

IN THE MATTER OF  
BALTIMORE COUNTY  
PARENT AND STUDENT  
COALITION, INC.

BEFORE THE  
MARYLAND  
STATE BOARD  
OF EDUCATION  
Order No. OR21-06

ORDER

The Baltimore County Parent and Student Coalition, Inc.<sup>1</sup> (“Petitioner”), requests that the State Board issue a declaratory ruling that the Baltimore County Board of Education (“local board”) recognize Petitioner as a stakeholder group under local board policy.

Local board Policy 8315 provides as follows, in pertinent part:

II. Definition

Stakeholder Groups – As contemplated by this policy, stakeholder groups include:

- A. The school system’s Student Council;
- B. PTA Council of Baltimore County;
- C. Area Education Advisory Councils;
- D. Representatives of the Board’s exclusive bargaining units of employees for collective bargaining purposes;
- E. Student (one Baltimore County Public Schools’ student. This slot will be allocated to the first student who signs up to speak); and
- F. Other advisory committees and associations identified by the Board and existing as of the 2018-2019 school year.

The local board permits stakeholder group representatives to provide public comment at local board meetings and automatically gives them a three-minute time slot during the public comment period if the representative is present. (Local Bd. Response, p.3).

On February 4, 2021, Petitioner requested that the local board designate it as a stakeholder group under local board policy. (Petition, Ex. A). On February 15, 2021, Makeda Scott, board Chair, advised Petitioner that it did not meet the definition of a stakeholder group as set forth in Policy 8315, thus it could not be recognized as such by the board. (Petition, Ex. B).

At the local board’s March 9, 2021 meeting, the local board Vice-Chair motioned to have Petitioner recognized as a stakeholder group, but withdrew her motion after board counsel

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<sup>1</sup>Petitioner states that it is a group pf concerned parents with children enrolled in Baltimore County Public Schools. (Petition. p.8). It was formed in January 25, 2021. *Id.*, Ex. A.

advised that Petitioner did not meet the plain terms of Policy 8315. (Local Bd. Response, Ex. 7 at 56-60). The local board voted to have the Policy Review Committee review the policy to determine what, if any, changes should be made to the stakeholder group provision. *Id.* at 60-81.

Petitioner filed this request asking that the State Board issue a declaratory ruling granting it stakeholder group status under Policy 8315. Petitioner maintains that the failure to award it stakeholder status, as communicated by the local board Chair, was a violation of local board policy. The local board responded to the request and the parties both filed replies.

The State Board has jurisdiction to issue declaratory rulings to explain the “true intent and meaning” of State education law pursuant to Education Article §2-205. Pursuant to COMAR 13A.01.05.05, a party may file a petition for declaratory ruling by the State Board on the interpretation of a public school law or regulation of the State Board that is material to an existing case or controversy. These legal provisions define the “original” grant of jurisdiction to this Board to issue a declaratory ruling.

We exercise our original jurisdiction sparingly and in specific circumstances. The law confines matters subject to review under §2-205 to those involving State education law, regulations, or a policy that implicates State education law or regulations on a statewide basis that is material to an existing case or controversy. *Dyer v. Howard County Bd of Educ.*, MSBE Op. No. 09-36 (2009)(Request for declaratory ruling dismissed because the issue did not involve State education law or State Board regulations). *See also, Nehemia’s Vision, Inc., et al. v. Prince George’s County Bd. of Educ.*, MSBE Op. No. 14-30 (2014); *Rock Creek Hills Ass’n v. Montgomery County Bd. of Educ.*, MSBE Op. No. 12-49 (2012); *Stanmore Family Limited Partnership, et al. v. Montgomery County Bd. of Educ.*, MSBE Op. No. 12-41 (2012); *Sartucci v. Montgomery County Bd. of Educ.*, MSBE Op. No. 10-31 (2010). Here, Petitioner does not challenge the denial of stakeholder status based on violations of State law or State Board regulation and we do not exercise our jurisdiction under such circumstances to grant a declaratory ruling.<sup>2</sup>

Accordingly, it is this 27th day of July 2021, by the Maryland State Board of Education, ORDERED, that the request for declaratory ruling is dismissed for lack of jurisdiction. COMAR 13A.01.05.03B.

MARYLAND STATE BOARD OF EDUCATION

Signature on file.

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Clarence C. Crawford  
President

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<sup>2</sup> Because we lack jurisdiction over the underlying matter in this case, we decline to address the other issues raised by the Petitioner.