

~~(d)-(1)--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}---(2)--THE--Department--may--not disapprove a nonpublic placement--recommended--by--a--county board---for--a--child--unless--the--Department--provides--an appropriate alternative placement--in--conformity--with--the bylaws--of--the--State Board and applicable federal laws and regulations.~~

~~(3)--A DECISION FOR DISAPPROVAL OF THE--NONPUBLIC PLACEMENT--AND--THE RECOMMENDATION FOR ALTERNATIVE PLACEMENT SHALL BE MADE BY PERSONS WHO ARE KNOWLEDGEABLE ABOUT:~~

~~(i)--THE CHILD;~~

~~(ii)--THE MEANING OF THE--EVALUATION--DATA,~~
AND

~~(iii)--THE PLACEMENT OPTIONS.~~

~~(4)--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.~~

(c) (1) Payment or reimbursement for a nonpublic program may not be provided IF THE PAYMENT OR REIMBURSEMENT WOULD REQUIRE AN ADDITIONAL CONTRIBUTION FROM THE STATE UNDER § 8-417.2(D)(2) OR § 8-417.3(D)(2) OF THIS SUBTITLE 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) DEPARTMENT APPROVAL IS NOT REQUIRED FOR A NONPUBLIC PROGRAM IF:

(I) THE COUNTY BOARD APPROVES THE PLACEMENT OF THE CHILD IN THE PROGRAM;

(II) THE COUNTY BOARD MAKES THE PAYMENT OR REIMBURSEMENT FROM FUNDS AVAILABLE TO THE COUNTY BOARD, INCLUDING THE FUND ESTABLISHED UNDER § 8-417.3(C) OF THIS SUBTITLE, AND ESTABLISHED UNDER SECTION 8-417.3(C) AND (D) (1) OF THIS SUBTITLE; AND

(III) THE PLACEMENT DOES NOT REQUIRE AN ADDITIONAL STATE CONTRIBUTION UNDER § 8-417.2(D)(2) OR §