



MARYLAND OFFICE OF THE INSPECTOR GENERAL FOR EDUCATION

INVESTIGATIVE SUMMARY | 22-0001-I

Findings regarding an individual employed as a teacher with a local school system and not disclosing their past criminal conviction during the Maryland State Department of Education's teacher recertification process.

The Maryland Office of the Inspector General for Education (OIGE) initiated an investigation after receiving a complaint alleging that the Carroll County Public School (CCPS) system had hired an individual who had obtained their teaching recertification and was employed as a teacher following a criminal conviction for fraud.

The OIGE investigation revealed the CCPS teacher, while employed as a principal with the Baltimore City Public Schools (BCPS), had been criminally charged with two counts of felony theft related to education funds. The initial investigation and subsequent charges were filed by the Maryland Office of the State Prosecutor (OSP). The individual in this case pled guilty in the Circuit Court for Baltimore City.

Our investigation revealed the BCPS had not reported the conviction to the Maryland State Department of Education (MSDE) as required by the Code of Maryland Regulations (COMAR) 13A.12.05.03. In this case and as a direct result of the OIGE investigation, BCPS notified MSDE approximately 5 years after their resignation and conviction.

Additionally, as part of an educator's recertification with the MSDE, the respective local school system (LSS) submits documentation to MSDE indicating the educator has met their annual continuing professional education (CPE) requirements. If an educator is separated from employment with a LSS, the individual or non-employee must complete an application with MSDE and provide the CPE documentation for recertification.

The OIGE found that the former BCPS employee had applied for their educator's recertification as a non-employee. As a result, the MSDE application process relied solely on the individual's ability to "self-report" any criminal charges or convictions. Following the issuance of the recertification, the former BCPS employee applied for and accepted a teaching position with CCPS.

Our investigation found that CCPS did conduct an initial criminal background check. This review did not indicate any criminal history. The teacher's criminal conviction was later brought to the attention of CCPS Human Resources Office. An additional review confirmed the conviction, and the teacher was placed on administrative leave pending an appeal. Pursuant to Maryland Family Law, §5-561(b)(6), it is the responsibility of the LSS, and not MSDE, to conduct a criminal background check upon the submission of an application for employment.

The OIGE investigation substantiated the allegation as a violation of COMAR 13A.12.05.02(C)(1)(b) governing the “Suspension or Revocation” of an educator’s certificate. Additionally, the investigation identified a “loophole” in the recertification and application process. As a result, the MSDE, Division of Educator Certification and Program Approval has implemented changes to the recertification process for both LSS educators and non-employees.

Effective July 2022, all LSS educators and non-employees must disclose, under the penalty of perjury, any criminal charges, or convictions during the MSDE recertification process.

“I hereby affirm under the penalties of perjury that the information provided by me in this application is true and complete to the best of my knowledge and belief. I am aware that should an investigation at any time disclose any misrepresentation or falsification of a material fact, my application will be disapproved and/or my certificate will be rescinded. I understand that any material submitted in connection with this application will become the property of the State of Maryland, will be considered a public record, and will not be returned.”

The OIGE has completed its investigation.

Unless otherwise noted, the OIGE applies the preponderance of the evidence standard in determining whether local school system personnel have committed misconduct