

STATE BOARD OF EDUCATION

STATE OF GEORGIA

M. B.,	:	
	:	
Appellant,	:	
	:	
vs.	:	CASE NO. 2006-03
	:	
FULTON COUNTY	:	DECISION
BOARD OF EDUCATION,	:	
	:	
Appellee.	:	

This is an appeal by M. B. (Student) from a decision by the Fulton County Board of Education to uphold the decision of a student disciplinary tribunal to expel him from regular school for inciting another student to disobey the Student Code of Conduct. The Local Board made its decision on May 10, 2005, but the appeal was not filed until June 28, 2005, or 49 days after the Local Board's decision. "O.C.G.A. § 20-2-1160 requires appeals to be filed within 30 days after a local board makes a decision. Since the appeal was not timely filed, the State Board of Education is without jurisdiction to consider the appeal." *Kenisha B. v. Cobb Cnty. Bd. of Educ.*, Case No. 1994-14 (Ga. SBE, May 12, 1994). Accordingly, the appeal is hereby DISMISSED.

This _____ day of October 2005.

Wanda T. Barrs
Chair, State Board of Education