

(3) UNLESS OTHERWISE DISQUALIFIED UNDER THIS SECTION, A MEMBER OF A BOARD IS ELIGIBLE FOR REAPPOINTMENT. HOWEVER, EXCEPT IN KENT COUNTY, AN INDIVIDUAL MAY NOT SERVE FOR MORE THAN TWO CONSECUTIVE TERMS.

(D) REMOVAL.

(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 NEGLIGENCE 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.

REVISOR'S NOTE: This section presently appears as Art. 77, §35(b).

Subsection (d) of this section is rewritten for