

JOHN AND TAMMY W.,

Appellants

v.

CHARLES COUNTY BOARD
OF EDUCATION

Appellee.

BEFORE THE

MARYLAND

STATE BOARD

OF EDUCATION

Order No. OR 22-11

ORDER

Appellants have asked the State Board to reconsider its decision in *John and Tammy W. v. Charles Co. Board of Education*, MSBE Order No. OR 22-08, dismissing for untimeliness Appellants' appeal of a student transfer request.

The State Board issued the Order dismissing the appeal on May 24, 2022. The Appellants filed their request for reconsideration with the State Board by email dated June 24, 2022.

State Board regulation requires that a request for reconsideration be filed within 30 days of the date of the State Board's decision. COMAR 13A.01.05.10(A). Therefore, any request for reconsideration should have been filed by June 23, 2022. Because the Appellants did not file their request until June 24, the request was untimely. *See John and Tammy W. v. Charles Co. Bd. of Educ., supra* ("Time limitations are generally mandatory and will not be overlooked except in extraordinary circumstances such as fraud or lack of notice."). The Appellants do not claim any such extraordinary circumstances.

Further, a decision by the State Board on a request for reconsideration is discretionary 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. COMAR 13A.01.05.10. Appellants have not demonstrated either. They merely restate the arguments in their initial appeal and fail to address the timelines issue.

Accordingly, it is this 26th day of July 2022 by the Maryland State Board of Education, ORDERED, that the request for reconsideration is dismissed for untimeliness. *See* COMAR 13A.01.05.10(A).

MARYLAND STATE BOARD OF EDUCATION

Signature on File:

Clarence C. Crawford
President