

MARYLAND STATE DEPARTMENT OF EDUCATION

NONPUBLIC EDUCATIONAL
SERVICES, INC.

V.

BALTIMORE CITY BOARD
OF SCHOOLS COMMISSIONERS

ORDER OF STATE

SUPERINTENDENT

OF SCHOOLS

10-1

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ORDER

On May 5, 2010, Nonpublic Educational Services, Inc. (NESI) requested that I issue a stay of a decision made by the Baltimore City Board of School Commissioners to award a contract under RFP-10039 to Learn It Systems, LLC pending resolution of NESI's appeal of the bid award to the State Board of Education. The Baltimore City Board of School Commissioners has opposed NESI's request for a stay.

The Honorable Alfred J. Nance of the Circuit Court for Baltimore City has already ordered a stay of the local board's contract award, as agreed by the parties, until Saturday, May 22, 2010. Judge Nance's order also contemplated the possibility of an earlier dissolution of the stay upon the State Board rendering a final decision. Although the State Board has expedited the processing of NESI's appeal, the Board cannot render a final decision any sooner than May 25, 2010. The stay imposed by Judge Nance expires, however, a mere 3 days short of that date.

After considering the arguments by NESI and the local board, pursuant to COMAR 13A.01.02.01B, I hereby grant a stay of the local board's contract award under RFP-10039 until Tuesday, May 25, 2010.

5/13/2010
Date

Nancy S. Grasmick
Nancy S. Grasmick
State Superintendent of Schools