

resides in Baltimore City, to any one of the three common law courts of the Supreme Bench.

106D.

(b) Upon the adoption of standards by the State Board of Education, each local board of education shall promptly and diligently develop a plan for the provision of special educational services in accordance with such standards. Such plan shall provide for the education of all handicapped children, including those who are severely handicapped, whose parents or guardians are domiciled within the county. Prior to the adoption of a local plan, the local board of education shall consult with public and private agencies and persons concerned with and knowledgeable about the problems of children in need of special educational services. Nothing herein shall preclude a local board of education from developing a plan which exceeds the State standards. The State Department of Education shall provide reasonable assistance to the local boards of education in the development of the plan. The local plan shall provide for full implementation of programs within [five] SIX years on an annual phase-in basis. Each local board of education shall submit its plan to the State Superintendent of Schools within nine months after adoption of the standards by the State Board of Education, with implementation to commence with the school year next following submission of the plan. "Local board of education," as used in this subtitle, includes the Board of School Commissioners of Baltimore City, and "county," as used in this subtitle, includes Baltimore City.

SECTION ~~[[3]]~~ 2. AND BE IT FURTHER ENACTED, That new Section 106D(g) be and it is hereby added to Article 77 - Public Education, of the Annotated Code of Maryland (1975 Replacement Volume and 1975 Supplement) to read as follows:

Article 77 - Public Education

106D.

(G) A CHILD IN NEED OF SPECIAL EDUCATIONAL SERVICES THAT ARE NOT THEN PROVIDED IN A PUBLIC COUNTY, REGIONAL, OR STATE PROGRAM SHALL BE PLACED IN AN APPROPRIATE NONPUBLIC EDUCATIONAL PROGRAM OFFERING THESE SERVICES. THE COST OF THE NONPUBLIC EDUCATIONAL PROGRAM SHALL BE PAID BY THE STATE AND THE COUNTY IN WHICH THE CHILD IS DOMICILED IN ACCORDANCE WITH § 106E-3(D) OF §106E-4(D), AS APPLICABLE. HOWEVER, PAYMENT OR REIMBURSEMENT FOR A NONPUBLIC PROGRAM MAY NOT BE PROVIDED UNLESS (1) THE NONPUBLIC PROGRAM, (2) THE PLACEMENT IN IT, (3) THE COST OF THE PROGRAM, AND (4) THE AMOUNT OF PAYMENT OR REIMBURSEMENT, ARE APPROVED BY THE STATE DEPARTMENT OF EDUCATION. AS PART OF THE AUTHORITY GRANTED TO IT BY SUBSECTION (A) OF THIS SECTION, THE