

IN THE MATTER
OF I.B.

ORDER OF THE
STATE
SUPERINTENDENT
OF SCHOOLS
Order No. 21-01

ORDER

The Baltimore City Board of School Commissioners (“local board”) has requested an extension of the 45-day time period for the local board to conduct a hearing and issue a decision in the student discipline case concerning I.B.

For suspensions of more than ten days or expulsions, COMAR 13A.08.01.11(C)(4)(g) requires a local board, or a designated committee or hearing officer, to conduct a hearing and issue a decision within 45 days of the date of receipt of the appeal from the decision of the local superintendent or superintendent’s designee. If, due to extraordinary circumstances, the local board determines that it will be unable to hear an appeal and issue a decision within the 45-day time period, the local board may petition the State Superintendent of Schools for an extension of time to do so. COMAR 13A.08.01.11(C)(4)(h). The standard for granting extensions of this nature is high and the power is to be exercised sparingly.

The local board received the request for appeal on October 8, 2021, and board office staff were unsuccessful contacting the parent using the information listed on the appeal request. Specifically, the parent incorrectly listed her phone number, and emails sent by board staff to the given email address were returned as undeliverable. Board staff eventually obtained the correct parent contact information on October 28, 2021, when the parent was at the board office on a different matter. Thereafter, board staff communicated with the parent to schedule a hearing on November 9, 2021. The 45-day time period will expire on November 22, 2021. The local board seeks an extension of time to issue its decision until its meeting on December 14, 2021.

I do not find that these circumstances constitute extraordinary circumstances sufficient to justify granting the extension. The request provides no explanation why staff could not readily access the correct contact information through school system records. Additionally, there is no indication why the local board is unable to issue a decision by November 22 given the November 9 hearing date.

Accordingly, I deny the request for an extension.



Mohammed Choudhury
State Superintendent of Schools
November 9, 2021