

A. H.,

Appellant

v.

FREDERICK COUNTY  
BOARD OF EDUCATION,

Appellee.

ORDER OF THE

MARYLAND

STATE BOARD

OF EDUCATION

Order No. OR 25-04

### ORDER

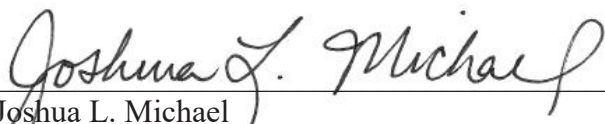
Appellant, A.H., a teacher employed by Frederick County Public Schools (“FCPS”), has had four involuntary transfers. On September 11, 2024, the Appellant filed her first appeal with the State Board challenging her three successive involuntary transfers on November 3, 2023; February 2, 2024; and April 17, 2024. By Decision and Order dated August 28, 2024, the Frederick County Board of Education (“local board”) affirmed the Superintendent’s decisions to transfer the Appellant. On December 9, 2024, the Appellant filed a second appeal with the State Board challenging her involuntary transfer on June 7, 2024. By Decision and Order dated November 21, 2024, the local board dismissed the second appeal as untimely. We consolidate the two State Board appeals into one matter.

On July 29, 2024, the Appellant filed a multi-count Complaint in the Frederick County Circuit Court seeking in part a temporary restraining order against her involuntary transfers. *See A.H. v. Frederick Cnty. Bd. of Educ.*, Civil Case No. C-10-CV-24-000522. The State Board appeal contains many of the same factual and legal allegations raised in the Circuit Court case. The Circuit Court has already exercised jurisdiction regarding the temporary restraining order and has not stayed the remainder of the case. Thus, we find that a stay of the State Board proceedings is appropriate here while the Circuit Court case including any appeals proceeds. Parallel and simultaneous proceedings with the State Board and the Circuit Court would not serve the purpose of quasi-judicial economy and would be a waste of resources. *See Smiley v. Arizona Beverages*, 2024 WL 327044 \*2 (D. Md. Jan. 29, 2024) (Principles of comity and judicial economy warrant the stay of the later-filed action).

Therefore, it is this 25th day of February 2025, by the Maryland State Board of Education,

ORDERED that the appeal referenced above is hereby stayed until such time that the court case and any appeals are resolved.

MARYLAND STATE BOARD OF EDUCATION

  
Joshua L. Michael  
President