

DEON B.,

Appellant

v.

BALTIMORE COUNTY
BOARD OF EDUCATION,
Appellee.

BEFORE THE

MARYLAND

STATE BOARD

OF EDUCATION

Order No. OR 19-13

ORDER

Appellant appealed the decision of the Baltimore County Board of Education (local board) denying his request to have his daughter, a senior, reinstated to the Dance Program at the Carver Center for Arts and Technology (Carver) so that she could participate in commencement exercises. Appellant's daughter was assigned to an alternative program for the 3rd and 4th quarters of her junior year for disciplinary reasons and was withdrawn from the Dance Program at the conclusion of the 2017-2018 school year based on her violation of the behavior contract for attending a magnet school. She attended New Town High School for her senior year (2018-2019).

The local board filed a Motion to Dismiss the appeal as moot because the case would not be resolved before May 29, the date of commencement exercises for graduating seniors at Carver.¹

It is well established that a question is moot when "there is no longer an existing controversy between the parties, so that there is no longer any effective remedy which the courts [or agency] can provide." *In Re Michael B.*, 345 Md. 232, 234 (1997); *See also Farver v. Carroll County Bd. of Educ.*, MSBE Op. No. 99-42; *Arnold v. Carroll County Bd. of Educ.*, MSBE Op. No. 99-41; *Chappas v. Montgomery County Bd. of Educ.*, 7 Op. MSBE 1068 (1998). Because Carver's commencement exercises for the 2018-2019 school year are over, the appeal is moot. There is no longer an existing controversy between the parties and no effective remedy that the State Board can provide.

Accordingly, it is this 27th day of August, 2019 by the Maryland State Board of Education,

ORDERED, that the appeal referenced above is hereby dismissed because it is moot. *See* COMAR 13A.01.05.03(B)(1)(b).

MARYLAND STATE BOARD OF EDUCATION

Signature on File:

Warner I. Sumpter
President

¹ The Appellant did not respond to the local board's Motion to Dismiss, despite being given the opportunity to do so.