

STATE BOARD OF EDUCATION

STATE OF GEORGIA

VICTOR WILLIAMS,

Appellant,

vs.

**GWINNETT COUNTY
BOARD OF EDUCATION,**

Appellee.

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CASE NO. 1997-27

DECISION

In this appeal by Victor Williams (Appellant), the question raised is whether the Gwinnett County Board of Education (Local Board) committed any error in approving a book selection committee's decision to retain the "Goosebump" series of books by R. L. Stine in the Jackson Elementary School library. Appellant protested the retention of the book "Ghost Camp" on the grounds it had no instructional value, subjected students to occult practices, and caused students to have nightmares. Because the issues raised do not involve the interpretation of school law, the appeal is dismissed.

Appellant, the parent of a child who was enrolled in Jackson Elementary, protested the inclusion of the book "Goose Bumps" in the media center. Appellant claimed that the book taught children occultism and witchcraft. Under Local Board policy, Appellant's complaint was heard by media committees at both the school level and the system level. Both committees

decided that the book should not be removed from the media center. Appellant then asked the Local Board to review the media committees' decisions. Appellant reasserted his claims before the Local Board, but he failed to produce any evidence. Instead, Appellant merely presented opinion testimony and argument that the book was unsuitable for elementary students. The Local Board voted to uphold the decisions of the media committees. Appellant then filed an appeal to the State Board of Education.

O.C.G.A. § 20-2-1160 permits appeals to the State Board of Education from decisions made by local boards of education that involve the interpretation or administration of school law. In the absence of a question of school law, the State Board of Education does not have any jurisdiction to review a local board's decision. *See, Boney v. County Board of Education of Telfair County*, 203 Ga. 152, 45 S.E.2d 442 (1947).

The Local Board's decision in the instant matter did not involve the interpretation of any school law, and Appellant did not allege any violations of school law. Appellant claims that he was not allowed to present testimony concerning other books, but the school administration was permitted to discuss other books. The Local Board, however, was not under any obligation to hear any evidence from Appellant since he did not raise any issues concerning the violation of school laws. O.C.G.A. § 20-2-1160 requires a local board of education to sit as a tribunal only in cases involving a controversy in the interpretation or administration of school law. Since Appellant did not raise any issues that involved the interpretation or administration of school law, the Local Board was not obligated to provide him with a hearing and the Local Board's limitation on Appellant's questioning, therefore, did

not violate any of Appellant's rights.

Appellant has not raised any issues before the State Board of Education that establish any basis for the State Board of Education to assume jurisdiction to review the Local Board's decision. Accordingly, it is the opinion of the State Board of Education that it does not have jurisdiction to consider Appellant's appeal. The appeal, therefore, is hereby DISMISSED.

This 11th day of September, 1997.

Larry Thompson
Vice Chairman for Appeals