

read as follows:

22-92.

Nothing in this sub-heading contained shall be construed to prevent any Judge of the Supreme Bench in suspending sentence and placing on probation or paroling any person accused of crime either before or after conviction or plea of guilty or nolo contendere in the custody of or under the supervision of any person or agency other than a State or local governmental agency.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1973.

Approved May 24, 1973.

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CHAPTER 770

(House Bill 387)

AN ACT to add new Section 100A to Article 77 of the Annotated Code of Maryland (1969 Replacement Volume and 1972 Supplement), title "Public Education," subtitle "Handicapped Children," to follow immediately after Section 100 thereof, to provide a right of review within a certain time of a handicapped child's diagnosis and educational program under certain circumstances; to provide for the appointment, powers and compensation of boards of review; and to establish [the procedure] certain procedures for such review [and appeals therefrom].

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That new Section 100A be and it is hereby added to Article 77 of the Annotated Code of Maryland (1969 Replacement Volume and 1972 Supplement), title "Public Education," subtitle "Handicapped Children," to follow immediately after Section 100 thereof and to read as follows:

100A.

(A) AFTER EXHAUSTION OF ALL LOCALLY AVAILABLE ADMINISTRATIVE REMEDIES AND PROCEDURES, A PARENT OR GUARDIAN OF A MENTALLY, PHYSICALLY OR EMOTIONALLY HANDICAPPED CHILD OR THE BOARD OF EDUCATION RESPONSIBLE FOR PROVIDING SPECIAL EDUCATION FOR SUCH A CHILD, WITH [DUE] GOOD CAUSE, MAY REQUEST IN WRITING TO THE STATE BOARD OF EDUCATION, A REVIEW OF (1) DIAGNOSIS, (2) EVALUATION OF EDUCATIONAL PROGRAMS PROVIDED FOR THE CHILD BY THE LOCAL OR REGIONAL BOARD OF EDUCATION, OR (3) THE EXCLUSION OR EXEMPTION FROM SCHOOL PRIVILEGES OF THE CHILD BY THE LOCAL OR REGIONAL BOARD OF EDUCATION.

(B) THE STATE BOARD OF EDUCATION SHALL, ON RECEIPT OF REQUEST FOR A REVIEW WITHIN 60 DAYS, ESTABLISH A HEARING BOARD OF NOT LESS THAN THREE PERSONS KNOWLEDGEABLE IN THE FIELDS AND AREAS SIGNIFICANT TO THE EDUCATIONAL REVIEW OF THE CHILD. MEMBERS OF THE HEARING BOARD MAY BE EMPLOYEES OF THE STATE DEPARTMENT OF EDUCATION OR