

8-401.

(A) IN THIS SUBTITLE, THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(1) "HANDICAPPED CHILD" MEANS A CHILD WHO IS ~~MENTALLY, PHYSICALLY, OR EMOTIONALLY HANDICAPPED AND BECAUSE OF THAT HANDICAP CANNOT PROGRESS SATISFACTORILY IN AN ORDINARY PUBLIC OR PRIVATE SCHOOL~~ HAS BEEN DETERMINED THROUGH APPROPRIATE ASSESSMENT AS HAVING TEMPORARY OR LONG-TERM SPECIAL EDUCATIONAL NEEDS ARISING FROM COGNITIVE, EMOTIONAL, OR PHYSICAL FACTORS, OR ANY COMBINATION OF THESE, AND WHOSE ABILITY TO MEET GENERAL EDUCATIONAL OBJECTIVES IS IMPAIRED TO A DEGREE WHEREBY THE SERVICES AVAILABLE IN THE GENERAL EDUCATION PROGRAM ARE INADEQUATE IN PREPARING ONE TO ACHIEVE HIS EDUCATIONAL POTENTIAL.

[(a)] (2) [In this subtitle, "Special] "SPECIAL educational services" means the educational services necessary to assure that all HANDICAPPED children ~~with handicaps that impede their ability to learn~~ are given the opportunity to reach appropriate levels of knowledge and learning skills consistent with their potential and includes the full range of these services, including special equipment, therapeutic treatments ancillary to education, and transportation, whether provided as part of or in addition to regular classroom placement or in separate public or private classes or facilities.

(b) In this subtitle, the domicile of a school age child is the county in which the parent or guardian who has legal custody of the child is domiciled.

8-415.

(a) (1) ~~[-If a county board makes a placement decision for a handicapped child, the parent or guardian of the handicapped child may make a written request to the county board for a review of the placement decision.] THE PARENT OR GUARDIAN OF A HANDICAPPED CHILD MAY MAKE A WRITTEN REQUEST TO THE COUNTY BOARD FOR A REVIEW OF ANY MATTER RELATING TO THE IDENTIFICATION, EVALUATION, OR EDUCATIONAL PLACEMENT OF THE CHILD OR THE PROVISION OF A FREE APPROPRIATE PUBLIC EDUCATION TO FOR THE CHILD.~~

(2) Within [60] 45 days after it receives a request for review, the county board shall appoint a hearing officer or a hearing board that consists of individuals who are knowledgeable in the fields and areas significant to the educational review of the handicapped child, to hear the case and make a decision.

(3) An individual may not serve as the hearing officer or a board member if he:

(i) Is an employee of the county board that is responsible for the education or care of the handicapped child; or