

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

*As Engrossed: S3/5/15*

# A Bill

SENATE BILL 484

5 By: Senators S. Flowers, *Irvin, B. Sample*  
6

## For An Act To Be Entitled

8 AN ACT TO AMEND THE LAW CONCERNING THE DISPOSITION OF  
9 A FAMILY IN NEED OF SERVICES CASE; TO AMEND THE LAW  
10 CONCERNING THE CONTENTS OF A FAMILY IN NEED OF  
11 SERVICES PETITION; AND FOR OTHER PURPOSES.  
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### Subtitle

14 TO AMEND THE LAW CONCERNING THE  
15 DISPOSITION OF A FAMILY IN NEED OF  
16 SERVICES CASE; AND TO AMEND THE LAW  
17 CONCERNING THE CONTENTS OF A FAMILY IN  
18 NEED OF SERVICES PETITION.  
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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24 SECTION 1. Arkansas Code § 9-27-311(d), concerning the contents of a  
25 petition in a juvenile case, is amended to add an additional subdivision to  
26 read as follows:

27 (3) If a person employed by a school, school district, or an  
28 equivalent entity contacts law enforcement or provides information on which a  
29 petition for a family in need of services is filed, the petition for the  
30 family in need of services shall also include the following information or  
31 the petition shall be dismissed:

32 (A) A copy of the evaluation of the juvenile named in the  
33 petition that is conducted under 34 CFR §§ 300.304 through 300.311;

34 (B) A summary of the variety of assessment tools and  
35 strategies used by the school when it was gathering the relevant functional,  
36 developmental, and academic information about the juvenile named in the



1 petition;

2 (C)(i) The date of the meeting with the parents, guardians  
3 or custodians of the juvenile named in the petition and the qualified  
4 professionals present at the meeting.

5 (ii) A document that contains the names, titles, and  
6 a brief description of each of the qualified professionals who attended the  
7 meeting;

8 (D) The expenses paid by the school for a medical  
9 diagnosis if a diagnosis is required for the purpose of determining whether a  
10 juvenile has a particular disability; and

11 (E)(i) The determination made by the school on whether the  
12 juvenile is a juvenile with a disability and supporting documentation for the  
13 determination.

14 (ii) If the school determined the juvenile has a  
15 disability:

16 (a) A copy of the Individualized Education  
17 Program for the juvenile as required under the Individuals with Disabilities  
18 Education Act, 20 U.S.C. § 1400 et seq., including the special education,  
19 related services, supplementary aids, and services to be provided to or on  
20 behalf of the juvenile;

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

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

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31 SECTION 2. Arkansas Code § 9-27-332, concerning the disposition of a  
32 family in need of services case, is amended to add an additional subsection  
33 to read as follows:

34 (c) If the juvenile has been determined to have a disability, and the  
35 petition was filed by a person employed in a school, school district, or the  
36 equivalent thereof, the court shall ensure compliance by the school with the

1 Individuals with Disabilities Education Act, 20 U.S.C. § 1400 et seq. and  
2 Free Appropriate Public Education Act, under § 504 of the Rehabilitation Act  
3 of 1973.

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*/s/S. Flowers*