

Article - Education
Section 8-415
Annotated Code of Maryland
(1978 Volume and 1980 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows:

Article - Education

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 identification, evaluation, or educational placement of the child or the provision of a free appropriate public education for the child.

(2) Within 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 State Board or any county board; or

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

(4) Within the same 45-day period, the hearing officer or the hearing board shall review the 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 may make a written request to the State Board for a review of the identification, evaluation, or educational placement of the child or the provision of a free appropriate education for the child.

(2) 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) An individual may not serve as a hearing board member if he: