



MARYLAND OFFICE OF THE  
INSPECTOR GENERAL FOR EDUCATION

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**VIA EMAIL (jlichter@bcps.org)**

The Honorable Jane E. Lichter  
Board Chair  
Baltimore County Board of Education, District 2  
Baltimore County Public Schools  
6901 Charles Street  
Towson, Maryland 21204

OIGE Case: 25-0001-I

Management Alert: Baltimore County Public Schools Superintendent Contract Review

Dear Ms. Lichter,

This management alert concerns the employee contract requirement that the Baltimore County Public Schools (BCPS) Superintendent, Dr. Myriam Rogers (Rogers), reside in Baltimore County within one year of her term, unless extended by the Board.

In December 2024, the Office of the Inspector General for Education (OIGE) received a complaint alleging that Rogers worked remotely, at least once a week, without the Board's knowledge or approval. The OIGE conducted interviews related to the alleged complaint, during which the OIGE learned that Rogers may be in violation of her contract by not maintaining her residence in Baltimore County.

The OIGE conducted interviews in this case and was advised that on several occasions, Rogers would be picked up or meet at a shopping center in College Park. When asked why these meetings occurred, the OIGE was advised that they believed Rogers was working remotely because it was during regular school hours on weekdays.

The OIGE reviewed Rogers' employment contract dated June 13, 2023. The contract did not stipulate whether Rogers could work remotely; however, it did require Rogers to relocate and maintain residency in Baltimore County within one year of the start of her term. (The contract did not define the definition of residency.) The contract also outlined requirements if Rogers were to need an extended period to fulfill the residency requirement.

The BCPS Office of General Counsel provided documents indicating that Rogers's date of residency was September 14, 2024. The documents also indicated Rogers' new mailing address, but it was listed under different surnames. A review of Maryland Case Search records showed that on April 5, 2021, an order was issued by the Honorable Sean D. Wallace, Circuit Court for Prince George's County, granting the restoration of Myriam Yarbrough's former surname of Rogers.

The OIGE investigation further revealed that the address provided by BCPS was an apartment. A review of the lease agreement showed that two registered occupants were listed for the address, but Myriam Rogers was not listed as an occupant. The OIGE was, however, provided with a moving agreement by BCPS indicating that furniture had been moved from an address outside of Baltimore County to an apartment address within Baltimore County.

During our investigation, OIGE conducted a check of utility records. Our check indicated an individual other than Myriam Rogers was actively paying for the apartment account.

The OIGE reviewed Maryland land records, which indicated that Rogers owns a home outside of Baltimore County. A check of Maryland MVA records also indicated Rogers' driver's license is registered to this property.

A review of BCPS policies indicated that the Office of Residency<sup>1</sup> provides guidance to students on acceptable documents for enrollment:

The following residency documentation is required for enrollment:

- Proof of ownership, which may include a deed, mortgage coupon book, real estate tax bill, or title. - **OR**
- Lease, which must include all pages and required signatures. - **OR**
- Rental agreement with a private party owner, which must include proof of ownership from the landlord and all pages and required signatures.

**And**

- Three (3) proofs of residence which may include business documents, business mail, or other documents approved by a PPW, displaying the parent's name, address, and dated within 60 days. Acceptable proofs of residence may include: **And**
- Photo Identification, which may include a driver's license, a passport, a work photo identification, or other photo identification.

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<sup>1</sup> Baltimore County Public Schools, Chief of Schools, Department of Student Support Services, Pupil Personnel Services, Residency Office  
[https://www.bcps.org/dos/department\\_of\\_student\\_support\\_services/pupil\\_personnel\\_services/residency\\_office](https://www.bcps.org/dos/department_of_student_support_services/pupil_personnel_services/residency_office)

Additional policy, BCPS Rule 5150 (A), provides the following as a Bona Fide Domicile:

The place in which an individual has a settled connection for legal purposes and the place where a person has his/her true, fixed permanent home, habitation and principle establishment, without any present intention of leaving. It does not include a temporary residence established for the purpose of free school attendance in the public schools.

Furthermore, our investigation revealed that the BCPS Office of Human Resources did not update Rogers' address in their personnel database until December 20, 2024. This date is after the July 1<sup>st</sup> contractual residency requirement.

The OIGE contacted the Office of Law for Baltimore County to ascertain if the County Charter required Rogers to maintain a resident in Baltimore County. The Office of Law advised OIGE that the position of BCPS Superintendent is not included in the list of specific officeholders referred to in the Charter for residency in Baltimore County. The Baltimore County Charter defines residency and identifies specific Baltimore County officeholders who are required to reside in Baltimore County as a condition of their employment.<sup>2</sup>

Our investigation could not substantiate that Rogers was teleworking or working from home. A further review of the contractual agreement did not mention or prohibit any circumstances associated with teleworking. Our investigation, however, substantiated that Superintendent Rogers appears not to have met the July 1<sup>st</sup> contractual residency obligation and did not request written approval from the Board of Education (BOE) within the required one-year timeframe.

## **RECOMMENDATIONS**

Based on the review of the local government charter and BCPS contractual agreement, the OIGE would make the following recommendations:

1. Determine if a contractual residency provision that requires a BCPS Executive to reside within the county's boundaries remains applicable. The BCPS-BOE should review local government and other county superintendents' contracts to determine if a residency requirement is relevant.

OIGE reviewed all 24 local education agencies and found that several counties do not require or mandate that their superintendent reside within the county they oversee. Although several counties have residency requirements for certain executive positions, the Maryland Local

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<sup>2</sup> Baltimore, County Charter, Article X, Section 1009 (m) (1957), A requirement of residency as a condition of any person's eligibility for election or appointment to or continuance in any county office, position or employment shall refer to the place where such person maintains his actual principal place of abode such that a person may maintain only one such place of abode at any given time. .

Government Code, specifically the Residency Requirements,<sup>3</sup> does not identify the School Superintendent as one of those positions.

2. The BCPS-BOE should review the employment conditions outlined in the Superintendent's employment contract to ensure that each party understands the meaning and definitions related to the residency obligation.

OIGE reviewed the BCPS-BOE issued “Superintendent’s Employment Contract” signed by Rogers on June 13, 2023. Item 13 of the contract identifies the requirements under the category of “Residency and Move to Baltimore County.” As stated in the contract, “The Board requires that the Superintendent live in Baltimore County, Maryland...[a]nd that she shall maintain continuous residency in Baltimore County, Maryland while serving as the Superintendent of Schools.”

In addition to the residency condition mentioned in Item 13 of the superintendent’s contract, OIGE found that the Maryland Appellate Court defined the meaning of “domicile” as,

“Domicile” is not defined by statute, but has been defined by the appellate courts of this State to mean “...that place where a man [or woman] has his [or her] true, fixed, permanent home, habitation and principal establishment, without any present intention of removing therefrom, and to which place he [or she] has, whenever ... absent, the intention of returning.”<sup>4</sup>

The courts have also held that once domicile is established, it remains in effect until superseded by a new domicile. The two most critical conditions in determining a person’s domicile are where the person lives and where the person is registered to vote. As stated in *Shenton* and referenced in *Jones v. Anne Arundel County, Maryland*, “an individual may have several abodes, but he or she may have but one domicile.”<sup>5</sup>

3. BCPS employees should be required to follow established policies and procedures when conducting official BCPC business.

During our investigation, OIGE found that the BCPS administrative employee tasked with coordinating the superintendent’s relocation as part of their official duties provided the moving company with a personal Gmail account instead of their assigned BCPS email account. (The individual email address was listed on the moving contract.) This method could violate the BCPS Superintendent’s Rule 2380 governing the Records Management Program<sup>6</sup> and other related BCPS policies and procedures.

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<sup>3</sup> MD Local Government Code § 1-201 (2024)

<sup>4</sup> *Blount v. Boston*, 351 Md. 360,367 (1998) (quoting *Shenton v. Abbott*, 178 Md. 526,530 (1940).

<sup>5</sup> *Shenton*, 178 Md. At 530, 15 A.2d at 908.

<sup>6</sup> Superintendent’s Rule 2380 defines records to include all forms of recorded information regardless of physical characteristics or format that are created, received, recorded, or legally filed in connection with the transaction of

OIGE believes this is a contractual matter between the BCPS-BOE and the Superintendent of Schools for Baltimore County and is referring this matter to the BCPS-BOE for further review and consideration of the identified recommendations.

Respectfully,



Richard P. Henry  
Inspector General

cc: Dr. Carey M. Wright, State Superintendent of Schools  
Dr. Joshua L. Michael, President – Maryland State Board of Education  
Dr. Myriam A. Rogers, Superintendent of Schools, Baltimore County Public Schools  
Margaret-Ann Howie, Esq., General Counsel, Baltimore County Public Schools

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school system business. While records are easily recognizable in paper formats, most records are now created electronically, including e-mail, word processing files, spreadsheets, databases, Web pages, video and a variety of other electronic formats.