

U.D.,

Appellant

v.

CHARLES COUNTY
BOARD OF EDUCATION,

Appellee.

BEFORE THE

MARYLAND

STATE BOARD

OF EDUCATION

Order No. OR25-09

ORDER

This is an appeal of the January 15, 2025 decision of the Charles County Public Schools' Office of Student Services ("OSS") denying Appellant's student transfer request for her child for the remainder of the 2024-2025 school year. Mike Blanchard, Director of Student Services, communicated the OSS decision to Appellant by letter and advised Appellant of her right to appeal the decision. He stated that an appeal must be submitted in writing and delivered by mail or hand delivery to the "School Administration" within ten days of the date of the letter, and he provided Appellant with the contact information and address. He also advised her to contact his office should she have questions regarding the process and provided the phone number.

The Appellant did not submit the appeal as directed by Mr. Blanchard. Instead, on January 24, 2025, Appellant filed this appeal with the State Board. Upon receipt, State Board counsel advised Appellant of the process for pursuing appeals to the local superintendent and local board before filing with the State Board and requested that Appellant identify and provide a copy of the local board decision she was appealing if she had completed that process. Appellant responded that she already emailed her "local office" and "voiced [her] concerns" and that they denied it and she was appealing to get another opinion. Appellant provided an email that she claims to have sent to the Charles County Board of Education ("local board") on January 9, 2025, and a copy of the school change request form that she submitted. The email that Appellant purportedly sent to the local board on January 9, 2025, predates the OSS decision made January 15, 2025.

The local board filed a motion to dismiss the State Board appeal maintaining that the Appellant failed to exhaust her administrative remedies because she did not file an appeal to the School Administration or the local board but rather submitted her appeal of the OSS decision directly to the State Board. Appellant did not respond to the local board's motion.


The State Board has consistently declined to address issues that have not been reviewed initially by the local board. *See Harvest Found. Group v. Baltimore Cnty. Bd. of Educ.*, MSBE Order No. OR19-11 (2019); *Lakesha W. v. Howard Cnty. Bd. of Educ.*, MSBE Order No. OR08-12 (2008). Appellant did not file an appeal of the OSS decision as directed; therefore, it was not reviewed by the Office of School Administration or the local board.¹ Because the local board did not review the case and issue a decision, there is nothing for the State Board to review. Pursuant to Educ. Art. § 4-205(c)(3) and COMAR 13A.01.05.03B(1)(a), the State Board may dismiss an

¹ Charles County Public Schools has two levels of appeal once a request for transfer is denied by the OSS. The first level is an appeal to the Office of School Administration, acting as the Superintendent's Designee, and the second level is an appeal of that decision to the local board.

appeal if the local board has not issued a final decision. *See Victor and Sandra B. v. Anne Arundel Cnty. Bd. of Educ.*, MSBE Order No. OR20-11 (2020).

Therefore, it is this 29th day of April 2025, ORDERED, by the Maryland State Board of Education, that the appeal is dismissed for failure to exhaust administrative remedies. COMAR 13A.01.05.03B(1)(a).

MARYLAND STATE BOARD OF EDUCATION


Joshua L. Michael
President