

1 INTERIM STUDY PROPOSAL 2015-059

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

*As Engrossed: S3/5/15*  
**A Bill**

SENATE BILL 484

5  
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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15  
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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23  
24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

25  
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;

1                   (B) A summary of the variety of assessment tools and  
2 strategies used by the school when it was gathering the relevant functional,  
3 developmental, and academic information about the juvenile named in the  
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  
10 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  
20 Program for the juvenile as required under the Individuals with Disabilities  
21 Education Act, 20 U.S.C. § 1400 et seq., including the special education,  
22 related services, supplementary aids, and services to be provided to or on  
23 behalf of the juvenile;

24                           (b) If mental health services are needed by  
25 the juvenile, a statement of whether those related services are provided at  
26 no cost to the parents, guardians, or custodians as mandated by 34 CFR §§  
27 300.101 and 300.17; and

28                           (c) Whether an agreement was reached between  
29 the relevant members of the professionals participating in the juvenile's  
30 Individualized Education Program and the parents, guardians, or custodians  
31 concerning whether the juvenile's behavior at school was a manifestation of  
32 the juvenile's disability.

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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:

