

ARKANSAS SENATE
87th General Assembly - Regular Session, 2009
Amendment Form

Subtitle of Senate Bill No. 238

"TO ENSURE STUDENTS CATEGORIZED WITH BEHAVIORIAL DISABILITIES IN
OTHER STATES ARE PROMPTLY AND ADEQUATELY PLACED IN THE ARKANSAS
PUBLIC SCHOOL SYSTEM."

Amendment No. 1 to Senate Bill No. 238.

Amend Senate Bill No. 238 as originally introduced:

Page 1, delete lines 33 through 36, and substitute the following language

"(b) The Arkansas public school district shall conduct an evaluation of the child consistent with federal and state rules to determine the appropriate special education disability category recognized in this state, if any.

(c)(1) If a child with a disability, who had an individualized education program that was in effect in a previous public agency in another state, transfers to a public agency in this state, and enrolls in a new school within the same school year, the new public agency, in consultation with the parents, must provide the child with free appropriate public education including services comparable to those described in the child's individualized education program from the previous public agency until such time as the new public agency:

(A) Conducts an evaluation pursuant to 34 C.F.R. § 300.304 through 34 C.F.R. § 300.306, if determined to be necessary by the new public agency; and

(B) Develops, adopts, and implements a new individualized education program if appropriate, that meets the applicable requirements in 34 C.F.R. § 300.320 through 34 C.F.R. § 300.324.

(2) If the child's behavior results in an out-of-school suspension of ten (10) or more consecutive or nonconsecutive days or an expulsion during the period of time the child receives special education services under the disability category of behavioral disability, the child's individualized education program team shall meet to review the child's individualized education program, including the behavioral needs of the child and the current placement of the child, consistent with federal and state rules dealing with special education and related services."

AND



page 2, delete lines 1 through 8,

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator Laverty

SAG/LNS - 02-10-2009 14:16

SAG076

Secretary

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator Laverty

SAG/LNS - 02-10-2009 14:18

SAG076

Secretary