

private school or educational institution whose conditions of entrance, scholarship, educational qualifications, standards and facilities are adequate and appropriate for the purposes, program, training and courses to be taught or given therein. Any certificate may be revoked at any time for cause by the State Superintendent of Schools but only in the manner herein prescribed. Before any certificate may be revoked, the State Superintendent of Schools shall first give the school involved a written notice of conditions of which he complains and shall give the school thirty days in which to correct those conditions. If at the end of a thirty-day period or extensions thereof as may be granted by the State Superintendent of Schools, the State Superintendent of Schools is still dissatisfied, he shall issue the school a written order requiring the school to close within fifteen days from the date of the order; provided, however, the order shall be stayed if within the fifteen day period, the school files a written appeal to the State Board of Education requesting a hearing to seek reversal of the State Superintendent's decision. Upon receipt of the appeal, the State Board of Education shall require the school's representative to appear before the Board at a specific time designated not less than thirty days after the filing of an appeal for a hearing. Upon the hearing of the matter or upon the failure ~~of~~ OF a representative of the school to attend the hearing, the State Board of Education may affirm the decision of the State Superintendent of Schools provided, however, the school may appeal from the affirmation to the Circuit Court of the county wherein the applicant proposes to operate or to the Superior Court of Baltimore City if the applicant proposes to operate in the City of Baltimore. ~~The order of the State Superintendent of Schools shall be stayed pending the appeal.~~ THE STATE BOARD OF EDUCATION MAY STAY THE ORDER PENDING THE APPEAL. Any applicant who has been denied a certificate is entitled to a hearing before the State Board of Education which may affirm or reverse the action of the State Superintendent of Schools. Any applicant adversely affected by a decision of the State Board of Education affirming the action of the State Superintendent of Schools in denying a certificate may appeal from the Board's decision to the Circuit Court of the county wherein the applicant proposes to operate, or to the Superior Court of Baltimore City if the applicant proposes to operate in the City of Baltimore. On any appeal from the action of the State Board of Education in either revoking a certificate or affirming the action of the State Superintendent of Schools denying a certificate, there shall be a rebuttable presumption that the action of the State Board of Education is proper and in the public interest. The burden of proof shall be upon the appellant to show that the decision complained of is either against the public interest, or that the State Board of Education's discretion in rendering its decision was not honestly and fairly exercised or was arbitrary or unsupported by any substantial evidence, or was unreasonable or beyond the powers of the Board or illegal. The appeal shall be heard by the court without a jury or with a jury if either party so requests. The State Board of Education may be a party to the appeal. If the court affirms the action of the State Board of Education in revoking a certificate, the revocation of the certificate shall thereupon become effective, if previously stayed. Either party has the right of appeal to the Court of Appeals from any decision of the court on the question of denial or revocation of a certificate.