Unofficial Copy F1 2001 Regular Session 1lr1418

By: Delegate Campbell

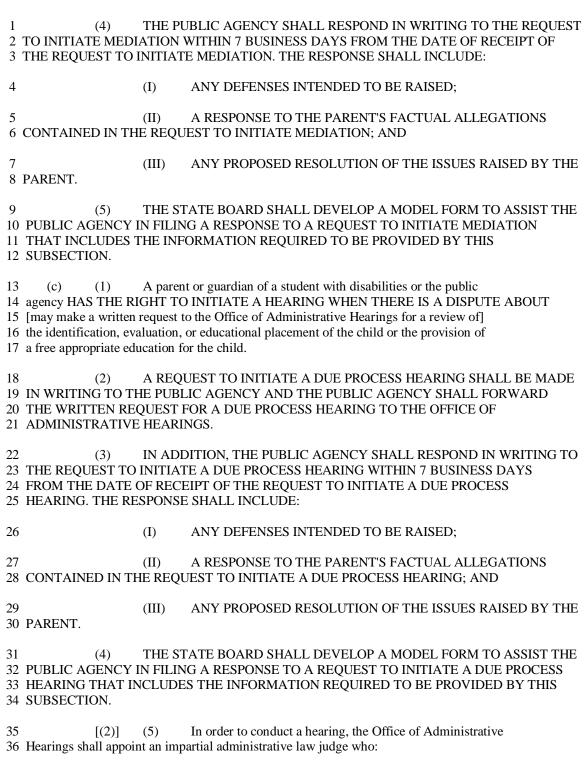
Introduced and read first time: February 9, 2001

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concernin	g
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- Educational Placement for Handicapped Children Required Agency
 Response to Parent's Mediation or Hearing Request
- 4 FOR the purpose of requiring a public agency to respond with specified information in
- 5 writing within a certain number of business days from the date of receipt of a
- 6 request to initiate mediation or a request for a due process hearing concerning
- 7 the identification, evaluation, or educational placement of a handicapped
- 8 student; requiring the State Board of Education to develop a model form to
- 9 assist the public agency in its response to a request for mediation or a request
- for a due process hearing; and generally relating to educational placement for
- 11 handicapped children.
- 12 BY repealing and reenacting, with amendments,
- 13 Article Education
- 14 Section 8-413(b) and (c)
- 15 Annotated Code of Maryland
- 16 (1999 Replacement Volume and 2000 Supplement)
- 17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
- 18 MARYLAND, That the Laws of Maryland read as follows:
- 19 Article Education
- 20 8-413.
- 21 (b) (1) If a parent seeks review of the decision of a public agency concerning
- 22 the identification, evaluation, or educational placement of a student or the provision
- 23 of a free appropriate public education, any party shall be given the opportunity to
- 24 request mediation of those aspects of the decision subject to dispute.
- 25 (2) The request for mediation may not be used to deny or delay the
- 26 parent's rights under federal law or this section.
- 27 (3) Any party to the mediation has the right to be accompanied and
- 28 advised by counsel.



17 October 1, 2001.

HOUSE BILL 1252

1 2	Hearings;	(i)	Is an administrative law judge in the Office of Administrative
3 4	matters significant to		Has received and continues to receive specialized training in ational review of students with disabilities; and
5 6	judge's objectivity in		Has no interest that would conflict with the administrative law w.
	- 1 / -	t legal an	The Office of Administrative Hearings shall inform the paren d other relevant services available upon request or under this section.
	L(/J	any admii	Unless the parent and the public agency otherwise agree, nistrative or judicial proceeding, the student must accement.
	public school, the stu	dent with	If the hearing concerns the initial admission of a child into a the consent of the parent must be placed in the public seedings have been completed.
16	SECTION 2. AN	D BE IT	FURTHER ENACTED. That this Act shall take effect