

CHIOMA K.

Appellant

v.

PRINCE GEORGE'S COUNTY  
BOARD OF EDUCATION,

Appellee

BEFORE THE

MARYLAND

STATE BOARD

OF EDUCATION

Order No. OR15-09

ORDER

The Appellant filed an appeal with the State Board seeking to challenge the denial of her request for early kindergarten entry for her son for the 2015-2016 school year. Although Appellant indicates in her State Board appeal that her "appeal was denied," Appellant does not specify a denial by any particular decision-maker or attach any documentation of such a decision.

The local board filed a Motion to Dismiss the appeal because it has no record of the matter being presented to it for review and, thus, there is no local board decision for the State Board to review.

State law provides a process by which controversies and disputes such as the one presented here may be reviewed by a local school system. Section 4-205(c)(3) of the Education Article requires that the local superintendent first render a decision in the matter. An appeal of the local superintendent's decision must then be decided by the local board before the matter is submitted to the State Board on appeal. Accordingly, the State Board has consistently held that an appellant must first pursue and exhaust statutorily prescribed administrative remedies in the appropriate manner. *See Kemp v. Montgomery County Bd. of Educ.*, MSBE Op. No. 01-14(2001); *Stewart v. Prince George's County Bd. of Educ.*, 7 Op. MSBE 1358 (1998).

Based on the information provided, it does not appear that the Appellant followed the established process. The Appellant has not appealed any decision to the local board for review. Because there was no appeal to the local board and, therefore, no local board decision issued in this case, there is nothing for the State Board to review.

Therefore, it is this 27th day of October, 2015 by the Maryland State Board of Education,

ORDERED, that the appeal referenced above is hereby dismissed because there is no local board decision to review. *See* COMAR 13A.01.05.03C(1)(a).

MARYLAND STATE BOARD OF EDUCATION

  
Guffrie M. Smith, Jr.

President