

HARRISON, W., *et al.*

Appellants

v.

CARROLL COUNTY
BOARD OF EDUCATION

Appellee

MARYLAND

STATE BOARD

OF EDUCATION

Order No. OR16-10

ORDER

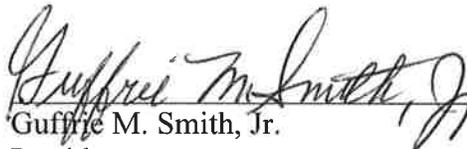
This case, *Harrison W., et al.* is one of five consolidated cases in an appeal challenging the December 9, 2015 decision of the Carroll County Board of Education (local board) to close three public schools, Charles Carroll Elementary School, New Windsor Middle School, and North Carroll High School. In accordance with COMAR 13A.01.05.07(A)(1), we transferred the matter to the Office of Administrative Hearings (“OAH”).

At OAH, the *Harrison W., et al.* Appellants filed a Motion to Stay and/or for Preliminary Injunction (“Motion”) requesting that the administrative law judge (“ALJ”), issue a stay or preliminary injunction to stop the local board’s implementation of its decision to close the schools. ALJ Harriet C. Helfand, issued a Proposed Ruling denying the Motion. She found that OAH lacks the authority to issue an order to stay or for a preliminary injunction in this case because no such authority has been delegated by the State Board. (Proposed Ruling at 6). The ALJ correctly noted that the authority to issue a stay of a local board decision lies with the State Superintendent of Schools. *See* COMAR 13A.01.02.01B. Appellants did not file exceptions to the ALJ’s Proposed Decision on the Motion. We concur with the ALJ’s ruling.

Therefore, we adopt the ALJ’s Proposed Ruling on the Motion to Stay and/or Preliminary Injunction, and it is this 28 day of June, 2016 by the Maryland State Board of Education,

ORDERED, that the Appellants’ Motion for Stay and/or Preliminary Injunction be denied.

MARYLAND STATE BOARD OF EDUCATION



Guffie M. Smith, Jr.
President