

(i) The decision of the hearing board; or

(ii) The decision of the Maryland School for the Blind if a hearing board decision is not made within the time required by the bylaws of the State Board and applicable federal law or regulations.

(2) Any appeal or review under this section that is brought before a circuit court shall be decided as soon as practicable.]

8-401.

(a) (1) In this subtitle[, ] the following words have the meanings indicated.

[(1) "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) "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.]

(2) "CHILD WITH A DISABILITY" MEANS A CHILD WHO HAS BEEN DETERMINED THROUGH APPROPRIATE ASSESSMENT AS HAVING AUTISM, DEAF-BLINDNESS, HEARING IMPAIRMENT, INCLUDING DEAFNESS, EMOTIONAL DISTURBANCE, MENTAL RETARDATION, MULTIPLE DISABILITIES, ORTHOPEDIC IMPAIRMENT, OTHER HEALTH IMPAIRMENT, SPECIFIC LEARNING DISABILITY, SPEECH OR LANGUAGE IMPAIRMENT, TRAUMATIC BRAIN INJURY, VISUAL IMPAIRMENT, INCLUDING BLINDNESS, AND WHO BECAUSE OF THAT IMPAIRMENT NEEDS SPECIAL EDUCATION AND RELATED SERVICES.

(3) "FREE APPROPRIATE PUBLIC EDUCATION" MEANS SPECIAL EDUCATION AND RELATED SERVICES THAT:

(I) ARE PROVIDED AT PUBLIC EXPENSE, UNDER PUBLIC SUPERVISION AND DIRECTION, AT NO COST TO THE PARENTS;

(II) MEET THE STANDARDS OF THE STATE BOARD REGULATIONS AND THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT (20 U.S.C. 1400 ET SEQ. 1997);

(III) INCLUDES PRESCHOOL, ELEMENTARY, AND SECONDARY EDUCATION; AND

(IV) ARE PROVIDED IN CONFORMANCE WITH THE REQUIREMENTS OF THE CHILD'S INDIVIDUALIZED EDUCATION PROGRAM.