

M.M.,

Appellant

v.

CARROLL COUNTY
BOARD OF EDUCATION,

Appellee.

BEFORE THE

MARYLAND

STATE BOARD

OF EDUCATION

Opinion No. 26-22

OPINION

INTRODUCTION

In this appeal, Appellant challenges the decision of the Carroll County Board of Education ("local board") upholding the local Superintendent's determination to deny her request to relocate a Carroll County Public Schools ("CCPS") school bus stop closer to her residence. The local board maintains that its decision is not arbitrary, unreasonable, or illegal. The appeal has been fully briefed by the parties.

FACTUAL BACKGROUND

On April 10, 2025, Appellant submitted a Bus Stop Survey request asking CCPS to relocate the nearest bus stop closer to her home, which is located in a new housing development that still has lots pending construction. (R. Ex. 1). Appellant asserted that the current bus stop is situated over one-half mile from her residence and is an unreasonable walking distance for her three children, who are in the second, fourth, and fifth grades. *Id.* Appellant cited concerns, such as unreasonable periods of exposure to wet/cold weather conditions, potential for interaction with unknown individuals, lack of crosswalks, and increased congestion and traffic in the neighborhood. *Id.* She also noted that new homes were being constructed beyond hers, which could be served by a closer stop. *Id.*

Kimberly Gold, CCPS Area Supervisor of Transportation, reviewed the request and denied it on July 28, 2025. (R. Ex. 2). Ms. Gold noted that the investigation of the request included an on-site visit. *Id.* She explained that the Appellant's residence was less than one-half mile (.45 miles) from the established bus stop, complying with local board policy which expects students to walk up to one mile to a stop. *Id.* Ms. Gold also observed that the posted speed limit in the neighborhood is 25 miles per hour, that sidewalks are present, and there are no hazardous or unusual conditions that would prevent a supervised child from walking to or waiting at the existing bus stop. *Id.* She further noted that under local board policy it is the parent's responsibility to supervise their children while walking to, from, or waiting at the designated bus stop. *Id.*

On August 8, 2025, Appellant appealed this decision to Michael Hardesty, Director of Transportation. (R. Ex. 3). She reiterated her concerns, disputed the distance to the bus stop, and included a petition for a new bus stop signed by families in her neighborhood to show community support. *Id.*

On August 13, 2025, Mr. Hardesty denied the appeal after conducting another site visit and reviewing all of the information. (R. Ex. 4). He confirmed the .45 miles walking distance using both a walking wheel and routing software. *Id.* He found that the current bus stop was sufficient under local board policy and CCPS administrative regulation. *Id.*

On August 13, 2025, Appellant appealed to the Superintendent, challenging various aspects of Mr. Hardesty's decision. (R. Ex. 5). On September 8, 2025, Jonathan O'Neal, Assistant Superintendent of Operations, acting as the Superintendent's designee, upheld the denial. (R. Ex. 6). Following a site visit to review and measure the walking route, Mr. O'Neal determined the distance from Appellant's driveway to the bus stop was exactly .457 miles. *Id.* Because CCPS policy only permits bus route extensions for students residing more than one-half mile from an existing stop (and the bus does not have to back up), Appellant's residence did not qualify. *Id.* He noted, however, that the school system would need to re-evaluate and measure distances for the neighboring home under construction should a family with school-aged children move in. *Id.*

On September 30, 2025, Appellant appealed to the local board, reasserting her claims and arguing that being .043 miles short of the .5-miles threshold is an "insignificant difference". (R. Ex. 7). Mr. O'Neal responded to the appeal in a letter to the local board explaining that Appellant's residence does not qualify for extending the bus route to a stop closer to her home and there is no other current basis for extension of the bus route. (R. Ex. 8). He also explained that CCPS has approximately 4500 bus stops for either the morning or afternoon route and while most parents would like bus stops closer to their homes or daycare provider, the reality is that less than 20% of all families have a stop at their house and many bus stops are up to a mile from someone's residence. *Id.*

On December 10, 2025, the local board upheld the decision of the Superintendent's designee, finding that it was consistent with established policy which does not permit relocating a bus stop within one-half mile of a student's residence. (R. Ex. 10).

Appellant subsequently filed this appeal with the State Board on February 13, 2026.¹

STANDARD OF REVIEW

Because this is an appeal of a decision involving a local policy or a controversy and dispute regarding the rules and regulations of the local board, the local board's decision is considered *prima facie* correct. The State Board will not substitute its judgment for that of the local board unless the decision is arbitrary, unreasonable, or illegal. COMAR 13A.01.05.06A.

LEGAL ANALYSIS

State regulations grant local school systems the responsibility for the safe operation of their transportation systems and the authority to adopt policies regarding bus routes, provided they meet minimum State requirements. COMAR 13A.06.07.03. To this end, the local board adopted Policy EEAC: *Bus Route and Stops*, establishing that pupils may be expected to walk up to one mile to their established school vehicle stop. *See* Policy EEAC(B)(1) (R. Ex. 9). Extensions to a bus route may be considered if a student resides more than one-half mile from an existing stop and the bus stop does not have to use a backing procedure. *Id.* at (A)(5).

The record evidence demonstrates that Appellant's residence is 0.476 miles from the established bus stop making it ineligible for a route extension. Appellant's argument that being 0.043 miles short of the one-half mile threshold should be overlooked as an "insignificant difference" does not render the local board's strict application of its policy arbitrary or illegal. The school system processes requests from over 25,000 sets of parents concerning roughly 4,500 bus stops; drawing a firm line ensures equitable

¹ We note that Appellant filed her appeal to the State Board more than 30 days beyond the date of the local board decision. However, the local board did not move to dismiss the appeal for untimeliness. Based on the case record it appears that Appellant did not receive timely notice of the local board's decision. (R. Ex. 7 – emails between Appellant and Andrea Lucido). Thus, we will address the merits of the case.

treatment across the County. Subjectively modifying routes based on small discrepancies or community petitions would lead to inconsistent and inequitable outcomes for residents.

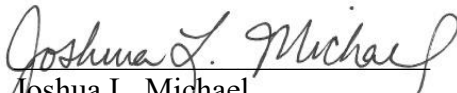
Furthermore, Appellant's safety concerns were adequately evaluated by the transportation staff who found them insufficient to demonstrate that the bus stop location was unsafe. The local board reasonably concluded that the presence of sidewalks and the 25-mph speed limit provided a safe walking environment that did not necessitate an exception to the distance requirements.

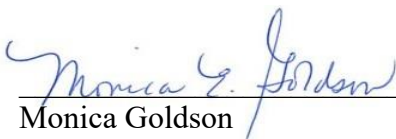
Additionally, the fact that a special education bus stops near Appellant's home is irrelevant to general education transportation, as special education transportation is dictated by distinct legal regulations and individual student needs. The local board also rightly noted that it cannot preemptively relocate a bus stop based on unoccupied new construction. If new homes eventually house school-aged children exceeding the one-half mile distance, CCPS policy dictates a new stop will be evaluated at that time.

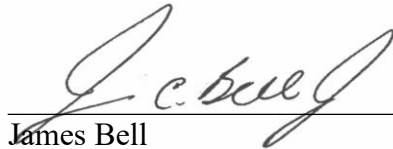
The State Board gives great deference to local board decisions in transportation disputes and has consistently held that transportation matters, including the location of bus stops, are matters traditionally within the domain and discretion of the local school system. *See Scott T. v. Anne Arundel Cnty. Bd. of Educ.*, MSBE Op. No. 14-05 (2014); *Herron, et al. v. Harford Cnty. Bd. of Educ.*, MSBE Op. No. 12-10 (2012). Appellant has failed to present evidence that CCPS misconstrued the law, abused its discretion, or acted contrary to sound educational policy. We find that CCPS acted in direct compliance with its own established policies and procedures.

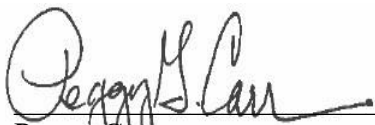
CONCLUSION

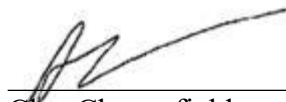
For the reasons stated above, we find that the decision of the local board is not arbitrary, unreasonable, or illegal. Therefore, we affirm.

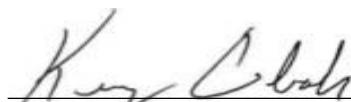

Joshua L. Michael
President

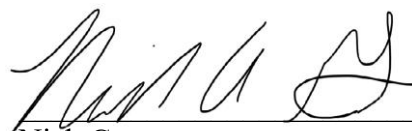

Monica Goldson
Vice-President

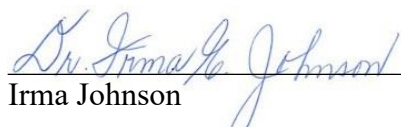

James Bell

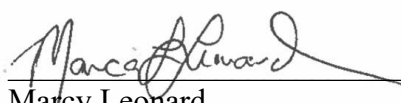

Peggy Carr

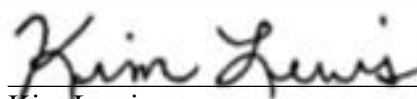

Chet Chesterfield

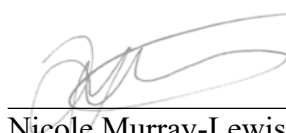

Kenny Clash

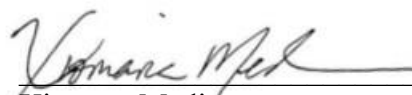

Nick Greer


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May 28, 2026