

SENATE BILL 116

F1

71r0712

By: **Senators Brochin and Kittleman**

Introduced and read first time: January 24, 2007

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 9, 2007

CHAPTER _____

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 passing through federal funds for the provision of
6 certain special education services; defining a certain term; and generally
7 relating to the provision of special 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.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (A) IN THIS SECTION, "CHILD IN A HOME SCHOOL SETTING" MEANS A
2 CHILD WHO:

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

4 (2) RECEIVES REGULAR THOROUGH INSTRUCTION DURING THE
5 SCHOOL YEAR IN THE STUDIES USUALLY TAUGHT IN THE PUBLIC SCHOOLS TO
6 CHILDREN OF THE SAME AGE.

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

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.