

Schools by and with the approval of the Governor, may remove any member of a board appointed under the provisions of this section for immorality, misconduct in office, incompetency or wilful neglect of duty, giving to him a copy of the charges against him, and an opportunity of being publicly heard in person or by counsel, in his own defense, upon not less than ten day¹ notice. If any member of a county board shall be removed, the State Superintendent of Schools shall file in the office of the Clerk of the Circuit Court for the County for which the member was appointed, if the member so requests, a complete statement of all charges made against such member, and his findings thereon, together with a complete record of the proceedings. Vacancies on any of the county boards for any cause shall be filled by the Governor for the unexpired term, and until a successor shall qualify. Any member of a county board shall be eligible for reappointment, unless otherwise disqualified by the provisions of this section.

Chapter 3. State Board of Education.

11.

This section referred to in construing sec. 152—see notes thereto. *Williams v. Fitzhugh*, 147 Md. 386.

This section does not authorize the county superintendent or State Board of Education to determine legal effect of a contract between an agency of the school system and an individual for the performance of a specified duty. *Board of Education v. Cearfoss*, 165 Md. 186.

By-law of State Board setting minimum requirement for certificates to be granted teachers under secs. 27, 28, S3 and S5 was valid exercise of discretion under this section. *Metcalf v. Cook*. Daily Record. April 17, 1935.

12.

This section referred to in construing sec. 152—see notes thereto. *Williams v. Fitzhugh*, 147 Md. 386.

Chapter 3A. State Superintendent of Schools.

27.

See notes to sec. 11.

28.

See notes to sec. 11.

An. Code, 1924, sec. 36. 1912, sec. 21B. 1916, ch. 506, sec. 21B. 1920, ch. 489. 1929, ch. 152, sec. 36. 1931, ch. 159, sec. 36.

36. The State Superintendent of Schools, subject to the rules and regulations of the State Board of Education, shall direct the taking of a biennial school census of all the children in the counties of the State between the ages of 5 and 18 years inclusive, said census to be taken first in the year 1922 and every two years thereafter. The State Superintendent of Schools may cause the whole or any part of the school census of the City of Baltimore, or of any county, to be retaken at any time, if in his judgment the whole or any part of such census has not been properly or cor-

¹ Evidently a typographical error.