

BY repealing and reenacting, with amendments,

Article - Education
 Section 8-404(b)
 Annotated Code of Maryland
 (1978 Volume and 1981 Supplement)

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

Article - Education

8-404.

(b) (1) Each plan shall provide for the education of all handicapped children, including:

(i) Those who are severely handicapped, whose parents or guardians are domiciled in the county; and

(ii) Those school-aged children who are in day-care centers, OR EDUCATIONAL INSTITUTIONS PREVIOUSLY CLASSIFIED AS DAY-CARE CENTERS, which were previously funded by the Mental Retardation Administration and for whom an exception was granted for fiscal years 1978-1979 and 1979-1980 whose parents or guardians are domiciled in the county.

[(2) Notwithstanding paragraph (1) of this section, for fiscal years 1980-1981 and 1981-1982 only, the State Superintendent shall allow a handicapped child to remain in a day-care center on application for good cause by the county superintendent. The application for good cause may include the lack of:

(i) Available budget funds; or

(ii) Appropriate alternate school placement.]

(2) ON THE REQUEST OF THE CHILD'S PARENTS OR LEGAL GUARDIAN, THE COUNTY BOARD AND THE STATE SUPERINTENDENT SHALL ALLOW ANY HANDICAPPED CHILD DESCRIBED IN SUBPARAGRAPH (1)(II) OF THIS SUBSECTION TO REMAIN IN THE DAY-CARE CENTER FOR THE DURATION OF THE CHILD'S PUBLICLY FUNDED SPECIAL EDUCATION SERVICES.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1982.

Approved April 2, 1982.