

1 State of Arkansas  
2 88th General Assembly  
3 Regular Session, 2011

# A Bill

HOUSE BILL 1861

4  
5 By: Representatives Mayberry, D. Meeks  
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## For An Act To Be Entitled

8 AN ACT TO AMEND THE MEMBERSHIP AND DUTIES OF THE  
9 ARKANSAS ADVISORY COUNCIL FOR THE EDUCATION OF  
10 CHILDREN WITH DISABILITIES; AND FOR OTHER PURPOSES.  
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## Subtitle

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14 TO AMEND THE MEMBERSHIP AND DUTIES OF THE  
15 ARKANSAS ADVISORY COUNCIL FOR THE  
16 EDUCATION OF CHILDREN WITH DISABILITIES.  
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 SECTION 1. Arkansas Code § 6-41-211 is amended to read as follows:  
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23 6-41-211. Advisory Council for the Education of Children with  
24 Disabilities.

25 (a)(1) There ~~shall be an~~ is created the Advisory Council for the  
26 Education of Children with Disabilities, ~~which that~~ shall advise and consult  
27 with the Commissioner of Education and the Associate Director of the Special  
28 Education Section of the Department of Education and ~~which that~~ shall engage  
29 in such other activities as are set forth in the other duties and  
30 responsibilities provided under this section.

31 (2) The advisory council shall be advisory only and shall  
32 have no administrative responsibility or authority.

33 (b)(1) The advisory council shall be composed of nineteen (19) or more  
34 individuals involved in, or concerned with, the education of children with  
35 disabilities, ~~including~~ as provided under this subsection.

36 (2)(A) A majority of the members of the council shall be either:





1           ~~(2) A majority of the members of the panel shall be individuals~~  
 2 ~~with disabilities or parents of persons from birth to twenty-six (26) years~~  
 3 ~~of age with disabilities.~~

4           (c)(1) The commissioner shall appoint the members of the advisory  
 5 council for three-year terms.

6           (2) Appointees may be ~~eligible for reappointment for~~ reappointed  
 7 to only one (1) term.

8           (3) A member appointed to the advisory council before the  
 9 effective date of this act may serve until the date the member's term year  
 10 ends in 2011, after which time a member shall be appointed to complete the  
 11 remainder of the member's term as provided under subsection (d) of this  
 12 section.

13           (4) A member appointed to the majority under subdivision (b)(2)  
 14 of this section and who subsequently meets the qualifications of a member of  
 15 the minority under subdivision (b)(3) of this section is disqualified, and  
 16 his or her term shall immediately expire.

17           (d) Vacancies ~~which~~ that leave unexpired terms shall be filled in the  
 18 regular manner for the unexpired period of time, and vacancies as a result of  
 19 expiration of terms shall be filled in the regular manner for three-year  
 20 periods.

21           (e) The advisory council shall elect annually its own chair and vice  
 22 chair.

23           (f)(1) The associate director:

24                   (A) ~~shall~~ Shall meet with the advisory council; and

25                   (B) Except as provided under subdivision (f)(2) of this  
 26 section, may act as secretary to the advisory council; and,

27                   (C) ~~subject~~ Subject to the availability of personnel,  
 28 facilities, and appropriations, shall furnish meeting facilities and staff  
 29 services for the advisory council.

30           (2) By a majority vote, the advisory council may choose one of  
 31 its own members to act as secretary.

32           (g)(1)(A) The secretary of the advisory council shall advise members  
 33 at least one (1) time each year of the time, date, and location of the  
 34 meetings of the advisory council.

35                   (B) After three (3) absences, a member's position is  
 36 declared vacant and shall be filled by the next meeting of the advisory

1 council.

2 (2) The advisory council shall comply with the requirements of §  
 3 25-15-219 by posting notice of its meetings on the web page of the Special  
 4 Education Section of the Department of Education's website.

5 ~~(g)~~(h) The advisory council shall:

6 (1)(A)(i) Advise Make an annual report to the Department of  
 7 Education to advise the department of unmet needs within the state in the  
 8 education of children with disabilities.

9 (ii) The department shall make the annual report  
 10 available on the web page of the Special Education Section of the  
 11 department's website so that the general public may be informed regarding  
 12 educational programs for children with disabilities.

13 (B) The advisory council shall use the resources and  
 14 cooperation of the department's Special Education Section as available.

15 (C)(i) Funds for the publication of the annual report of  
 16 the advisory council shall be made available by the department from its  
 17 regular appropriations.

18 (ii) Available federal and state funds may be used  
 19 for this purpose;

20 (2) Comment publicly on any rules or regulations proposed by the  
 21 state regarding the education of children with disabilities;

22 (3) Advise the department in developing evaluations and  
 23 reporting on data to the Secretary of Education under 20 U.S.C. § 1418;

24 (4) Advise the department in developing corrective action plans  
 25 to address findings identified in federal monitoring reports under Title 20,  
 26 Chapter 33, Subchapter II of the United States Code; and

27 (5) Advise the department in developing and implementing  
 28 policies relating to the coordination of services for children with  
 29 disabilities.

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