

VERGINA W.

Appellant

v.

PRINCE GEORGE'S COUNTY
BOARD OF EDUCATION,

Appellee

BEFORE THE

MARYLAND

STATE BOARD

OF EDUCATION

Order No. OR08-10

ORDER OF DISMISSAL

Appellant has filed an appeal with the State Board requesting review of her son's twenty day suspension from Prince George's County Public Schools.

On October 10, 2007, the principal of Forestville High School issued a Notification of Pupil's Suspension document informing Appellant that her son was involved in a Level III offense of assault and theft, and was being suspended for twenty days beginning on October 11, 2007. Suzanne Windsor, Pupil Personnel Worker, completed an investigation of the incident on October 22, 2007. The disciplinary process did not go beyond the investigation phase, however, because Appellant withdrew her son from the school system effective October 11, 2007.

The local board has filed a Motion to Dismiss the appeal because it is moot. 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 Arnold v. Carroll County Board of Education*, MSBE Opinion No. 99-41 (September 22, 1999); *Farver v. Carroll County Board of Education*; MSBE Opinion No. 99-42 (September 22, 1999); *Chappas v. Montgomery County Board of Education*, 7 Op. MSBE 1068 (1998). Because Appellant has withdrawn her son from the school system, there is no existing controversy between the parties and no effective remedy that the State Board can provide.¹

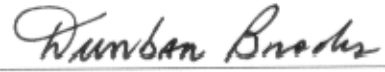
Therefore, it is this 24th day of June, 2008, by the Maryland State Board of Education,

¹The local board also maintains that the appeal should be dismissed for failure to exhaust the statutorily prescribed administrative remedies because Appellant did not pursue an appeal of the disciplinary decision before the local board. Given that we find this case is properly dismissed as being moot, there is no need for the State Board to rule on this issue.

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

MARYLAND STATE BOARD OF EDUCATION

By:



Dunbar Brooks
President