

ALBERT JANOCHA,

Appellant

v.

CARROLL COUNTY  
BOARD OF EDUCATION,

Appellee

BEFORE THE

MARYLAND

STATE BOARD

OF EDUCATION

Opinion No. 02-51

### OPINION

In this appeal, Appellant challenges the local board's decision concerning his daughter's grade in computer literacy. Appellant maintains that his daughter should have received an A rather than a B+ because there was confusion about work she missed while taking the High School Assessments. The local board has submitted a Motion for Summary Affirmance maintaining that the grade decision was not arbitrary, unreasonable, or illegal. Appellant has submitted an opposition to the local board's motion.

### FACTUAL BACKGROUND

Appellant's daughter is currently a tenth grade student at Westminster High School. During the 2001-02 school year, Jenna missed three computer literacy classes at the end of the third marking period because she was taking the High School Assessments. Two assignments were distributed to the class during Jenna's absences, a stock market project and an additional task on a previously assigned slide show project. Upon Jenna's return to class, there was a substitute teacher who was unaware of the assignments Jenna had missed. Jenna was able to get information about the assignments from classmates; however, Appellant maintains that the information Jenna received was incomplete.

Jenna had previously completed work on the slide show project which was assigned prior to her absence, but failed to hand in a form for identifying certain computer files which had been added to the assignment by the teacher during Jenna's absence. Jenna received no credit for the slide show project because of the missing form. With regard to the stock market project, Jenna received 47 out of 125 points. Jenna had received 100 percent on all of her class assignments during the marking period except for these two. Jenna's undisputed exam grade was 85% and her semester grade was 86.58% (B).

Appellant and his daughter both spoke with Jenna's teacher, Mr. Beaver. After Mr. Beaver denied Jenna the opportunity to complete make-up work, Appellant appealed the grade requesting that it be changed to an "A."<sup>1</sup> Gregory C. Eckles, acting as the superintendent's

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<sup>1</sup>Appellant maintains that Mr. Beaver originally indicated that Jenna could do make-up work but that he later changed his mind because he would have had to do the same for nine other

designee, determined that the grade for the stock market project would stand given that it was not possible to ascertain whether the low grade was due to lack of mastery of the subject matter or lack of understanding about the project, and other students were not given the opportunity to correct this assignment. With regard to the slide show project, Dr. Eckles had the teacher recalculate the grade based on the work Jenna had completed earlier without the extra form. This resulted in a 74%.<sup>2</sup> After this recalculation, Jenna received a 90.5% for the marking period and an 89.7% (B+) for the semester. Dr. Eckles upheld this determination.

Appellant appealed Dr. Eckles' decisions to the local board. In a unanimous decision, the local board found that Dr. Eckles' decisions were neither arbitrary, unreasonable, nor illegal, and that it would be inappropriate for the local board to set them aside.<sup>3</sup>

## ANALYSIS

This appeal concerns the merits of Jenna's grade for the third marking period for her computer literacy course, and consequently her grade for the semester. However, it is well settled that the State Board will not review the merits of student grade decisions. As stated in *Crawford v. Washington County Board of Education*, 4 Op. MSBE 890 (1997), "the merits of students' grades 'should be kept within the school building,' and are to be made by the persons most able to evaluate the situation from personal knowledge." See also *Fisher v. Montgomery County Board of Education*, MSBE Opinion No. 99-43 (September 22, 1999)(upholding grade of D in AP English); *Chase v. Carroll County Board of Education*, 7 Op. MSBE 915 (1997)(upholding grade of B in Expository Writing); *Mai v. Montgomery County Board of Education*, 7 Op. MSBE 752 (1997)(upholding grade placement decision); *Tompkins v. Montgomery County Board of Education*, 7 Op. MSBE 475 (1996)(upholding grade of D in English). The State Board will only accept appeals regarding academic grades if there are specific allegations that the local board failed to follow proper procedure or violated a student's due process rights.

Based upon our review of the record, we do not find any due process or procedural violations. To the contrary, Appellant's request to change Jenna's grade was investigated by the superintendent's designee who had Mr. Beaver re-grade one of Jenna's homework assignments. Her semester grade was adjusted upward to reflect this change.

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students in his class. See April 7, 2002 letter to Krebs from Appellant.

<sup>2</sup>In its decision, the local board noted that the recalculation was done by Mr. Beaver with the assistance of another teacher from the department. The other faculty member determined that Jenna should receive a 74% on the project, which Mr. Beaver believed was higher than appropriate.

<sup>3</sup>Local board President, Susan W. Krebs, was absent and did not participate in the decision.

CONCLUSION

For these reasons, we do not find that the local board acted arbitrarily, unreasonably, or illegally in this matter. We therefore affirm the decision of the Board of Education of Carroll County upholding Jenna's grade in computer literacy.

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October 30, 2002