

LEE THOMASSEN,

Appellant

v.

BALTIMORE COUNTY
BOARD OF EDUCATION

Appellee.

BEFORE THE

MARYLAND

STATE BOARD

OF EDUCATION

Order No. OR 17-18

ORDER

The Appellant has requested that this Board reconsider its August 22, 2017 decision in *Lee Thomassen v. Baltimore County Board of Education*, MSBE Order No. OR17-13, denying the Appellant's request to stay the State Board appeal of his termination until the United States Department of Education, Office of Civil Rights and the Equal Employment Opportunity Commission render decisions on his pending complaints.

A decision on a request for reconsideration shall be made in the discretion of the State Board except that a decision may not be disturbed unless there is sufficient indication in the request that:

- (1) The decision resulted from mistake or error of law; or
- (2) New facts material to the issues have been discovered or have occurred subsequent to the decision.

The State Board may refuse to consider facts that the party could have produced while the appeal was pending. The State Board may, in its discretion, abrogate, change, or modify the original decision. COMAR 13A.01.05.10D.

As stated above, the State Board's decision on a request for reconsideration is discretionary. The Appellant has not demonstrated that the State Board's denial of the stay resulted from a mistake or error of law. Nor have new facts material to the issues occurred. Because the Appellant has failed to provide an adequate basis for reconsideration of MSBE Order No. OR17-13, it is this 24th day of October, 2017,

ORDERED, by the Maryland State Board of Education, that the request for reconsideration is denied. *See* COMAR 13A.01.05.10D.

MARYLAND STATE BOARD OF EDUCATION

Signature on File:

Andrew R. Smarick
President