

Approved May 14, 1979.

CHAPTER 224

(Senate Bill 138)

AN ACT concerning

Public Education - Handicapped Children

FOR the purpose of limiting the power of the State Department of Education to disapprove a handicapped child's nonpublic placement after approval by a county board of education.

BY repealing and reenacting, with amendments,

Article - Education
Section 8-409(d)
Annotated Code of Maryland
(1978 Volume and 1978 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows:

Article - Education

8-409.

(d) A nonpublic placement recommended by a county board for approval under this section shall be approved or disapproved pursuant to the bylaws of the State Board. However, the Department may not disapprove a nonpublic placement recommended by a county board for a child [if the child will be prevented from continuing in the last approved placement during the next placement year] unless the Department provides an appropriate alternative placement in conformity with the bylaws of the State Board and applicable federal laws and regulations. The Department may not terminate funding for the last approved nonpublic placement of a child during the pendency of an administrative or judicial review of a recommended placement change.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1979.

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