

FOR the purpose of allowing a county board of education to make a placement decision involving a handicapped child in a nonpublic program if certain requirements are met; requiring that certain proceedings be in conformance with applicable federal laws; relating generally to the educational placement of handicapped children; and making this Act an emergency measure.

BY repealing and reenacting, with amendments,

Article - Education
Section 8-409
Annotated Code of Maryland
(1978 Volume and 1979 Supplement)

BY adding

Article - Education
Section 8-409.1
Annotated Code of Maryland
(1978 Volume and 1979 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 BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows: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.

(a) 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) 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 § 8-417.2(d) or § 8-417.3(d) of this subtitle, as appropriate.

~~(c) (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.~~