

# SENATE BILL 116

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71r0712

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By: **Senators Brochin and Kittleman**

Introduced and read first time: January 24, 2007

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

2 **Education – Special Education Services – Children in a Home School Setting**

3 FOR the purpose of requiring that a child with a disability in a home school setting be  
4 given the same consideration as a child with a disability in a private school  
5 setting for the purpose of the provision of certain special education services;  
6 defining a certain term; and generally relating to the provision of special  
7 education services.

8 BY adding to

9 Article – Education

10 Section 8–403.1

11 Annotated Code of Maryland

12 (2006 Replacement Volume)

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

15 **Article – Education**

16 **8–403.1.**

17 (A) IN THIS SECTION, “CHILD IN A HOME SCHOOL SETTING” MEANS A  
18 CHILD WHO:

19 (1) DOES NOT ATTEND PUBLIC OR PRIVATE SCHOOL; AND

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(2) RECEIVES REGULAR THOROUGH INSTRUCTION DURING THE**  
2 **SCHOOL YEAR IN THE STUDIES USUALLY TAUGHT IN THE PUBLIC SCHOOLS TO**  
3 **CHILDREN OF THE SAME AGE.**

4           **(B) A CHILD WITH A DISABILITY IN A HOME SCHOOL SETTING SHALL BE**  
5 **GIVEN THE SAME CONSIDERATION AS A CHILD WITH A DISABILITY IN A PRIVATE**  
6 **SCHOOL SETTING FOR THE PURPOSE OF THE PROVISION OF SPECIAL**  
7 **EDUCATION SERVICES UNDER THE FEDERAL INDIVIDUALS WITH DISABILITIES**  
8 **ACT, 20 U.S.C. § 1412(A)(10).**

9           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
10 October 1, 2007.