

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

A Bill

HOUSE BILL 1256

5 By: Representatives Broadaway, C. Armstrong, E. Armstrong, Baine, Baltz, Bennett, Branscum, Cozart,
6 D. Ferguson, Gossage, M.J. Gray, Harris, Hickerson, Hillman, M. Hodges, Holcomb, House, Jean, Jett,
7 Lampkin, Leding, Magie, G. McGill, Murdock, Ratliff, Richey, Sabin, Scott, Tucker, Walker, D.
8 Whitaker

For An Act To Be Entitled

11 AN ACT TO ESTABLISH THE BUILDING BETTER FUTURES HIGH
12 SCHOOL PROGRAM; AND FOR OTHER PURPOSES.

Subtitle

16 TO ESTABLISH THE BUILDING BETTER FUTURES
17 HIGH SCHOOL PROGRAM.

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19
20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

21
22 SECTION 1. Arkansas Code Title 6, Chapter 41, is amended to add an
23 additional subchapter to read as follows:

24
25 Subchapter 7 – Building Better Futures High School Program.

26
27 6-41-701. Program established – Purpose.

28 (a) There is established a Building Better Futures High School
29 Program.

30 (b) The purpose of the program is to allow students with intellectual
31 disabilities to broaden their career opportunities in an inclusive and age-
32 appropriate environment while completing the additional years of high school
33 as allowed by law.

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35 6-41-702. Definitions.

36 As used in this subchapter:



1 (1) "Approved institution" means a public or private nonprofit
2 institution of higher education located in Arkansas that:

3 (A) Is accredited by the Higher Learning Commission of the
4 North Central Association of Colleges and Schools; and

5 (B) Is approved or seeking approval by the United States
6 Department of Education as a comprehensive transition and postsecondary
7 program;

8 (2)(A) "Arkansas resident" means a recipient or a recipient's
9 parent or guardian who is domiciled in Arkansas for at least twelve (12)
10 months before applying for the Building Better Futures High School Program.

11 (B) A recipient or a recipient's parent or guardian may be
12 asked to provide proof of domicile as evidenced by one (1) of the following:

13 (i) Information from the Free Application for
14 Federal Student Assistance;

15 (ii) Valid Arkansas driver's license;

16 (iii) Documentation of current payment for personal
17 or real property taxes for the previous year;

18 (iv) Current vehicle registration;

19 (v) Current voter registration; or

20 (iv) Other forms that establish residency;

21 (3) "Eligible student" means a person who satisfies the criteria
22 established in this subchapter;

23 (4) "Home school" means an educational program provided by the
24 student's parent or guardian as permitted under §6-15-501 et seq.;

25 (5) "Home schooled student" means a student educated in a school
26 provided by a parent or legal guardian for his or her own child;

27 (5) "Intellectual disability" means a condition characterized by
28 significant limitations in both intellectual functioning and in adaptive
29 behavior:

30 (A) As defined by the Diagnostic and Statistical Manual of
31 Mental Disorders published by the American Psychiatric Association; and

32 (B) Diagnosed by a physician, psychologist, or other
33 individuals qualified by license or statute to diagnose.; and

34 (7) "Selective admission" means acceptance into the program is
35 based on specific criteria that are used by each approved institution for its
36 program.

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2 6-41-703. Eligibility.

3 To be eligible for selective admission into a Building Better Futures
4 High School Program, a student shall:

5 (1) Be a current student at a public high school, private high
6 school, or home school;

7 (2)(A) Be an Arkansas resident.

8 (B) A nonresident may be eligible for the program if there
9 are openings available after all Arkansas residents are admitted;

10 (3) Not have reached the age of twenty-one (21);

11 (4) Be selected for admission by an approved institution into
12 the institution's comprehensive transition and postsecondary program or a
13 program in the process of becoming a Comprehensive Transition and
14 Postsecondary Program;

15 (5) Have an intellectual disability;

16 (6) Be able and willing to learn and participate in an inclusive
17 classroom and work setting; and

18 (7) Not be a danger to themselves or others, as determined by
19 the accepting institution of higher education.

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21 6-41-704. Program information.

22 A Building Better Futures High School Program implemented by an
23 approved institution shall:

24 (1) Have a selective admission process for students with
25 documented intellectual disabilities;

26 (2) Be exempt from the higher education state minimum core
27 curriculum as determined by the Arkansas Higher Education Coordinating Board
28 under § 6-61-218;

29 (3) Be exempt from program review by the board under §§ 6-61-207
30 and 6-61-208;

31 (4) Be part of a Comprehensive Transition and Postsecondary
32 Program approved by the United States Department of Education within three
33 (3) years of establishing the Building Better Futures High School Program at
34 the approved institution;

35 (5) Allow a certificate to be awarded to a student who
36 successfully completes the Building Better Futures High School Program; and

1 (6) Shall not permit hours completed in the Building Better
2 Futures High School Program to be transferred towards credit for an associate
3 or baccalaureate degree program.

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5 6-41-705. Responsibilities.

6 (a)(1) An institution of higher education that wishes to establish a
7 Building Better Futures High School Program on campus shall seek recognition
8 as a Comprehensive Transition and Postsecondary Program by the United States
9 Department of Education.

10 (2) Only approved institutions are eligible for funding for the
11 Building Better Futures High School Program if funding is available.

12 (b) The Department of Higher Education shall provide information on
13 the options for postsecondary education for students with intellectual
14 disabilities statewide to each secondary school in the state.

15 (c)(1) Each public high school in Arkansas shall provide the
16 information distributed by the Department of Higher Education to the parent
17 or guardian of a student with an intellectual or developmental disability
18 enrolled in the public high school.

19 (2) A public high school shall begin providing the information
20 when transition services for a student are discussed at an annual review
21 conference.

22 (d) Nothing in this subchapter relieves a school district from
23 satisfying the requirements of a student's individual educational plan.

24 (e) A public high school shall:

25 (1) Provide transportation for an eligible student to and from
26 an approved institution;

27 (2) Continue to provide activities of daily living skills to
28 eligible students at the public high school campus in addition to other
29 requirements of the student's individual educational plan; and

30 (3) Provide support staff for the Building Better Futures High
31 School Program.

32 (f) A variety of sources may be used to support the Building Better
33 Futures High School Program, including the costs associated with tuition and
34 support services.

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36 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the

1 General Assembly of the State of Arkansas that the Building Better Futures
2 High School Program will be established by the 2015-2016 school year; that
3 immediate adoption is essential to ensure that eligible students are aware of
4 the program and have the information necessary to apply; and that this act is
5 immediately necessary to allow the Department of Higher Education time to
6 implement the program and disseminate information to potentially eligible
7 students. Therefore, an emergency is declared to exist, and this act being
8 immediately necessary for the preservation of the public peace, health, and
9 safety shall become effective on:

10 (1) The date of its approval by the Governor;

11 (2) If the bill is neither approved nor vetoed by the Governor,
12 the expiration of the period of time during which the Governor may veto the
13 bill; or

14 (3) If the bill is vetoed by the Governor and the veto is
15 overridden, the date the last house overrides the veto.

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