

3.2.5 The governing board has a policy whereby members can be dismissed only for appropriate reasons and by a fair process. **(Board dismissal)**

Compliance Partial Compliance Non-Compliance

Narrative:

The process for investigating alleged misconduct or incompetency of public officers is outlined in Code of Alabama 1975 § Section [36-11-3](#).

As public officers, [members](#) of the Alabama State Board of Education, the governing board, are elected public officials and, as such, actions of the members of the State Board are subject to the provisions of the Legislative Code of Alabama, including impeachment. In particular, Board members are subject to Section [16-3-4](#) of the Code of Alabama which states:

“The Governor may remove any appointive member of the board for immorality, misconduct in office, incompetency or willful neglect of duty, giving to him a copy of the charges against him and, upon not less than 10 days’ notice, an opportunity of being heard publicly in person or by counsel in his own defense. If any member shall be removed, the Governor shall file in the office of the Secretary of State a complete statement of all charges against such member of his findings thereon, together with a complete record of the proceedings.”

Code of Alabama 1975 § Section [36-11-1](#) addresses impeachment of elected officials on statutory causes, including alcohol and drug abuse, corruption in office, willful neglect of duty, incompetency, and any offense involving moral turpitude while in office or committed in connection therewith.

SUPPORT DOCUMENTATION
Code of Alabama 1975 § Section 36-11-3
Members of the Alabama State Board of Education
Code of Alabama 1975 § Section 16-3-4
Code of Alabama 1975 § Section 36-11-1