

THE STATE BOARD SHALL REVIEW THE APPROVED PLANS FOR SPECIAL EDUCATIONAL SERVICES AT LEAST ONCE EACH YEAR.

(B) AMENDMENTS.

ON THE RECOMMENDATION OF THE STATE SUPERINTENDENT AND WITH THE APPROVAL OF THE STATE BOARD, A COUNTY BOARD MAY AMEND AN APPROVED PLAN.

REVISOR'S NOTE: This section presently appears as Art. 77, §106D(f).

The only changes are in style.

8-409. PLACEMENT OF HANDICAPPED CHILDREN IN NONPUBLIC EDUCATIONAL PROGRAM.

(A) BASIS FOR PLACEMENT.

A CHILD WHO NEEDS SPECIAL EDUCATIONAL SERVICES THAT ARE NOT PROVIDED IN A PUBLIC COUNTY, REGIONAL, OR STATE PROGRAM SHALL BE PLACED IN AN APPROPRIATE NONPUBLIC EDUCATIONAL PROGRAM THAT OFFERS THESE SERVICES.

(B) PAYMENT OF COST.

THE COST OF THE NONPUBLIC EDUCATIONAL PROGRAM SHALL BE PAID BY THIS STATE AND THE COUNTY IN WHICH THE CHILD IS DOMICILED IN ACCORDANCE WITH §8-417.2(D) OR §8-417.3(D) OF THIS SUBTITLE, AS APPROPRIATE.

(C) APPROVAL OF DEPARTMENT NECESSARY FOR PAYMENT.

(1) PAYMENT OR REIMBURSEMENT FOR A NONPUBLIC PROGRAM MAY NOT BE PROVIDED UNLESS THE DEPARTMENT APPROVES:

- (I) THE NONPUBLIC PROGRAM;
- (II) THE PLACEMENT OF THE CHILD IN THE PROGRAM;
- (III) THE COST OF THE PROGRAM; AND
- (IV) THE AMOUNT OF PAYMENT OR REIMBURSEMENT.

(2) THE STATE BOARD SHALL ADOPT BYLAWS THAT ESTABLISH STANDARDS AND GUIDELINES FOR THESE APPROVALS.

(D) COURT PLACEMENT.

(1) EXCEPT FOR A PLACEMENT THAT RESULTS FROM AN APPEAL FROM A DECISION OF THE DEPARTMENT TAKEN UNDER THE ADMINISTRATIVE PROCEDURE ACT, A CHILD MAY NOT BE PLACED IN A NONPUBLIC EDUCATIONAL PROGRAM AT PUBLIC EXPENSE BY ANY COURT UNLESS THE PLACEMENT IS IN ACCORDANCE WITH THIS SECTION.

(2) THE DEPARTMENT SHALL BE NOTIFIED OF EACH CASE IN WHICH THE PLACEMENT OF A CHILD IN A NONPUBLIC