. *See, Owen v. Long Cnty. Bd. of Educ.*, 245 Ga. 647, 266 S.E.2d 461 (1980); *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*. Because a hearing has not been held in the instant matter, the State Board does not have any jurisdiction to consider the appeal. The appeal, therefore, is hereby **DISMISSED**.

This \_\_\_\_\_ day of December 2001.

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Bruce Jackson  
Vice Chairman for Appeals