

(2) THAT IS MAJORITY OWNED BY AN INDIVIDUAL OR INDIVIDUALS ~~CERTIFIED AS HAVING A DISABILITY DETERMINED~~ BY THE DIVISION OF REHABILITATION SERVICES IN THE STATE DEPARTMENT OF EDUCATION TO HAVE A DISABILITY, AS DEFINED BY TITLE 21, SUBTITLE 3 OF THE EDUCATION ARTICLE;

(3) WHOSE MAJORITY OWNER OR OWNERS ARE DIRECTLY AND SIGNIFICANTLY ENGAGED IN THE DAILY OPERATION OF THE BUSINESS;

(4) WHOSE WORKFORCE INCLUDES INDIVIDUALS WITH DISABILITIES COMPRISING A PERCENTAGE OF THE WORKFORCE THAT IS AT OR ABOVE THE MINIMUM REQUIRED UNDER THE POLICIES OR GUIDELINES ESTABLISHED BY THE STATE PRICING AND SELECTION COMMITTEE FOR REHABILITATION AND EMPLOYMENT PROGRAMS;

(5) WHOSE TOTAL GROSS REVENUES FOR CONTRACTS ASSIGNED UNDER THE PROGRAM AT THE TIME OF ASSIGNMENT DO NOT EXCEED THE MAXIMUM ALLOWED UNDER POLICIES OR GUIDELINES ESTABLISHED BY THE STATE PRICING AND SELECTION COMMITTEE FOR REHABILITATION AND EMPLOYMENT PROGRAMS; AND

(6) THAT CONTINUES TO MEET ALL OTHER ELIGIBILITY CRITERIA ESTABLISHED BY THE STATE PRICING AND SELECTION COMMITTEE FOR REHABILITATION AND EMPLOYMENT PROGRAMS.

[b] (C) "Sheltered workshop" means an agency:

- (1) that is organized under the laws of the United States or the State;
- (2) that is certified as a sheltered workshop by the Wage and Hour Division of the United States Department of Labor;
- (3) that is accredited by the Division of Rehabilitation Services of the State Department of Education;
- (4) that is operated in the interest of individuals who have a mental or physical disability, including blindness, that:
 - (i) constitutes a substantial handicap to employment; and
 - (ii) prevents the individual from engaging in normal competitive employment; and