

DAVID DORSEY,

Appellant

v.

CALVERT COUNTY
BOARD OF EDUCATION,

Appellee.

BEFORE THE

MARYLAND

STATE BOARD

OF EDUCATION

Opinion No. 25-47

OPINION

INTRODUCTION

Appellant appealed the decision of the Calvert County Board of Education (“local board”) upholding the local Superintendent’s decision to disqualify him as a school bus driver for unsafe actions after Appellant picked up the wrong students and then left them unattended at an unauthorized location. The local board responded to the appeal maintaining that its decision is not arbitrary, unreasonable, or illegal and should be upheld. Appellant did not file a reply to the local board’s response.

FACTUAL BACKGROUND

Appellant, a substitute school bus driver contracted through a private bus company, was assigned to operate Bus 211 for Calvert County Public Schools (“CCPS”). During his route on October 1, 2024, Appellant mistakenly picked up the wrong students. He then left the students without supervision at a location where he believed other students were waiting for a school bus, but the location was a construction site that was not an established bus stop. (Local Bd. Exs. 2 and 4).

The CCPS Transportation Department conducted an investigation during which Appellant admitted to running the wrong bus route, picking up the wrong students, and leaving them unsupervised at an unauthorized site. Appellant acknowledged that he failed to contact his supervisor for assistance. He instead communicated with the driver of the students’ assigned bus and dropped the students off on a road adjacent to another bus stop without waiting for their assigned bus to arrive. On October 10, 2024, CCPS disqualified Appellant from driving a school vehicle for two years pursuant to COMAR 13A.06.07.07, citing unsafe actions. (Local Bd. Ex. 4).

Appellant appealed the disqualification through multiple levels of review within CCPS. Both the Chief Operations Officer and the local Superintendent upheld the disqualification but offered to reduce the period to one year if Appellant completed additional training. (Local Bd. Exs. 5 and 6). Appellant then appealed to the local board, which affirmed the Superintendent’s decision.

Thereafter, Appellant filed this appeal with the State Board.

STANDARD OF REVIEW

A school vehicle driver who has exhausted the local school system appeal process may appeal to the State Board. COMAR 13A.06.07.22. Decisions of a local board involving a local policy or a controversy and dispute regarding the rules and regulations of the local board shall be considered *prima facie* correct, and the State Board may not substitute its judgment for that of the local board unless the decision is arbitrary, unreasonable, or illegal. COMAR 13A.01.05.06A.

The State Board exercises its independent judgment on the record before it in the explanation and interpretation of the public school laws and State Board regulations. COMAR 13A.01.05.06E.

LEGAL ANALYSIS

Disqualification for Unsafe Actions

COMAR 13A.06.07.03B provides that a local school system is responsible for the safe operation of its student transportation system. COMAR 13A.06.07.07D authorizes the disqualification of school vehicle drivers for “[a]ny unsafe action.” The record reflects that Appellant’s conduct on October 1, 2024, clearly falls within the scope of “unsafe actions” under the regulation. Appellant admitted that his actions were a mistake. He picked up the wrong students, disembarked them at an unauthorized location on the side of the road that was a construction site and not a bus stop, and left them without any adult supervision, thus compromising their safety and well-being. Appellant demonstrated further poor judgment by failing to contact his supervisor or a CCPA transportation representative to report the situation and seek guidance. The State Board has consistently upheld the authority of local boards to disqualify drivers for safety violations. *See Bailey v. Somerset Cnty. Bd. of Educ.*, MSBE Op. No. 18-19 (2018) (declining to overturn disqualification for speeding, even where the appellant disputed the evidence). Here, Appellant’s own admissions and corroborating documentation support the finding of unsafe conduct. The Appellant has not met his burden of proving that the local board’s decision was arbitrary, unreasonable, or illegal.

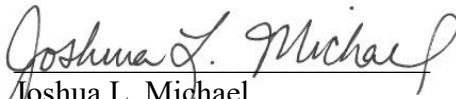
Allegations of Discrimination

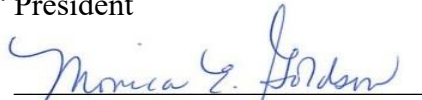
In his appeal to the State Board, Appellant alleges issues of discrimination and “double standards” referring to two incidents involving other drivers who were allegedly treated more leniently than him. The State Board has held that general allegations of unfair treatment, without supporting evidence, are insufficient to meet the burden of proof. *See Masterson v. Harford Cnty. Bd. of Educ.*, MSBE Op. No. 25-25 (2025). Furthermore, even if the Appellant were able to show that he was treated differently, he has not presented evidence that the well-documented reasons for his disqualification were merely pretext for discrimination. *Id.*

CONCLUSION

For all of these reasons, we find that the local board’s determination that Appellant’s actions constituted unsafe conduct warranting disqualification under COMAR 13A.06.07.07 was

not arbitrary, unreasonable, or illegal. We therefore affirm.


Joshua L. Michael
President


Monica Goldson
Vice-President

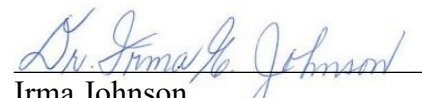

James Bell

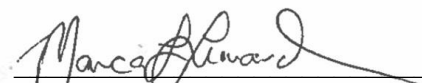

Chuen-Chin Bianca Chang

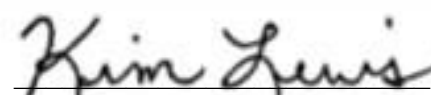

Chet Chesterfield

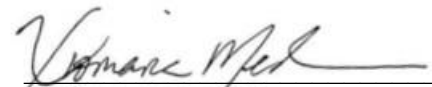

Kenny Clash

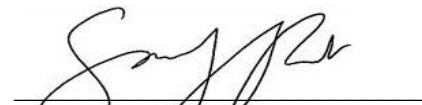

Nick Greer


Irma Johnson


Marcy Leonard


Kim Lewis


Xiomara Medina


Samir Paul

December 9, 2025