

# HOUSE BILL 121

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SB 116/07 – EHE

8lr0572  
CF SB 50

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By: **Delegates Lafferty, Boteler, Bromwell, and DeBoy**  
Introduced and read first time: January 17, 2008  
Assigned to: Ways and Means

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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 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 and 2007 Supplement)

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

20 (2) RECEIVES REGULAR THOROUGH INSTRUCTION DURING THE  
21 SCHOOL YEAR IN THE STUDIES USUALLY TAUGHT IN THE PUBLIC SCHOOLS TO  
22 CHILDREN OF THE SAME AGE.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

6           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
7 July 1, 2008.