

AT LEAST THREE INDIVIDUALS WHO ARE KNOWLEDGEABLE IN THE FIELDS AND AREAS SIGNIFICANT TO THE EDUCATIONAL REVIEW OF THE CHILD.

(3) AN INDIVIDUAL MAY NOT SERVE AS A HEARING BOARD MEMBER IF HE:

(I) IS AN EMPLOYEE OF THE STATE BOARD OR OF THE COUNTY BOARD THAT IS RESPONSIBLE FOR THE EDUCATION OR CARE OF THE CHILD; OR

(II) HAS AN INTEREST THAT WOULD CONFLICT WITH HIS OBJECTIVITY IN THE HEARING.

(C) AUTHORITY AND DUTIES OF STATE HEARING BOARD.

(1) THE STATE HEARING BOARD MAY:

(I) AFTER REVIEW OF THE EDUCATIONAL RECORDS OF THE CHILD, DISMISS ANY REQUEST FOR REVIEW THAT IT CONSIDERS TO BE WITHOUT GOOD CAUSE;

(II) HEAR ANY TESTIMONY THAT IT CONSIDERS RELEVANT;

(III) 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; AND

(IV) SUBJECT TO §8-409 OF THIS SUBTITLE, CONFIRM, MODIFY, OR REJECT ANY DIAGNOSIS, EVALUATION, EDUCATIONAL PROGRAM, OR EXCLUSION OR EXEMPTION OF THE CHILD FROM SCHOOL PRIVILEGES AND REQUIRE ALTERNATE SPECIAL EDUCATIONAL PROGRAMS FOR THE CHILD.

(2) THE HEARING BOARD SHALL MAKE ITS DECISION WITHIN 60 DAYS AFTER THE STATE BOARD RECEIVES THE REQUEST FOR REVIEW.

(3) EACH BOARD MEMBER IS ENTITLED TO A REASONABLE FEE AND EXPENSES AS ESTABLISHED BY THE STATE BOARD.

(D) WAIVER OF 60-DAY TIME LIMITS.

THE 60-DAY TIME LIMITS IMPOSED BY SUBSECTIONS (A) AND (C) OF THIS SECTION FOR A DECISION ON A REQUEST FOR REVIEW SHALL BE EXTENDED OR WAIVED ON WRITTEN REQUEST TO THE REVIEWING AUTHORITY BY THE PARENT OR GUARDIAN WHO REQUESTED THE REVIEW.

(E) CIRCUIT COURT TO ACT IF STATE BOARD FAILS TO MEET 60-DAY REQUIREMENT.

IF A DECISION IS NOT MADE ON A REQUEST FOR REVIEW WITHIN 60 DAYS AFTER IT IS RECEIVED BY THE STATE BOARD UNDER SUBSECTION (B) OF THIS SECTION, THE CIRCUIT COURT FOR THE