

STATE BOARD OF EDUCATION

STATE OF GEORGIA

M. J. M.,

Appellant,

vs.

**TROUP COUNTY
BOARD OF EDUCATION,**

Appellee.

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CASE NO. 2007-11

DECISION

This is an appeal by M. J. M. (Student) from a decision by the Troup County Board of Education to uphold the decision of a student disciplinary tribunal to expel him from regular school until the end of the first semester of the 2006-2007 school year, with the option of attending an alternative school during his expulsion period, after finding him guilty of sexual battery as a result of his engaging in sexual intercourse with a girl in the school restroom. The Student failed to file a brief or request oral argument. The Student's appeal, therefore, is deemed to have been abandoned. *Chris M. v. McIntosh Cnty. Bd. of Educ.*, Case No. 1995-47 (Ga. SBE, Jan. 11, 1996). The Local Board made its decision on May 15, 2006, but the appeal was not filed until June 16, 2006, or 32 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 December 2006.

William Bradley Bryant
Vice Chairman for Appeals