

ROMAINE & WILLIAM M.,

Appellants

v.

BALTIMORE COUNTY
BOARD OF EDUCATION,

Appellee

BEFORE THE

MARYLAND

STATE BOARD

OF EDUCATION

Order No. OR10-04

ORDER OF DISMISSAL

In this appeal, the Appellants request that the State Board grant a special permission transfer for their son to attend Windsor Mill Middle School for the 2009-2010 school year. The Baltimore County Board of Education (local board) has filed a Motion to Dismiss the appeal because the local board has not yet issued a final decision in the case.

State law sets forth the administrative procedure for resolving controversies and disputes involving the rules and regulations of a county board. Section 4-205(c)(3) of the Education Article requires that a matter must first be decided by the local board of education before it is submitted to the State Board on appeal.

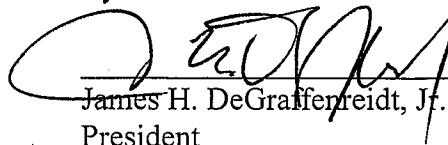
The Appellants appealed the decision of the Superintendent's designee denying the transfer request to the local board. A local hearing officer reviewed the matter and recommended that the local board affirm that decision. The matter is currently pending before the local board. Because the local board has not ruled and issued a decision in this case, there is nothing for the State Board to review.

Therefore, it is this 27th day of April, 2010, by the Maryland State Board of Education,

ORDERED, that the appeal referenced above be and the same is hereby dismissed. *See* COMAR 13A.01.05.03C(1)(a).

MARYLAND STATE BOARD OF EDUCATION

By:


James H. DeGraffenreidt, Jr.
President