

exclusion or exemption from school privileges of the child by the local or regional board of education.

~~(b) (D)~~ 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 QUALIFIED persons knowledgeable in the fields and areas significant to the educational review of the child. ~~Members of the hearing board may NOT be employees of the State Department of Education [or may be qualified persons from outside the Department]. [No] A person [shall] MAY NOT 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~~ A PERSON MAY NOT SERVE AS A MEMBER OF THE HEARING BOARD IF HE OR SHE (1) IS AN EMPLOYEE OF THE STATE BOARD OF EDUCATION OR OF THE LOCAL BOARD OF EDUCATION WHICH IS INVOLVED IN THE EDUCATION OR CARE OF THE CHILD OR (2) HAS AN INTEREST WHICH WOULD CONFLICT WITH HIS OR HER OBJECTIVITY IN THE HEARING.

~~(c) (E)~~ 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 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) (F)~~ Subject to the provisions of § 106D(g), the hearing board [shall have the authority to] MAY 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) (G)~~ 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.

~~(F) AT ANY LEVEL OF REVIEW INCLUDING THE LOCAL PROCESS, MEMBERS OF HEARING BOARDS MAY NOT BE LOCAL OR STATE BOARD OF EDUCATION EMPLOYEES.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1977 is hereby declared to be an emergency measure and necessary for the immediate preservation of the public health and safety and having been passed by a yea and nay vote supported by