

FRED RAGAZZONE,  
  
Appellant  
  
v.  
  
ANNE ARUNDEL COUNTY  
BOARD OF EDUCATION,  
Appellee.

BEFORE THE  
  
MARYLAND  
  
STATE BOARD  
  
OF EDUCATION  
  
Order No. OR24-10

### ORDER

Fred Ragazzone (“Appellant”) requests that this Board reconsider its March 26, 2024, Order in *Fred Ragazzone v. Anne Arundel Cnty. Bd. of Educ.*, MSBE OR24-06, which dismissed for untimeliness the Appellant’s appeal of the Anne Arundel County Board of Education’s (“local board”) decision affirming the termination of the Appellant from his position as a temporary Spanish interpreter for making a threatening statement during a virtual Individualized Education Program meeting. The Appellant’s reconsideration request essentially repeats the same statements and arguments that he made to the State Board in his prior appeal filings.

#### *Motion for Reconsideration Standard*

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.

#### *No Basis for Reconsideration*

The State Board dismissed the instant appeal because the Appellant failed to file his appeal with the State Board within the 30-day filing deadline, as set forth in Education Art. §4-205(c)(3) and COMAR 13A.01.05.02(B)(3). The Appellant should have filed his appeal with the State Board on January 22, 2024, but he did not file it until January 23, 2024. The State Board has long held that time limitations for filing a State Board appeal are generally mandatory and will not be overlooked except in extraordinary circumstances such as fraud or lack of notice. *See Scott v. Board of Educ. of Prince George’s Cnty.*, 3 Op. MSBE 139 (1983).

The Appellant’s request does not demonstrate that the State Board’s decision resulted from a mistake or error of law, or that material facts have been newly discovered or occurred after the State Board’s decision that would warrant reconsideration. The State Board’s dismissal

order accurately captures the timing of events surrounding the filing deadline for the State Board appeal. The Appellant has not provided any information to justify reconsideration of the dismissal order.

Because the Appellant has failed to provide an adequate basis for reconsideration of MSBE OR24-06, it is this 21st day of May, 2024, ORDERED, by the Maryland State Board of Education, that the request for reconsideration is denied.

MARYLAND STATE BOARD OF EDUCATION

Signature on File:

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Joshua L. Michael  
Vice-President