

STATE BOARD OF EDUCATION

STATE OF GEORGIA

JAMES D.,)	
)	
Appellant,)	
v.)	CASE NO. 1987-15
)	
JEFFERSON COUNTY BOARD OF)	
EDUCATION,)	
)	
Appellee.)	

ORDER

THE STATE BOARD OF EDUCATION, after due consideration of the record submitted herein and the report of the Hearing Officer, a copy of which is attached hereto, and after a vote in open meeting,

HEREBY ORDERS, that the case be dismissed for lack of jurisdiction on the part of the State Board of Education under the provisions of O.C.G.A. § 20-2-1160.

Mr. Owens was not present.

This 9th day of July, 1987.

LARRY A. FOSTER, SR.
Vice Chairman for Appeals

STATE BOARD OF EDUCATION

STATE OF GEORGIA

JAMES D.,)	
)	
Appellant,)	
v.)	CASE NO. 1987-15
)	
JEFFERSON COUNTY BOARD OF)	DECISION
EDUCATION,)	
)	
Appellee.)	

PART I

SUMMARY

This is an appeal by James D. (hereinafter "Student") from a decision of the Jefferson County Board of Education (hereinafter "Local Board") not to name him as valedictorian or salutatorian of his class. The Student contends he was denied the honor of being valedictorian because he was misinformed as to when the last time he could take the Scholastic Aptitude Test (hereinafter "SAT"). Scores on the SAT were included in determining who would receive the honor of being valedictorian and salutatorian (hereinafter "Honors"). The Local Board contends this is a matter of local discretion.

PART II

FACTUAL BACKGROUND

The Local School System apparently has a rule which requires students who wish to be considered for Honors to take the SAT early enough for the student's scores on the SAT to be included in the determination of who is to receive the Honors. The Student was denied Honors because he did not take the SAT in time to be considered for Honors under the procedures of the Local School System.

The Student was given a hearing by the Local Board regarding the decision to deny him Honors. At the hearing, Local School System personnel testified that they had informed the Student of the necessity of taking the SAT early in order to be considered for Honors. The Local Board decided to support the decision of the School System personnel not to award Honors to the Student.

PART III

DISCUSSION

The State Board of Education is authorized to hear appeals from decisions made by local boards on matters of local controversy involving the construction or administration of the school laws. O.C.G.A. §20-20-1160. The State Board of Education is bound to sustain the decision of the Local Board if there is any evidence to support the Local Board's decision absent an abuse of discretion on the part of the Local Board or a violation of law. See, Ransum v. Chattoocga Cnty. Bd. of Ed., 144 Ga. App. 783 (1978); Antone v. Greene Cnty. Bd. of Ed., Case No. 1976-11.

Appellant contends that he was misinformed regarding the last appropriate date that he could take the SAT and still receive Honors. According to the record, the Local Board presented witnesses who testified that the Student was informed early in the year that the SAT had to be taken early in order to be considered for honors.

It is clear that the Local Board acted within its authority in denying the Student the relief he seeks. There is evidence in the record, in the form of testimony, that the Student was made aware of the requirement. Additionally, the Student has not presented any legal reason why the Local Board acted outside its authority.

PART IV

DECISION

Based upon the foregoing discussion and the record presented, the State Board of Education concludes that the Local Board acted within its authority in denying the Student the requested relief. The decision of the Local Board is, therefore,

SUSTAINED.

Larry A. Foster, Sr.
Vice Chairman for Appeals