

Z.V.,

Appellant

v.

BALTIMORE CITY BOARD
OF SCHOOL
COMMISSIONERS,

Appellee.

BEFORE THE

MARYLAND

STATE BOARD

OF EDUCATION

Order No. OR 23-22

ORDER

This is the third time this matter has been before us. By order dated February 28, 2023, we concluded that Appellant’s initial challenge of the local board’s affirmance of Appellant’s reassignment from her position of Director – Education Pipeline and Induction to a new position was not ripe for review because the local board had not yet identified the Appellant’s new position to complete the reassignment. *See Zaharah Valentine v. Baltimore City Bd. of School Comm’rs*, MSBE Order No. OR 23-06 (2023). We ordered the local board to complete the reassignment within 45 school days of our decision and held the Appellant may exercise any rights available to her regarding her transfer after she is placed into another position. *Id.* Our order did not extend any filing deadlines under our regulations.

On February 9, 2023, prior to the issuance of MSBE Order No. OR 23-06, the local board offered the Appellant a new position Director – Secondary Support, which she accepted. Neither party informed the State Board of the reassignment prior to the issuance of OR 23-06. Appellant did not further pursue her initial appeal, but on May 10, 2023, she filed an Appeal for Declaratory Judgment. By order dated August 22, 2023, we held that Appellant’s request did not involve interpretation of a public school law or our regulations and was not a request for a declaratory judgment. *Id.* We determined that Appellant’s May 10, 2023, filing was a request for reconsideration to amend MSBE Order No. OR 23-06 and we dismissed the request for reconsideration for untimeliness. *Zaharah Valentine v. Baltimore City Bd. of Sch. Comm’rs*, MSBE Order No. OR 23-14 (2023), *citing John and Tammy W. v. Charles County Bd. of Educ.*, MSBE Order No. OR 22-11 (2022) (“Time limitations are generally mandatory and will not be overlooked except in extraordinary circumstances such as fraud or lack of notice.”).

On October 4, 2023, Appellant filed an “Appeal for Standard Review” again challenging the local board’s affirmance of the Chief Executive Officer’s and Chief Human Capital Officer’s decision to reassign Appellant from her position of Director – Education Pipeline and Induction to a new position of Director – Secondary Support. This is simply another attempt by the Appellant to relitigate a matter already reviewed by the Board. As we held in Order No. OR 23-14, the Appellant had to file any request for reconsideration to amend OR 23-06 by March 30, 2023, within 30 days of our February 28, 2023 order. To the extent Appellant viewed her new assignment as a deficient resolution, the Appellant failed to identify the new assignment as a basis for reconsideration within the 30-day window of Order 23-06. She also failed to initiate any grievance or complaint challenging any circumstances directly associated with the new assignment.

Accordingly, it is this 5th day of December 2023, by the Maryland State Board of Education, ORDERED, that the request for reconsideration is dismissed for untimeliness. *See* COMAR 13A.01.05.10A.

MARYLAND STATE BOARD OF EDUCATION

Signature on File:

Clarence C. Crawford
President