

**STATE BOARD OF EDUCATION**

**STATE OF GEORGIA**

<b>BOBBIE JO B.,</b>	:	
	:	
<b>Appellant,</b>	:	
<b>v.</b>	:	
	:	<b>CASE NO. 1992-31</b>
	:	
<b>MUSCOGEE COUNTY</b>	:	<b>DECISION</b>
<b>BOARD OF EDUCATION,</b>	:	
	:	
<b>Appellee.</b>	:	

This is an appeal from a decision by the Muscogee County Board of Education (“Local Board) to uphold the decision of a Student Discipline Tribunal to expel Bobbie Jo B. (“Student”) for the rest of the 1991-1992 school year and to assign her to the Academic Success Center for the 1992-1993 school year for attacking another student with a nail file. The Student claims on appeal that the decision of the Local Board is too harsh. The appeal was not filed timely and is, therefore, dismissed.

The Student was charged with violating the Local Board’s Rule 6, which provides:

A student shall not possess, use, handle, or transmit a knife, cane ... or other object that reasonably can be considered a weapon. Any student that makes use of any object as a weapon in an act of violence will be considered for expulsion for the remainder of the year or permanent expulsion.

A disciplinary tribunal met on June 4, 1992, to receive evidence concerning the charges. The Student Discipline Tribunal decided to expel the Student for the remainder of the 1991-1992 school year and assign her to the Academic Success Center for the 1992-1993 school year. The Local Board affirmed the decision of the Student Discipline Tribunal at its June 26, 1992, meeting. The Student’s parents received notification of this decision on June 30, 1992. On September 2, 1992, the Student appealed to the State Board of Education.

The appeal was filed under the provisions of O.C.G.A. § 20-2-1160, which requires appeals to be filed within thirty days after a decision is reached by the local board of education. The appeal in this case was filed approximately two months late. The lateness of the appeal removes jurisdiction of the appeal from the State Board of Education. The appeal, therefore, is hereby

DISMISSED.

This 14<sup>th</sup> day of January, 1993.

Mrs. King and Mr. Sears were not present.

Robert M. Brinson  
Vice Chairman for Appeals