

[handicapped children] A CHILD WITH A DISABILITY, the Department shall adopt guidelines which set minimum standards to meet in each of the following categories:

(i) The qualifications for hiring and training of drivers and aides, including private contract personnel, involved in handling and transporting [handicapped children] A CHILD WITH A DISABILITY to [Level V] A nonpublic special education [facilities] FACILITY; and

(ii) The appropriate length of time and distance for transporting [handicapped children] A CHILD WITH A DISABILITY to [Level V] A nonpublic special education [facilities] FACILITY.

(d) (1) By July 1 of each year any [county] LOCAL SCHOOL SYSTEM that has 25 or more [handicapped] children WITH DISABILITIES attending [Level V] nonpublic education facilities shall submit to the State Department a detailed report, including any rules and regulations it has adopted since the submission of its last report, which outline the [county's] LOCAL SCHOOL SYSTEM'S compliance with the State Department adopted guidelines for the transportation of [handicapped children] A CHILD WITH A DISABILITY to [Level V] nonpublic special education facilities.

(2) The State Department shall annually:

(i) Review each applicable [county's] LOCAL SCHOOL SYSTEM'S plan or procedures for transporting [handicapped] children WITH DISABILITIES to [Level V] nonpublic special education facilities for compliance with the State Department's guidelines; and

(ii) Advise a [county] LOCAL SCHOOL SYSTEM as to whether its plan or procedures are in compliance.

(e) In both the adoption of guidelines under subsection (c)(2) of this section and the annual review under subsection (d) of this section of each applicable county's plan or procedures for transporting children WITH DISABILITIES to [Level V] nonpublic special education facilities, the State Department shall:

(1) Take into consideration the particular circumstances and needs of each applicable [county] LOCAL SCHOOL SYSTEM, including the differences among urban and rural [counties] SCHOOL SYSTEMS; and

(2) Recognize the need for flexibility on an individual [client] CHILD basis.

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[(a) (1) In this section "handicapped child" means a child under the age of 6 with a physical, mental, or emotional impairment that, in the judgment of the Department, makes a special educational and training program necessary or desirable to help the child reach a scholastic achievement as near normal as feasible.

(2) "Handicapped child" includes a child who suffers from mild, moderate, severe, or profound hearing loss.]