

(4) THE STATUTE OF LIMITATIONS DESCRIBED UNDER PARAGRAPH (3) OF THIS SUBSECTION DOES NOT APPLY TO A PARENT WHO IS PREVENTED FROM REQUESTING A DUE PROCESS HEARING DUE TO:

(I) SPECIFIC MISREPRESENTATIONS MADE BY THE PUBLIC AGENCY THAT IT HAD RESOLVED THE PROBLEM THAT FORMED THE BASIS OF THE DUE PROCESS COMPLAINT; OR

(II) THE PUBLIC AGENCY'S WITHHOLDING OF INFORMATION THAT THE PUBLIC AGENCY WAS REQUIRED TO PROVIDE TO THE PARENT.

[(2)](4) (5) In order to conduct a hearing, the Office of Administrative Hearings shall appoint an [impartial] administrative law judge who:

(i) Is an administrative law judge in the Office of Administrative Hearings; AND

[(ii)](ii) Has received and continues to receive specialized training in matters significant to the educational review of students with disabilities; and

[(iii)](iii) Has no interest that would conflict with the administrative law judge's objectivity in the review.

(3) The Office of Administrative Hearings shall inform the parent of any free or low cost legal and other relevant services available upon request or whenever a hearing is initiated under this section.]

(II) MEETS THE REQUIREMENTS OF A DUE PROCESS HEARING OFFICER IN ACCORDANCE WITH FEDERAL LAW.

[(4)](6) (6) Unless the parent and the public agency otherwise agree, during the course of any administrative or judicial proceeding, the [student] CHILD must remain in the last approved placement IN ACCORDANCE WITH FEDERAL LAW.

[(5)](6) (7) If the hearing concerns the initial admission of a child into a public school, the [student] CHILD with the consent of the parent must be placed in the public school program until the proceedings have been completed.

[(d)](E) (1) The administrative law judge appointed under subsection [(c)](D) of this section shall conduct the hearing in accordance with federal law, Title 10 of the State Government Article, and the Office of Administrative Hearings Rules of Administrative Procedure, and may:

(i) After review of the educational records of the child, dismiss any request for review which does not relate to a matter described in subsection [(c)](1) [(D)](1) of this section;

(ii) Require the parties to attend a prehearing conference prior to the due process hearing;

(iii) Hear any testimony that it considers relevant;