

IN RE: COMPLAINT OF JERRY JONGERIUS

BEFORE THE

MARYLAND

STATE BOARD

OF EDUCATION

Order No. OR10-01

ORDER

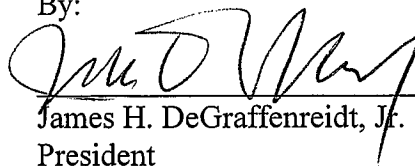
On January 15, 2010, Mr. Jerry Jongerius filed a letter/complaint with this Board describing statements allegedly made by one member of the Frederick County Board of Education about another board member. He requested the State Board (1) to consider all the actions and conduct of the board member at issue, (2) rule on the conduct; and (3) take appropriate actions including whether the board member should be removed under Education Article §3-5B-01(f).

The State Board has reviewed the complaint. Mr. Jongerius is concerned about the statements one board member made about a variety of education-related issues. He considers them false and in violation of local board policies. While we are not experts on First Amendment law, we believe that the First Amendment is implicated here. For that reason and because the Frederick County electorate is the appropriate judge of the conduct at issue here, to the extent that the State Board would have any jurisdiction to intervene in this matter, it declines to do so.

ORDERED, that the complaint referenced above be and the same is hereby dismissed.

MARYLAND STATE BOARD OF EDUCATION

By:

  
James H. DeGraffenreidt, Jr.  
President