

an appropriate alternative placement in conformity with the [bylaws] REGULATIONS of the State Board and applicable federal laws and regulations. The Department may not terminate funding for the last approved nonpublic placement of a child during the pendency of an administrative or judicial review of a recommended placement change.

[(e) (1) Except for a placement that results from an appeal from a decision of the Department taken under the Administrative Procedure Act, a child may not be placed in a nonpublic educational program at public expense by any court unless the placement is in accordance with this section.

(2) The Department shall be notified of each case in which the placement of a child in a nonpublic educational program at public expense is sought or is under consideration by a court.

(3) The Department shall be made a party to the proceeding.]

(E) IN ADDITION TO MEETING THE REQUIREMENTS OF THIS SUBTITLE, A LOCAL SCHOOL SYSTEM SEEKING NONPUBLIC TUITION PAYMENT MUST ALSO MEET THE REQUIREMENTS OF ARTICLE 49D OF THE CODE, AS APPLICABLE, AND OBTAIN FUNDING APPROVAL FROM THE LOCAL COORDINATING COUNCIL AND THE STATE COORDINATING COUNCIL.

8-407.

All proceedings held and decisions made pursuant to [§ 8-406 or § 8-413 of] this subtitle shall be in conformance with applicable federal law.

[8-408.

Each plan for special educational services submitted by a county board and each plan developed and adopted by the State Superintendent shall include:

(1) A detailed estimate of the number of children who will receive special educational services under the plan; and

(2) The annual cost of implementing the plan.]

[8-312.] 8-408.

(a) (1) In this section the following words have the meanings indicated.

(2) [Blind] "CHILD WHO IS BLIND or visually impaired [student]" means [an individual] A CHILD who:

(i) Has a visual acuity of 20/200 or less in the better eye with correcting lenses or has a limited field of vision so that the widest diameter of the visual field subtends an angle no greater than 20 degrees;

(ii) Has a medically indicated expectation of visual deterioration; or

(iii) Has a medically diagnosed limitation in visual functioning that restricts the [student's] CHILD'S ability to read and write standard print at levels expected of other [students] CHILDREN of comparable ability and grade level.