

K.C.,

Appellant

v.

PRINCE GEORGE'S
COUNTY BOARD OF
EDUCATION,

Appellee.

BEFORE THE

MARYLAND

STATE BOARD

OF EDUCATION

Order No. OR 20-05

ORDER

On December 17, 2019, Appellant filed this appeal of a decision of the Prince George's County Board of Education ("local board") denying Appellant's request for a grade change on several of her son's high school class assignments. The local board affirmed the determination of the Chief Executive Officer's ("CEO") designee awarding Appellant's son 50% grades on each of the assignments that were the subject of the appeal, one of which was a Chapter 2 assignment in his Research Practicum Engineering Course. Because the grades were not changed, the local board also denied Appellant's request to award her son the Science and Technology endorsement on his high school diploma. In her State Board appeal, Appellant does not seek to overturn her son's grades on the assignments, rather she seeks only to have all references to academic dishonesty with regard to the Chapter 2 assignment removed from her son's record. (State Board Appeal).

When the Appellant initially requested the grade changes she was not aware that there was an issue involving academic dishonesty on the Chapter 2 assignment. She only became aware of it when the School Instruction Team ("SIT") advised her that her son would receive 50% on the assignment for good faith effort in completing the assignment and submitting it late, even though there was an issue of academic dishonesty.¹ As best we can discern from the record, the issue of academic dishonesty concerned changes made by a teacher who had access to the student's document several days after the student submitted the document for grading. The student immediately deleted the changes made by the teacher and restored the document to its original form. (Response, Ex. A – BOE Appeal at p.20). It is unclear why the SIT referenced this as academic dishonesty in the student's education record.

Thereafter, in her appeal to the Instructional Director, Dr. Ryans, Appellant not only requested a grade change but also requested that any references to academic dishonesty related to the Chapter 2 assignment in her son's education record be removed. (Response, Ex. A - BOE Appeal at p.21). Dr. Ryans denied the grade change request because the student submitted the assignments late. He did not address Appellant's request to remove references to academic dishonesty. (Response, Ex. A – BOE Appeal at p.26). On further appeal, both the CEO's designee and the local board affirmed the denial of the grade change based on late submission of

¹ Pursuant to PGCPS Administrative Procedure 5121.3 (Grading Element 4), teachers are to assign a grade of 50% on an assignment "for which the student completes the entire assignment and made a good faith effort."

the assignments. Neither one addressed the issue of removing references to academic dishonesty from the student's education record. (Response, Ex. A – BOE Appeal at p.42 (Battle Decision) and Local Board Decision).

The local board requests that the State Board dismiss the appeal as it relates to amending the student's education record because the local board did not render a decision on that issue, which it has since remanded to the Instructional Director, Dr. Ryans, for a decision. Because the matter is currently under review by Dr. Ryans and because the matter must first be decided by the local board before an Appellant can pursue an appeal to the State Board, we dismiss without prejudice the issue of removing references to academic dishonesty related to the Chapter 2 assignment from the student's education record. *See Kemp v. Montgomery County Bd. of Educ.*, MSBE Op. No. 01-14 (2001).

The local board also seeks dismissal of the appeal based on untimely filing with the State Board. Because the only issue contained in the State Board appeal concerns Appellant's request to amend the student's education record as it relates to references of academic dishonesty on the Chapter 2 assignment, and that issue is currently under review by the PGCPD Instructional Director, we need not address the issue of untimeliness of the State Board appeal.

Therefore, it is this 24th day of March 2020 by the Maryland State Board of Education, ORDERED, that this appeal is dismissed without prejudice.

MARYLAND STATE BOARD OF EDUCATION

Signature on File:

Warner I. Sumpter
President