

K.R.,

Appellant

v.

CHARLES COUNTY
BOARD OF EDUCATION,

Appellee.

BEFORE THE

MARYLAND

STATE BOARD

OF EDUCATION

Opinion No. 26-17

OPINION

INTRODUCTION

The Appellant, parent of Student X, challenges the decision of the Charles County Board of Education (“local board”) regarding a credit evaluation after the student transferred from a home instruction program into Charles County Public Schools (“CCPS”).¹ The Appellant requests that the State Board reverse the local board’s decision and order an evaluation of the student’s 11th grade home instruction coursework for credit and reclassify Student X as a 12th grader. The local board filed a response to the appeal. The Appellant filed a response, and the local board filed a reply.

FACTUAL BACKGROUND

Student X is a high school student currently attending a CCPS high school. He attended CCPS for 9th and 10th grades before electing home instruction pursuant to COMAR 13A.10.01 for the 11th grade during the 2024-2025 school year. Student X’s home instruction program utilized the *Classical Conversations* home instruction curriculum, supplemented by *Apologia* for science and *Khan Academy* for math. (Appeal; R1. 14).² The Home Instruction Fall Review Form, submitted by Appellant to the CCPS Office of Home Instruction on December 20, 2024, listed *Classical Conversations*, *Ramsey Financial Literacy*, and *Apologia* as materials being used for instruction. (R2. at 77). In Spring 2025, CCPS staff conducted the portfolio review required by COMAR 13A.10.01E by reviewing samples of Student X’s written work and lists of reading materials and confirmed that his home instruction program provided “regular, thorough instruction in the studies usually taught in the public schools to children of the same age” and included the required subjects as required by COMAR. (R1. 19-20). Appellant re-enrolled Student X in CCPS for 12th grade for the 2025-2026 school year. (Appeal).

¹ Appellant was previously a teacher in CCPS for three years. (Appeal).

² R1 refers to the record submitted with the local board’s response to the appeal and R2 refers to the record submitted with the local board’s reply.

In Maryland, parents may choose home instruction for their children pursuant to COMAR 13A.10.01 rather than enroll them in public or private school.³ If a home-schooled student enrolls in public school, the school system must make a determination concerning the student's grade level placement and what high school credits, if any, can be awarded to the student. *See* COMAR 13A.10.01.04. Information provided on CCPS's home instruction webpage advises home-schooling families as follows:

A Maryland High School Diploma is a specific kind of high school diploma that can only be issued by public schools, and which can only be issued after a child has met the requirements of COMAR 13A.03.02.09B. This type of diploma is therefore not available to students who complete their secondary education in a home instruction program. If a child transfers from a home instruction program to a public school and meets all graduation requirements, then he or she may receive a Maryland High School Diploma.

(<https://www.ccboe.com/departments/student-services/student-registration/homeschooling> (last viewed April 20, 2026)). CCPS's evaluation of the home instruction program for the awarding of credit goes beyond the minimum portfolio review required for home instruction students. It assesses successful completion of courses that substantially address specified portions of the CCPS curriculum. (R1. 12-13).

Upon re-enrollment of Student X in CCPS for 12th grade, CCPS determined his class placement and any high school credits to be awarded. CCPS staff counted the credits Student X earned in the 9th and 10th grades and requested information from the Appellant concerning the home instruction program during the 2024-2025 school year. The Appellant provided the Home Instruction Portfolio Review Form (checklist) and the same information she had provided as part of the Spring 2025 portfolio review, which included samples of Student X's written work and lists of reading materials. Staff also asked if Student X had been enrolled in any accredited courses and Appellant provided no evidence that he had. (R1. 22-23).

CCPS determined that there was no evidence that Student X took any accredited courses as part of his home instruction program and awarded no high school credit for the 2024-2025 school year and classified Student X as an 11th grader. (R. 14). CCPS does not award high school credit for non-accredited courses, which would require reviewing each course for alignment to State and CPPS standards, examining all course materials, and regrading of all coursework and assessments. Rather, CCPS reviews only accredited courses for high school credit as such courses typically offer transcripts, report cards, or some sort of assessment of the student's achievement that CCPS can review and compare to coursework offered by CCPS. (R1. 8, 13, 49, 53). CCPS also determined that there was no standardized test, examination or interview of Student X that would allow the school system to determine if he demonstrated knowledge in an entire unit of study at the high school level. (R1. 8-9).¹ CCPS informed Student X that he could graduate at the end of the school year by earning eight additional credits since he had already earned a total of 15 credits in the 9th and 10th grades. He had to complete a math class, a science

³ Home instruction pursuant to COMAR 13A.10.01 is different than home and hospital instruction pursuant to COMAR 13A.03.05. Students receiving home instruction under COMAR 13A.10.01 are not enrolled in public school and the school system is not responsible for providing the educational program. For students who qualify for home and hospital instruction under COMAR 13A.03.05, students remain enrolled in public school and the school system provides the instruction.

class, a health class, a social studies class, and 11th grade English class, a 12th grade English class, and elective, and a computer science class. (R1. 22-23).

Appellant appealed the decision to the Office of Teaching and Learning maintaining that the placement and credit evaluation was not properly completed because it failed to count Student X's home instruction coursework and did not assess credits by testing or interview. The Office of Teaching and Learning Staff, acting as the Superintendent's Designee, determined that the evaluation was properly done based on the information submitted by the Appellant and in accordance with CCPS procedure. CCPS determined that there was no evidence of accredited courses consistent with how the school system determines high school credit, and there was no appropriate testing for the high school courses the Appellant needed. The award of no credits was upheld. (R1. 8-9; 14).

Appellant appealed to the local board. (R1. 26-32). The local superintendent responded to the appeal. (R1. 12-17). On December 9, 2025, the local board upheld the Superintendent's decision, concluding that an evaluation was properly conducted by CCPS staff based on the information submitted by Appellant and that requiring an accredited curriculum as a prerequisite for awarding high school credit is "not arbitrary, unreasonable, or illegal." (R1. 3-6).

Following the filing of this appeal, the CCPS Supervising Counselor emailed the Appellant about her claim in the State Board appeal that Student X had participated in several programs for his home-schooling and asked Appellant to provide a report card or transcript of the coursework in order to do a credit evaluation using that information. (R1. 23). Appellant submitted noncertified documents formatted like a transcript and report card from *Classical Conversations* which the program provider could not authenticate because the program does not grade students or issue transcripts or report cards. CCPS did not award Student X any credit from this additional review. (R2. 82-83).

As of the end of the first semester of the 2025-2026 school year, Student X earned straight A's in all of his classes and earned a sufficient number of credits to be classified as a 12th grader.⁴ He is on track to graduate at the end of the 2025-2026 school year. (R2. 82-83).

STANDARD OF REVIEW

Decisions of a local board concerning a local policy or a dispute over rules and regulations of the local board are considered *prima facie* correct. The State Board will 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 reached the same conclusion. COMAR 13A.01.05.06B. The Appellant has the burden of proof by a preponderance of the evidence. COMAR 13A.01.05.06D.

LEGAL ANALYSIS

⁴ Because Student X is classified as a 12th grader, Appellant's request that he be reclassified as such is moot.

Credit Evaluation Under COMAR 13A.10.01.04

Appellant argues that CCPS failed to conduct an evaluation of Student X's home instruction program coursework for placement and credit upon his return to public school in violation of State regulation. The local board maintains that it conducted an evaluation and determined that it could not award high school credit to Student X because he did not take any accredited courses while receiving home instruction.

State regulation governs the procedures for placing a home instruction student who transitions into a public school. COMAR 13A.10.01.04 provides:

Upon application of a child for admission to a public school from a home instruction program, the local superintendent shall determine by an evaluation the placement of the child and any credits to be awarded toward high school graduation. The evaluation may include administration of standardized tests and examination and interviews with the child.

Under this provision, the local school systems possess the discretion to determine the specific methods utilized for evaluating placement and credits. *See Ellicia and Wing C. v. Howard County Board of Education*, MSBE Op. 10-17 (2010) (COMAR 13A.10.01.04 “leaves it to the discretion of the local school system to determine the manner of evaluation and the credit to be awarded a student coming from a home instruction program.”). The regulation does not require any specific method of evaluation and does not limit it to only the methods provided as examples in the regulation. It is ultimately up to the school system to determine how to evaluate if students returning from home instruction have demonstrated that they have received substantial attainment of knowledge of the objectives of the school system's curriculum before awarding credit for a course. *Id.* The use of the word “may” allows but does not require a local school system to use tests, examinations, and interviews.

The record reflects that CCPS conducted an evaluation. CCPS staff reviewed the information provided by Appellant which consisted of the Home Instruction Portfolio Review Form. The form is a checklist used by CCPS to verify whether a student receiving home instruction has complied with the minimum home instruction educational program requirements under COMAR 13A.10.01.01C.⁵ In accordance with the school system's practice for awarding credit, staff determined that because the Appellant did not provide any evidence of accredited courses, the courses completed by Student X could not be counted toward the award of high school credits. The decision to count only accredited courses constitutes a valid evaluative determination under the local board's discretionary authority.

As for Appellant's argument that CCPS could alternatively award credits through standardized tests, examinations, and interviews, CCPS has not opted for that practice. The local board has explained that while it finds testing useful for placement decisions, especially at the elementary and middle school levels, the local superintendent has determined that there are no tests or interviews that CCPS can provide that meet the standard of successful demonstration of a specified unit of study for the award of high school credit. We find such a determination within

⁵ COMAR 13A.10.01.01C(1) requires that home instruction program to “[p]rovide regular, thorough instruction in the studies usually taught in the public schools to children of the same age” and must include instruction in English, mathematics, science, social studies, art, music, health, and physical education.

the discretion of the school system, and we will not substitute our judgment for that of the local board.

The Appellant's argument that CCPS's determination not to award credit is inconsistent with CCPS's confirmation of the home instruction program as part of Student X's Spring 2025 portfolio review lacks merit. A portfolio review pursuant to the home instruction regulation serves to ensure a child receives "regular, thorough instruction" during home instruction, whereas a credit evaluation assesses actual learning and knowledge attainment for the award of high school credits. These concepts are not synonymous; one relates to verification of the minimal instruction required for a home instruction program and the other relates to a student's subject mastery of core competencies and academic proficiency required for credit award. CCPS staff do not evaluate a student's learning or quality of completed coursework during a portfolio review. The fact that there are two distinct regulations, one concerning portfolio review and one concerning evaluation for placement and credit upon entrance to public school, lends further support to the distinct nature of these processes.

In addition, Appellant's argument that the email she received from the CCPS Supervising Counselor after her filing of this appeal demonstrates that CCPS did not previously conduct an evaluation is misplaced. The local board explained in its Reply that the email simply demonstrates the willingness of CCPS staff to reconsider its decision in light of new information provided by Appellant regarding the credit evaluation, even at this late stage. The additional evaluation, however, did not result in the award of any credits because the unofficial "transcript" and "report card," which was the only additional evidence Appellant provided, were not issued by an independent assessor. They were noncertified documents formatted like a transcript and report card from *Classical Conversations* which the program provider did not authenticate. (LB Reply at 7, fn.2). Appellant's argument about the timing of when CCPS staff were aware of the information about the specific home instruction courses is not relevant given that Student X took no accredited courses and CCPS has deemed all submitted information insufficient for any award of high school credit.

Illegal Imposition of Additional Requirements (COMAR 13A.10.01.01F)

The Appellant maintains that CCPS imposed an illegal additional requirement by requiring an accredited curriculum for the award of high school credits, citing COMAR 13A.10.01.01F, which prohibits local school systems from imposing "additional requirements for home instruction programs other than those in the Maryland regulations".

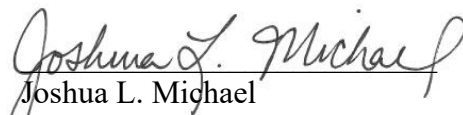
The cited regulation is specific to the requirements for home instruction programs to provide regular, thorough instruction in the studies usually taught in the public schools to children of the same age, including instruction in English, mathematics, science, social studies, art, music, health, and physical education. CCPS has imposed no additional requirement for the home instruction program itself. Maryland law permits home instruction through various methods, including using accredited and unaccredited courses and programs. There is a large degree of flexibility and there is no specific program of instruction that must be used other than meeting the minimum requirements in COMAR 13A.10.01.01C(1).

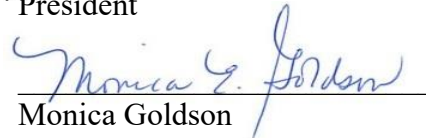
The record shows that CCPS approved the Appellant's use of the non-accredited *Classical Conversations* and *Apologia* programs for the purpose of home instruction, confirming it provided "regular, thorough instruction." The issue at hand pertains to the distinct process of transferring into the public school system and being awarded credits toward a State-issued high

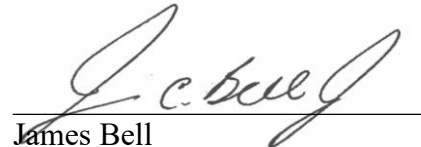
school diploma. The school system's method of evaluation setting a standard that grades and transcripts must originate from an accredited curriculum to receive specific graduation credits is a permissible evaluative metric utilized by CCPS. It is not an unlawful restriction on the family's right to provide home instruction. Therefore, the local board's conclusion that the accreditation requirement for credit transfer is "not arbitrary, unreasonable, or illegal" is legally sound.

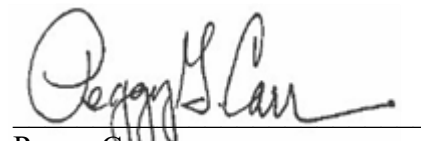
CONCLUSION

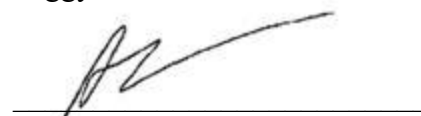
For the foregoing reasons, we find that the local board's decision to deny the award of specific high school credits is not arbitrary, unreasonable, or illegal. The local board's decision is affirmed.


Joshua L. Michael
President


Monica Goldson
Vice-President


James Bell

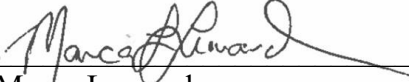

Peggy Carr


Chet Chesterfield


Kenny Clash

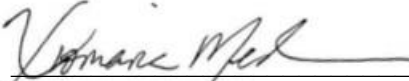

Nick Greer

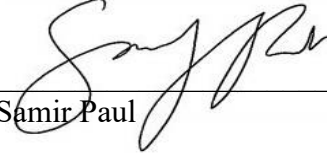

Irma Johnson


Marcy Leonard


Kim Lewis


Nicole Murray-Lewis


Xiomara Medina


Samir Paul

April 28, 2026