

IN THE MATTER

*
*
*
*
*
*

BEFORE THE BOARD

OF

OF EDUCATION

OF CARROLL COUNTY

DECISION OF THE BOARD OF EDUCATION OF CARROLL COUNTY

This is an appeal before the Board of Education of Carroll County (the "Board") pursuant to Section 4-205(c) of the Education Article to the Annotated Code of Maryland brought by _____ a substitute teacher for Carroll County Public Schools ("CCPS"). _____ appeals the decision of the Human Resources Specialist, Jocelyn Quinn-York, to remove her from the CCPS substitute system as an eligible daily substitute. According to _____, she had a successful teaching career, is remorseful for the inappropriate comments she made, and believes she should be able to continue substitute teaching so she can end her teaching career on a positive note.

_____ initially appealed Ms. Quinn-York's decision to the Superintendent, Dr. Steven Lockard, and that appeal was referred to Assistant Superintendent of Administration Jonathan D. O'Neal who served as the Superintendent's Designee. Having thoroughly reviewed and considered the matter, Mr. O'Neal rendered a decision dated March 21, 2019, in which he found that Ms. Quinn-York's decision was not arbitrary, unreasonable, or illegal. Accordingly, Ms. Quinn-York's decision to remove _____ from the substitute teaching list was upheld.

Subsequently, [redacted] filed a timely appeal to this Board. For the reasons set forth more fully below, we shall affirm.¹

FINDINGS OF FACT AND CONCLUSIONS OF LAW

[redacted] worked as substitute teacher for Carroll County Public Schools, including substituting at [redacted] until her services were terminated on March 1, 2019. [redacted] was registered in the CCPS substitute system as an eligible daily substitute. On October 22, 2018, the school administration at [redacted] submitted an Exclusion Notice to Human Resources requesting that [redacted] be removed from the eligible list of substitutes for their school. The Exclusion Notice noted [redacted] "poor classroom management" and "poor interaction/reaction with students." Specifically, [redacted] struggled to maintain order in a classroom and made a comment inquiring whether a particular student was "special education." The incident was initially reported by several students to the Assistant Principal who executed the Exclusion Notice. [redacted] later also admits to making the comment.

On February 27, 2019, Assistant Principal [redacted] at [redacted] also submitted an Exclusion Notice requesting that [redacted] be removed from the eligible list of substitutes at that school. According to the Notice, the request was again

¹ The State Board has long held that there is no need for an evidentiary hearing or oral argument when, as in this case, the appeal does not involve an alleged liberty or property interest deprivation thereby invoking the protections of the Fourteenth Amendment Due Process Clause. See *Bricker v. Frederick County Board of Education*, 3 Op. MSBE 99 (1982); *Anderson and Blake v. Board of Education of Prince George's County*, 5 Op. MSBE 415, 417 (1989). For this reason, and because we do not believe that a hearing would aid us in the decision-making process, we decline to conduct an evidentiary hearing or oral argument on this appeal but shall render a decision based upon the written record presented to us.

submitted due to "poor interaction/reaction with students." During an exercise about Rosa Parks, informed the class that they could not understand Rosa Park's experience because they were white. then went further and singled out one particular student to inquire whether or not he was black. The event was upsetting to many students in the class, but especially to the aforementioned student who was questioned by .

Upon learning of the incident, Assistant Principal Weaver investigated the situation. Several students provided written statements to : recounting the incident, all of which captured a consistent version of the situation. Again, later admitted to asking a specific student about his ethnicity.

Upon receiving notice of second Exclusion Notice, the Human Resources Department at CCPS reviewed the two incidents and the severity of each incident. Given the proximity of the two incidents and the severity of the interactions with students, was removed from the substitute list.

As earlier mentioned, admitted to both incidents that led to her removal from the substitute list and acknowledged the inappropriateness of her comments. What is troubling, however, is that . seemingly equates her interactions to simple mistakes that only require an apology. The Board disagrees with and agrees with the view of the Superintendent's Designee. The decision to remove : from the substitute list was based on the Board's educational policy related to a culturally competent work force and a welcoming culture of diversity. This decision was not arbitrary, unreasonable, or illegal but was, rather, a considered decision

after a thorough and thoughtful examination of the interactions with students on more than one occasion. Accordingly, this Board shall affirm.

In so doing, this Board is mindful that has a long history of service as a teacher for thirty-eight years at , as well as ten years as a substitute teacher throughout Carroll County. This Board greatly appreciates

service to the school system and to the many students that she may have helped over her long career. Our decision denying her appeal should not be viewed as taking anything away from our appreciation of service.

DECISION

For the reasons discussed above, this Board affirms the decision of Jonathan D. O'Neal, Assistant Superintendent of Administration and the Superintendent's Designee in this matter, upholding the decision of Human Resource Specialist Jocelyn Quinn-York to remove as an eligible daily substitute. Should she choose to do so,

may appeal this decision to the Maryland State Board of Education, 200 West Baltimore Street, Baltimore, Maryland 21201, in writing, within thirty days of the date of this decision.

BOARD OF EDUCATION OF CARROLL
COUNTY

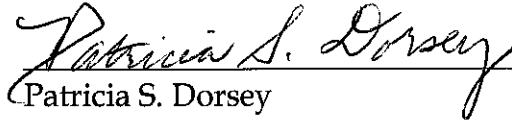
May 22, 2019
Date

Donna M. Sivigny
Donna M. Sivigny, President

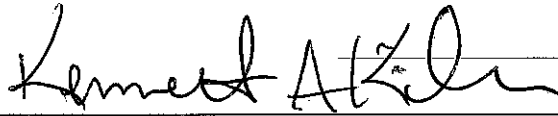
Marsha B. Herbert
Marsha B. Herbert, Vice President



Tara A. Battaglia



Patricia S. Dorsey



Kenneth A. Kiler