

STACY L. MESSICK AND STEPHANIE R. MOSES
(MESSICK AND MOSES II)
Appellants

v.

WICOMICO COUNTY
BOARD OF EDUCATION
Appellee

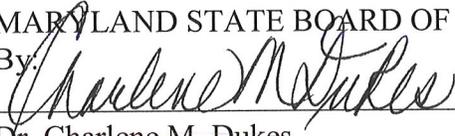
BEFORE THE
MARYLAND
STATE BOARD
OF EDUCATION
Order No. OR13-07

ORDER

On July 8, 2013, Appellants, Stacy L. Messick and Stephanie R. Moses, filed an appeal of “the decision of the Wicomico County Board of Education (the local board) regarding the local investigation into the Appellants’ allegations of discrimination and/or harassment.”¹ Appellants maintain that the local board’s decision is set forth in a June 2, 2013 letter from Fulton P. Jeffers, legal counsel for the local board, in which Mr. Jeffers explains to the Appellants the investigatory process being followed by the school system in response to their discrimination and harassment claims. Appellants contend that the local board’s handling of their discrimination complaint and the local board’s decision, as set forth in Mr. Jeffers’ letter, are arbitrary, unreasonable or illegal. They request that the State Board intervene and define the parameters and conduct of the investigation to ensure a fair result. The local board has filed a Motion to Dismiss the appeal maintaining that there is no local board decision for the State Board to review.

The Appellants have appealed from a letter from counsel for the local board advising them of the process being followed to investigate their discrimination and harassment claims. The letter from Mr. Jeffers, however, does not constitute a final decision of the local board. Rather, it is merely a letter from legal counsel explaining the ongoing local investigation. Indeed, Mr. Jeffers’ letter states that the investigators’ final report will ultimately be presented to the local board for its review and consideration once the investigation is complete.

Because there is not yet a final decision of the local board with regard to the investigation, it is this 24th day of September, 2013, by the Maryland State Board of Education, ORDERED, that the appeal is hereby dismissed. See COMAR 13A.01.05.03C(1)(a).

MARYLAND STATE BOARD OF EDUCATION
By: 

Dr. Charlene M. Dukes
President

¹Appellants previously filed an appeal of their termination from employment with the local board. We are issuing a decision in that case today in *Messick and Moses v. Wicomico County Bd. of Educ.*, MSBE Op. No. 13-50 (September 24, 2013).