

CHAYA BRENNER,

Appellant

v.

BALTIMORE CITY BOARD
OF SCHOOL
COMMISSIONERS

Appellee.

BEFORE THE

MARYLAND

STATE BOARD

OF EDUCATION

Order No. OR23-16

ORDER

Appellant filed this appeal of the Baltimore City Board of School Commissioners' August 4, 2023, decision to terminate her from her position as a speech pathologist for Baltimore City Public Schools ("BCPS") for insubordination, willful neglect of duty, and misconduct. (Motion, Ex. 1). Appellant maintains that in June 2021 she contacted the BCPS Office of Human Capital by email and by phone regarding her resignation, and that she submitted a letter of resignation per staff instruction. In her appeal, Appellant included three emails that she sent to the Office of Human Capital to support her claims. (Appeal).

The local board explains that it was not aware of the emails when it made the termination decision. (Motion). The Appellant had taken approved Family Medical Leave from September 2, 2020, through June 30, 2021, and did not return to work when the leave ended. BCPS scheduled a *Loudermill* hearing on her failure to return to duty following her approved leave. (Motion, Ex. 2). Because the Appellant did not appear for the hearing, the Office of Human Capital recommended the Appellant's termination, and the Chief Executive Officer issued a Statement of Charges. (Motion, Ex. 3). The Appellant did not contest the Statement of Charges and the local board issued the termination order. (Motion, Ex. 1).

The local board has filed a Motion to Remand the Appeal asking that, based on the new evidence submitted by the Appellant, the State Board remand the appeal to the local board for further proceedings. *See* COMAR 13A.01.05.04C (State Board may remand a case to local board to receive additional evidence...."). The Appellant concurs with the local board's request to remand. (Reply).

Therefore, it is this 24th day of October 2023, ORDERED, by the Maryland State Board of Education, that the appeal is remanded to the local board for further proceedings and consideration of the new evidence.

MARYLAND STATE BOARD OF EDUCATION

Signature on File:

Clarence C. Crawford
President