

LAURA MICHELLE JOHNSON
AND HOLLY SCOTT

Appellants

v.

QUEEN ANNE'S COUNTY
BOARD OF EDUCATION,

Appellee

BEFORE THE

MARYLAND

STATE BOARD

OF EDUCATION

Order No. OR 16-03

ORDER

The Appellants are both parents of children who attend Queen Anne's County public schools. They have each filed separate appeals with the State Board challenging the local board's decision not to offer the local superintendent a new contract.

On March 2, 2016, the local board voted 3 to 2 against renewing the superintendent's contract for a four-year term. The board also voted 3 to 2 against offering the superintendent a one-year contract extension while the board sought a new superintendent. Appellant Scott challenges both decisions, while Appellant Johnson only challenges the denial of a one-year contract extension. Both Appellants argue these decisions were arbitrary and unreasonable.

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.

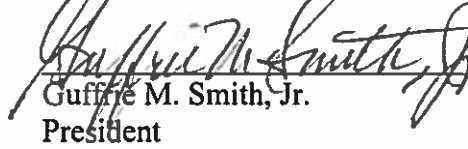
Yet, the role of this Board in resolving this issue is exceedingly limited. The decision made by the local board is a personnel decision. Over the course of many years, we have ruled that the only person who has legal standing to challenge a personnel decision, such as a local board's decision to renew or not renew a contract, 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 parents of children in a school system certainly 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 them 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 Appellants seek 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 Appellants lack standing to bring the appeal.

MARYLAND STATE BOARD OF EDUCATION


Guffie M. Smith, Jr.
President

Board member Andrew R. Smarick recused himself from consideration of these appeals.