

FILED

JUN 12 2019

**CLERK OF THE CIRCUIT COURT
FOR PRINCE GEORGE'S COUNTY, MD**

EXHIBIT 1

Affidavit

I, Nalda Rozon, swear under the penalty of perjury, that the following is true and correct:

1. My name is Nalda Rozon. I am over 18 years of age and am the parent and legal guardian of S.S. . I am a resident of Maryland, I am competent to testify, and have personal knowledge of the facts and matters set forth herein.
2. My family and I are residents of Prince George's County and reside in a 2-bedroom apartment. I have resided at my current address since 2012.
3. I have four children. My oldest ones are 22 and 20 years old. My two younger children, including S.S. , attend Prince George's County Public Schools and participate in free and reduced meals program (FARM).
4. S.S. attends Duval High School and is in the 10th grade. The school said he needs to enroll in summer school to take Geometry. I would not be able to pay the \$100 fee if charged.
5. I am currently working a temporary job and earning \$11.50/hour. I support all of my children, including the oldest ones who still live with me. I am the only one with a job and I must pay for everyone's food, clothing and other basic expenses. This is on top of my own expenses such as rent and other bills.
6. It would be a severe financial hardship for me to pay the \$100 dollars for the summer course in order for S.S. to enroll in summer school.
7. Given my rent, as well as the numerous other costs related to my four children, I do not have spare income. The \$100 fee would impose a significant impediment on myself and my children.
8. I do not believe that parents should be forced to choose between feeding their children and giving them the education they deserve.

I do solemnly declare and affirm under the penalties of perjury and from personal knowledge that the contents of foregoing affidavit are true and correct to the best of my knowledge, information and belief.

06-06-19
Date

Nalda P. S. Jr.
Applicant signature

FILED

JUN 12 2019

CLERK OF THE CIRCUIT COURT
FOR PRINCE GEORGE'S COUNTY, MD

EXHIBIT 2

Affidavit

I, Laurie Tucker, swear under the penalty of perjury, that the following is true and correct:

1. My name is Laurie Tucker. I am over 18 years of age and am the parent and legal guardian of S.M. I am a resident of Maryland, I am competent to testify, and have personal knowledge of the facts and matters set forth herein.
2. My family and I are residents of Prince George's County and reside in an apartment in Lanham, Maryland. I have resided at my current address since 2018.
3. I have three children. My oldest son S.M. is eighteen years old. My two other children are twelve years old and four years old. They each attend Prince George's County Public Schools and participate in the FARMs program.
4. S.M. is in the 12th grade and attends Tall Oaks High School.
5. When S.M. was in the 4th grade, he began to struggle in school. Later that year, he was evaluated by a psychologist, who diagnosed him with attention deficit hyperactivity disorder (ADHD).
6. Although S.M. has an individual education program (IEP), I always questioned whether the services were meeting his needs. He had a difficult time adjusting to the large class sizes at Largo High and struggled in the 11th grade. Despite struggling in school and failing many of his classes, the school failed to increase any of his services or address his lack of progress.
7. In May of 2019, S.M.'s school counselor notified me that S.M. would not be able to graduate at the end of the school year. I was told he needs to earn a credit in Career Research Development II over the summer and complete a work component in order to graduate at the end of August. I was told that the cost for the summer school class is \$200 and FARM students could receive a 50 percent reduction.
8. It would be a severe financial hardship for me to pay the \$100 fee for the summer course in order for S.M. to graduate.
9. I am a stay-at-home mother. I am currently not working outside of the home. Much of my time at home is spent caring for my four-year-old daughter, who has been diagnosed with autism spectrum disorder. My husband works full-time and is paid an hourly rate of \$15.75 per hour.

10. Given my rent, as well as the numerous other costs related to raising three children, I do not have spare income. I have numerous other costs including health insurance for my children, groceries, heat, electricity, and a car payment. The \$100 fee would impose a significant hardship on myself and my children.
11. I do not believe that parents should be forced to choose between feeding their children and giving them the education they deserve.

I do solemnly declare and affirm under the penalties of perjury and from personal knowledge that the contents of foregoing affidavit are true and correct to the best of my knowledge, information and belief.

6-5-19
Date

Laura J. Miller
Applicant signature

FILED

JUN 12 2019

**CLERK OF THE CIRCUIT COURT
FOR PRINCE GEORGE'S COUNTY, MD**

EXHIBIT 3

Affidavit

I, Josette Gordon, swear under the penalty of perjury, that the following is true and correct:

1. My name is Josette Gordon. I am over 18 years of age and am the parent of D.G. I am a resident of Maryland, I am competent to testify, and have personal knowledge of the facts and matters set forth herein.
2. My family and I are residents of Prince George's County and reside in an apartment in College Park, Maryland. I have resided at my current address less than a year.
3. I have four children. D.G. is my youngest son. I also have three adult children.
4. D.G. participates in the free and reduced meals program (FARM).
5. D.G. is in the 8th grade and attends Hyattsville Middle School.
6. D.G. started the 8th grade at Washington Metropolitan Academy in the District of Columbia. He was continually bullied at school and the school made no attempts to remedy the situation. The instances of bullying escalated. D.G. feared for his safety and refused to go to school. I moved to Prince George's County to place him in a safer school environment. Unfortunately, when he enrolled in Hyattsville Middle School, he was already failing his classes due to excessive absences.
7. The school notified me by email that D.G. needs to participate in summer school in order to advance to the 9th grade. The summer school brochure states that the cost for FARM students is \$100 and there is a \$25 registration fee.
8. It would be a severe financial hardship for me to pay the \$100 for the summer course in order for D.G. to advance to the 9th grade.
9. I work full-time at a children's day care and am paid an hourly rate of \$11 per hour.
10. Given my \$1,395 rent payment, as well as the numerous other costs related to raising a teenage son, I do not have spare income. D.G.'s father is deceased, and I am the sole caregiver. My salary must support health insurance, groceries, heat and electricity. The \$100 fee would impose a significant hardship on myself and my family.

11. I do not believe that parents should be forced to choose between feeding their children and giving them the education they deserve.

I do solemnly declare and affirm under the penalties of perjury and from personal knowledge that the contents of foregoing affidavit are true and correct to the best of my knowledge, information and belief.

6.4.2019
Date

Rosette Hadon
Applicant signature

FILED

JUN 12 2019

**CLERK OF THE CIRCUIT COURT
FOR PRINCE GEORGE'S COUNTY, MD**

EXHIBIT 4

Affidavit

I, Audrey Belton, swear under the penalty of perjury, that the following is true and correct:

1. My name is Audrey Belton. I am over 18 years of age and am the grandmother and legal guardian of K.G. I am a resident of Maryland, I am competent to testify, and have personal knowledge of the facts and matters set forth herein.
2. My family and I are residents of Prince George's County and reside in an apartment in District Heights, Maryland. I have resided at my current address since 2000.
3. I am K.G.'s grandmother and have been his legal guardian since he was four years old. K.G. participates in the free and reduced meals program (FARM).
4. K.G. is in the 10th grade and attends Suitland High School.
5. K.G. has been suspended from school on multiple occasions which has caused him to fail the 10th grade this year. He has been suspended for being in the hallways and for being late to class. It does not seem like the school wants him to graduate.
6. K.G. was notified by his school counselor that he needs to pass English 10 this summer in order to advance to the 11th grade. K.G. told me the cost for the summer school course is \$200 and FARM students could receive a fifty percent reduction in this fee.
7. Last year, K.G.'s school recommended him for summer school, but I did not have the funds to pay the tuition. I was denied a tuition waiver and K.G. was not able to attend summer school last year.
8. It would be a severe financial hardship for me to pay the \$100 fee for the summer course in order for K.G. to advance to the 11th grade.
9. I am retired from the District of Columbia school system and am a cancer survivor. I live on a fixed income. My annual net income is \$800 per month.
10. Given my \$1,400 rent payment, as well as the numerous other costs related to raising a teenage grandson, I do not have spare income. I have to rely on family support to make ends meet every month. The \$100 dollar fee would impose a significant hardship on myself and my family.

11. I do not believe that parents should be forced to choose between feeding their children and giving them the education they deserve.

I do solemnly declare and affirm under the penalties of perjury and from personal knowledge that the contents of foregoing affidavit are true and correct to the best of my knowledge, information and belief.

Date

6/4/19

Applicant signature

Audrey E. Belton

FILED

JUN 12 2019

**CLERK OF THE CIRCUIT COURT
FOR PRINCE GEORGE'S COUNTY, MD**

EXHIBIT 5

Affidavit

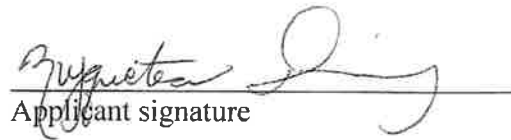
I, Zuyquetia Irving, swear under the penalty of perjury, that the following is true and correct:

1. My name is Zuyquetia Irving. I am over 18 years of age and am the parent and legal guardian of D.S. I am a resident of Maryland, I am competent to testify, and have personal knowledge of the facts and matters set forth herein.
2. My family and I are residents of Prince George's County and rent a home in District Heights, Maryland. I have resided at my current address since 2018.
3. I have seven children. D.S. is fifteen years old. My other children are nineteen years old, sixteen years old, thirteen years old, eleven years old, ten years old and seven years old. Six of my children attend Prince George's County Public Schools and participate in the FARMs program.
4. D.S. is in the 9th grade and attends Dr. Henry A. Wise Jr. High School.
5. D.S. struggled in his math and science class this year. He has told me that his teachers are not helpful and that he struggles to understand the coursework.
6. I received a letter from his school recommending I enroll D.S. in two summer school courses for him to advance to the 10th grade in the fall. The letter states the total cost for the two courses is \$225. The cost for each course is \$100 and I will be required to pay a \$25 registration fee.
7. It would be a severe financial hardship for me to pay the \$100 fee for two summer school courses for D.S. to advance to the 10th grade.
8. I am currently unemployed. I recently lost my janitorial position at Ronald Reagan Washington National Airport. I am the sole provider for my children and barely have the funds to cover basic expenses.
9. Given my \$900 rent, as well as the numerous other costs related to raising seven children, I do not have spare income. I have numerous other costs including health insurance for my children, clothing costs, groceries, heat, and electricity.
10. I do not believe that parents should be forced to choose between feeding their children and giving them the education they deserve.

I do solemnly declare and affirm under the penalties of perjury and from personal knowledge that the contents of foregoing affidavit are true and correct to the best of my knowledge, information and belief.

6/8/19

Date


Applicant signature

FILED

JUN 12 2019

**CLERK OF THE CIRCUIT COURT
FOR PRINCE GEORGE'S COUNTY, MD**

EXHIBIT 6

Affidavit

I, Luis Cruz, swear under the penalty of perjury, that the following is true and correct:

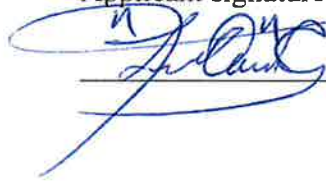
1. My name is Luis Cruz. I am over 18 years of age and am the parent and legal guardian of L.C. . I am a resident of Maryland, I am competent to testify, and have personal knowledge of the facts and matters set forth herein.
2. My family and I are residents of Prince George's County. We currently reside in a 2-bedroom apartment in Capitol Heights.
3. I have three children. My eldest son is 19 years old and currently attends Fairmont Heights High School. L.C. , attends Annapolis Road Academy and is between the 9th and 10th grades. Both participate in free and reduced meals programs (FARM). My youngest child is a 1-year old girl.
4. L.C. , told me that someone at his school mentioned that he needs to repeat some 9th grade courses in order to move on to the 10th grade. This includes English 9. I would not be able to pay the \$100 fee if charged.
5. I currently work in construction and earn \$25/hour. I support my wife and my three children. I am the only person in the household with employment and I must pay for everyone's food, clothing and other basic expenses. This is on top of my own expenses such as rent and other bills. My wife does not work because she has a disability that impairs her vision.
6. I am also paying for the expenses that come with a newborn child, such as diapers, baby food, formula, childcare equipment and medical expenses. Given my rent, as well as the numerous other costs related to my wife and three children, I do not have spare income.
7. Accordingly, it would be a severe financial hardship for me and my family to pay the \$100 dollars for L.C. to enroll in summer school.
8. I do not believe that parents should be forced to choose between feeding their families and giving them the education they deserve.

I do solemnly declare and affirm under the penalties of perjury and from personal knowledge that the contents of foregoing affidavit are true and correct to the best of my knowledge, information and belief.

Date

06-07-2019

Applicant signature



FILED

JUN 12 2019

**CLERK OF THE CIRCUIT COURT
FOR PRINCE GEORGE'S COUNTY, MD**

EXHIBIT 7

Affidavit

I, Wanda Ford, swear under the penalty of perjury, that the following is true and correct:

1. My name is Wanda Ford. I am over 18 years of age and am the grandmother and legal guardian of K.M. I am a resident of Maryland, I am competent to testify, and have personal knowledge of the facts and matters set forth herein.
2. My family and I are residents of Prince George's County and rent a townhouse in District Heights, Maryland.
3. I am K.M.'s grandmother and legal guardian. K.M.'s mother died in March of 2019 and I was awarded custody of K.M. and his three siblings. K.M. is seventeen years old and his siblings are fourteen years old, twelve years old and eleven years old. K.M. and his siblings participate in the free and reduced meals program (FARM).
4. K.M. is in the 10th grade and attends Green Valley High School.
5. K.M. struggled in school for years and the death of his mother caused his grades to drop this year.
6. I contacted K.M.'s school counselor and was told that K.M. was recommended to enroll in English 10 over the summer to advance to the 10th grade. I was told the cost for the summer school class is \$200 and FARM students could receive a fifty percent reduction in this fee.
7. It would be a severe financial hardship for me to pay the \$100 fee for the summer course for K.M. to advance to the 10th grade.
8. I am employed full-time as a cook and am paid an hourly rate of \$15.65 per hour.
9. Given my \$761.60 rent payment, as well as the numerous other costs related to raising four children, I do not have spare income.
10. I do not believe that parents or guardians should be forced to choose between feeding their children and giving them the education they deserve.

I do solemnly declare and affirm under the penalties of perjury and from personal knowledge that the contents of foregoing affidavit are true and correct to the best of my knowledge, information and belief.

06/04/2019
Date

Mark Ford
Applicant signature

FILED

JUN 12 2019

**CLERK OF THE CIRCUIT COURT
FOR PRINCE GEORGE'S COUNTY, MD**

EXHIBIT 8

Affidavit

I, Shirley Hill, swear under the penalty of perjury, that the following is true and correct:

1. My name is Shirley Hill. I am over 18 years of age and am the parent and legal guardian of A.H. I am a resident of Maryland, I am competent to testify, and have personal knowledge of the facts and matters set forth herein.
2. My family and I are residents of Prince George's County and reside in District Heights, Maryland. I have resided at my current address since 2003.
3. I have three children and a grandson that currently live with me. A.H. is my youngest child and is eighteen years old. My two other children are adults. A.H. has custody of his two-year-old son who also lives with me.
4. A.H. is in the 12th grade and attends Suitland High School. A.H. participates in the free and reduced meals (FARM) program.
5. In May of 2019, A.H. told me he spoke with his school counselor and learned he would not be able to graduate in May of this year because he failed biology. A.H. told me he needs to attend summer school and pass the biology course in order to graduate at the end of the summer.
6. A.H. attends school full-time and works five evenings a week at a trash company to help support his two-year-old son. He earns \$10 per hour. He had a difficult time this year juggling his school work, employment and parenting responsibilities.
7. A.H. told me he was not sure how much the summer school class would cost but that it would not be free.
8. It would be a severe financial hardship for me to pay a \$100 fee for a summer course in order for A.H. to graduate.
9. I am employed as a senior caretaker and earn \$20 per hour. I am the sole provider for A.H. and help support my grandson and other adult children living with me.
10. Given my rent, as well as the numerous other costs related to raising A.H and my grandson, I do not have spare income. I have numerous other costs including health insurance for my children, diapers, groceries, heat, and electricity.

11. I do not believe that parents should be forced to choose between feeding their children and giving them the education they deserve.

I do solemnly declare and affirm under the penalties of perjury and from personal knowledge that the contents of foregoing affidavit are true and correct to the best of my knowledge, information and belief.

06/09/2019
Date

Shirley Hill
Applicant signature

FILED

JUN 12 2019

**CLERK OF THE CIRCUIT COURT
FOR PRINCE GEORGE'S COUNTY, MD**

EXHIBIT 9



AMERICAN CIVIL LIBERTIES UNION
FOUNDATION

Maryland

October 17, 2018

Via Electronic and First Class Mail

Mr. Segun C. Eubanks
Board of Education Chair
Prince George's County Public Schools Board of Education
segun.eubanks@pgcps.org

Eddie Pounds, Esq.
Board Counsel
Prince George's County Public School Board of Education
eddie.pounds@pgcps.org

Re: PGCPs Summer School Tuition Policy/Denial of Full Tuition Waivers

Dear Mr. Eubanks and Mr. Pounds:

We write on behalf of the American Civil Liberties Union of Maryland ("ACLU") concerning Prince George's County Public School ("PGCPS") summer school tuition policy and its denial of full tuition waivers to students demonstrating financial need. In our view, PGCPS Board of Education Policy No. 5118.4 establishing summer school tuition fees and its denial of full tuition waivers to qualifying students violate Maryland constitutional and statutory mandates.

We understand that appeals by affected students challenging this policy are currently before the Board for decision, and we previously contacted you providing legal analysis in support of the students' appeals. Having learned that neither our analysis nor much of any substantive legal analysis seems to have been included in the General Counsel's cursory recommendation that the appeals be denied, we write again, to make clear that unless relief is granted to the affected students through the instant appeals process, we intend to work with local parents and students to pursue a court action challenging the County's overall summer school fee structure and its highly restrictive waiver provision.

We repeat our analysis, previously submitted to you in mid-September, below.

AMERICAN CIVIL
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FOUNDATION OF
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TAKOMA PARK, MD 20912
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OFFICERS AND DIRECTORS
COLEMAN BAZELON
PRESIDENT

DANA VICKERS SHELLEY
EXECUTIVE DIRECTOR

ANDREW FREEMAN
GENERAL COUNSEL

Background

PGCPS Board of Education Policy 5118.4 (“PGCPS Policy”) promises, “[a] student shall not be denied entrance into summer school for lack of tuition.” In seeming contradiction, however, it also specifies that if a student cannot afford to pay the entire tuition, he or she only “may have a *portion* of the tuition fee waived” (emphasis added). The PGCPS Policy does not lay out a procedure for determining the appropriate amount of any tuition waiver. Instead, the tuition fee may be waived “upon recommendation of the principal of the home school.” But in any case, Section III(B) of the PGCPS Policy demands that even eligible students must “pay a minimum of 75% of the established tuition per course.” For further clarification, Section IV(B)(3) states that “[w]aivers may be granted **up to a maximum** of 25% of the tuition cost.” (Emphasis in original).

According to the fee scale for PGCPS Credit Recovery and Original Credit classes for high school, a single class can cost up to \$455.¹ One parent in the case at issue was required to pay \$796.25 to enroll her son in two courses, notwithstanding his receipt of Free or Reduced-Price Meals (FARMS).²

Well in advance of summer, affected students whose family incomes make them eligible for FARMS, submitted requests to former PGCPS Superintendent Kevin Maxwell, through counsel, seeking full credit recovery summer school tuition waivers in order to enable them to take necessary courses during the summer of 2018. PGCPS denied these requests. The students subsequently appealed these denials, and their appeals are now pending before the Board of Education for final decision.

Charging of fees for core courses violates constitutional and statutory law

1. Maryland constitutional and statutory laws mandate free public education to all residents

Article VIII, Section 1 of the Constitution of Maryland establishes the mandate for free public schools. The Maryland Court of Appeals has construed this provision as requiring schools to “be open to all without expense.” *Clark v. Maryland Institute*, 87 Md. 643 (1898). Md. Code Ann., Educ. § 1-201 likewise guarantees that “[t]here shall be throughout this State a general system of free public schools....”

¹ See PGCPS Credit Recovery and Original Credit High School website, available at <https://www1.pgcps.org/page.aspx?Pageid=234147&id=262731>. By comparison with other Maryland jurisdictions, most local public school systems have a free option for students who are eligible for Free or Reduced-Price Meals, bringing them into compliance with the law.

² See household income levels to be eligible for Free or Reduced-Priced Meals through PGCPS at <http://www1.pgcps.org/page.aspx?Pageid=234147&id=235880>.

The issue in this case is whether the charging of fees for necessary summer school courses violates the constitutional and statutory mandates for a system of free public schools. We believe it does.

The Office of the Maryland Attorney General (OAG) has weighed in repeatedly on the law concerning fees for various “school activities.” One OAG opinion has been widely used to determine the standards for determining what school activities must be offered free under the law. 72 Op. Att’y Gen. 262, 267 (1987). According to this Opinion, “whatever the outer limits of Maryland’s ‘free public schools’ guarantee, we are safe in saying that *anything directly related to a school’s curriculum* must be available to all without charge.” *Id.* at 267 (emphasis added.) This opinion relied on the North Dakota Supreme Court’s interpretation of what must be available to students free of charge, stating “whatever is an ‘integral part of the educational system’ must be free.” 72 Op. Att’y Gen. at 267 (citing *Cardiff. Bismarck Public School Dist.*, 263 N.W.2d 105, 113 (N.D. 1978)). Therefore, in answering whether the educational offering at issue must be available free of charge, we look to whether it is “directly related to a school’s curriculum” and whether it’s an “integral part of the educational system.”

Here, one student needed to take English over the summer “to maintain his progress in the regular school program” and one student needed to take math and English over the summer “to promote to the next grade.” To receive a diploma, students must complete math and English, of course. Md. Code Regs. 13A.03.02.03. Aside from the obvious conclusion that math and English directly relate to the school’s curriculum, they are also listed multiple times within the “Curriculum and Instruction” page of the PGCPs website.³

OAG Advice of Counsel letters regarding fees for various educational opportunities are instructive as well. An OAG letter dated July 22, 1992 reviewed the legality of offering the second-half of an all-day kindergarten program on a fee-paid basis. The OAG advised that because the fee-generating half-day would serve as a continuation of the half-day session that was mandated by law, children whose parents are unable to pay for the second half would be negatively affected by their absence from the paid section. As such, the OAG advised that such a fee would violate Article VIII, § 1 of the Maryland Constitution.

A decade later, a March 24, 2003 OAG Advice of Counsel Letter addressed a similar issue, on the question of a public charter school imposing a fee for full-day kindergarten. At that time, only half-day kindergarten was mandatory, but the school in question offered a full-day program. The OAG advised that because kindergarten was mandatory and part of Maryland’s system of free public schools, charging a fee for full-day kindergarten would not be legally acceptable. As with the July 22, 1992 letter, the OAG advised that the fee-generating portion of the program cannot constitutionally follow the established kindergarten curriculum as a continuation of the State mandated half-day session.

³ See <http://www.pgcp.org/curriculum/>.

These 1992 and 2003 OAG advice letters provide guidance here. First, while summer school isn't mandatory for all, the students at issue in the appeal were required by PGCPs to take summer courses in order to pass to the next grade. In effect, therefore, the summer classes were mandatory.⁴ We agree with the students' assessment, as discussed in their letter to PGCPs dated March 30, 2017, that "'Core' courses should be free of charge irrespective of whether the school district chooses to offer the classes in the evening or during the summer months." There is an obvious negative impact on students unable to pay for a summer class or families who undergo a financial hardship to pay for such classes that other students complete for free. In the case at hand, two students were not able to pay the fees, even with a partial waiver. Additionally, at least one parent in this case incurred financial hardship as a result of paying for her son's summer school course.

To distinguish education-related programs that must be available free from those considered extra for which charges may be levied, the OAG has distinguished certain extracurricular activities from courses offered as part of regular programming or those needed to graduate. For example, an OAG Letter dated March 7, 1995 advised that it would likely be unconstitutional for county school boards to charge students a fee for a driver education course offered during the regular school day. The OAG reasoned that "at the very least 'anything directly related to a school's curriculum must be free.'" OAG Advice of Counsel Letter (March 7, 1995) (*citing* 72 Op. Att'y Gen. 262, 267 (1987)). Conversely, in an April of 2010 Advice Letter, OAG ruled that a fee to attend a graduation ceremony at a public high school would not violate Article VIII, § 1 of the Maryland Constitution, citing *Bundick v. Bay City Indep. Sch. Dist.*, 140 F.Supp. 2d 735, 739 (S.D. Tex. 2001). ("the federal constitution's due process guarantees do not protect a student's interests in participating in extracurricular activities or graduation [ceremonies].") Because the plaintiff had completed his studies without delay, earned sufficient credits to graduate, and received his diploma, he could not "complain of being deprived of a basic education." *Id.* at 739. Here, however, math and English are core courses needed to graduate and the students in this case were explicitly told as much by PGCPs.

2. Other states have found fees for public summer school unconstitutional

Recently, the ACLU of Rhode Island successfully led litigation challenging public school fees for summer school education, in *Giannini v. Council on Elementary and Secondary Education, et al.*, No. PC 2014-5240, Providence Co. Super. Ct., (March 30, 2016). While the case was based on state law, the facts are essentially the same as those in the case before us. In *Giannini*, the student Plaintiff, G. Doe, fell short of his "yearly minimum credits" for Grade 9 after he failed several "core" courses and, as a result, the school "recommended that [he] attend a summer program to recover any missing credits to stay on track with graduation requirements." *Id.* at 2. It was undisputed that had G. Doe failed to

⁴ A larger discussion of the mandatory nature of summer core classes is below.

recover the missing credits during the summer, he would not have been allowed to pass to the 10th grade. *Id.* at 18.

The Defendants in *Giannini*, like the Prince George's County school system here, asserted that because the summer school programs fell "outside the 180-day mandated school year, and because they do not constitute a core element of education," fees could legally be imposed. *Id.* at 18. The Court disagreed. "It is clear," the Court held, "that the purpose of summer school is to provide additional instruction to students who are in need of recovering credits for core courses so that they either may graduate or advance to the next grade." *Id.* at 19 (citing *Vandevender v. Cassell*, 208 S.E.2d 436, 439 (W.V. 1974) ("Under a 'free' school system fees cannot be charged as a requirement for students to be admitted to school nor can fees be charged for any required course under the curriculum set up by the state board of education")). Further, the Court found that, "regardless of whether summer school is defined in the [local school system's] Manual as a core element of education, the facts of this case reveal that the *purpose* of the School District's summer school program is to provide instruction on 'core' courses that are required for graduation." *Giannini*, No. PC 2014-5240 at 18 (emphasis added).

The Court in *Giannini* went even further, holding that "even if the [the local school system's] Manual does not specifically address the issue of summer school, it is clear that the School District's curriculum requires students to achieve a certain number of "core course" credits for purposes of graduation. Thus, such credits constitute a core element of education in the School District's school curriculum." *Id.* at 20. G. Doe, the Court stated,

was given a choice: recover his required credits through additional instruction during the summer, or recover them by repeating the ninth grade. Assuming that instead of attending summer school, he had opted to repeat the ninth grade, it is beyond dispute that the school could not have charged him tuition for that additional year of schooling. Instead, however, G. Doe opted to recover his required credits by attending summer school and, in doing so, he was charged a fee for his attendance. The fact that one option would have been free and the other option incurred a fee necessarily leads to an absurd result.

Id. at 21.

Giannini is right on point here. Aside from the identical fact pattern to the case, when Maryland courts and the OAG have looked at fees for specific educational activities, they have looked to other states' courts to see how they have ruled, and would likely do so here. This is especially true, given *Giannini*'s clear showing of the illogic in charging a fee for summer school core classes. Not only do fees for requirements under the curriculum run contrary to the local school system's stated purpose, but "[t]he fact that one option would have been free and the other option incurred a fee necessarily leads to an absurd result." *See Giannini*, No. PC 2014-5240 at 20.

Under Maryland law, we must “consider the words of these statutes in light of their purpose and objective” and make sure to “adopt a construction that comports with common sense and avoids illogical or absurd results.” *Kaczorowski v. Mayor & City Council of Baltimore*, 309 Md. 505, 517, 525 A.2d 628, 634 (1987) (citation omitted). It is wholly illogical to charge a fee for a summer class that would otherwise be free, especially where classes are credit recovery courses that are required to advance to the next grade or graduate. Common sense mandates that the school system not treat the same classes differently just because they are offered at different times. This logical conclusion is bolstered by the fact that PGCPs informed the parents in the case that their children would not be able to move on to the next grade without these classes. As was the case in *Giannini*, the students here were “given a choice: recover [their] required credits through additional instruction during the summer, or recover them by repeating” a grade. See *Giannini*, No. PC 2014-5240 at 21. The classes were mandatory to progress to the next grade. The fact that one option was free and the other option incurred a fee necessarily leads to an “absurd” result.⁵ See *Kaczorowski*, 309 Md. at 517.

3. *Local Education Agencies cannot charge fees for public summer school courses without explicit authorization by the Legislature*

Under Article 14 of the Maryland Declaration of Rights, “no aid, charge, tax, burden or fees ought to be rated or levied, under any pretense, without the consent of the Legislature.” The Maryland General Assembly has not explicitly enacted any legislation authorizing local school boards to collect tuition or fees for summer school.

PGCPS is the Local Education Agency (“LEA”) organized under the laws of Maryland responsible for providing educational services to the students in this case. LEAs do have some autonomy for when and how they charge fees. The students here had previously requested that PGCPs provide the legal authority under which PGCPs is entitled to charge fees for credit recovery courses during the school year and summer school. In a response dated April 28, 2016, PGCPs maintained their authority to charge fees, referencing Md. Code Ann., Educ. § 7-106, which states that each county must “adopt procedures for the selection and purchase of textbooks, supplementary readers, materials of instruction, visual and auditory aids, stationary and school supplies.... [and] “[i]tems which do not fall within these specific categories are not required to be provided free of charge.”

However, the charging of fees for school-related items beyond those specific categories raise significant legal concerns that have not yet been tested in court. On February 22, 1996, the OAG advised that a legislative proposal allowing schools to charge fees even for “non-academic type activities” could create a substantial constitutional question if those activities take place during the regular school day. Importantly, the OAG raised a separate legal issue, advising that even

⁵ The 1995 OAG Advice of Counsel letter, which differentiates between a driver education course taken during the “regular school day” and a driver education course taken outside of the regular school day, can be distinguished from the case at issue in that driver education is not a required, or “core,” course needed to graduate high school.

if the legislation was constitutional, “another question that surfaces is whether a local board of education has authority unilaterally to impose fees for certain activities that take place during the regular school day.” OAG Advice of Counsel (Feb. 22, 1996). In its letter, the OAG advised that in order to comply with the Maryland Constitution, legislation enacted by the General Assembly would be necessary to authorize local boards to collect fees for certain activities. OAG Advice of Counsel (Feb. 22, 1996) (referencing 76 Op. Att’y Gen. __ (1991) [Op. No. 91-033 (July 25, 1991)]).

In addition, in its *Hornbeck* decision, the Court of Appeals stated that “[t]he quantity and quality of educational opportunities to be made available to the State’s public school children is a determination committed to the legislature or to the people of Maryland through adoption of an appropriate amendment to the State Constitution,” suggesting that legislation may be necessary to determine the question of fees with regard to educational opportunities. *Hornbeck v. Somerset Cty. Bd. of Educ.*, 295 Md. 597, at 658-59 (1983).

On this issue, we can look to California for guidance. The California ACLU affiliates filed suit in 2010 against the State of California challenging school fees as a condition of participating in certain educational activities. *See Doe v. State of California*, No. BC445151 (Cal. Sup. Ct) (complaint filed Sep. 10, 2010). While the lawsuit was ultimately resolved legislatively, before the legislation passed, the Court held, in part, that school officials cannot “require any pupil... to purchase any instructional materials for the pupils’ use in the school” and “[a] pupil enrolled in a school shall not be required to pay any fee, deposit, or other charge *not specifically authorized by law.*” *Doe v. California* (L.A. Sup. Ct. case No. BC445151) (emphasis added). As is the case with *Giannini* on the constitutional question, Maryland courts can look to *Doe* in California for guidance on the legality of charging public summer school fees without authorization from the General Assembly.

* * *

For all of these reasons, we urge PGCPs to revisit and amend school system policies to lift fees for core summer school classes in order to comport with constitutional and statutory mandates. Given that the opportunity to take summer school courses has ended for this year, and that the students at issue have already been denied their constitutional and statutory rights, we hope you will work with affected students to accommodate their needs, and reimburse families for any fees wrongfully charged.

Absent such relief to the students through the current appeals process, please be advised that the ACLU will have no choice but to pursue litigation to address this serious constitutional violation undermining the rights of Prince George’s County students to a free public school education.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Deborah A. Jeon', written over a horizontal line.

Deborah A. Jeon
Legal Director
Joanna Diamond
Cooperating Attorney

AMERICAN CIVIL
LIBERTIES UNION OF
MARYLAND

Cc: Ms. Shauna Battle
General Counsel
Prince George's County Public Schools
shauna.battle@pgcps.org

Ms. Briana Woodson
Executive Administrative Board Associate
Prince George's County Public Schools Board of Education
briana.woodson@pgcps.org

FILED

JUN 12 2019

**CLERK OF THE CIRCUIT COURT
FOR PRINCE GEORGE'S COUNTY, MD**

EXHIBIT 10



**TESTIMONY OF THE HOWARD UNIVERSITY SCHOOL OF LAW CIVIL AND
HUMAN RIGHTS CLINIC
BEFORE THE PRINCE GEORGE'S COUNTY SCHOOL BOARD**

The Howard University School of Law Civil and Human Rights Clinic writes to express serious concern regarding Prince George's County Public School Board (PGCPS) Education Policy No. 5118.4 which denies full tuition waivers to indigent students enrolled in summer school. As discussed below, the policy violates federal, as well as Maryland law, and contributes to the cycle of poverty.

PGCPS Policy promises that a student "shall not be denied entrance into summer school for lack of tuition." PGCPS 5118.4 § II (2014). However, it exempts summer school students from its protections, specifying that if a student cannot afford to pay the cost of tuition, he or she may only have 25% of their tuition cost waived. Citing the policy, this Board has repeatedly denied requests for full tuition waivers, no matter the financial circumstances of the student. *See id.* § III(B) (stating that students eligible for partial waiver will pay a minimum of 75% of the established tuition per course). The policy severely harms students whose family's income make them eligible for Free and Reduce Meal Student (FARMS). Unable to afford summer school, these students have no choice, but to repeat the grade level they were in the previous year. In short, the policy guarantees that indigent students in the County will be discriminated against solely because of their family's income.

The policy violates the Maryland Constitution. Article VIII, Section 1 of the Constitution explicitly mandates that the public school system be "free." This requires schools to "be open to all without expense." *Clark v. Maryland Institute*, 87 Md. 126, 129 (1898). The requirement extends to summer school. Anything directly related to a school's curriculum must be available to all without charge. 72 Op. Att'y Gen. 262, 267 (1987). Not surprisingly, the only court to consider a similar requirement concluded it was illegal. *Giannini Council on Elementary and Secondary Education*, No. PC 2014-5240, Providence Co. Super. Ct., (March 30, 2016) (determining that because the purpose of summer school is to provide additional instruction to students recovering credits for core courses, fees cannot be charged for them).

In addition to being illegal, the policy is morally repugnant. Core courses, such as Mathematics and English, should be free of charge, particularly because of the long-lasting negative impact on students unable to afford them. Without these required courses, students are unable to advance to the next grade level and are ultimately unable to receive their diplomas. Justice Thurgood Marshall noted the importance of equality of educational opportunities in that

without education, children are deprived at their earliest years of the chance to reach their full potential as citizens. *San Antonio Indep. Sch. Dist. v. Rodriguez*, 411 U.S. 1, 71 (1973). This policy, by denying indigent students the opportunity to enroll in summer school, directly denies students equal access to education, further contributing to the cycle of poverty. Helen F. Ladd, *Education and Poverty: Confronting the Evidence*, 31 *Journal of Policy Analysis and Management*, 203–227 n.2 (2012).

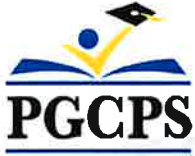
For the foregoing reasons, the Civil and Human Rights Clinic of the Howard University School of Law urges that PGCPs amend Education Policy No. 5118.4, lifting fees for core summer school classes, and in the interim, waive tuition for indigent students repeating core courses during the summer.

FILED

JUN 12 2019

**CLERK OF THE CIRCUIT COURT
FOR PRINCE GEORGE'S COUNTY, MD**

EXHIBIT 11



Monica Goldson, Ed.D.
Interim Chief Executive Officer

April 29, 2019

Ms. Grace Reusing
Assistant Public Defender
Juvenile Protection Division
217 E. Redwood St., Suite 1000
Baltimore, Maryland 21202
410-209-8686

Dear Ms. Reusing,

I am writing in response to your letter dated April 3, 2019, in which you request that all Office of Public Defender (OPD) clients enrolled in the free or reduced meals (FARMS) program be granted full tuition waivers to attend summer school for credit recovery, original credit or grade level advancement for the 2019 summer term.

As you know, last year a waiver was granted to your clients to give the Prince George's County Public Schools (PGCPS) administration and Board of Education's Policy Committee additional time to review the summer school tuition policy and administrative procedure and consider recommended changes. Since the Board's new leadership assembled in December 2018, the Policy Committee was temporarily suspended and has not yet reconvened to formally review Board Policy 5118.4, Tuition Waivers for Summer School.

However, in recent months, members of the Administration have reviewed the summer school program cost structures with the primary goal of reducing the financial burden on PGCPS students and families. Based on this analysis, I recommended to the Board of Education the following changes for FY2020 (Summer 2019) and future years, which would be reflected in changes to Administrative Procedure 5118.4:

1. Reduce the cost per credit to \$100 for a half-credit course and \$200 for a full-credit course; and
2. Increase the maximum tuition waiver from 25% to 50% of tuition cost.

Under this new proposed price structure, which provides a similar level of discount provided by other large Maryland school systems, your clients and other students with demonstrated need would pay 69% less for half- or full-credit summer school courses, as demonstrated below:

Course Credit	FY2019 Rates (Discounted Maximum 25%)	Proposed FY2020 Rates (Discounted Maximum 50%)	Change (\$)	Change (%)
Half-Credit Course	\$161.25	\$50.00	(\$111.00)	(69.0%)
Full-Credit Course	\$322.50	\$100.00	(\$223.00)	(69.0%)

The Board of Education approved this proposed fee structure at its meeting on April 25, 2019.

In light of the new significant fee reduction, I am respectfully denying your request for a full tuition waiver on behalf of OPD clients. PGCPs continues to meet our constitutional obligation to provide a full educational program to all students free of charge during the regular school year. While summer school provides an additional option for students to earn credit, it is optional and students are not denied an opportunity to re-take necessary classes free of charge during the regular school year.

Upon review with our legal team, we are not aware of any Maryland case law or administrative holding that prohibits a local school system from charging a reasonable fee for optional summer school programming.

Thank you for your patience as we have worked through this issue and your advocacy on behalf of OPD clients. You are entitled to appeal this denial in writing to the Board of Education within 30 days of this decision.

Sincerely,



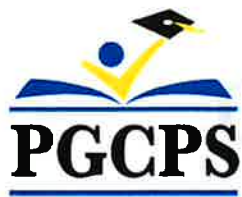
Monica E. Goldson, Ed.D.
Interim Chief Executive Officer

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JUN 12 2019

**CLERK OF THE CIRCUIT COURT
FOR PRINCE GEORGE'S COUNTY, MD**

EXHIBIT 12



Prince George's County Public Schools
Credit Recovery & Original Credit
High School Program

SUMMER 2019 SESSION

(For Students in Grades 9-12)

Summer High School DAY Sites

Northwestern HS (DAY)
 7000 Adelphi Road
 Hyattsville, MD 20782
 301-985-1820

Surrattsville HS (DAY)
 6101 Garden Drive
 Clinton, MD 20735
 301-599-2453

Summer High School DAY ESOL SUPPORTED Site

High Point HS (DAY)
 3601 Powder Mill Road
 Beltsville, MD 20705
 (301)572-6400

Summer High School EVENING Site

Suitland HS (EVE)
 5200 Silver Hill Road
 Forestville, MD 20747
 301-817-0500

SUMMER ESOL ONLY REGISTRATION DATE TIME and SITE

Date	Time	Site
June 10	5:30-8:30 PM	HIGH POINT HS

SUMMER EVENING REGISTRATION DATES TIMES and SITES

Date	Time	Site
June 11	5:30-8:30 PM	SUITLAND HS
June 12	5:30-8:30 PM	SUITLAND HS
June 17	5:30-8:30 PM	SUITLAND HS

SUMMER DAY REGISTRATION DATES TIMES and SITES

Date	Time	Sites
June 18	5:30-8:30 PM	NORTHWESTERN & SURRETTSVILLE HS'S
June 19	5:30-8:30 PM	NORTHWESTERN & SURRETTSVILLE HS'S
June 20	5:30-8:30 PM	NORTHWESTERN & SURRETTSVILLE HS'S
June 25	4:00-8:00 PM	NORTHWESTERN & SURRETTSVILLE HS'S
June 26	9:00-1:00 PM	NORTHWESTERN & SURRETTSVILLE HS'S
June 27	4:00-8:00 PM	NORTHWESTERN & SURRETTSVILLE HS'S
June 29	9:00-1:00 PM	NORTHWESTERN & SURRETTSVILLE HS'S

All students registering for summer school must contact the Professional School Counselor at their base school to obtain registration paperwork before coming to the registrations noted above.

PROGRAM INFORMATION

ELIGIBLE STUDENTS

The summer high school programs are planned for students currently enrolled in grades 9-12 during the day or evening. High school graduates may enroll in any offered course necessary for their admission to college. Prince George's County Public School students, as well as private, parochial, and non-resident students, are eligible to attend.

PLEASE NOTE: A resident student is a student residing year-round in Prince George's County and is enrolled in Prince George's County Public Schools. Students residing in the county on a temporary basis or who do not attend a PGCPs school during the school year are considered non-residents and must pay the non-resident tuition based upon where they attend high school.

CODE OF STUDENT CONDUCT

The summer high school programs are not part of the State Mandated Free Public Education programs offered by the Board of Education of Prince George's County. Therefore, those provisions of the Code of Student Conduct that deal specifically with numbered days of suspension shall not be applicable. Accordingly, any substantiated infraction of the Student Rights and Responsibility Handbook that is tantamount to either Gross Misconduct or Persistent Disobedience may result in the automatic withdrawal of said student from the program. Any absences in excess of the number of days stated in the brochure shall result in the student's automatic withdrawal.

A student accused of any infraction and ordered withdrawn by the summer high school administrator may, within 24 hours of the notification of withdrawal, appeal to the coordinators of the high school summer programs for a review of the decision.

A meeting will be scheduled with the student and their parent/guardian within 48 hours. The decision of the coordinators, relative to reinstatement or affirmation of withdrawal, shall be final and a tuition refund may not be warranted.

FEES AND EXPENSES

All fees are due at the time of registration. Payment is to be in the form of a **certified check, money order, or credit card (Discover, MasterCard and Visa via MySchoolBucks)** in the exact amount **ONLY** made payable to Prince George's County Public Schools. No cash and no personal checks will be accepted.

Grades 9-12	Half Credit	One Credit
*Registration Fee for all students	\$25	\$25
Resident Tuition ~ PGCPs students only	\$100	\$200
Resident Tuition~ Non-PGCPs students who <u>attend</u> a Maryland Private School Tuition	\$322.50	\$645.00
Non Resident Tuition ~ Non-PGCPs students <u>who do not attend</u> a Maryland Public or Private School Tuition	\$322.50	\$645.00

*The \$25.00 registration fee is non-refundable.

TUITION WAIVERS FOR PGCPs STUDENTS

Tuition Waiver Forms are available in all secondary schools. Tuition may be waived by **50%** (\$100.00 for a full-credit and \$50.00 for a half-credit) of the full price of each course for students who qualify for free or reduced lunch only. Completed waiver forms signed by the base school principal/designee **must** be submitted at the time of registration. **Only PGCPs students are eligible for tuition waivers.**

LUNCH

Even though lunch may be sold at the summer school sites, students should bring a bag lunch because they will not be permitted to leave the campus.

REGISTRATION INFORMATION

- All Registration and Grade Report Forms **must** be completed with signatures before reporting to the registration site.
- Students anticipating summer graduation **must** present at the time of registration, a completed Certification of Graduation form (SS-CG), an official copy of their Universal Transcript, which includes all credits earned, a copy of the H.S.A. & PARCC scores from the HSA Monitoring Tool and evidence of community service hours earned. The school seal, with the signatures of the base school principal and the professional school counselor, must be on the completed Certification of Graduation form.
- Base schools are to retain copies of all completed forms.

PROGRAM INFORMATION

CANCELLATION OF COURSES

PGCPS reserves the right to cancel courses with insufficient student enrollment at a site. In the event of course cancellation, the student may change courses, change sites, or request a refund.

REFUND POLICY

All requests for refunds must be submitted on the appropriate form with the original receipt, to the summer school site where the student is registered. Refunds are granted to students who must withdraw during the first week of school for approved reasons. If a refund is granted, it will take a minimum of ten weeks to process.

ATTENDANCE

Students having more than two (2) absences or six (6) tardies will be withdrawn and no credit, no grade, and no refund will be given.

DRESS CODE

The Prince George's County Public Schools dress code policy is in full effect for the duration of summer school. Copies of the policy will be provided to all parents & students at the time of registration.

TRANSPORTATION

Parents are responsible for providing transportation to and from summer school sites. Students driving their own vehicles must abide by all school policies and regulations.

GRADE REPORTS

Final grades will be mailed to the address of record for the student and will be available on transcripts one week after the last day of summer school. Students who do not attend PGCPS during the school year are responsible for delivery of all final grade reports to their appropriate school personnel. All financial obligations must be satisfied, and materials and books must be returned to their appropriate teacher before grades can be released.

DIPLOMAS

All students anticipating summer graduation upon successful completion of required course(s) must bring a Certification of Graduation Form (SS-CG) and a copy of their Official Transcript, which includes credits earned, H.S.A. & PARCC scores and community service hours earned. The school seal, with the signatures of the base school principal and the professional school counselor, must be on the completed Certification of Graduation Form (SS-CG). It is the responsibility of the student's base school to maintain a copy of the *Certification of Graduation Form* in the student's cumulative file. Please note that if a student does not register with a summer school site, they will not be allowed to participate in the graduation ceremony and they cannot obtain their diploma through summer school.

GRADUATION

Mandatory Graduation Rehearsal will be held on:

Tuesday, 8/6 @ 5:30 p.m.

Dr. Henry A. Wise, Jr. High School

All graduates must attend and participate in the rehearsal in order to attend the graduation ceremony.

Graduation Commencement Ceremony for all sites will be held on:

Thursday, 8/8 @ 6:00 p.m.

Dr. Henry A. Wise, Jr. High School

Entry is restricted to ticket holders only. Proper dress is required for admission.

SUMMER HIGH SCHOOL EVENING PROGRAM

PROGRAM DESCRIPTION

Credit courses are offered during the evening for eligible students. Students may earn a maximum of one credit hour only.

WHO TO CONTACT AND HOW TO APPLY:

With the assistance of the base school Professional School Counselor, eligible students must complete the Student Registration and Grade Report Form. If the student is attending the Day and Evening Program, a separate Registration and Grade Report Form is required for each program.

CLASS SESSIONS

6/24 to 7/31 (graduating seniors last day on 7/30)

Monday thru Thursday (no classes on Friday)

5:00 PM to 9:30 PM

SUMMER HIGH SCHOOL COURSE OFFERINGS by EVENING SITE

Classes for one (1) credit will be held from 5:00 PM to 9:30 PM (period 1)

Classes for half (0.5) credit will be held from 5:00 PM to 7:00 PM (period 1) or 7:00 PM to 9:30 PM (period 2)

SUITLAND HS		
Course	Title	Credit
103 903	English/Lang Art 9	1.0
104 503	English/Lang Art 10	1.0
105 503	English/Lang Art 11	1.0
106 503	English/Lang Art 12	1.0
162 003	Spanish 1	1.0
165 003	Spanish 2	1.0
213 103	Local, St & Nat Gv	1.0
261 003	World History	1.0
262 903	United States History	1.0
323 503	Algebra 1	1.0
353 303	Quantitative Modeling	1.0
420 603	Biology	1.0
420 803	Biogeochemical Systems	1.0
430 003	Chemistry	1.0
491 103	Environmental Science	1.0
983 913	CCRD 1	1.0
983 923	CCRD 2	1.0
983 963	CCRD Work	1.0
983 973	CCRD Work	1.0
135 913	Eng ESOL Newcomer	1.0
135 123	Eng ESOL Beginner	1.0
135 133	Eng ESOL Intermediate	1.0
135 223	Eng ESOL Advanced	1.0
301 003	Applications in Algebra	1.0
718 010	Per Fitness (period 1)	0.5
744 200	Health (period 2)	0.5

SUMMER HIGH SCHOOL DAY PROGRAM

PROGRAM DESCRIPTION

Students may earn a maximum of one credit during the day and one credit in the evening.

A Registration and Grade Report Form is required for each site and for each course.

WHO TO CONTACT AND HOW TO APPLY

With the assistance of the base school Professional School Counselor, eligible students must complete the Student Registration and Grade Report Form.

If the student is attending the Day and Evening Program, a separate Registration and Grade Report Form is required for each program.

CLASS SESSIONS

7/8 to 8/1 (graduating seniors last day on 7/31)

Monday thru Thursday (no classes on Friday)

8:00 AM to 2:30 PM

SUMMER HIGH SCHOOL COURSE OFFERINGS by DAY SITE

Classes for one (1) credit will be held from 8:00 AM to 2:30 PM (period 1)

Classes for a half (0.5) credit will be held from 8:00 AM to 11:00 AM (period 1) or 11:30AM to 2:30PM (period 2)

NORTHWESTERN & SURRATTSVILLE HS		
Course	Title	Credit
103 903	English/Lang Art 9	1.0
104 503	English/Lang Art 10	1.0
105 503	English/Lang Art 11	1.0
106 503	English/Lang Art 12	1.0
155 003	French 2	1.0
162 003	Spanish 1	1.0
165 003	Spanish 2	1.0
213 103	Local, St & Nat Gv	1.0
261 003	World History	1.0
262 903	United States History	1.0
323 503	Algebra 1	1.0
344 003	Geometry	1.0
353 303	Quantitative Modeling	1.0
362 403	Algebra 2	1.0
375 293	Pre Calculus	1.0
420 603	Biology	1.0
420 803	Biogeochemical Systems	1.0
430 003	Chemistry	1.0
491 103	Environmental Science	1.0
602 103	Art 1	1.0
602 203	Art 2	1.0
645 103	Music Survey	1.0
718 010	Per Fitness (period 1)	0.5
719 070	Team Sports (period 1)	0.5
744 200	Health (period 2)	0.5
747 000	Sports Med (period 2)	0.5
842 003	Foundations of Tech	1.0

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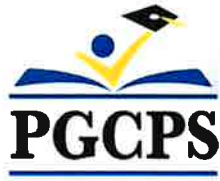
HIGH POINT HS (ESOL SUPPORTED COURSES)		
Course	Title	Credit
104 503	English/Lang Art 10	1.0
135 123	English ESOL Begin	1.0
135 133	English ESOL Interm	1.0
135 223	English ESOL Adv	1.0
213 103	Local, St & Nat Gv	1.0
323 503	Algebra 1	1.0
344 003	Geometry	1.0
420 603	Biology	1.0

FILED

JUN 12 2019

**CLERK OF THE CIRCUIT COURT
FOR PRINCE GEORGE'S COUNTY, MD**

EXHIBIT 13



February 27, 2019

VIA ELECTRONIC MAIL, ajmel.quereshi@howard.edu

Mr. Ajmel Quereshi
Director, Civil Rights Clinic
Howard University School of Law
2900 Van Ness Street, NW
Washington, DC 20008

Re: Maryland Public Information Act Request regarding PGCPS summer school
Our File No.: 19-99-0039

Dear Mr. Quereshi:

This is a response to your request pursuant to the Maryland Public Information Act (MPIA) for the above referenced student. Prince George's County Public Schools' response to your requests are as follows:

- 1) Any information regarding the racial background of students annually attending summer school;

RESPONSE: Documents are enclosed.

- 2) The number of students annually enrolling in summer school;

RESPONSE:	SY 2016	SY 2017	SY 2018
	1968	2135	2480

- 3) The number of students annually recommended for summer school; and

RESPONSE: This information is not maintained.

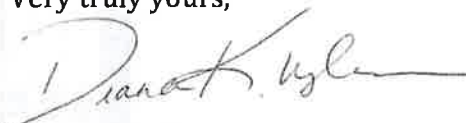
- 4) The number of students annually enrolling to receive original credit, as opposed to for recovery of credit.

RESPONSE: Documents are enclosed.

As you are aware, your request did not provide any time frame for your requests. We have provided information for the last three (3) years. All documents will be provided electronically. Please acknowledge

receipt of this letter and the attachments. If you have any questions, feel free to contact me at 301-952-6119 or diana.wyles@pgcps.org.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Diana K. Wyles", with a long horizontal flourish extending to the right.

Diana K. Wyles
Associate General Counsel

DKW/khr

cc: Monica E. Goldson, Ed.D.
Mr. Christian Rhodes
Helen Coley, Ed.D.
Ms. Carletta Marrow
Demetria Tobias, Esquire
Shauna Garlington Battle, Esquire

SUMMER SCHOOL ENROLLMENT BY RACE

FISCAL_YEAR	HISPANIC	American Indian/Alaska Native	ASIAN	Black or African American	Native Hawaiian	WHITE	MULTIRACIAL
2017	599	4	43	1,313	0	63	21
2018	669	4	44	1,301	0	82	32
2019	1,129	10	54	1,547	1	79	50