

~~(3) Except as provided in subsection (f) of this section or in regulations of the State Board of Education, each child who resides in this State shall attend a kindergarten program regularly during the school year prior to entering the first grade unless the child is otherwise receiving regular, thorough instruction in the skills and studies usually taught in a kindergarten program of a public school.~~

~~(b) A county superintendent, school principal, or an individual authorized by the county superintendent or principal may excuse a student for a lawful absence.~~

~~(c) Each person who has legal custody or care and control of a child WHO RESIDES IN THIS STATE, EXCEPT FOR BALTIMORE CITY, AND who is 5 years old or older and under 16 OR A CHILD WHO RESIDES IN BALTIMORE CITY AND WHO IS 5 YEARS OLD OR OLDER AND UNDER 18 shall see that the child attends school or receives instruction as required by this section.~~

~~(d) (1) This section applies to any child who has a mental, emotional, or physical handicap.~~

~~(2) This section does not apply to a child:~~

~~(i) Whose mental, emotional, or physical condition makes his instruction detrimental to his progress; or~~

~~(ii) Whose presence in school presents a danger of serious physical harm to others.~~

~~(3) With the advice of the school principal, supervisor, pupil personnel supervisor, or visiting teacher and with the written recommendation of a licensed physician or a State Department of Education certified or licensed psychologist, the county superintendent may:~~

~~(i) Make other appropriate provisions for the free education of any student excepted from attendance under paragraph (2) of this subsection; or~~

~~(ii) Permit the parents or guardians of that student to withdraw him from public school, for as long as the attendance of the child in a public school would be detrimental to his progress or his presence in school would present a danger of serious physical harm to others.~~

~~(4) If a child is withdrawn from a public school under this subsection, the county board shall make other appropriate provisions for the education of the child.~~

~~(5) If an appropriate educational placement is not available immediately, the county board shall make interim provisions for the education of the child until an appropriate placement becomes available.~~

~~(e) (1) Any person who induces or attempts to induce a child to absent himself unlawfully from school or employs or harbors any child who is absent unlawfully from school while school is in session is guilty of a misdemeanor and on conviction is subject to a fine not to exceed \$500 or imprisonment not to exceed 30 days, or both.~~