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§2–302.

(a) The State Superintendent shall be appointed by the State Board for a term of 4 years beginning on July 1 after the Superintendent's appointment and serves until a successor is appointed and qualifies.

(b) The State Board shall fix the Superintendent's salary and pay it from the appropriation for the expenses and maintenance of the Department.

(c) The State Superintendent shall:

(1) Be an experienced and competent educator;

(2) Be a graduate of an accredited college or university;

(3) Have at least 2 years of special academic and professional graduate preparation in an accredited college or university; and

(4) Have at least 7 years of experience in teaching and administration.

(d) (1) The State Board may remove the State Superintendent for:

(i) Immorality;

(ii) Misconduct in office;

(iii) Insubordination;

(iv) Incompetency; or

(v) Willful neglect of duty.

(2) Before removing the State Superintendent, the State Board shall send the Superintendent a copy of the charges against the Superintendent and give the Superintendent an opportunity within 10 days to request a hearing.

(3) If the State Superintendent requests a hearing within the 10-day period:

(i) The State Board promptly shall hold a hearing, but a hearing may not be set within 10 days after the State Board sends the State Superintendent a notice of the hearing; and

(ii) The State Superintendent shall have an opportunity to be heard publicly before the State Board in the Superintendent's own defense, in person or by counsel.

(e) The State Board shall appoint a new State Superintendent to fill a vacancy in that office for the remainder of the unexpired term.

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