

circumstances; authorizing a hearing officer or court to require reimbursement under certain circumstances; and generally relating to special education.

BY repealing and reenacting, with amendments,

Article - Education

Section 8-413(i)

Annotated Code of Maryland

(1999 Replacement Volume and 2000 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Education

8-413.

(i) (1) [If the parent or guardian of a student with disabilities, eligible to receive special education and related services from a county board, enrolls the child in a nonpublic school, the county board is not required to reimburse the parent or guardian for tuition or related costs associated with the enrollment if:

(1) The parent or guardian does not provide to the county board prior written notice rejecting the program proposed by the county board, including the reason for the rejection, and stating an intention to enroll the student in a nonpublic school;

(2) The nonpublic school placement of the student is found inappropriate; or

(3) The proposed county board program is found appropriate.] IF A LOCAL SCHOOL SYSTEM HAS MADE A FREE APPROPRIATE PUBLIC EDUCATION AVAILABLE TO A CHILD WITH A DISABILITY AND THE PARENT OF THE CHILD CHOOSES TO PLACE THE CHILD IN A NONPUBLIC SCHOOL, THE LOCAL SCHOOL SYSTEM IS NOT REQUIRED TO PAY FOR THE CHILD'S EDUCATION AT THE NONPUBLIC SCHOOL.

(2) BEFORE REMOVING A CHILD FROM THE LOCAL SCHOOL SYSTEM, A PARENT OF THE CHILD SHALL NOTIFY THE LOCAL SCHOOL SYSTEM OF THE PARENT'S:

(I) DECISION TO REJECT THE LOCAL SCHOOL SYSTEM'S PROPOSED PLACEMENT;

(II) CONCERNS LEADING TO THE DECISION TO REMOVE THE CHILD FROM THE LOCAL SCHOOL SYSTEM; AND

(III) INTENTION TO ENROLL THE CHILD IN A NONPUBLIC SCHOOL AT PUBLIC EXPENSE.

(3) THE PARENT SHALL PROVIDE NOTICE BY: