

IN THE MATTER OF

* BEFORE THE

* BOARD OF EDUCATION

* OF CARROLL COUNTY

* * * * *

DECISION

, Appellant, brought this appeal to the Board of Education of Carroll County (“County Board”) to appeal a decision of Mr. Stephen H. Guthrie, County Superintendent, pursuant to Section 4-205(c) of the Education Article Annotated Code of Maryland. On April 5, 2016, Appellant appealed the decision of the Instructional Technology Resource Team (“ITRT”) allowing the use of the online tool “Poll Everywhere” by teachers in the Carroll County Public Schools (“CCPS”). He asserted that use of this online tool violated Board Policy AF “Student Data Privacy.” On April 20, 2016, the Superintendent responded to Appellant, explained that the Appellant lacked legal standing to bring the appeal, and dismissed the appeal.

then noted an appeal to the County Board, completed the Appeal Information Form, and asked that the Superintendent’s decision on standing be reversed and that his appeal be referred to the Technology Review Board (“TRB”). In a letter dated May 12, 2016, Superintendent Guthrie changed his position on the standing issue and agreed to allow the appeal to be heard by the TRB as his designee.

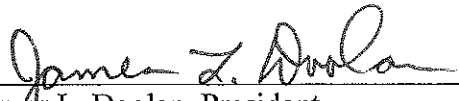
responded to the Superintendent’s response and argued that the Board should not only remand the appeal to the TRB but that the Board should reverse the Superintendent’s decision as arbitrary, unreasonable, and illegal.

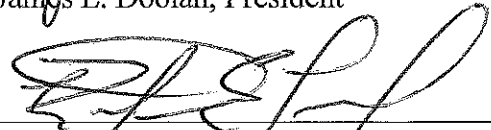
The County Board has carefully reviewed the documentation and arguments presented by the parties. Despite the claims of inaccurate and improper procedures in the handling of this dispute, the Board has concluded that this appeal is not yet ripe for review under Section 4-205(c) because no decision has yet been rendered by the Superintendent on the merits of whether the tool Poll Everywhere should be approved for use in the CCPS. Both parties now take the position that _____ appeal should be referred to the TRB for a decision in accordance with Administrative Regulation and Board Policy "Student Data Privacy." The Board concurs that the proper procedure at this point is to remand the appeal to the TRB. Accordingly, the Board directs that this appeal be remanded to the TRB for a complete review and that the written decision prepared by the TRB be sent to the parties and to the Board of Education. Except as stated above, the Board finds no reason to address any of Appellant's other requested remedies.

Therefore, the Board issues the following order:

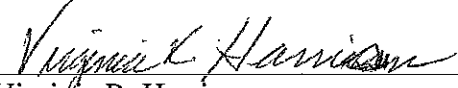
Upon consideration of the appeal of _____, the responses of the Superintendent and all correspondence received herein, it is ORDERED, on this 25th day of May, 2016, that the appeal of _____ be remanded to the Technology Review Board for a complete review, and that a written report and decision prepared by the TRB be sent to the parties and to the Board of Education of Carroll County.

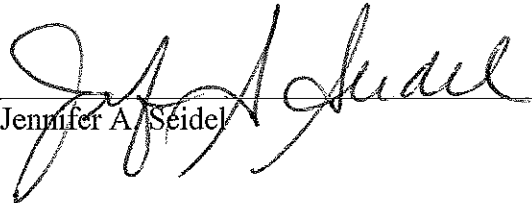
Date: May 25, 2016


James L. Doolan, President


Bob E. Lord, Vice President


Devon M. Rothschild


Virginia R. Harrison


Jennifer A. Seidel

P:\MSM\WPDATA\Carroll County BOE\Bricca Decision.docx