

YVETTE BREBNOR,

Appellant

v.

BALTIMORE CITY BOARD
OF SCHOOL
COMMISSIONERS,

Appellee.

BEFORE THE

MARYLAND

STATE BOARD

OF EDUCATION

Order No. OR 20-01

ORDER

Ms. Brebnor has requested that this Board reconsider its October 22, 2019 decision in *Brebnor v. Baltimore City Board of School Commissioners*, MSBE Op. No. 19-38, upholding her termination from her teaching position for incompetency, insubordination, misconduct, and willful neglect of duty. The local board has responded to the reconsideration request.

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.01.05.10.

Ms. Brebnor has not demonstrated that the State Board's decision resulted from a mistake or error of law. Nor has she demonstrated that new material facts were discovered or occurred subsequent to the State Board's decision. Rather, the request for reconsideration disputes the evidence relied upon by the State Board and rehashes evidentiary arguments made in the initial appeal and exceptions to the Administrative Law Judge's proposed decision. This amounts to nothing more than a disagreement with the conclusions reached by the State Board, which is not a basis for reconsideration. *See Banks-Jones v. Baltimore City Bd. of Sch. Commr's*, MSBE Op. No. 17-32.

Because the Appellant has failed to provide an adequate basis for reconsideration of MSBE Op. No. 19-13, it is this 28th day of January, 2020, ORDERED, by the Maryland State Board of Education, that the request for reconsideration is denied.

MARYLAND STATE BOARD OF EDUCATION

Signature on File:

Jean C. Halle
Vice-President