

ANGELA HOLOCKER

Appellants

v.

QUEEN ANNE'S COUNTY
BOARD OF EDUCATION,

Appellee

BEFORE THE

MARYLAND

STATE BOARD

OF EDUCATION

Order No. OR 16-05

ORDER

The Appellant is a middle school principal employed by Queen Anne's County public schools. She challenges three decisions of the local board, made at its April 6, 2016 meeting: (1) the decision to appoint Gregory Pilewski as Interim Superintendent; (2) the decision not to enter into a 1-year interim contract with the current Superintendent Carol Williamson; and (3) the decision to retain Susanne Henley as an attorney for the Queen Anne's County Board of Education (local board). This Board is separately considering requests from the Appellant to remove three of the five local board members from office.

The local board's decision not to renew the local superintendent's contract has caused many in the community to question the local board's motives and to request that this Board take some type of action, such as overturning the decision or initiating removal proceedings against some of the board members. Suffice it to say, the local board's decision has led to an outpouring of support for the local superintendent and great praise of her accomplishments during her tenure. It has caused significant contention in the school community. Significant contention between a school community and its local board is not usually a harbinger of a good educational environment.

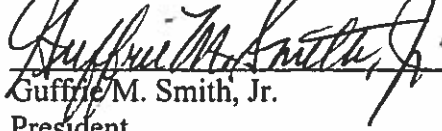
Yet, the role of this Board in resolving this issue is exceedingly limited. The decisions made by the local board are personnel decisions. Over the course of many years, we have ruled that the only person who has legal standing to challenge a personnel decision, such as a local board's decision to renew or not renew a contract, hire an interim superintendent, or retain legal counsel, is the employee who has been adversely affected by the decision. *See Kristina E. v. Charles County Bd. of Educ.*, MSBE Op. No. 15-27 (2015) (citing previous cases). The legal standing to challenge a personnel decision arises out of the employment relationship. While a school system employee may disagree with a local board's personnel decision, and believe the decision is wrong and is detrimental to the school system, that does not give the individual legal standing to pursue an appeal of that personnel decision before this Board. We are constrained by the legal doctrine of standing and by general principles of local autonomy in this arena.

The proper remedy for the relief that Appellant seeks lies with the electoral process.

It is this 26th day of April, 2016 by the Maryland State Board of Education,

ORDERED, that the appeal referenced above be dismissed because the Appellant lacks standing to bring the appeal.

MARYLAND STATE BOARD OF EDUCATION



Guffie M. Smith, Jr.
President

Board member Madhu Sidhu dissents from this order.

Board member Andrew R. Smarick recused himself from consideration of this appeal.