

State of Arkansas

77th General Assembly

Regular Session, 1989

A Bill

HOUSE BILL

1930

By: Representative Mahony

For An Act To Be Entitled

"AN ACT TO PROVIDE AN INCENTIVE FOR REDUCING
OVERREPRESENTATION OF MINORITY STUDENTS IN SPECIAL
EDUCATION; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. (a) The Arkansas Department of Education (ADE) is hereby granted express authority to provide a financial incentive to local school districts which have an overrepresentation of minority students in special education programs, as determined by the ADE, Special Education Section, during 1988-89, to reduce the overrepresentation of minority students in special education.

(1) Such reduction must be in keeping with state and federal procedural safeguards protecting the rights of suspected or identified handicapped students.

(2) Such financial incentives are available only to districts in which the overrepresentation exceeds the percentage of minority students in the general school population of that district plus the standard deviation of the differences in the minority representation in the general school population and the minority representation in special education, as calculated by the Arkansas Department of Education, Special Education Section.

(3) Districts shall not establish quotas for identification of special education students, but shall continue to identify and serve eligible handicapped students in conformance with state and federal laws and regulations.

(b) The ADE is expressly authorized to accomplish this incentive by "freezing" the state Special Education add-on weights for minority students of qualifying districts at the 1988-89 level for a period of three (3) years through the 1991-92 school year.

(c) Qualifying districts shall use state funds, equal to the amount of add-on weights which would have been generated by minority students who were identified and served in special education programs prior to school year 1989-90 and were removed from special education programs after the 1988-89 school year, to provide transitional educational services to the aforementioned minority students. Local district plans for providing transitional educational services must be approved by the Arkansas Department of Education.

(d) This incentive program shall be implemented in accordance with accounting procedures established by the Special Education Section of the Arkansas Department of Education. The Arkansas Department of Education shall establish additional rules and regulations necessary to implement these provisions.

SECTION 2. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 3. All laws and parts of laws in conflict with this act are hereby repealed.