

L.S.,

Appellant

v.

HOWARD COUNTY
BOARD OF EDUCATION,

Appellee.

BEFORE THE

MARYLAND

STATE BOARD

OF EDUCATION

Opinion No. 24-15

OPINION

INTRODUCTION

Appellant challenges the decision of the Howard County Board of Education (“local board”) withdrawing three of her children from the Howard County Public School System (“HCPSS”) because the Appellant failed to establish *bona fide* residency in Howard County after the school system discovered that she had purchased a home in Baltimore County as her principal residence. The local board responded to the appeal maintaining that its decision was not arbitrary, unreasonable, or illegal. The Appellant replied and the local board filed a line stating that it would rely on the arguments made in its response to the State Board as its initial filing was sufficient to answer the Appellant’s arguments.

FACTUAL BACKGROUND

During the 2023-2024 school year, the Appellant, as a guest family under a multi-family living arrangement with her parents, had four children enrolled in HCPSS including:

Student A, twelfth grade - Mt. Hebron High School (“MHHS”);

Student B, sixth grade - Ellicott Mills Middle School (“EMMS”);

Student C, second grade - Veterans Elementary School (“VES”); and

Student D, pre-kindergarten – VES.

Students B, C, and D were withdrawn from HCPSS, effective October 20, 2023, because it was determined that that the *bona fide* residence for the Appellant is in Baltimore County at 1002 Leeds Avenue Baltimore, MD 21229 (the “Baltimore County Address”). Student A, who turned 18 during September 2023, was eligible to remain at his school within HCPSS to finish his senior year as it was determined that he was an emancipated student who established an independent *bona fide* residence in Howard County with his grandparents, the Appellant’s parents, at 4509 Cornflower Court, Ellicott City, MD 21043 (the “Howard County Address”). (R. 84-85, 250-251).

HCPSS Policy 9000 (*Student Residency, Eligibility, Enrollment and Assignment*) (“Policy 9000”) (VI.B) defines “*Bona fide Residence*” as the person’s principal residence maintained in good faith, and it does not include a temporary residence, or a superficial residence established for the purpose of attendance in HCPSS. Policy 9000 (VI.B) further provides that evaluation of a person’s principal residence is a factual one and will be made on an individual basis. Policy 9000 (III.E) requires a court order to establish custody for a student whose parents live apart. Policy 9000 (III.E) permits an emancipated student who has established a *bona fide* residence in Howard County to be considered a resident student. HCPSS Policy 9000 (*Implementation Procedures – Student Residency, Eligibility, Enrollment and Assignment*) (“Policy 9000 IP”) (II.C) provides that guest families residing with host families may establish residency through the completion of the Multiple Family Disclosure Form. Policy 9000 IP (II.C) further provides that multiple family enrollments are subject to investigation at any time and a finding that falsified information was used to establish a multiple family enrollment will result in the students of the guest family being withdrawn from school. Policy 9000 IP (II.C) also provides that tuition will be charged from the first date of entry to the date of withdrawal.

On May 2, 2011, during kindergarten registration for the 2011-2012 school year prior to Student A starting kindergarten, the Appellant completed the Multiple Family Disclosure (“MFD”) paperwork with the Appellant as the “Guest Family” living with her parents, Lamon Sealey and Franklin Sealy, as the “Host Family” residing at the Howard County Address. (R. 216). As Appellant’s children became school-aged, they were added to the MFD paperwork. (R. 82).

On May 25, 2022, the principals for VES and Centennial High School (“CHS”) sent withdrawal letters after Pupil Personnel Workers (“PPWs”) were prompted to investigate when one of the students reported that they were not living at the Howard County Address during the 2021-2022 school year. (R. 82, 218, 219). At that time, Student A was in tenth grade at CHS; Student B was in fourth grade at VES, and Student C was in kindergarten at VES. *Id.* The Appellant appealed the principals’ decisions to the Residency Office. A residency hearing was held on June 14, 2022, before Kris Woodson, Student Reassignment and Residency Specialist, acting as the Superintendent’s Designee. On June 15, 2022, Ms. Woodson determined that the residence located at the Howard County Address was a superficial residence, established for the purpose of attendance in HCPSS. She determined the Appellant’s *bona fide* residence to be at 4203 Hooper Avenue, Baltimore, MD, 21229, which was the address of the Appellant’s husband who at that time was living with his father. (R. 82, 221, 222). The students were withdrawn effective June 17, 2022, and the Appellant was charged tuition in the amount of \$10,990.32. (R. 82, 221-223).

The Appellant appealed the 2022 residency decision to the local board. On August 10, 2022, Mr. Jared Woodley, PPW for CHS, and Mr. Restia Whitaker, Coordinator of Pupil Support Services, conducted a home visit at the Howard County Address and determined that the Appellant and her children were living there. (R. 82). By letter dated August 15, 2022, Melissa Grady, PPW for Student Reassignment and Residency, notified the Appellant that the determination issued on June 15, 2022, was rescinded and that HCPSS determined based on the home visit that the Howard County Address was the Appellant’s and her children’s *bona fide* address. (R. 247). The letter advised the Appellant that she needed to contact Neil Gwinn, PPW for VES, and Jared Woodley, PPW for CHS, to complete the MFD form and that the MFD

paperwork would then be used to re-enroll her children. (R. 247). The letter also notified the Appellant that the invoice for tuition in the amount of \$10,990.32 was voided. *Id.*

HCPSS staff assisted the Appellant with the completion of the MFD paperwork. The Appellant sent the information needed to complete the new MFD paperwork and to re-enroll the children in HCPSS. (R. 224 – 245). The Appellant included the following documents to evidence that she was living at the Howard County Address:

- A copy of the Appellant’s Maryland driver’s license showing the Howard County Address; and
- A copy of mail addressed to the Appellant at the Howard County Address from the Maryland Department of Motor Vehicles and the Internal Revenue Service.

(R. 244 - 245).

New MFD paperwork was finalized on August 23, 2022, and Student D was added to the paperwork. (R. 82, 234-245). The Multiple Family Affidavit that was completed stated, in pertinent part:

- This signed document shall verify that the [Appellant and Appellant’s mother understand] that enrollment in the [HCPSS] is contingent on continuous and regular domicile of the guest family at the host family’s address.
- This affidavit indicates that all individuals listed on the MFD are actually living at the (MFD) address on a daily basis and that they maintain no concurrent or secondary residence elsewhere. If the guest family owns another home, which is listed as their principal residence, or if the guest family has a current lease at another address, the guest/family is not eligible to enroll their child/children using this process.
- It is further understood that the guest family accepts their responsibility to immediately inform the school registrar or PPW as soon as they or their child(ren) or their host are no longer living at the address of record on the current MFD.
- Multiple family enrollments are subject to investigation at any time. A finding that falsified information was used to establish a multiple family enrollment will result in the student(s) of the guest family being withdrawn from school. Tuition will be charged from the first date of entry to the date of withdrawal.

(R. 235). The MFD paperwork was approved by PPW Woodley and sent to the Appellant by email on August 23, 2022.¹ (R. 226 – 227, 234 - 245).

¹ It is standard practice for HCPSS to send the completed MFD paperwork to all families who enroll under a MFD. (R. 86).

The students were re-enrolled for the 2022-2023 school year in HCPSS. Student A re-enrolled at CHS as an eleventh grader but in November of 2022, he transferred to MHHS for the DSE Regional program. Students B and C re-enrolled at VES as fifth and first graders, respectively. Student D was not school-aged. (R. 82).

During the 2022-2023 school year, one of the Appellant's children reported to school staff that he lives with his grandparents because the grandparents live near the school, and he sees his parents on the weekends. *Id.* The PPWs began an investigation. During the investigation, residents located in the Howard County Address neighborhood reported to HCPSS staff that the Appellant and her children do not live at the Howard County Address and that they have not lived at the Howard County Address for a while. It was reported that, during the 2022-2023 school year, the Appellant dropped off the children at the Howard County Address before school to catch the bus and then picked them up in the afternoon. (R. 83).

The PPWs also discovered that the Appellant purchased a home in Baltimore County on August 31, 2022. (R. 253-259). Pursuant to the Procedures for Residency Investigation (R. 261-267), the following information was gathered:

1. Maryland Land Records confirm that the Baltimore County Address (1002 Leeds Avenue, Baltimore, MD 21229) was purchased by the Appellant on August 31, 2022, for \$305,500. This home is 1,340 square feet and sits on 0.25 acres of land. It has 4 bedrooms and 2.5 bathrooms. On the Maryland State Department of Assessments and Taxation (SDAT) website, this address is listed as the Appellant's principal residence. 1002 Leeds Avenue is in Baltimore County. (R. 83, 253-259, 269).
2. Accurint² reflects both the Baltimore County and the Howard County Addresses for the Appellant. (R. 82, 271-280).
3. BGE service at the Baltimore County Address is connected to the Appellant's and her husband's phone numbers. (R. 82, 282-283).
4. Maryland Judiciary Case Search Records:
 - a. Case 1: February 22, 2023 – J.S. filed for guardianship of Student A. The address for the Appellant, her husband, and Students A, B, C, and D is listed as the Baltimore County Address. (R. 83, 285-286). It was filed with the Circuit Court in Baltimore County. *Id.*
 - b. Case 2: February 24, 2023 - Custody case involving J.S. as the plaintiff and the Appellant and Appellant's husband as defendants. The address for the Appellant and her husband is listed as the Baltimore County

² Accurint is Lexis/Nexis software used by many federal and state agencies, including law enforcement agencies, to determine where an individual lives.

Address. (R. 83, 288-289). It was filed with the Circuit Court in Baltimore County. *Id.*

- c. Case 3: February 25, 2023 - This case was filed against the Appellant in the Circuit Court in Baltimore County. (R. 83, 291).
- d. There is no evidence in Maryland Judiciary Case Search that the Appellant and her husband filed for divorce or custody.

5. Surveillance was conducted:

- a. Surveillance at the Baltimore County Address
 - i. December 28, 2023 - P.M. - Black Acura (2019) registered to the Appellant was parked in front of house. (R. 293-296).
 - ii. December 20, 2023 - A.M. - Black Acura (2019) registered to the Appellant was parked in front of house. (R. 298).
 - iii. August 4, 2023 - A.M. - Black Acura (2019) registered to the Appellant was parked in front of house. (R. 266).
 - iv. August 3, 2023 - P.M. - Black Acura (2019) registered to the Appellant was parked in front of house. (R. 266).
- b. Surveillance at Howard County Address:
 - i. January 4, 2024 - P.M. - White Audi parked in driveway - no front license plate - could not see back plate. (R. 84).
 - ii. August 18, 2023 - A.M. - Four cars seen - one car was co-owned by the Appellant and her father (2017 Chevrolet), one registered to Appellant's father (2020 Audi), one to a person not in this case (2010 Toyota), and one car did not have a front license plate (R. 84).
 - iii. August 14, 2023 - A.M. - No cars seen (R.84).

6. Social Media:

- a. December 16, 2023 – The Appellant's profile picture on Facebook included the Appellant, her husband, and Students B, C, and D, and states that the Appellant is married to her husband. (R. 84, 300).
- b. November 12, 2023 – The Appellant's profile picture on

Facebook included the Appellant, her husband, and Students B, C, and D. (R. 84, 301, 303).

- c. September 9, 2023 – The Appellant’s profile picture on Facebook included the Appellant and her husband. (R. 84, 306).
- d. January 30, 2023 – The Appellant’s profile picture on Facebook included the Appellant and her husband. (R. 84, 307).
- e. December 24, 2022 – The Appellant’s profile picture on Facebook included the Appellant, Appellant’s husband, and Student A, B, C, and D. (R. 84, 309).

In addition, in September of 2023, Student A reported that he has not seen his mother, the Appellant, for 6 months and that he lives with his grandparents at the Howard County Address and pays rent to live there. (R. 84). Student A provided pay stubs to support his request to qualify as an emancipated student. He later reported that his siblings, Students B, C, and D, live at the Baltimore County Address with the Appellant and her husband. (R. 84-85).

On September 18, 2023, withdrawal letters were issued for Students A, B, C, and D from MHHS, EMMS, and VES. (R. 79). The Appellant appealed the decision on September 18, 2023. (R. 79).

A virtual residency hearing was held on October 3, 2023, before Melissa Grady, Pupil Personnel Worker for Reassignment and Residency. Members of the residency teams were also present. The PPWs shared the results of the investigation and explained that it was discovered that the Appellant owned a home at the Baltimore County Address and that she completed paperwork when she mortgaged the home stating that the Baltimore County Address is her principal residence, yet she failed to notify HCPSS that she purchased a home. It was explained to the Appellant that she is ineligible to establish residency under the multi-family process because she owns another home that is listed as her principal residence, and this is not permitted by local board policy. (R. 313-317).

During the hearing, the Appellant explained that she lives with her parents and the kids at the Howard County Address. She explained that she purchased the house from a relative in August of 2022 for her soon to be ex-husband to live there and she was uncertain if she signed an affidavit stating it was her principal residence. She explained that he was not eligible for a mortgage so she purchased the home so that he could have a place where he could visit with the kids. She also explained that she and her husband do not have a separation agreement, custody agreement, or any other formal agreement. Appellant further acknowledged that she works near the Baltimore County Address and that the children spent the summer at the Baltimore County Address. She also stated that she rents the house to her husband. (R. 313-317 & Appeal, local board decision at p.3).

By letter dated October 6, 2023, Ms. Grady advised the Appellant that based on the residency investigation and the information shared at the residency hearing, HCPSS had

determined her *bona fide* residence to be at the Baltimore County Address which is located in the school attendance zone for Baltimore County Public Schools. Ms. Grady informed the Appellant that when she purchased the home at the Baltimore County Address as her principal residence on August 31, 2022, she was no longer eligible to enroll her children in HCPSS under Policy 9000. Ms. Grady further notified the Appellant that the Howard County Address was a superficial residence established for the purpose of school attendance in HCPSS, and that per Policy 9000, Students B, C, and D would be withdrawn from HCPSS effective October 13, 2023. (R. 319-320). In addition, Ms. Grady notified the Appellant that since Student A was 18 years old, he may qualify for other enrollment opportunities. Ms. Grady further advised the Appellant that she could request transfer packets for the students and that Students B, C, and D should be enrolled in their designated schools in Baltimore County. Ms. Grady also advised the Appellant that she would be assessed tuition in the amount of \$112,117.20. (R. 319-320).

On October 6, 2023, the Appellant submitted a second level appeal to Laurel Porter, Director of Program Innovation and Student Well-Being, as the Superintendent's Designee. On October 13, 2023, Appellant's counsel, Ms. Ashley VanCleaf, submitted additional documents to support her client's position including the following:

- Affidavit signed by Appellant's mother stating that the Appellant and her children live with her and her husband at the Howard County Address. (R. 110).
- Affidavit signed by Appellant's father stating that the Appellant and her children live with him and his wife at the Howard County Address. (R. 111).
- Affidavit signed by the Appellant stating that she completed the MFD paperwork using the Howard County Address on August 23, 2022, and that this is her principal residence where she lives with her four children full-time. The children visit their father at the Baltimore County Address on some weekends and she purchased the Baltimore County Address for the children's father. She stated that she does not live at the Baltimore County Address, and it is not her principal address. (R. 112).
- Bank statement dated 10/8/2023 addressed to the Appellant at the Howard County Address. (R. 113 – 122).
- 2021 joint federal tax return filed by the Appellant and her husband showing the Howard County Address. (R. 123 – 137).
- Employment statements signed by the Appellant and an authorization to obtain credit report signed by the Appellant on 10/5/2023 showing the Howard County Address. (R. 140).
- Notes and emails about the residency issues between the Appellant and HCPSS. (R. 141-144).

After reviewing the record in this matter and speaking with the Appellant, Ms. Porter issued her decision in a letter to the Appellant dated October 19, 2023. Ms. Porter explained that it was determined that the Appellant's *bona fide* residence is the residence located at the Baltimore County Address and that the withdrawal dates for Students B, C, and D were extended from October 13, 2023, to October 20, 2023. Ms. Porter further advised the Appellant of her

right to appeal to the local board but also stated that any appeal would not stay the decision to withdraw her children from HCPSS. She further advised the Appellant that the tuition was reduced from \$112,117.20 to \$77,047.80.³ (R. 335-36).

On October 24, 2023, the Appellant appealed the decision to the local board. The Appellant and the Superintendent submitted documents and arguments supporting their positions. The Superintendent's exhibits included a detailed response from the Superintendent's Designee dated January 17, 2024. (R. 79 – 98). On November 17, 2023, Appellant's counsel, Ms. VanCleaf, submitted on behalf of her client additional documents to be considered by the local board. (R. 372). Appellant's counsel stated that, since the last notice, "[Appellant] has pursued filing for custody and has formalized the rent agreement for the property in Baltimore County. These papers will be filed in court on Monday." (R. 372). Appellant's counsel provided an unsigned lease agreement dated November 17, 2023, between the Appellant and her husband for the property located at the Baltimore County Address (R. 352 – 361) and an unsigned and proposed court complaint for child custody and proposed consent custody order. (R. 363 – 371). Despite Appellant's counsel's representation to the local board that these documents would be filed with the court on Monday, December 4, 2023, the Appellant has provided no evidence that any custody proceedings were ever filed with the court.

Prior to the local board review of this matter scheduled for January 17, 2024, Appellant's counsel first requested the documents regarding the residency appeal on December 5, 2023. (Appeal, Ex. 14). The administrator for the local board attempted to electronically send the documents to the Appellant prior to January 12, 2024, however, because of the size of the record, the email was returned. *Id.* On January 12, 2024, the local board administrator sent the appeal documents in five separate emails. *Id.* She also offered to have a copy of the record printed for the Appellant if she did not receive the requested document via email. *Id.* The Appellant alleges that she did not receive the appeal packet until January 16, 2024. (Appeal at 3; Appeal, Ex. 14).

The local board considered this matter on the record on January 17, 2024, and issued its decision on February 9, 2024. The local board stated that it considered the evidence presented by the Appellant but found that there "were a number of discrepancies in the authenticity of the documents submitted by Appellant in support of her appeal." (Appeal, local board decision at pp. 6-7). Specifically, the local board stated, "the unexecuted lease is alleged to begin on November 17, 2023, with a leasing period to begin on November 1, 2023. However, the Appellant purchased [the Baltimore County Address] on August 31, 2022, and executed the Multiple Family Disclosure to register the students on August 23, 2022." (Appeal, local board decision, p.7). The local board concluded that the evidence established that the Appellant and her children's *bona fide* residence is at the Baltimore County Address where the Appellant is listed on the deed as having her principal residence, which makes her ineligible to register the students under the Multiple Family Disclosure pursuant to Policy 9000. *Id.* The local board also remanded this case back to the Superintendent's Designee for consideration of reductions on the tuition assessments based on demonstrated financial hardships. *Id.* The record does not contain a decision on tuition from the Superintendent's Designee on the assessment of tuition.

³ It appears from the record that the original invoice of \$112,177.20 included the amount of tuition of \$35,069.40 for Student A who was permitted to remain in HCPSS as an emancipated minor. *Id.*

STANDARD OF REVIEW

Local board determinations of *bona fide* residency are decisions involving a local policy or a controversy and dispute regarding the rules and regulations of the local board. Such decisions are considered *prima facie* correct. The State Board will not substitute its judgment for that of the local board unless the decision is arbitrary, unreasonable or illegal. COMAR 13A.01.05.06A. The Appellant has the burden of proof by a preponderance of the evidence. COMAR 13A.01.05.06D.

LEGAL ANALYSIS

Residency Decision

State law invests local boards with the authority to determine the geographical boundaries of the schools in their jurisdiction. Md. Code Ann., Educ., §4-109(c). The local board has determined its boundaries and requires students to attend the school serving the attendance area in which their parents have *bona fide* residency, unless one of the enumerated exceptions applies. Policy 9000 (III.E). “*Bona fide* residence” is defined as the “person’s principal residence maintained in good faith.” Policy 9000 (VI.B). “It does not include a temporary residence or a superficial residence established for the purpose of attendance in the HCPSS.” Policy 9000 (III.B).

The Appellant’s residency first came under investigation during the 2021-2022 school year when it was reported by one of her children that the children were living with the Appellant and her husband at the Appellant’s father-in-law’s residence located in Baltimore County. The Appellant appealed the initial residency decision finding that the Howard County Address was a superficial residence and following a home visit conducted by HCPSS on August 10, 2022, HCPSS rescinded the initial residency decision but required the Appellant to submit new MFD paperwork. The Appellant submitted the necessary information and documents to complete the new MFD paperwork and it was finalized on August 23, 2022. The completed MFD paperwork was sent to the Appellant on August 23, 2022. *See* R. 226-227.

Eight days later, on August 31, 2022, the Appellant purchased a home located in Baltimore County. To complete this purchase, the Appellant signed a “First Time Homebuyer and Owner Occupied Affidavit,” certifying under oath and under the penalties of perjury that she would occupy the property as her principal residence. R. 171. The land records also include the State of Maryland Land Instrument intake sheet which documents that the property was conveyed to be the Appellant’s principal residence. R. 258.

Under Policy 9000, if the guest family owns another home as their principal residence, the students are not eligible for enrollment under a Multiple Family Disclosure *Kristin H. v. Howard County Bd. of Educ.*, MSBE Op. 22-16 (2022). The local board rejected the Appellant’s argument that her and her children’s actual residence is with her parents at the Howard County Address and that she purchased this home so that she could rent it to her soon to be ex-husband so that he would have a place to live, and the children would have a place to stay when they were visiting her husband. In support of this argument, the Appellant submitted an unsigned lease document and draft filings for custody. Her counsel stated to the local board that the papers would be filed in court on Monday, December 4, 2023. To date, however, no such papers have

been filed with the court. The Appellant has offered no reason why the papers have not been filed nor has the Appellant and her counsel corrected their representation that the papers would be filed with the court. We find that it was reasonable for the local board to give little weight to the draft documents and the affidavits the Appellant submitted in support of her arguments. We also agree with the local board that the preponderance of the evidence in the record demonstrates that the Howard County Address does not meet the definition of a *bona fide* residence pursuant to Policy 9000. The record establishes that the Appellant purchased a home in Baltimore County as her principal residence.

The Appellant does not argue with the merits on appeal before the State Board. Rather, the Appellant argues that we must reject the local board decision based on denial of due process because the Appellant did not personally sign the MFD affidavit and because the Appellant did not receive a copy of all documents in the record until the day before the local board's consideration of this matter. We reject these arguments.

Appellant's argument that she should not be bound to the terms of the MFD affidavit because she permitted a HCPSS staff member to sign on her behalf to facilitate the enrollments of her children is simply not supported by facts established in the record nor the law. In essence, the Appellant is asking the State Board to grant her all the benefits of a multiple family enrollment without any of the obligations imposed on such an enrollment. The 2022 MFD paperwork was required to re-enroll the children in HCPSS following the initial residency decision concluding that the Appellant's residence in Howard County with her parents was a superficial residence used for purposes of school attendance. The Appellant supplied the necessary information and documents to complete the 2022 MFD paperwork. The completed paperwork was then sent to the Appellant and the students were re-enrolled based upon that MFD paperwork. Furthermore, this argument is contradicted by the Appellant's own affidavit she submitted in this matter, seriously questioning the Appellant's credibility. She stated in her affidavit, "I completed the August 23, 2022 Multiple Family Determination (MFD) paperwork using [the Howard County Address]." R. 112.

Likewise, her argument that she was denied due process because she was not supplied with all the documents in the record until the day before the local board considered this matter also fails. The record demonstrates that when the local board administrator encountered problems sending the record electronically, she offered to print out the documents on January 12, 2023, for the Appellant - a week before the local board meeting. The documents were available for the Appellant for an earlier inspection date, but she declined this offer.

Furthermore, the Appellant fails to demonstrate that she suffered any prejudice as the record is clear that the Appellant had notice of the residency investigations and applicable policies and was given an opportunity to respond at each level of the appeal including this appeal. The Appellant was unable to produce any credible evidence to support her arguments that she continues to live with her parents at the Howard County Address after purchasing a home in Baltimore County that she declared as her principal residence.

We find that the Appellant has failed to carry her burden to demonstrate that the decision determining that the Appellant's *bona fide* residence is located at the Baltimore County Address is unreasonable, arbitrary, or illegal.

We are troubled that the record in this case fails to establish that the Appellant has enrolled Students B, C, and D in Baltimore County Public Schools, a private school, or provided home instruction. The Appellant is legally obligated to follow the state mandated school attendance requirements. Md. Code Ann., Educ., §7-301. Accordingly, we order that the Appellant provide evidence of enrollment of her children in Baltimore County Public Schools or other evidence clearly satisfying the state mandated school attendance obligation within thirty (30) days of this decision.

Tuition

The local board remanded this case back to the Superintendent's Designee for consideration of reductions on the tuition assessments based on demonstrated financial hardships. The record does not contain a decision on tuition from the Superintendent's Designee on the assessment of tuition. Therefore, we decline to address this issue until such time as the local board has reached a final decision on any tuition assessment.

CONCLUSION

For all of these reasons, we affirm the decision of the local board and ORDER the Appellant to provide proof of enrollment of her children in a school to satisfy the state mandated attendance requirements.

Signatures on File:

Clarence C. Crawford
President

Joshua L. Michael
Vice-President

Shawn D. Bartley

Chuen-Chin Bianca Chang

Susan J. Getty

Monica Goldson

Nick Greer

Irma Johnson

Rachel McCusker

Samir Paul

Absent:
Joan Mele-McCarthy
Holly Wilcox

June 25, 2024