

JAIME AND BRYAN S.,

Appellant

v.

HARFORD COUNTY
BOARD OF EDUCATION,

Appellee.

BEFORE THE

MARYLAND

STATE BOARD

OF EDUCATION

Order No. OR 20-02

ORDER

Appellants, Jaime and Bryan S., have requested that this Board reconsider its October 22, 2019 decision in *Jaime and Bryan S. v. Harford County Board of Education*, MSBE Order No. OR19-19, dismissing their appeal of the Harford County Board of Education's decision denying a student transfer because it was untimely filed with the State Board. The local board has responded to the reconsideration request.

A decision on a request for reconsideration shall be made in the discretion of the State Board except that a decision may not be disturbed unless there is sufficient indication in the request that:

- (1) The decision resulted from mistake or error of law; or
- (2) New facts material to the issues have been discovered or have occurred subsequent to the decision.

The State Board may refuse to consider facts that the party could have produced while the appeal was pending. The State Board may, in its discretion, abrogate, change, or modify the original decision. COMAR 13A.01.05.10.

Appellants have not demonstrated that the State Board's decision resulted from a mistake or error of law. Nor have they presented new facts that are material to the basis for the dismissal of their appeal to the State Board. Rather, the Appellants raise new and different grounds for their underlying transfer request. If the Appellants now seek a transfer for their daughter based on hardship, and not daycare as in their previous request, they need to address the matter anew with the local school system.

Because the Appellants have failed to provide an adequate basis for reconsideration of MSBE Order No. OR19-19, it is this 28th day of January, 2020, ORDERED, by the Maryland State Board of Education, that the request for reconsideration is denied.

MARYLAND STATE BOARD OF EDUCATION
Signature on File:

Jean C. Halle
Vice-President