



MARYLAND OFFICE OF THE
INSPECTOR GENERAL FOR EDUCATION

Richard P. Henry
Inspector General

Georgia C. Conroy
Deputy Inspector General

November 19, 2025

MEMORANDUM

DELIVERED VIA EMAIL: joshua.michael1@maryland.gov

To: Dr. Joshua L. Michael, Ph.D.
President
Maryland State Board of Education
200 West Baltimore Street
Baltimore, Maryland 21201

RE: OIGE Case: 25-0005-I / Counsel's Letter to State Board of Education

Dear Dr. Michael,

The OIGE acknowledges receipt and has thoroughly reviewed the Response Document submitted on November 18, 2025, regarding the findings outlined in our report, OIGE Case 25-0005-I / Somerset County Public Schools Board of Education.

We value the thoroughness of the submission, and while we acknowledge the strong disagreement expressed with certain conclusions, our goal in this response is to maintain a constructive and objective review of the facts presented in our initial investigation.

We note that the Response primarily challenges the methodological approach and specific interpretations related to Findings 3 through 7 of the Agency's report. Before addressing those points of contention and potential confusion, it is crucial first to establish the basic context of the report.

The OIGE determined that the Board violated Maryland Code, Education Article §3-1204 Meetings. On February 13, 2025, during a closed session, the Board voted to terminate its prior counsel's contract. Voting to terminate the contract is considered "taking action" under §3-1204. This article allows the Board to meet and discuss in a closed session, but all "action," in this case the vote, must be taken in a public meeting. The Board did not vote on the termination in public, which is a violation of §3-1204.

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Therefore, we must first focus on the critical preliminary determinations outlined in Findings 1 and 2, which concluded that Education Article §3-1204 had not been followed. Although the Response did not specifically address these findings, OIGE believes that a proper review of the Agency's conclusions requires a thorough consideration of all seven findings, starting with the documented issues of statutory compliance.

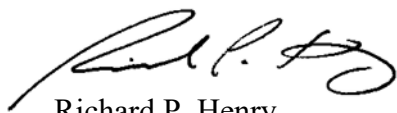
OIGE found the Board violated Maryland Code, Education Article §3-1204 a second time. On February 13, 2025, the Board voted to hire their current counsel in the closed session meeting. As previously discussed, this vote needed to be taken in open session as required by §3-1204. The vote took place during a closed session, and the Board did not "take action" (vote) on the new contract in an open session; therefore, the Board violated §3-1204. The OIGE recognizes that the Board may contract for legal services with the firm of its choice, provided the services are properly procured in accordance with the law.

For clarification, taking Finding 1 as an example, "Voting to terminate the contract" would be defined by §3-1204 as "taking action." Article §3-1204 permits the Board to meet and deliberate in closed session, provided that all "action," in this case the vote, be taken in a public meeting. Here, the vote was conducted in closed session, but §3-1204 required it to be conducted in the open session. The SCPS Board did not vote on either of these matters during the open portion of the meeting and, therefore, violated Education Article §3-1204 twice.

Regarding Findings 3 through 7, the OIGE acknowledges counsel's interpretation of the substance and the applicability of Board policies 200-14 and 100-9. While their interpretation is noteworthy, it is not controlling. According to MD Code, Education, § 4-205, Powers and duties of county superintendent, "...each county superintendent shall decide all controversies and disputes that involve: (i) The rules and regulations of the county board; and..." The OIGE previously cited § 4-205 in its report, specifically pointing out that no record exists of the Board seeking guidance or interpretation from the superintendent in Finding 6. Because there is no record of the Board asking the superintendent for an interpretation, the respondent does not benefit from its own conclusion, as Maryland law assigns the power to interpret Board Policy solely to the County Superintendent.

In conclusion, the OIGE again appreciates your review of this matter and looks forward to the State Board of Education's further consideration of the concerns outlined in our report.

Respectfully,



Richard P. Henry
Inspector General

Cc: Matthew W. Lankford, Chairperson, Somerset County Public Schools Board of Education
Dr. Carey M. Wright, Ed.D., State Superintendent of Schools
W. David Bromwell, Interim Superintendent, Somerset County Public Schools
Members at Large, State Board of Education
Members at Large, Somerset County Public Schools Board of Education
Members at Large, Somerset County Board of Commissioners
Gordana Schifanelli, Esq., Counsel – Somerset County Board of Education

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