

(6) Within the same 45-day period, the hearing officer or the hearing board shall review the request and make a decision.]

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "ADMINISTRATIVE LAW JUDGE" MEANS AN INDIVIDUAL SERVING IN THE ROLE OF AN IMPARTIAL HEARING OFFICER AS REQUIRED UNDER THE FEDERAL INDIVIDUALS WITH DISABILITIES EDUCATION ACT.

(3) "FEDERAL LAW" MEANS THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT AND REGULATIONS ADOPTED UNDER THAT ACT.

(4) "PUBLIC AGENCY" MEANS THE STATE DEPARTMENT OF EDUCATION, A LOCAL SCHOOL SYSTEM, OR ANY STATE AGENCY RESPONSIBLE FOR PROVIDING EDUCATION TO STUDENTS WITH DISABILITIES, INCLUDING THE MARYLAND SCHOOL FOR THE BLIND AND THE MARYLAND SCHOOL FOR THE DEAF.

(B) (1) IF A PARENT SEEKS REVIEW OF THE DECISION OF A PUBLIC AGENCY CONCERNING THE IDENTIFICATION, EVALUATION, OR EDUCATIONAL PLACEMENT OF A STUDENT OR THE PROVISION OF A FREE APPROPRIATE PUBLIC EDUCATION, ANY PARTY SHALL BE GIVEN THE OPPORTUNITY TO REQUEST MEDIATION OF THOSE ASPECTS OF THE DECISION SUBJECT TO DISPUTE.

(2) THE REQUEST FOR MEDIATION MAY NOT BE USED TO DENY OR DELAY THE PARENT'S RIGHTS UNDER FEDERAL LAW OR THIS SECTION.

(3) ANY PARTY TO THE MEDIATION HAS THE RIGHT TO BE ACCOMPANIED AND ADVISED BY COUNSEL.

[(b)] (C) (1) [After exhausting all locally available administrative remedies and procedures, a] A parent or guardian of a student with disabilities or the [county board that is responsible for providing special educational services for the child] PUBLIC AGENCY may make a written request to the Office of Administrative Hearings 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) 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;

(II) HAS RECEIVED AND CONTINUES TO RECEIVE SPECIALIZED TRAINING IN MATTERS SIGNIFICANT TO THE EDUCATIONAL REVIEW OF STUDENTS WITH DISABILITIES; AND .

(III) HAS NO INTEREST THAT WOULD CONFLICT WITH THE ADMINISTRATIVE LAW JUDGE'S OBJECTIVITY IN THE REVIEW.