



Maryland State Board of Education

August 9, 2021

The State Board of Education has received numerous questions regarding the receipt of requests to remove members of the Prince George's County Board of Education, as well as inquiries about the process to remove members of local boards of education. Below is the State Board's response:

Removal of local school board members

For each county board of education, Title 3 of the Maryland Education Article sets out how local board members may be removed from office. The statute related to the board of education for each county must be consulted to determine which legal entity is authorized to remove a local board of education member. For example, Education Article §3-1002, Annotated Code of Maryland explains the process for removing a Prince George's County Board of Education member by the State Board of Education with the approval of the Governor.

To commence the process to remove a member of a local board of education the State Board must receive a request to issue charges against the local board member by the local board of education or a resident of the county where the school system is located. If there is a request to issue charges against the local board of education member, the State Board follows the process set out in [State regulation](#) COMAR 13A.01.05.12, to ensure the board member receives due process of law.

The State Board may remove a member of the Prince George's County Board of Education for immorality, misconduct in office, incompetency, or willful neglect of duty (Education Article §3-1002).

Requests to issue charges against members of the Prince George's County Board of Education

The State Board has received requests to remove three Prince George's County Board of Education members, Board Chair Juanita Miller and members Edward Burroughs and David Murray that were filed on June 26, July 20, and July 21, respectively.

COMAR 13A.01.05.12 sets out the following process for the State Board to follow when it receives such requests. The record stays open for 30 days to see if additional filings are received. The State Board will provide the board members with copies of the requests for removal and allow them the opportunity to respond before assessing the factual and legal sufficiency of the requests. If the State Board determines that a request to issue charges is factually and legally sufficient, it will send a notice of the charges to the member, who may then file a request for a hearing within 10 days of the date of issuance of the charges. If a hearing is requested, the State Board will transfer the matter to the Maryland Office of Administrative Hearings for a hearing

and a proposed decision. Once a proposed decision is issued, a party may file exceptions to the proposed decision. If exceptions are filed, the State Board will hear oral argument on the matter before issuing a final decision on the charges. If the State Board determines that removal is appropriate, the removal decision is subject to the approval of the Governor.

The State Board of Education knows the serious nature of a request to remove a member of a local board of education and does not take such requests lightly. Maryland law sets out a deliberate process to ensure facts and law are determined and carefully considered before the State Board makes a decision. The State Board of Education will publish its final decisions, and there will be no interim updates on these actions.

Prince George's County Board of Education Ethics Panel

The State Board of Education is aware of reports in the media about a Prince George's County Board of Education ethics panel decision. The State Board of Education has been advised that the report is confidential until accepted by the local board of education. The State Board does not have the report, and it has no information about the contents of the ethics report, which remains confidential. The local board's ethics provisions Board Policy no. 0107 can be found at <https://www.pgcps.org/globalassets/offices/general-counsel/docs---general-counsel/board-policies/0000/board-policy-0107---ethics-regulations.pdf>

Maryland State Department of Education (MSDE) Performance Audit

The Maryland State Department Education has reissued a request for proposal to conduct a performance audit requested by the Prince Georges' County government in accordance with Education Article §5-110. The request for proposal is available for review on eMaryland Marketplace Advantage, Maryland's procurement website:

https://emma.maryland.gov/page.aspx/en/bpm/process_manage_extranet/36649

As stated in the law, the cost of the audit will be shared by Prince George's County and the Prince George's County School Board.