

LORENA REYES
HARDING,

Appellant

v.

HOWARD COUNTY
BOARD OF EDUCATION,

Appellee.

BEFORE THE

MARYLAND

STATE BOARD

OF EDUCATION

Order No. OR 20-04

ORDER

On February 7, 2020, Appellant filed an appeal of the November 21, 2019 redistricting decision of the Howard County Board of Education (“local board”).

COMAR 13A.01.05.02B(1) provides that an appeal to the State Board “shall be taken within 30 calendar days of the decision of the local board” and that the “30 days shall run from the later of the date of the order or the opinion reflecting the decision.” An appeal is deemed transmitted within the limitations period if, before the expiration of the time period, it has been delivered to the State Board, deposited in the U.S. Mail as registered, certified or Express, or deposited with a delivery service that provides verifiable tracking from the point of origin. COMAR 13A.01.05.02B(3).

The local board made its final decision on the school redistricting at its regularly scheduled board meeting on November 21, 2019. The Appellant should have filed her appeal with the State Board on or before December 23, 2019, but she did not file it until February 7, 2020, the date it was received by the State Board via regular mail delivery. Time limitations are generally mandatory and will not be overlooked except in extraordinary circumstances such as fraud or lack of notice. *See Scott v. Board of Educ. of Prince George’s County*, 3 Op. MSBE 139 (1983).

Therefore, it is this 25th day of February 2020 by the Maryland State Board of Education, ORDERED, that the appeal referenced above is hereby dismissed for untimeliness. *See* COMAR 13A.01.05.03B(2).

MARYLAND STATE BOARD OF EDUCATION

Signature on File:

Warner I. Sumpter
President