

DONNA AND KENNETH L.

Appellants

v.

WICOMICO COUNTY
BOARD OF EDUCATION

Appellee

BEFORE THE

MARYLAND

STATE BOARD

OF EDUCATION

Order No. OR12-19

ORDER

The State Board of Education received an appeal challenging the decision of the Wicomico County Board of Education (local board) denying Appellants' daughter entry into the Magnet Program for the 2012-2013 school year because she failed to achieve a qualifying score on the assessment. Appellants' daughter retested for entry this fall, achieved a qualifying score, and was admitted into the Magnet Program.

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 Wayne and Michelle J. v. Anne Arundel County Bd. of Educ.*, MSBE Order No. OR11-04 (2011); *Tonia S. v. Montgomery County Bd. of Educ.*, MSBE Order No. OR07-05 (2007). Because Appellants' daughter is now enrolled in the Magnet Program, there is no existing controversy between the parties and no effective remedy that the State Board can provide.

Accordingly, it is this 17th day of December, 2012, by the Maryland State Board of Education, ORDERED, that the appeal is hereby dismissed because it is moot.

MARYLAND STATE BOARD OF EDUCATION

By:



Charlene M. Dukes

President