

1 State of Arkansas  
2 90th General Assembly  
3 Regular Session, 2015  
4

# A Bill

HOUSE BILL 1255

5 By: Representatives Broadaway, C. Armstrong, E. Armstrong, Baine, Baltz, Bennett, Branscum, Cozart,  
6 D. Ferguson, Gossage, M.J. Gray, Harris, Hickerson, Hillman, M. Hodges, Holcomb, House, Jean, Jett,  
7 Lampkin, Leding, Magie, G. McGill, Murdock, Ratliff, Richey, Sabin, Scott, Tucker, Walker, D.  
8 Whitaker

## For An Act To Be Entitled

9  
10 AN ACT TO ESTABLISH THE BUILDING BETTER FUTURES  
11 PROGRAM; AND FOR OTHER PURPOSES.  
12  
13

## Subtitle

14  
15 TO ESTABLISH THE BUILDING BETTER FUTURES  
16 PROGRAM.  
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19  
20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. Arkansas Code Title 6, Chapter 41, is amended to add an  
23 additional subchapter to read as follows:  
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### Subchapter 7 – Building Better Futures Program

#### 6-41-701. Program established – Purpose.

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28 (a) The Building Better Futures Program is established.

29 (b) The purpose of the program is to allow students with intellectual  
30 disabilities to broaden their career opportunities through education and job  
31 training in an inclusive and age-appropriate environment.  
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#### 6-41-702. Definitions.

33 As used in this subchapter:

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35 (1) “Approved institution” means a public or private nonprofit  
36 institution of higher education located in Arkansas that:



1 (A) Is accredited by the Higher Learning Commission of the  
 2 North Central Association of Colleges and Schools; and

3 (B) Is approved or seeking approval by the United States  
 4 Department of Education as comprehensive transition and postsecondary  
 5 program;

6 (2)(A) "Arkansas resident" means a recipient or a recipient's  
 7 parent or guardian who is domiciled in Arkansas for at least twelve (12)  
 8 months before applying for the Building Better Futures Program.

9 (B) A recipient or a recipient's parent or guardian may be  
 10 asked to provide proof of domicile as evidenced by one (1) of the following:

11 (i) Information from the Free Application for  
 12 Federal Student Assistance;

13 (ii) Valid Arkansas driver's license;

14 (iii) Documentation of current payment for personal  
 15 or real property taxes for the previous year;

16 (iv) Current vehicle registration;

17 (v) Current voter registration; or

18 (iv) Other forms that establish residency;

19 (3)(A) "Citizen" means a person who is a United States citizen  
 20 or lawful permanent resident.

21 (B) If the person is a lawful permanent resident, he or  
 22 she shall submit a copy of the lawful permanent resident form when submitting  
 23 an application to the Building Better Futures Program;

24 (4) "Eligible student" means a person who satisfies the criteria  
 25 established in this subchapter;

26 (5) "Intellectual disability" means a condition characterized by  
 27 significant limitations in both intellectual functioning and in adaptive  
 28 behavior:

29 (A) As defined by the Diagnostic and Statistical Manual of  
 30 Mental Disorders published by the American Psychiatric Association; and

31 (B) Diagnosed by a physician, psychologist, or other  
 32 individuals qualified by license or statute to diagnose.; and

33 (6) "Selective admission" means acceptance into the Building  
 34 Better Futures Program is based on specific criteria that are used by each  
 35 approved institution for its program.

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1           6-41-703. Eligibility.

2           To be eligible for selective admission into a Building Better Futures  
 3 Program, a student shall:

4                   (1) Be a citizen;

5                   (2)(A) Be an Arkansas resident.

6                           (B) A nonresident may be eligible for the Building Better  
 7 Futures Program if there are openings available after all Arkansas residents  
 8 are admitted;

9                   (3) Be selected for admission by an approved institution into  
 10 the institution's comprehensive transition and postsecondary program or a  
 11 program in the process of becoming a comprehensive transition and  
 12 postsecondary program;

13                   (4) Have an intellectual disability;

14                   (5) Be able and willing to learn and participate in an inclusive  
 15 classroom and work setting; and

16                   (6) Not be a danger to themselves or others, as determined by  
 17 the accepting institution of higher education.

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 19           6-41-704. Program information.

20           A Building Better Futures Program implemented by an approved  
 21 institution shall:

22                   (1) Have a selective admission process for students with  
 23 documented intellectual disabilities;

24                   (2) Be exempt from the higher education state minimum core  
 25 curriculum as determined by the Arkansas Higher Education Coordinating Board  
 26 under § 6-61-218;

27                   (3) Be exempt from program review by the board under §§ 6-61-207  
 28 and 6-61-208;

29                   (4) Be part of a comprehensive transition and postsecondary  
 30 program approved by the United States Department of Education within three  
 31 (3) years of establishing the Building Better Futures Program at the approved  
 32 institution;

33                   (5) Allow a certificate to be awarded to a student who  
 34 successfully completes the Building Better Futures Program; and

35                   (6) Not permit hours completed in the Building Better Futures  
 36 program to be transferred towards credit for an associate or baccalaureate

1 degree program.

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3 6-41-705. Responsibilities.

4 (a)(1) An institution of higher education that wishes to establish a  
5 Building Better Futures Program on campus shall seek recognition as a  
6 comprehensive transition and postsecondary program by the United States  
7 Department of Education.

8 (2) Only approved institutions are eligible for funding for the  
9 Building Better Futures Program if funding is available.

10 (b) The Department of Higher Education shall provide information  
11 statewide, including to each secondary school in the state, on the options  
12 for postsecondary education for students with intellectual disabilities.

13 (c) A variety of sources may be used to support the Building Better  
14 Futures Program, including the costs associated with tuition and support  
15 services.

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17 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the  
18 General Assembly of the State of Arkansas that the Building Better Futures  
19 Program will be established by the 2015-2016 school year; that immediate  
20 adoption is essential to ensure that eligible students are aware of the  
21 program and have the information necessary to apply; and that this act is  
22 immediately necessary to allow the Department of Higher Education time to  
23 implement the program and disseminate information to potentially eligible  
24 students. Therefore, an emergency is declared to exist, and this act being  
25 immediately necessary for the preservation of the public peace, health, and  
26 safety shall become effective on:

27 (1) The date of its approval by the Governor;

28 (2) If the bill is neither approved nor vetoed by the Governor,  
29 the expiration of the period of time during which the Governor may veto the  
30 bill; or

31 (3) If the bill is vetoed by the Governor and the veto is  
32 overridden, the date the last house overrides the veto.

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35 **APPROVED: 03/16/2015**