

EUDAIMONIA FOUNDATION  
CORPORATION

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ORDER OF STATE

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SUPERINTENDENT

v.

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OF SCHOOLS

BALTIMORE CITY BOARD OF  
SCHOOL COMMISSIONERS

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ORDER NO. 16-01

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ORDER

On April 11, 2016, Eudaimonia Foundation Corporation (Eudaimonia), operator of the Maryland Academy of Technology and Health Sciences (MATHS) public charter school, filed with the State Board of Education a Motion for Immediate Stay of the Baltimore City Board of School Commissioner's (local board) decision to non-renew MATHS' charter and close the school. Eudaimonia maintains that it will suffer irreparable harm absent the stay because MATHS will lose its facility lease where it has three Westinghouse quality labs that are essential to its PLTW-Biomedical Sciences Pathway program and will lose its core group of essential teachers, including its 5 trained and certified Pathways teachers. Eudaimonia argues that such losses will leave MATHS in the position of having to start the school anew if Eudaimonia were to succeed on the merits of its State Board appeal. Eudaimonia requests that the stay remain in effect until its appeal of the nonrenewal and closure decision to the State Board is resolved and, in the event the State Board affirms the local board's decision, until June 30, 2017.

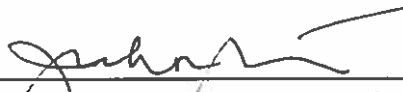
Pursuant to COMAR 13A.01.02.01B, the State Superintendent of Schools has the authority, either on the request of the President of the State Board or on his or her own motion, to order a stay of an action taken by a local board of education. The stay, however, may not exceed 60 days in duration.

Thus, the State Board has forwarded the stay request to me for consideration. By order dated April 7, 2016, the State Board referred the appeal to the Office of Administrative Hearings for fact-finding and a proposed decision by an Administrative Law Judge. Such cases usually take some time to resolve. Although the State Board has requested that OAH expedite the case so that it can be resolved by June 30, 2016, OAH is under no legal obligation to do so. Thus the date for resolution of the State Board appeal is difficult to predict.

The regulation limits the time period of the stay to 60 days duration. A 60 day stay would not accomplish the purposes that Eudaimonia seeks to accomplish here. It would not stop the closure process for a sufficient period of time while this case is being resolved.

For this reason, I deny the request for stay.

April 26, 2016  
Date

  
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Interim State Superintendent of Schools  
Jack R. Smith