

(ii) Has an interest that would conflict with his objectivity in the hearing.

(4) Within this same [60-day] 45-DAY period, the hearing officer or the hearing board shall review the [placement] COMPLAINT REQUEST and make a decision.

(b) (1) After exhausting all locally available administrative remedies and procedures, a parent or guardian of a handicapped child or the county board that is responsible for providing special educational services for the child[, with good cause, may make a written request to the State Board for a review of:

(i) Diagnosis;

(ii) Evaluation of educational programs provided for the child by the county board; or

(iii) The exclusion or exemption of the child from school [privileges by the county board] MAY MAKE A WRITTEN REQUEST TO THE STATE 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 EDUCATION TO FOR THE CHILD.

~~(2) THE PARENT OR GUARDIAN OF A HANDICAPPED CHILD WHO RESIDES IN ANY RESIDENTIAL FACILITY MAINTAINED BY THE STATE, OR IN A FACILITY FROM WHICH RESIDENTIAL CARE IS PURCHASED BY THE STATE, MAY MAKE A WRITTEN REQUEST TO THE STATE 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 EDUCATION TO THE CHILD.~~

[(2)] ~~(3)~~ (2) [Within 60 days after] AFTER it receives a request for review, the State Board shall appoint a hearing board of at least three individuals who are knowledgeable in the fields and areas significant to the educational review of the child.

[(3)] ~~(4)~~ (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) (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] WHICH DOES NOT RELATE TO A MATTER DESCRIBED IN SUBSECTIONS ~~(B) (1) OR (2)~~