

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Senator Jewell**

A Bill

SENATE BILL

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE TITLE 6, CHAPTER 45 TO
9 PROVIDE FOR THE EQUITABLE PARTICIPATION OF DISADVANTAGED
10 AND MINORITY OWNERS OF CHILD CARE FACILITIES IN THE
11 ARKANSAS BETTER CHANCE PROGRAM ACT; AND FOR OTHER
12 PURPOSES."

Subtitle

14 "EQUITABLE PARTICIPATION OF MINORITY OWNERS OF CHILD CARE
15 FACILITIES IN THE ABC PROGRAM."
16

17
18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

19
20 SECTION 1. Arkansas Code 6-45-102 is amended to read as follows:

21 "6-45-102. Legislative intent. It is the intent of the Arkansas
22 General Assembly to expand the availability of developmentally appropriate
23 early childhood programs including, but not limited to, Child Care Facilities,
24 Head Start, Cradle Care Program, the Home Instruction Program for Preschool
25 Youngsters (HIPPI), Therapeutic Child Development Programs, and Parents As
26 Teachers (PAT). Developmentally appropriate early childhood programs have been
27 shown to produce sizeable gains in the skill levels of educationally
28 disadvantaged children. These programs facilitate the development of young
29 children, particularly those identified as educationally at-risk, and increase
30 the chances that they will be more successful students and ultimately more
31 productive citizens. Therefore, the General Assembly finds that the state
32 should provide assistance to educationally deprived young children by funding
33 the learning of these children and provide for their optimal development. It
34 is the intent of the Arkansas General Assembly to set aside twenty-seven
35 percent (27%) of the Arkansas Better Chance Program funds for disadvantaged

1 and minority owned Child Care Facilities who meet the minimum criteria and
2 standards set by the General Education Division of the Arkansas Department of
3 Education and the Early Childhood Commission."

4

5 SECTION 2. Arkansas Code §6-45-103 is amended to read as follows:

6 "6-45-103. Definitions. For the purposes of this chapter, the
7 following definitions shall apply:

8 (1) Department means the General Education Division of the Department
9 of Education or its authorized agents;

10 (2) Appropriate early childhood program means a developmentally
11 appropriate program for young children, ages three through five (3-5),
12 approved by the Department of Education, as complying with regulatory
13 guidelines to be issued by the department pursuant to this chapter;

14 (3) Arkansas Early Childhood Commission or commission means a
15 seventeen (17) member advisory body appointed by the Governor to perform
16 certain duties and responsibilities relating to the development, expansion,
17 and coordination of early childhood programs including, but not limited to,
18 serving as the advisory body to the General Education Division of the
19 Department of Education on early childhood program issues;

20 (4) Arkansas HIPPY Advisory Board means a citizen board appointed
21 through the Head Start and Home Instruction Progress for Preschool Youngsters
22 (HIPPY) Regional Technical Assistance and Training Center to develop public
23 awareness, to promote program expansion and encourage local development of
24 HIPPY programs and to provide consultation and guidance to the HIPPY Regional
25 Technical Assistance and Training Center;

26 (5) Cradle Care Program means the Cradle Care Food Program, Inc.
27 evaluated by the University of Arkansas as, holding the possibility of
28 raising substantially the general and scientific levels of knowledge of our
29 future citizens, assuring a more competitive American in tomorrow_s global
30 economy.;

31 (6) Child Care Facilities mean any child care facility licensed by
32 the Arkansas Department of Human Services pursuant to Arkansas Code 20-78-210,
33 et seq.;

34 (7) Cradle Care Steering Committee means a citizen board appointed by
35 Cradle Care Food Program, Inc. to develop public awareness, to promote program

1 expansion and encourage local development of Cradle Care programs and to
2 provide consultation and oversight guidance to the Cradle Care Program."

3

4 SECTION 3. Arkansas Code §6-45-105 is amended to read as follows:

5 "6-45-105. Establishment of the Arkansas Better Chance Program. The
6 department shall establish the Arkansas Better Chance Program to assist in the
7 establishment and funding of the appropriate early childhood programs for
8 children ages three through five (3-5). Beginning with the 1991-92 school
9 year, the department shall award grants or contracts to appropriate early
10 childhood programs selected by the department in accordance with specified
11 programmatic standards. These standards will be developed by the department,
12 with the advice and assistance of the Arkansas Early Childhood Commission.
13 Standards for funding Head Start and Home Instruction Program for Preschool
14 Youngsters (HIPPY) programs will be developed in conjunction with the Arkansas
15 HIPPY Advisory Board. Standards for funding Cradle Care programs will be
16 developed in conjunction with the Cradle Care Steering Committee. The
17 programmatic standards and other rules and regulations necessary for the
18 implementation of this program shall be adopted by the State Board of
19 Education in accordance with the provisions of the Arkansas Administrative
20 Procedures Act, § 25-15-201 et seq."

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22 SECTION 4. Arkansas Code §6-45-106 is hereby amended to read as
23 follows:

24 "6-45-106. Application process - Allocation of funding.

25 (a) Any not-for-profit, nonsectarian, or, for profit Child Care
26 Facility sponsored by a not-for-profit, nonsectarian early childhood program
27 may apply for funding. Local school districts may apply for funding to
28 operate early childhood programs, not including public school kindergarten,
29 but an appropriate early childhood program need not be affiliated with a
30 school district in order to receive funding. A local-to-state match will be
31 required in the ratio of forty-sixty (40-60). Local match may consist of cash
32 or appropriate in-kind services.

33 (b) To be considered, an application must contain all information
34 required by the department's regulatory guidelines.

35 (c) The department, with the advice of the commission, shall fund those

1 applications which comply with the programmatic standards and other relevant
2 criteria. If the department receives more applications that qualify for
3 funding than can be fully funded with the funds available for this program,
4 the department, after seeking the advice of the commission, shall determine
5 whether to prorate the available funds among all qualified applications or to
6 allocate the available funds among less than all applications which qualify
7 for funding.

8 (d) In allocating funding, priority consideration shall be given to
9 programs which have demonstrated their capacity to identify and serve young
10 children ages three through five (3-5) whose family circumstances suggest
11 significant educational deprivation."
12

13 SECTION 5. Arkansas Code Title 6 chapter 45 is amended by adding the
14 following section:

15 "6-45-109. The department shall establish and publish grievance
16 procedures in accordance with the Arkansas Administrative Procedures Act and
17 the Federal Administrative Procedure Act governing the application and funding
18 procedures of the ABC program."
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20 SECTION 6. All provisions of this act of a general and permanent nature
21 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
22 Revision Commission shall incorporate the same in the Code.
23

24 SECTION 7. If any provision of this act or the application thereof to
25 any person or circumstance is held invalid, such invalidity shall not affect
26 other provisions or applications of the act which can be given effect without
27 the invalid provision or application, and to this end the provisions of this
28 act are declared to be severable.
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30 SECTION 8. All laws and parts of laws in conflict with this act are
31 hereby repealed.
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