

SECTION 1-OR

~~(II) WITHIN 45 DAYS AFTER IT IS RECEIVED BY THE STATE BOARD UNDER SUBPARAGRAPH (C) (2) (II) OF THIS SECTION.~~

~~(2) THE CIRCUIT COURT OR THE BALTIMORE CITY COURT SHALL MAKE ITS DECISION AS SOON AS PRACTICABLE AFTER RECEIVING THE RECORD OF THE CASE.~~

(f) (1) An appeal from the decision of the State Hearing Board under subsection (c) of this section shall be to the circuit court for the county in which the handicapped child resides or, if he resides in Baltimore City, to the Baltimore City Court.

~~(2) IN ANY APPEAL BROUGHT UNDER THIS SUBSECTION THE COURT SHALL:~~

~~(I) RECEIVE THE RECORDS OF THE ADMINISTRATIVE PROCEEDINGS;~~

~~(II) HEAR ADDITIONAL EVIDENCE AT THE REQUEST OF A PARTY;~~

~~(III) BASE ITS DECISION ON THE PREPONDERANCE OF THE EVIDENCE; AND~~

~~(IV) GRANT ANY RELIEF IT DETERMINES APPROPRIATE.~~

(g) ~~[-Except for a review by a circuit court or by the Baltimore City Court, any-] ANY review requested by a parent or guardian of a handicapped child shall be conducted in conformity with this section and any applicable federal law.~~

~~(H) AT ANY LEVEL OF REVIEW, THE PARTY MAKING THE PLACEMENT DECISION SHALL BEAR THE BURDEN OF PROVING THE APPROPRIATENESS OF ITS DECISION BY A PREPONDERANCE OF THE EVIDENCE.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1978.

Approved May 29, 1978.

CHAPTER 933

(House Bill 1433)

AN ACT concerning

Vehicle Laws - Driver Education Instructor Certification