

SUSAN PAGANO,

Appellant

v.

HOWARD COUNTY
BOARD OF EDUCATION,

Appellee

BEFORE THE

MARYLAND

STATE BOARD

OF EDUCATION

Opinion No. 99-4

OPINION

Appellant, a former teacher with the Howard County Public School System, appealed her dismissal as a teacher from the school system.¹ The appeal was transferred to the Office of Administrative Hearings on August 25, 1998. An in-person prehearing conference was scheduled for September 25, 1998. That conference was postponed at Appellant's request and rescheduled for October 23, 1998. The appropriate notices were sent to Appellant. Appellant failed to submit a required pre-hearing statement by the October 19, 1998 deadline, and failed to appear for the October 23, 1998 conference.

At the October 23 conference, the local board attorney moved to dismiss the appeal based upon Appellant's failure to appear. The Administrative Law Judge proposed a default order, affirming the decision of the local board dismissing Appellant from her position with the local school system on the grounds of immorality and misconduct in office. The ALJ also notified Appellant that she had twenty days to file a motion to vacate the default order with the State Board. That motion was due on or before November 20, 1998. Appellant has not filed any response.

¹Appellant was dismissed from her position because she gave a false response to a question on her job application in which she indicated that she had never been dismissed or asked to resign by her former employer, the Anne Arundel County Board of Education. In fact, Appellant resigned from her position with that school system as a condition of a settlement agreement following an investigation of her alleged mistreatment of a disabled blind student. The settlement agreement between the Anne Arundel school system and Appellant ended the termination proceedings against her.

Accordingly, we dismiss the appeal based on Appellant's failure to prosecute her appeal. The decision of the Board of Education of Howard County is thereby affirmed.

Walter Sondheim, Jr.
President

Edward Andrews
Vice President

Raymond V. Bartlett

ABSTAIN*
JoAnn T. Bell

Philip S. Benzil

George W. Fisher, Sr.

Morris Jones

ABSTAIN*
Marilyn D. Maulsby

Judith McHale

Adrienne L. Ottaviani

John Wisthoff

* Ms. Bell and Ms. Maulsby are newly appointed members of the State Board of Education and did not participate in the review of this appeal.

January 26, 1999