

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 QUALIFIED 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 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 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) 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 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 ~~f~~, other than those employed by the State Department of Education, ~~]~~ APPOINTED UNDER SUBPARAGRAPH (B) shall be paid reasonable fees and expenses as established by the State Board of Education.

(F) EXCEPT FOR A REVIEW CONDUCTED BY A CIRCUIT COURT OR BY THE SUPREME BENCH OF BALTIMORE CITY, ANY REVIEW CONDUCTED AT THE REQUEST OF THE PARENT OR GUARDIAN OF A HANDICAPPED CHILD SHALL BE CONDUCTED IN--ACCORDANCE WITH--BYLAWS--DEVELOPED--BY--THE--STATE--BOARD--OF--EDUCATION CONSISTENT WITH THE PROVISIONS OF THIS SECTION AND APPLICABLE FEDERAL LAW. SUCH--BYLAWS--SHALL--PROHIBIT--A PERSON FROM SERVING AS A HEARING OFFICER OR AS--A--MEMBER OF--A--HEARING BOARD AT THE STATE OR LOCAL LEVEL IF THE PERSON IS AN EMPLOYEE OF THE STATE OR LOCAL BOARD OF EDUCATION WHICH HAS A DIRECT RESPONSIBILITY FOR THE CARE OR EDUCATION OF THE CHILD, OR IF THE PERSON HAS AN INTEREST WHICH WOULD CONFLICT WITH OBJECTIVITY IN THE HEARING.