1	INTERIM STUDY PROPOSAL 2015-059
2	State of Arkansas As Engrossed: \$3/5/15
3	90th General Assembly A B1II
4	Regular Session, 2015SENATE BILL 484
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6	By: Senators S. Flowers, Irvin, B. Sample
7	Filed with: Senate Committee on Judiciary
8	pursuant to A.C.A. §10-3-217.
9	For An Act To Be Entitled
10	AN ACT TO AMEND THE LAW CONCERNING THE DISPOSITION OF
11	A FAMILY IN NEED OF SERVICES CASE; TO AMEND THE LAW
12	CONCERNING THE CONTENTS OF A FAMILY IN NEED OF
13	SERVICES PETITION; AND FOR OTHER PURPOSES.
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16	Subtitle
17	TO AMEND THE LAW CONCERNING THE
18	DISPOSITION OF A FAMILY IN NEED OF
19	SERVICES CASE; AND TO AMEND THE LAW
20	CONCERNING THE CONTENTS OF A FAMILY IN
21	NEED OF SERVICES PETITION.
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24	BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26	SECTION 1. Arkansas Code § 9-27-311(d), concerning the contents of a
27	petition in a juvenile case, is amended to add an additional subdivision to
28	read as follows:
29	(3) If a person employed by a school, school district, or an
30	equivalent entity contacts law enforcement or provides information on which a
31	petition for a family in need of services is filed, the petition for the
32	family in need of services shall also include the following information or
33	the petition shall be dismissed:
34	(A) A copy of the evaluation of the juvenile named in the
35	petition that is conducted under 34 CFR §§ 300.304 through 300.311;

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strategies used by the school when it was gathering the relevant functional, developmental, and academic information about the juvenile named in the petition; (C)(i) The date of the meeting with the parents, guardians or custodians of the juvenile named in the petition and the qualified professionals present at the meeting. a (ii) A document that contains the names, titles, and a brief description of each of the qualified professionals who attended the meeting; (D) The expenses paid by the school for a medical diagnosis is a diagnosis is required for the purpose of determining whether a juvenile has a particular disability; and (E)(1) The determination made by the school on whether the juvenile is a juvenile with a disability and supporting documentation for the determination. (ii) If the school determined the juvenile has a disability: (iii) If the school determined the juvenile has a disability: (iii) If mental health services are needed by the juvenile, a statement of whether those related services are needed by the juvenile, a statement of whether those related services are provided at no cost to the parents, guardians, or custodians as mandated by 34 CFR §§ 300.101 and 300.17; and (c) Whether an agreement was reached between the relevant members of the professionals participating in the juvenile's Individualized Education Program and the parents, guardians, or custodians concerning whether the juvenile's behavior at school was a manifestation of the juvenile's disability.	1	(B) A summary of the variety of assessment tools and
4 petition; 5 (C)(i) The date of the meeting with the parents, guardians 6 or custodians of the juvenile named in the petition and the qualified 7 professionals present at the meeting. 8 (ii) A document that contains the names, titles, and 9 a brief description of each of the qualified professionals who attended the 9 meeting; 11 (D) The expenses paid by the school for a medical 12 diagnosis if a diagnosis is required for the purpose of determining whether a 13 juvenile has a particular disability; and 14 (E)(i) The determination made by the school on whether the 15 juvenile is a juvenile with a disability and supporting documentation for the 16 determination. 17 (ii) If the school determined the juvenile has a 18 disability: 19 (a) A copy of the Individualized Education 10 Forgram for the juvenile as required under the Individuals with Disabilities 16 Education Act, 20 U.S.C. § 1400 et seq., including the special education, 17 (b) If mental health services are needed by 15 the juvenile, a statement of whether those related services are provided at	2	strategies used by the school when it was gathering the relevant functional,
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35 family in need of services case, is amended to add an additional subsection	34	SECTION 2. Arkansas Code § 9-27-332, concerning the disposition of a
	35	family in need of services case, is amended to add an additional subsection

36 to read as follows:

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1	(c) If the juvenile has been determined to have a disability, and the
2	petition was filed by a person employed in a school, school district, or the
3	equivalent thereof, the court shall ensure compliance by the school with the
4	Individuals with Disabilities Education Act, 20 U.S.C. § 1400 et seq. and
5	Free Appropriate Public Education Act, under § 504 of the Rehabilitation Act
6	<u>of 1973.</u>
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8	/s/S. Flowers
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11	Referred by the Arkansas Senate
12	Prepared by: VJF
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