

JOSE COLATO

Appellant

v.

MONTGOMERY COUNTY
BOARD OF EDUCATION,

Appellee

BEFORE THE

MARYLAND

STATE BOARD

OF EDUCATION

Order No. OR09-01

ORDER OF DISMISSAL

In this appeal, Appellant challenges the local board's decision to dismiss his request to have his son attend Georgian Forest Elementary School (Georgian Forest) for the 2009-2010 school year. The school system initially denied the Appellant's request to have his son transferred to Georgian Forest at the beginning of the 2008-2009 school year. The superintendent, however, approved the transfer on appeal. While the appeal was pending, Appellant enrolled his son in private school. Because Appellant intended his son to remain at the private school to finish out the 2008-2009 school year, Appellant appealed to the local board requesting an approval of the transfer to Georgian Forest for the 2009-2010 school year. The local board dismissed Appellant's request as premature.

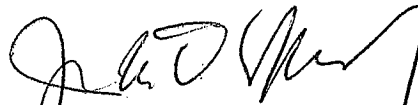
We concur with the local board. Because Appellant seeks a transfer for the 2009-2010 school year, the appeal is premature. Montgomery County Public Schools will be accepting requests for student transfers for the 2009-2010 school year between February 1 and April 1, 2009. MCPS Administrative Procedure JEE-RA. Although Appellant's request for a transfer for the 2008-2009 school year was ultimately granted by the superintendent, Appellant did not enroll his son at Georgian Forest and must, therefore, begin the transfer request process anew.

Accordingly, it is this 27th day of January, 2009, by the Maryland State Board of Education,

ORDERED, that the appeal referenced above be and the same is hereby dismissed as premature.

MARYLAND STATE BOARD OF EDUCATION

By:



James H. DeGraffenreidt, Jr.
President