

certain information on hearing officers and panel selections.

BY repealing and reenacting, with amendments,

Article - Education
Section 8-415(a) and (b)
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 BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows: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,--FROM--THE--LIST--OF--HEARING--OFFICERS--APPROVED--BY--THE--STATE--DEPARTMENT--OF--EDUCATION, 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--UNLESS--OTHERWISE--AGREED--BY--BOTH--PARTIES,--THE--HEARING--OFFICER--OR--PANEL--SELECTION--PROCESS--SHALL--BE--ACCORDING--TO--THE--PROVISIONS--OF--SUBPARAGRAPHS--(5)--AND--(6)--OF--THIS--SUBSECTION.

(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--this--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.