

C.C.,

Appellant

v.

MONTGOMERY COUNTY
BOARD OF EDUCATION,

Appellee.

BEFORE THE

MARYLAND

STATE BOARD

OF EDUCATION

Opinion No. 26-05

OPINION

INTRODUCTION

Appellant appeals the decision of the Montgomery County Board of Education ("local board") denying her request to have her twin children placed in the same third-grade classroom for the 2025-2026 school year. The local board submitted a response to the appeal maintaining that its decision was not arbitrary, unreasonable, or illegal.

FACTUAL BACKGROUND

On August 2, 2025, Appellant emailed the principal of [REDACTED] Elementary School requesting that her twin children be assigned to the same third-grade classroom for the 2025-2026 school year. (R. 34). The principal denied this request via email on August 8, 2025. (R. 26). Following the denial, a meeting was held on August 19, 2025, attended by Appellant, the principal, Director David Chia, and several teachers to further discuss the placement. (R. 20, 23). During this meeting, staff reported that while the children were in the same second-grade homeroom, arguments between them occasionally required the teacher to pause instruction, and the sister frequently spoke on behalf of her brother, which staff felt limited his ability to develop independent thinking. (R. 23).

On August 19, 2025, Appellant filed a formal "Complaint from the Public" asserting that there was no policy to support the separation, that the children had no behavioral issues, and that her son had been bullied in previous years. (R. 19-21). The principal issued a Level I denial on that same day, stating the separation was in the children's best interest (R. 19). The matter escalated to a Level II review by Director Chia, the local superintendent's designee. (R. 12). On August 22, 2025, Mr. Chia upheld the principal's decision, citing MCPS Regulation JEB-RA, which grants the principal final responsibility for placement, and noting the school's goal to foster the students' individual identities and social circles (R. 17-18).

Appellant appealed to the local board on August 25, 2025, arguing that the behavioral justifications were contradictory because the school admitted the behaviors were never serious enough to warrant a phone call home. (R. 13-16). In a memorandum to the local board dated September 24, 2025, Superintendent Thomas Taylor recommended upholding the denial (R. 8-10). The local superintendent relied on Regulation JEB-RA and Regulation JGA-RA, noting that

while the behavior did not require elevated disciplinary responses, the teacher feedback regarding the siblings' classroom dynamics was pertinent information considered by the principal. (R. 9). The memorandum also stated that no formal bullying investigations involving the son were found in the student information system (R. 9).

On September 29, 2025, Appellant submitted a formal reply to the Superintendent's Memorandum. (R. 3-5). She argued that the school failed to present a data-driven rationale for the separation and that the decision relied on "inconsistent and unsubstantiated rationales" regarding behavior that was admittedly minor. (R. 3-4). She further contended that the school was dismissing her bullying concerns as an administrative technicality because the incidents were not formally logged, despite her assertion that her son had reported them to her. (R. 4). She emphasized that the third-grade year is foundational and that forced separation risked damaging the sibling bond. (R. 4-5).

The local board considered the appeal in a closed session on October 16, 2025, and voted to adjudicate on the written record. (R. 49). On October 30, 2025, the local board issued a Decision and Order affirming the local superintendent's decision. (R. 49). The local board found that the decision was neither arbitrary nor unreasonable, accepting the rationale that separate placements would encourage academic independence and that the principal acted within his authority under Regulation JEB-RA (R. 49-50).

Appellant filed an appeal with the State Board on November 25, 2025 (R. 77).

STANDARD OF REVIEW

Decisions of a local board involving a local policy or a controversy and dispute regarding the rules and regulations of the local board shall be considered prima facie correct, and the State Board may not substitute its judgment for that of the local board unless the decision is arbitrary, unreasonable, or illegal. COMAR 13A.01.05.06A. A decision is arbitrary or unreasonable if it is contrary to sound educational policy or if a reasoning mind could not have reasonably reached the conclusion the local board reached. COMAR 13A.01.05.06B. The Appellants bear the burden of proof by a preponderance of the evidence. COMAR 13A.01.05.06D.

LEGAL ANALYSIS

It is well established that there is no entitlement for a student or parent to select a specific teacher or classroom assignment. *See Yasmear W. v. Howard Cnty. Bd. of Educ.*, MSBE Op. No. 13-56 (2013) (noting that parents do not have the right to control which grade or homeroom their child is placed in); *Brenda F. v. Montgomery Cnty. Bd. of Educ.*, MSBE Op. No. 24-16 (2024) (reiterating there is no right to attend a particular school). Classroom placement decisions are operational and administrative matters best determined by school professionals with direct knowledge of the students.

Principal's Authority and Educational Policy

Appellant argues that the decision to separate her twins was arbitrary and contrary to sound educational policy. However, MCPS Regulation JEB-RA explicitly grants the principal

"final responsibility for grade and course-level placement." (R. 69). The record demonstrates that the principal exercised this authority after consulting with appropriate staff, including the second-grade teacher, the art teacher, the media specialist, and the school counselor. (R. 30). Regarding Appellant's argument that the behavior cited by the school was minor and undocumented, the local board reasonably concluded that behaviors need not rise to the level of a formal disciplinary referral to be relevant for classroom placement decisions. The principal acted within his discretion to consider classroom management and the developmental needs of the students.

The local board's decision was based on specific educational rationales: fostering academic independence and individual identity. Staff observed that the daughter frequently spoke for the son, limiting his ability to develop independent thinking. (R. 23, 49-50). The State Board has previously recognized that separating twins to foster independence is not inherently contrary to sound educational policy. See *Pamela and Robert M. v. Baltimore Cnty. Bd. of Educ.*, MSBE Op. No. 11-46 (2011). In *Pamela and Robert M.*, the Board noted that placement decisions regarding twins should be made on a case-by-case basis. *Id.* Here, the school did not apply a blanket policy but rather based the decision on observed interactions between these specific students. (R. 23-24,30,).

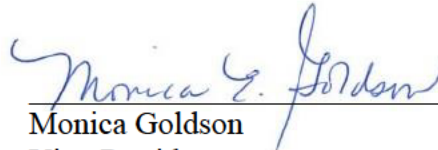
Appellant contends the local board's decision violates Md. Code Ann., Educ. § 7-120 regarding the placement of multiple-birth children. However, the provision of that statute allowing parents to request specific placement applies only to children entering "kindergarten through second grade." Md. Code, Educ. § 7-120(b). As the students here are entering third grade, the mandatory parental choice provision does not apply. Furthermore, subsection (g) of the statute prohibits a board from adopting a policy of "automatically" separating twins. The record reflects that MCPS has no such automatic policy and that this decision was individualized based on staff observations of the siblings' specific dynamic. (R. 30).

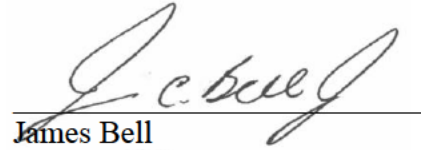
New Evidence

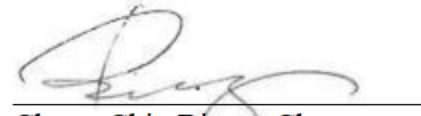
Appellant submitted new evidence regarding Grade 3 performance with her appeal to the State Board. The State Board's review is generally limited to the record before the local board to determine if that body acted arbitrarily at the time of the decision. COMAR 13A.01.05.06. To be considered, new evidence must be material to the case, and the Appellant must offer a good reason for failing to present it to the local board. See COMAR 13A.01.05.04C; *Brenda F. v. Montgomery Cnty. Bd. of Educ.*, MSBE Op. No. 24-16 (2024). The submitted document appears to show a snapshot of a portion of classroom performance. It lacks relevance to whether the local board's decision was arbitrary, unreasonable or illegal. Student performance issues are best addressed through ongoing communication with the school administration.

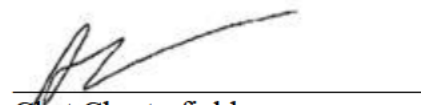
CONCLUSION

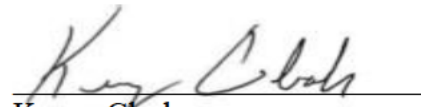
For all of these reasons, we affirm the decision of the local board because it is not arbitrary, unreasonable, or illegal.

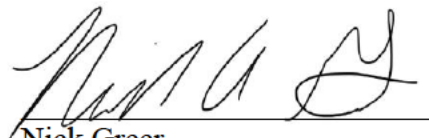

Monica Goldson
Vice-President


James Bell

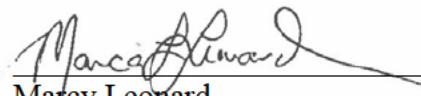

Chuen-Chin Bianca Chang

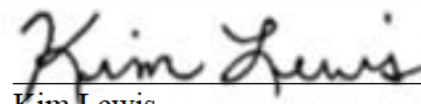

Chet Chesterfield

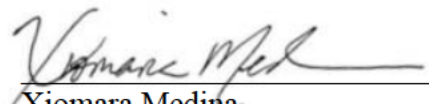

Kenny Clash


Nick Greer


Irma Johnson


Marcy Leonard


Kim Lewis


Xiomara Medina


Nicole Murray-Lewis



Samir Paul

Absent:
Joshua Michael, President

February 24, 2026