1	State of Arkansas	A Bill	
2	88th General Assembly	A DIII	
3	Regular Session, 2011		HOUSE BILL 1861
4			
5	By: Representatives Mayberry	, D. Meeks	
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7		For An Act To Be Entitled	
8		AMEND THE MEMBERSHIP AND DUTIES OF	
9		OVISORY COUNCIL FOR THE EDUCATION O	
10	CHILDREN WI	ITH DISABILITIES; AND FOR OTHER PUR	POSES.
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12			
13		Subtitle	
14	-	END THE MEMBERSHIP AND DUTIES OF TH	HE
15		SAS ADVISORY COUNCIL FOR THE	
16	EDUCA	TION OF CHILDREN WITH DISABILITIES.	•
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19	BE IT ENACTED BY THE G	ENERAL ASSEMBLY OF THE STATE OF ARK	ANSAS:
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21	SECTION 1. Arkar	nsas Code § 6-41-211 is amended to	read as follows:
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23	6-41-211. Advisor	ry Council for the Education of Chi	ldren with
24	Disabilities.		
25	(a)(l) There <del>sha</del>	<del>all be an</del> <u>is created the</u> Advisory C	Council for the
26	Education of Children w	with Disabilities <del>, which</del> <u>that</u> shall	. advise and consult
27	with the Commissioner of	of Education and the Associate Dire	ector of the Special
28	Education Section of th	ne Department of Education and <del>whic</del>	<del>h</del> <u>that</u> shall <u>engage</u>
29	<u>in</u> such other activition	<del>es as are set forth in</del> <u>the other du</u>	<u>ities and</u>
30	<u>responsibilities</u> provid	<u>led under</u> this section.	
31	(2)	The advisory council shall be advi	sory only and shall.
32	have no administrative	responsibility or authority.	
33	(b)(l) The advis	sory council shall be composed of <u>n</u>	<u>ineteen (19) or more</u>
34	individuals involved in	n, or concerned with, the education	of children with
35	disabilities <del>, includin</del> ą	g as provided under this subsection	<u>1.</u>
36	<u>(2)(A)</u> A n	najority of the members of the coun	icil shall be either:



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1	(A)(i) Parents of persons from birth to twenty-six		
2	(26) years of age with disabilities; <u>or</u>		
3	(B)(ii) Individuals with disabilities;.		
4	(B) A member appointed under subdivisions (b)(2)(A) of		
5	this section shall not:		
6	(i) Meet any of the qualifications under subdivision		
7	(b)(3) of this section;		
8	(ii) Be a member of a school district board of		
9	directors; or		
10	(iii) Receive fifty percent (50%) or more of earned		
11	income as an employee of:		
12	(a) A school district; or		
13	(b) The government of this state; and		
14	(3) The minority of the members of the advisory council shall be		
15	composed of one (1) or more persons from each of the following groups:		
16	(C)(A) Teachers <u>employed by this state or one (1) of its</u>		
17	subdivisions, including without limitation school districts;		
18	(D)(B) Representatives of institutions of higher education		
19	that prepare special education and related services personnel;		
20	(E)(C) State and local education officials, including officials		
21	who carry out activities under subtitle B of title VII of the McKinney-Vento		
22	Homeless Assistance Act, 42 U.S.C. § 11431 et seq.;		
23	(F) (D) Administrators of programs for children with		
24	disabilities;		
25	(G)(E) Representatives of other state agencies involved in		
26	the financing or delivery of related services to children with disabilities;		
27	(H)(F) Representatives of private schools and public		
28	charter schools;		
29	(I)(G) Not fewer than one (1) representative		
30	Representatives of a vocational, community, or business organization		
31	organizations concerned with the provision of transitional services to		
32	children with disabilities;		
33	(J)(H) Representatives from the state juvenile and adult		
34	corrections agencies; and		
35	<del>(K)<u>(</u>I) A representative</del> <u>Representatives</u> from the Arkansas		
36	child welfare agency responsible for foster care.		

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 <del>eligible for reappointment for</del> <u>reappointed</u>		
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) <u>(1)</u> The associate director <u>:</u>		
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)(l)(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		

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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) <u>(A)(i)</u> 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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