

DAWN BALINSKI, ET AL.

Appellants,

v.

CALVERT COUNTY BOARD
OF EDUCATION

Appellee.

BEFORE THE

MARYLAND

STATE BOARD

OF EDUCATION

Order No. OR26-03

ORDER

This appeal concerns a facial challenge involving a quasi-legislative decision of the local board to remove its Anti-Racist Resolution (“Resolution”) from the Student Rights and Responsibilities & Code of Conduct (“Student Code”). The Appellants are four past members of the local board who were all signatories of the Resolution when it was originally adopted and incorporated into the Student Code.¹ The Appellants do not have students currently enrolled in Calvert County Public Schools (“CCPS”) and they are not currently employed by CCPS. (R. 1-2). One of the Appellants submitted public comment about the local board’s action to remove the Resolution from the Student Code. (Appeal, Ex. 9).

The Resolution was adopted and incorporated into the Student Code by the local board at its June 20, 2020 meeting outside the process requiring a comment period as set forth in CCPS Administrative Policy 1012 Regarding Policy and Policy Development and CCPS Procedures for Policy 1012. Using this same process, the local board included the rescission of the Resolution and the removal of the Resolution from the Student Code on the local board’s public agenda and voted unanimously in open session at its June 12, 2025 meeting to rescind the Resolution and remove it from the Student Code. (R. 6).

The local board asserts that the Appellants, as former board members, lack standing to assert this appeal and moves to dismiss the appeal pursuant to COMAR 13A.01.05.03B(1)(c). We have held that the general rule on standing is that “for an individual to have standing... he must show some direct interest or ‘injury in fact, economic or otherwise.’” *S.R. v. Montgomery Cnty. Bd. of Educ.*, MSBE Op. No. 20-18 (2020), quoting *Adams, et al. v. Montgomery Cnty. Bd. of Educ.*, 3 Op. MSBE 143, 149 (1983). This requires the individual to be personally and specifically affected in a way different from the public generally and is, therefore, aggrieved by the final decision of the administrative agency. *See Bryniarski v. Montgomery Cnty. Bd. of Educ.*, 247 Md. 137, 144 (1967); *see also Lockwood v. Howard Cnty. Bd. of Educ.*, MSBE OR No. 17-12 (2017).

The local board argues that as the Appellants are neither parents of students currently enrolled in CCPS nor employees of CCPS and they are not affected in a way different from the public generally. The local board argues that the Appellants’ status as former local board members does not confer standing. We agree. The Appellants are concerned citizens who have the same rights as the public generally and are able to speak out during the allotted time for citizen participation at the regular public meeting of the local board. Without being employed or

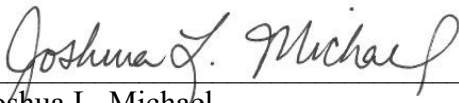
¹ The Appellants are Dawn Balinski, Inez Claggett, Pamela Cousins, and Tracy McGuire.

having children in CCPS, the Appellants cannot establish a direct interest or injury in fact and thus have no standing to bring this appeal. *Adams*, 3 Op. MSBE 143, 149; *Bryniarski*, 247 Md. at 144.

Although the Appellants formerly served as members of the local board, we have held that that an appellant's status as a former local board member, without more, does not confer standing. *See Stone v. Carroll Cnty. Bd. of Educ.*, MSBE Or. No. OR9-04 (2009) (Finding that Appellant's status as a past member of the local board who is knowledgeable about educational issues did not give him a direct interest or injury in fact sufficient to confer standing). We conclude the Appellants have failed to demonstrate any connection to CCPS outside of representing the local community generally. An individual's status as a member of the community is insufficient to convey standing by itself. *Lockwood v. Howard Cnty. Bd. of Educ.*; *Adams, et al. v. Montgomery Cnty. Bd. of Educ.*; *Sartucci v. Montgomery Cnty. Bd. of Educ.*, MSBE Op. No. 18-33 (2018).

Because the Appellants' failure to have standing is dispositive, we do not address their other claims. Accordingly, for the reasons stated above, it is this 27th day of January 2026, by the Maryland State Board of Education, ORDERED that the appeal referenced above is hereby dismissed pursuant to COMAR 13A.01.05.03B(1)(c).

MARYLAND STATE BOARD OF EDUCATION



Joshua L. Michael
President