

NAKIA S.

Appellant

v.

BALTIMORE CITY BOARD
OF SCHOOL
COMMISSIONERS

Appellee.

BEFORE THE

MARYLAND

STATE BOARD

OF EDUCATION

Order No. OR17-19

ORDER

Appellant has appealed the decision of the Baltimore City Board of School Commissioners (“local board”) denying her request for early entry to kindergarten for her son.

Appellant’s son, D.B., had received early entry to prekindergarten for the 2016-2017 school year, and he completed the prekindergarten program at Gwynns Falls Elementary School (“Gwynns Falls”). Appellant applied for early kindergarten entry for her son for the 2017-2018 school year. On June 21, 2017, the Director of Early Learning denied the request because D.B. failed to meet the early admission criteria due to his assessment scores. (Appeal, Ex. E). Appellant appealed that decision to the CEO and local board, each of whom denied the appeal. (Appeal, Ex. A). Meanwhile, despite those rulings, the administration at Gwynns Falls had already admitted D.B. to kindergarten for the school year.

Appellant filed her appeal to the State Board on October 25, 2017. On November 7, the local board requested that the State Board dismiss the appeal for mootness because D.B. is currently attending kindergarten at Gwynns Falls and has been doing so since the start of the school year. (Response to Appeal).

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.” *In Re Michael B.*, 345 Md. 232, 234 (1997); *See also Arnold v. Carroll County Bd. of Educ.*, MSBE Op. No. 99-41; *Farver v. Carroll County Bd. of Educ.*, MSBE Op. No. 99-42; *Chappas v. Montgomery County Bd. of Educ.*, 7 Op. MSBE 1068 (1998). Because Appellant’s son is enrolled in and attending kindergarten at Gwynns Falls, the appeal is moot. There is no longer an existing controversy between the parties and no effective remedy that the State Board can provide.

Accordingly, it is this 5th day of December, 2017 by the Maryland State Board of Education,

ORDERED, that the appeal referenced above is hereby dismissed because it is moot. *See* COMAR 13A.01.05.03C(2).

MARYLAND STATE BOARD OF EDUCATION

Signature on File:

Andrew R. Smarick
President