

RAHMAN CULVER,

Appellant,

v.

MONTGOMERY COUNTY
BOARD OF EDUCATION,

Appellee.

BEFORE THE

MARYLAND

STATE BOARD

OF EDUCATION

Order No. OR25-18

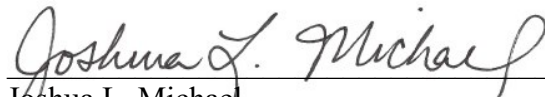
ORDER

Appellant filed a State Board appeal of the May 22, 2025 decision of the Montgomery County Board of Education (“local board”) denying Appellant’s request for a position reassignment as a reasonable workplace accommodation under the Americans with Disabilities Act (“ADA”).¹ Appellant maintains that denial of the requested accommodation is without merit and is discriminatory and retaliatory. The local board responded to the appeal. The Appellant replied and the local board filed a surreply.

The State Board has consistently declined to exercise jurisdiction over claims that fall within the exclusive enforcement authority of federal agencies when a separate forum exists to address the grievances under federal law. *See, e.g., Ellen Z. and Assya P. v. Montgomery Cnty. Bd. of Educ.*, MSBE Op. No. 20-19 (2020) (noting that the ADA and other federal statutes have their own enforcement mechanisms); *Phil N. v. Anne Arundel Cnty. Bd. of Educ.*, MSBE Op. No. 18-42 (2018); *Margaret Wilson v. Montgomery Cnty. Bd. of Educ.*, MSBE Order No. OR25-02 (2025); *Ashley J. v. Montgomery Cnty. Bd. of Educ.*, MSBE Order No. OR21-07 (2021). Because the Appellant’s underlying claims in this matter arise under federal law, specifically the ADA which establishes a separate mechanism for resolving these issues, they are outside the jurisdiction of the State Board.²

Accordingly, it is this 4th day of November 2025, by the Maryland State Board of Education, ORDERED, that the appeal is hereby dismissed for lack of jurisdiction. *See* COMAR 13A.01.05.03B.

MARYLAND STATE BOARD OF EDUCATION



Joshua L. Michael
President

¹ The Appellant has a pending charge of discrimination against the school system filed with the U.S. Equal Employment Opportunity Commission (“EEOC”), Charge No. 531-2025-02179. (R. at 5).

² Local board Policy and Regulation ACG and ACG-RA concern implementation of the interactive ADA process, a process which falls within federal agency jurisdiction.