

IN THE MATTER OF

*

BEFORE THE BOARD

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OF EDUCATION OF

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CARROLL COUNTY

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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 Md. Code Ann., Educ. § 4-205(c) brought by _____, parents of _____, a sixth grade student assigned to _____, challenging the Superintendent's Designee's December 19, 2025, decision¹ to uphold previous decisions denying _____ application for _____.

On February 11, 2026, the Board reviewed and thoroughly considered all of the written materials submitted both by the _____ and the Superintendent. Following that review, the Board issued its Order affirming the Superintendent's Designee's decision.² In accordance with that Order and this Board's Rules of Procedure, we issue the following Findings of Fact and Conclusions of Law in support of that Order affirming the decision below.

¹ Ms. Amy Gromada, Director of Middle Schools, served as the Superintendent's Designee. Ms. Gromada's decision was reviewed and approved by Dr. Cynthia McCabe, Superintendent of Carroll County Public Schools.

² The Maryland State Board of Education 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). In addition, the _____ indicated on their Appeal Information Form that they were not seeking a hearing on this appeal. For these reasons, 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 and shall render a decision based upon the written record presented to us by the _____ and the Superintendent.

STANDARD OF REVIEW

In reviewing a decision issued by the Superintendent or the Superintendent's Designee, the Board applies the standard set forth in COMAR 13A.01.05.06A. Pursuant to this standard, the Board will not substitute its judgment for that of the Superintendent or the Superintendent's Designee unless the decision was arbitrary, unreasonable, or illegal. *Id.* A decision may be arbitrary or unreasonable if it is contrary to sound educational policy or a reasoning mind could not have reasonably reached the same conclusion. COMAR 13A.01.05.06B. Finally, appellants challenging a policy decision of the Superintendent or the Superintendent's Designee bear the burden of proving a decision arbitrary, unreasonable, or illegal by a preponderance of the evidence. COMAR 13A.01.05.06D.

FINDINGS OF FACT

is eligible for special education through an Individualized Education Program (IEP) which identifies that she will receive special education and related services through the SUCCESS Program at home attendance area school,

IEP and placement is reasonably calculated to provide her with a Free Appropriate Public Education in the least restrictive environment appropriate for her with inclusion with non-disabled peers. Unfortunately, has not attended school since October 16, 2025.

On September 10, 2025, mother, ; submitted an application for for an emotional reason.³ Because coordination with medical providers is an essential part of the process for considering applications for

the Supervisor of Student Services-Student Support, Maria Martin, sent an email on September 15, 2025, to Dr. Johnson, the medical provider identified on the

³ The September 10, 2025 application for but is mentioned for background purposes only.

is not the application at issue in this appeal

application, in an effort to set up a time to discuss the application submitted by the [REDACTED]. Unfortunately, Dr. Johnson's response to Ms. Martin advised that the [REDACTED] had revoked their consent for him to speak with school system staff. As a result, Ms. Martin emailed the [REDACTED] on September 17, 2025, and advised that the application for [REDACTED] for an emotional reason was denied due to their decision to withdraw consent to engage with the medical provider. On September 19, 2025, [REDACTED] emailed Ms. Martin and confirmed that they were unwilling to authorize open communications between the school system and [REDACTED] medical provider.

On November 5, 2025, [REDACTED] submitted a second application for [REDACTED].

Unlike the September 10 application, which was based solely upon emotional health reasons, this second application was based upon a physical health reason. Once again, Dr. Johnson was listed as the medical provider identified on the second [REDACTED] application. On November 12, 2025, Ms. Martin spoke with Dr. Johnson over the phone and inquired about the description of the presenting medical problem on the application form (Autism, level 3 with Catatonia). During that conversation, Dr. Johnson categorized [REDACTED] condition as neuropsychiatric rather than a physical reason and further shared that she completed the [REDACTED]

[REDACTED] application for a physical condition at the request of the parent.

On November 14, 2025, Ms. Martin sent an email to the [REDACTED] denying this second [REDACTED] application because the application was based upon a physical health reason while the conditions identified by Dr. Johnson were based upon an emotional health condition. Ms. Martin included in her denial the opportunity for the [REDACTED] to submit a new application listing an emotional health reason preventing [REDACTED] from attending school and necessitating [REDACTED].

Rather than submitting a new application (or returning to school), the submitted an appeal to Mr. Karl Streaker, Director of Student Services, on November 21, 2025. After thoroughly reviewing the record, Mr. Streaker issued his written decision to the on November 26, 2026, wherein he upheld Ms. Martin's decision. On December 1, 2025, the appealed Mr. Streaker's decision to Superintendent McCabe. On December 12, 2025, the provided supplemental information to add to his Superintendent-level appeal. Ms. Amy Gromada, Director of Middle Schools, served as the Superintendent's Designee, and in that capacity, she met with .⁴ After fully reviewing the matter, Ms. Gromada issued a decision on December 19, 2025, in which she upheld Mr. Streaker's decision.⁵ On January 16, 2026, the appealed that decision to this Board.

CONCLUSIONS OF LAW

This Board affirms the decision issued by Ms. Gromada as the Superintendent's Designee in which she affirmed the earlier decisions issued by Mr. Streaker and Ms. Martin.

The Carroll County Public Schools' provides instructional continuity to students who are unable to attend their regularly enrolled school due to physical illness/injury, an emotional condition, pregnancy, or a chronic health impairment.

are short-term instructional services mandated by state law with specific guidelines for program implementation and delivery. Services are provided either virtually or in person.

⁴ Ms. Gromada met with , and during that conversation, expressed that the physical version of the Home and Hospital Services form is the correct form because, he contends, that has a nutritional deficiency to her brain and that this is the physiological cause of her Autism. On December 12, 2025, provided supplemental information to add to his Superintendent-level appeal which was considered. However, the letter from Dr. Johnson dated October 24, 2025, states, "recent absences from school are due to a deterioration of her neuropsychiatric condition." Ms. Gromada requested to speak with Dr. Johnson to clarify . 's determination that ; condition is physical, not psychological, but she was not given permission to do so.

⁵ Ms. Gromada's decision was reviewed and approved by Superintendent McCabe.

Applications for _____ must be based upon one of the specific categories. In this case, the categories at issue are (1) physical illness/injury and (2) emotional condition. Applications under both categories require recommendations from a medical professional and consent to speak with that medical professional. For _____ made for an emotional reason, a release to communicate with the medical professional is required (including a licensed psychiatrist, licensed mental health psychiatric nurse practitioner, or a certified school psychologist). This requirement is necessary in order to develop the required treatment plan that must be submitted as part of the _____ application.

The _____ initially submitted a _____ for an emotional reason, but when Ms. Martin attempted to contact Dr. Johnson as part of the application process, the _____ inexplicably revoked consent for that communication. The _____ then submitted a _____ application based upon a physical reason and authorized Dr. Johnson to communicate with school system staff; however, Dr. Johnson indicated that the reason for _____ was neuropsychiatric rather than a physical reason. As a result, the _____ Application based upon a physical reason was denied. This decision was upheld on appeal by Mr. Streaker, Ms. Gromada, and ultimately by Superintendent McCabe. At each stage, the differences in the _____ applications for physical health reasons and for emotional health reasons have been explained and discussed with the _____ by Ms. Martin, Mr. Streaker, and Ms. Gromada.

The main focus at the appeal before the Superintendent and her Designee was with respect to the _____ disagreement with the decisions by Ms. Martin and Mr. Streaker that _____ conditions are neuropsychiatric and, as a result, whether the application for _____ should be made

under the category of an emotional reason rather than under the category for a physical reason. Based upon the communications with Dr. Johnson, it was determined that [redacted] application for [redacted] or a physical reason was denied, and the [redacted] were encouraged to complete an application for [redacted] for an emotional health reason. However, the [redacted] declined to do so and, instead, filed their appeal to this Board.

As noted earlier, the standard of review on appeals to the Board pursuant to Md. Code Ann., Educ. § 4-205(c) is a narrow one. The Board does not substitute its judgment for that of the Superintendent or the Superintendent's Designee. Instead, it will affirm a decision rendered by Superintendent or Superintendent's Designee unless the decision was arbitrary, unreasonable, or illegal. *Id.* A decision is only arbitrary or unreasonable if it is either contrary to sound educational policy or a reasoning mind could not have reasonably reached the same conclusion. COMAR 13A.01.05.06B.

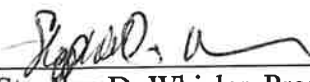
In this appeal, it is clear from the record that the decisions below were not illegal, nor were they arbitrary or unreasonable. To the contrary, they were considered decisions made after careful review and communications with the [redacted] and Dr. Johnson. There are sound educational reasons, as articulated by school system staff, for requiring the application for [redacted] to be documented for the correct reasons in order to develop an appropriate treatment plan. In this case, based upon the emotional health reasons identified by Dr. Johnson, [redacted] did not qualify for [redacted] based upon a physical reason.

DECISION

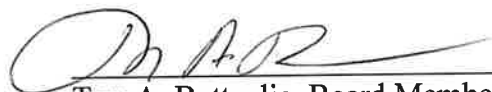
For the reasons discussed above, this Board affirms the Superintendent's decision in this matter. Should they choose to do so, the [redacted] may appeal this decision to the Maryland State

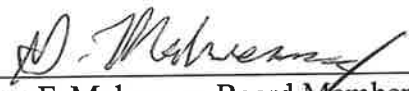
Board of Education, 200 West Baltimore Street, Baltimore, Maryland 21201, in writing, within thirty days of the date of this decision.

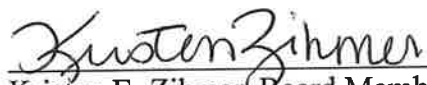
Date: March 11, 2026


Stephen D. Whisler, President


Patricia S. Dorsey, Vice President


Tara A. Battaglia, Board Member


Greg F. Malveaux, Board Member


Kristen E. Zihmer, Board Member