

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 BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows: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

8-401.

(a) In this subtitle, the following words have the meanings indicated.

(1) "COMPENSATORY SPECIAL EDUCATIONAL SERVICES" MEANS THE ADDITIONAL YEARS OF SPECIAL EDUCATION SERVICES THAT SHALL BE AVAILABLE TO A HANDICAPPED INDIVIDUAL WHO MEETS THE REQUIREMENTS IN SECTION 8-401.1(A) OF THIS SUBTITLE.

[[1]] (2) "Handicapped child" means a child who has been determined through appropriate assessment as having temporary or long-term special educational needs arising from cognitive, emotional, or physical factors, or any combination of these, and whose ability to meet general educational objectives is impaired to a degree whereby the services available in the general education program are inadequate in preparing one to achieve his educational potential.

[[2]] (3) "Special educational services" means the educational services necessary to assure that all handicapped children are given the opportunity to reach appropriate levels of knowledge and learning skills consistent with their potential and includes the full range of these services, including special equipment, therapeutic treatments ancillary to education, and transportation, whether provided as part of or in addition to regular classroom placement or in separate public or private classes or facilities.

(b) In this subtitle, the domicile of a school age child is the county in which the parent or guardian who has legal custody of the child is domiciled.

(C) IN THIS SUBTITLE, THE TERMS "CHILD" OR "CHILDREN" SHALL INCLUDE ANY INDIVIDUAL ELIGIBLE FOR OR RECEIVING SPECIAL EDUCATIONAL SERVICES OR COMPENSATORY SPECIAL EDUCATIONAL SERVICES.

8-401.1.

(A) A HANDICAPPED INDIVIDUAL SHALL RECEIVE UP TO -5- 2 YEARS COMPENSATORY SPECIAL EDUCATION SERVICES FOR AS MANY YEARS--~~AS THE INDIVIDUAL WAS UNABLE TO ATTEND SCHOOL, IF THE YEARS AS THE INDIVIDUAL WAS A RESIDENT OF MARYLAND AND WAS UNABLE TO ATTEND SCHOOL OR WAS DENIED UNABLE TO RECEIVE APPROPRIATE EDUCATIONAL SERVICES IN ANY YEAR AFTER 1975, IF THE INDIVIDUAL:~~