

MAY BE QUALIFIED PERSONS FROM OUTSIDE THE DEPARTMENT. NO PERSON SHALL SERVE AS A MEMBER OF THE HEARING BOARD WHO PARTICIPATED IN THE PREVIOUS DIAGNOSIS, EVALUATION, PRESCRIPTION OF SPECIAL EDUCATIONAL SERVICES, AND OTHER EDUCATIONAL RECORDS OF THE CHILD, WHICH RECORDS SHALL BE FURNISHED BY THE LOCAL OR REGIONAL BOARD OF EDUCATION.

(C) THE HEARING BOARD MAY DISMISS ANY REQUEST FOR REVIEW, WHICH AFTER A REVIEW OF THE EDUCATIONAL RECORDS OF THE CHILD, IT DEEMS TO HAVE BEEN MADE WITHOUT GOOD CAUSE. THE HEARING BOARD MAY HEAR ANY ~~[[ADDITIONAL]]~~ TESTIMONY AS IT SHALL DEEM RELEVANT. THE BOARD MAY REQUIRE A COMPLETE AND INDEPENDENT DIAGNOSIS, EVALUATION AND PRESCRIPTION OF EDUCATIONAL PROGRAMS BY QUALIFIED PERSONS, THE COST OF WHICH SHALL BE PAID BY THE STATE BOARD OF EDUCATION.

(D) THE HEARING BOARD SHALL HAVE THE AUTHORITY TO CONFIRM, MODIFY, OR REJECT ANY DIAGNOSIS, EVALUATION, EDUCATIONAL PROGRAM PRESCRIBED OR EXCLUSION OR EXEMPTION FROM SCHOOL PRIVILEGES AND PRESCRIBE ALTERNATE SPECIAL EDUCATIONAL PROGRAMS FOR THE CHILD. APPEAL FROM THE DECISION OF THE HEARING BOARD SHALL BE TO THE CIRCUIT COURT FOR THE COUNTY IN WHICH THE CHILD RESIDES; AND, IF THE CHILD RESIDES IN BALTIMORE CITY, TO ANY ONE OF THE THREE COMMON LAW COURTS OF THE SUPREME BENCH.

(E) MEMBERS OF THE HEARING BOARD, OTHER THAN THOSE EMPLOYED BY THE STATE DEPARTMENT OF EDUCATION, SHALL BE PAID REASONABLE FEES AND EXPENSES AS ESTABLISHED BY THE STATE BOARD OF EDUCATION.

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 771

(House Bill 390)