

WAYNE and MICHELLE J.,

Appellants

v.

ANNE ARUNDEL COUNTY
BOARD OF EDUCATION,

Appellee

BEFORE THE

MARYLAND

STATE BOARD

OF EDUCATION

Order No. OR11-04

ORDER OF DISMISSAL

The State Board received an appeal challenging the decision of the Anne Arundel County Board of Education (local board) denying the Appellants' son's transfer to Severna Park Middle School. After the Appellants filed their appeal to the State Board, the local board advised that Appellants' son was enrolled in and attending the requested school. The local board asks, therefore, that the appeal be dismissed as moot. Although the Appellants were provided the opportunity to respond in writing to the local board's request, they have not done so.

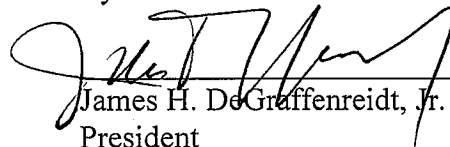
It is well established that a question is moot when "there is no longer an existing controversy between the parties, so that there is no longer any effective remedy which the courts [or agency] can provide." *In Re Michael B.*, 345 Md. 232, 234 (1997); *See also Arnold v. Carroll County Bd. of Educ.*, MSBE Op. No. 99-41 (1999); *Farver v. Carroll County Bd. of Educ.*; MSBE Op. No. 99-42 (1999); *Chappas v. Montgomery County Bd. of Educ.*, 7 Op. MSBE 1068 (1998). Because the Appellants' son is now attending Severna Park Middle School, there is no existing controversy between the parties and no effective remedy that the State Board can provide.

Accordingly, it is this ²⁵ day of January, 2011, by the Maryland State Board of Education,

ORDERED, that the appeal referenced above be and the same is hereby dismissed because it is moot.

MARYLAND STATE BOARD OF EDUCATION

By:


James H. DeGraffenreidt, Jr.
President