

S.E.,

Appellant

v.

BALTIMORE COUNTY
BOARD OF EDUCATION

Appellee.

BEFORE THE

MARYLAND

STATE BOARD

OF EDUCATION

Order No. OR 23-02

ORDER

This is an appeal of the September 13, 2022, decision of the Baltimore County Board of Education (“local board”) denying the Appellant’s request to accelerate her child, Student X, from kindergarten to the first grade during the 2021-2022 school year. Because Student X began attending first grade at Wellwood International School (“WIS”) at the start of the 2022-2023 school year, the appeal is moot.

Student X has been in the first grade at WIS since the start of the 2022-2023 school year.¹ Thus, Appellant’s appeal requesting that Student X be advanced to first grade is moot. “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 that Student X is in first grade and the first grade year is halfway complete, there is no remaining controversy that this Board can effectively remedy. At this point in time, if the Appellant still seeks to have Student X advanced a grade level, that process would have to begin anew.

Accordingly, it is this 24th day of January 2023, 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 For the first grade, per the recommendation from the Office of Advanced Academics, the school placed Student X in a higher achieving classroom and provided pull-out sessions. (Appellant’s Response).