

BRANDON MATTHEWS,

Appellant

v.

BALTIMORE CITY BOARD
OF SCHOOL
COMMISSIONERS

Appellee.

BEFORE THE

MARYLAND

STATE BOARD

OF EDUCATION

Order No. OR 22-15

ORDER

Brandon Matthews (“Appellant”) appeals the July 26, 2022, decision by the Baltimore City Board of School Commissioners (“local board”) to uphold the denial of his request for a religious exemption from the school system’s mandatory vaccination policy, which Baltimore City Public Schools (“BCPS”) denied on the basis of insincere beliefs.

The local board filed a motion to dismiss maintaining the appeal is moot based on actions taken subsequent to the appeal. Specifically, since the filing of the appeal, Appellant submitted additional documentation to BCPS in support of his request for a religious exemption, and the BCPS granted Appellant’s request for an exemption. (Local Board Reply, Ex. 1). Furthermore, the local board lifted the vaccination mandate for school system employees. The local board maintains that any disciplinary action imposed on Appellant will be removed from his record.¹

“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.’” *Mallardi v. Carroll County Bd. of Educ.*, MSBE Op. No. 00-07 (2000) (quoting *In Re Michael B.*, 345 Md. 232, 234 (1997)). Given BCPS granted Appellant’s request for a religious exemption and his disciplinary action will be removed, there is no remaining controversy that this Board can remedy.

Accordingly, it is this 6th day of December 2022, ORDERED, by the Maryland State Board of Education, that the appeal is dismissed based on mootness. See COMAR 13A.01.05.03B.

MARYLAND STATE BOARD OF EDUCATION

Signature on File:

Clarence C. Crawford
President

¹ Appellant alleges that he received discipline in the form of forfeiture of three days of holiday pay for April 14-18, 2022; however, the paystubs submitted by Appellant and the local board show Appellant was paid 24 hours of holiday time for that time period.