

## Article - Education

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§3–108.

(a) (1) Except as provided in paragraph (2) of this subsection, the Governor shall appoint the members of each county board from the residents of that county.

(2) The members of the following county boards of education shall be selected as follows:

(i) The Baltimore City Board of School Commissioners in accordance with § 3–108.1 of this subtitle;

(ii) The Harford County Board of Education in accordance with § 3–6A–01 of this title;

(iii) The Caroline County Board of Education in accordance with § 3–3A–02 of this title;

(iv) The Anne Arundel County Board of Education in accordance with § 3–110 of this subtitle; and

(v) The county boards of education in the counties listed in § 3–114 of this subtitle in accordance with the provisions of that section.

(b) (1) Each member shall be appointed solely because of character and fitness and without regard to political affiliation.

(2) An individual who is subject to the authority of the county board may not be appointed to or serve on the county board.

(c) (1) Each member serves for a term of 5 years beginning July 1 after the member's appointment and until a successor is appointed and qualifies.

(2) The Governor shall appoint a new member to fill any vacancy on an appointed board for the remainder of that term and until a successor is appointed and qualifies.

(3) Unless otherwise disqualified under this section, a member of a board is eligible for reappointment. However, an individual may not serve for more than 2 consecutive terms.

(d) (1) With the approval of the Governor, the State Superintendent may remove any member of a county board appointed under this section for:

(i) Immorality;

- (ii) Misconduct in office;
- (iii) Incompetency;
- (iv) Willful neglect of duty; or
- (v) Failure to attend, without good cause, at least half of the scheduled meetings of the board in any one calendar year.

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

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

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

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

(4) If a member who is removed so requests, the State Superintendent shall file with the clerk of the circuit court for the county from which the member was appointed:

- (i) A complete statement of all charges made against the member;
- (ii) The findings of the State Superintendent; and
- (iii) A complete record of the proceedings.

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