§ 4204-a. Deaf-infant program. (1) All deaf children resident in this state, below the age of three, of suitable age and capacity, who shall have been resident in this state for one year immediately preceding the application, or is an orphan whose nearest friend shall have been resident in this state for one year immediately preceding the application, shall be eligible to receive approved educational services in one of the institutions for instruction for the deaf of the state as enumerated in section forty-two hundred one of this article, as well as in such educational programs or other like facilities which shall, in the discretion of the commissioner, be certified as eligible to receive such pupils on a day basis only; provided, however, the foregoing requirement as to length of residence in this state may be waived in the discretion of the commissioner. Such children who are first eligible for services pursuant to section forty-four hundred ten of this title whose parents or persons in parental relationship elect to have them continue to receive services pursuant to this section may do so through August thirty-first of the calendar year in which such child turns three.

(2) Each deaf pupil so received into any of the approved institutions or facilities aforesaid shall be provided with tuition; and the directors of the institution or facility shall receive an appropriation for each pupil so provided for, in quarterly payments, to be paid by the commissioner of taxation and finance on the warrant of the comptroller, to the treasurer of said institution or facility, on his presenting a bill showing the actual time and number of pupils in attendance, which bill shall be signed by the chief executive officer of the institution, and verified under his oath.

(3) Children placed in any such approved institution or facility, pursuant to this section, shall be maintained therein on a day basis only at the expense of the state for the period of time the school is in session. Further, the commissioner shall approve such expense only if the child attends the facility nearest his legal residence; provided, however, that the foregoing requirement as to the facility the child shall attend may be waived in the discretion of the commissioner.

(4) The commissioner shall promulgate such rules and regulations pertaining to the educational programs for deaf children placed in facilities under the provisions of this section as he shall deem to be in the best interests of such children.

(5) The department shall maintain a register of such approved institutions or facilities which, after inspection, it deems qualified to meet the needs of such child for instruction of such child in such institution or facility. Such inspection shall also determine the eligibility of such educational facility to receive the funds hereinbefore specified.