

CRAIG DUNKLEBERGER,
Appellant

v.

CARROLL COUNTY
BOARD OF EDUCATION,
Appellee.

BEFORE THE

MARYLAND

STATE BOARD

OF EDUCATION

Order No. OR 22-12

ORDER

Appellant has requested the State Board reconsider its September 27, 2022 decision in *Dunkleberger v. Carroll Co. Bd. of Educ.*, MSBE Op. No. 22-20, affirming the decision of the local board to deny as untimely Appellant's appeal of a no trespass order prohibiting Appellant from entering onto school system property without prior approval. The local board replied to the request for reconsideration.

The State Board exercises its discretion in deciding whether to grant a request for reconsideration. COMAR 13A.01.05.10D. The State Board may, in its discretion, abrogate, change, or modify its original decision. COMAR 13A.01.05.10G. A decision may not be disturbed unless (1) the decision resulted from a mistake or error of law; or (2) new facts material to the issues have been discovered or have occurred subsequent to the decision. COMAR 13A.01.05.10D.

Appellant argues that the request for reconsideration should be granted because the State Board illegally relied on information about his court history from the Maryland Judiciary Case Search website. He argues that since the State Board did not read and agree to the user terms of the website, use of the information by the Board is "a violation" and "might lead someone to interpret incorrect information." However, the Board did not rely on any information from the Maryland Judiciary Case Search website in reaching our decision in this case. In addressing Appellant's court history, we relied solely on a signed and dated peace order from the District Court of Maryland for Carroll County. Therefore, there is no basis for reconsideration here.

Accordingly, it is this 25th day of October, 2022, ORDERED, by the Maryland State Board of Education, that the request for reconsideration is denied.

MARYLAND STATE BOARD OF EDUCATION

Signature on File:

Clarence C. Crawford
President