

IZABELLA SWEENEY,
Appellant

v.

PRINCE GEORGE'S
COUNTY BOARD OF
EDUCATION,
Appellee.

BEFORE THE

MARYLAND

STATE BOARD

OF EDUCATION

Order No. OR 19-06

ORDER

Appellant is a teacher with Prince George's County Public Schools (PGCPS). On August 24, 2017, the Chief Executive Officer recommended that the Appellant be terminated for misconduct, willful neglect of duty, and insubordination. On appeal, the hearing examiner for the Prince George's County Board of Education (local board) recommended that the local board deny the termination recommendation and reinstate the Appellant with all back pay and benefits. On September 19, 2018, the local board ordered, without providing a rationale, that the Appellant be "accepted back into employment with a six (6) month suspension, but otherwise be entitled to back pay and benefits from the date she was placed on administrative leave."

On appeal to the State Board, we referred the matter to the Office of Administrative Hearings. In a Proposed Decision issued March 27, 2019, the Administrative Law Judge found no evidence to support the six-month suspension and recommended that this Board reverse. On April 18, 2019, the local board rescinded the six-month suspension and ordered that the Appellant receive all back pay and benefits.

It is well established that a question is moot when "there is no longer an existing controversy between the parties, so that there is no longer any effective remedy which the courts [or agency] can provide." *In Re Michael B.*, 345 Md. 232, 234 (1997); *See also Farver v. Carroll County Bd. of Educ.*, MSBE Op. No. 99-42; *Arnold v. Carroll County Bd. of Educ.*, MSBE Op. No. 99-41; *Chappas v. Montgomery County Bd. of Educ.*, 7 Op. MSBE 1068 (1998). The local board rescinded its suspension decision and awarded all back pay and benefits. Thus, there is no longer an existing controversy between the parties and no effective remedy to provide.

Therefore, it is this 21st day of May 2019 by the Maryland State Board of Education, ORDERED, that the appeal referenced above is hereby dismissed because it is moot. *See* COMAR 13A.01.05.03B(1)(b) & (2).

MARYLAND STATE BOARD OF EDUCATION

Signature on File:

Justin M. Hartings
President