

1 State of Arkansas  
2 85th General Assembly  
3 First Extraordinary Session, 2006  
4

Call Item 13

# A Bill

HOUSE BILL 1044

5 By: Representative Roebuck  
6  
7

## For An Act To Be Entitled

9 AN ACT TO ENSURE A GENERAL, SUITABLE, AND  
10 EFFICIENT SYSTEM OF PUBLIC EDUCATION FOR STUDENTS  
11 BY ADDRESSING ISSUES RAISED BY THE ARKANSAS  
12 SUPREME COURT; TO AMEND THE FAMILY RESOURCE  
13 CENTERS ACT, ARKANSAS CODE § 6-18-1401 ET SEQ.;  
14 TO FUND FAMILY RESOURCE CENTER PROGRAMS; AND FOR  
15 OTHER PURPOSES.

## Subtitle

16  
17  
18 TO ENSURE A GENERAL, SUITABLE, AND  
19 EFFICIENT SYSTEM OF PUBLIC EDUCATION BY  
20 AMENDING THE FAMILY RESOURCE CENTERS  
21 ACT, ARKANSAS CODE § 6-18-1401 ET SEQ.  
22  
23

24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
25

26 SECTION 1. Arkansas Code Title 6, Chapter 18, Subchapter 14 is amended  
27 to read as follows:

28 6-18-1401. Title.

29 This subchapter shall be known and may be cited as the "Family Resource  
30 Centers Act".  
31

32 6-18-1402. Definitions.

33 ~~For the purpose of~~ As used in this subchapter:

34 (1) "Board" means the State Child Abuse and Neglect Prevention  
35 Board;

36 (2) "Collaboration services" means:



- 1                   (A) Prevention services;
- 2                   (B) Psychosocial groups;
- 3                   (C) Teacher training;
- 4                   (D) Consultation for classrooms;
- 5                   (E) Support and consultation for schools and child care
- 6 programs; or
- 7                   (F) Other collaborative services deemed necessary by the
- 8 child's CASSP team to maintain the child in the child's community;

9                   ~~(2)~~(3) "Core component" means one (1) of the activities or  
 10 services for children and their families provided by a family resource center  
 11 pursuant to the school district's grant application;

12                   (4) "Emergency shelter" means a licensed, temporary, short-term  
 13 placement for a child who requires an alternative placement that is less-  
 14 than-acute hospitalization;

15                   ~~(3)~~(5) "Family resource center" means a center in or near a  
 16 priority elementary school that is administered by the State Child Abuse and  
 17 Neglect Prevention Board;

18                   (6) "Family resource center program" means a system of  
 19 delivering services for a child with emotional disturbance as defined under §  
 20 20-47-502(4); as described under § 20-47-501 et seq.; and as administered by  
 21 the Division of Behavioral Health Services of the Department of Health and  
 22 Human Services;

23                   (7) "Family support services" means:

- 24                   (A) Dwelling modifications;
- 25                   (B) Fencing;
- 26                   (C) Home alarms; or
- 27                   (D) Other services deemed necessary by the child's CASSP
- 28 team to maintain the child with his or her parent, family, or caregiver;

29                   (8) "Financial support" means expenditures for any of the  
 30 following:

- 31                   (A) Transportation;
- 32                   (B) Child care stipends;
- 33                   (C) Training;
- 34                   (D) Mentoring;
- 35                   (E) Advocacy services;
- 36                   (F) Peer counseling; or

1                    (G) Other services deemed necessary by the child’s CASSP  
2 team to:

3                    (i) Enable a parent, family, or caregiver to  
4 participate in the child’s treatment process; or

5                    (ii) Maintain the child with his or her parent,  
6 family, or caregiver;

7                    (9) “Miscellaneous wraparound services” means:

8                    (A) After school activities;

9                    (B) Tutoring;

10                   (C) Paid mentors;

11                   (D) Therapeutic supplies and services; or

12                   (E) Other interventions or accommodations deemed necessary  
13 by the child’s CASSP team to maintain the child in the child’s community and  
14 support educational programming;

15                   (10) “Mobile crisis team” means a team approved by CASSP that is  
16 able to provide necessary services where the child or family is located so  
17 that inpatient services may be kept to a minimum;

18                   ~~(4)~~(11) "National school lunch students" means those students  
19 from low socioeconomic backgrounds as indicated by eligibility for free or  
20 reduced-price meals under the National School Lunch Act as calculated on  
21 October 1 of each year and submitted to the Department of Education;

22                   ~~(5)~~(12) "Optional component" means one (1) of the activities or  
23 services for children or their families provided by a family resource center  
24 to satisfy unique community needs;

25                   ~~(6)~~(13) "Parent" means a parent, legal guardian, or person  
26 standing in loco parentis; and

27                   (14) “Parenting education” means multiple or targeted sessions  
28 that:

29                   (A) Address parenting concerns; and

30                   (B) Use efficacy-based materials;

31                   ~~(7)~~(15) "Priority elementary school" means a public school that  
32 meets the following requirements:

33                   (A) Has one (1) or more of grades kindergarten through six  
34 (K-6); and

35                   (B)(i) Has fifty percent (50%) or more of the enrolled  
36 students that are national school lunch students based on data from the 2002-

1 2003 school year; or

2 (ii) Has fifty percent (50%) or more of the students  
3 that are performing below proficient on any or all benchmark examinations  
4 based on examination results from the 2002-2003 school year;

5 (16) “Respite care” means:

6 (A) The temporary placement of a child in an approved  
7 setting for no more than five (5) days;

8 (B) Other relief provided to a parent, family, or  
9 caregiver by an approved provider for no more than six (6) hours a day; or

10 (C) Other services that are deemed necessary by the  
11 child’s CASSP team to maintain the child in the child’s community by  
12 providing relief to the parent, family, or caregiver; and

13 (17) “Substance abuse treatment” means services to address  
14 substance abuse problems.

15

16 6-18-1403. Administration.

17 (a) This Except as provided under subsection (b) of this section, this  
18 subchapter and activities related to family resource centers shall be  
19 administered by the State Child Abuse and Neglect Prevention Board, as  
20 created under § 9-30-104.

21 (b) Beginning on the effective date of this act and subject to  
22 funding, the Division of Behavioral Health Services of the Department of  
23 Health and Human Services shall administer all provisions of this chapter  
24 related to family resource center programs.

25

26 6-18-1404. Duties of the State Child Abuse and Neglect Prevention  
27 Board.

28 (a) The State Child Abuse and Neglect Prevention Board shall have the  
29 following duties, subject to funding, to:

30 (1) Determine which schools are priority elementary schools  
31 under this subchapter;

32 (2) Review grant applications and award grants to school  
33 districts for family resource centers;

34 (3)(A) Formulate and assist with the implementation plan to  
35 establish a goal of ten (10) family resource centers, subject to funding.

36 (B) The family resource centers shall be designed to meet

1 the following goals:

2 (i) Removing nonacademic barriers to student success  
3 in school;

4 (ii) Enhancing the abilities of students to succeed  
5 in school; and

6 (iii) Meeting the needs of children and their  
7 families;

8 (4) Monitor the family resource centers;

9 (5) Modify the implementation plans as necessary;

10 (6) Promulgate rules and forms for the administration of this  
11 subchapter;

12 (7) Employ administrative or training staff as needed;

13 (8) Create local advisory groups;

14 (9)(A) Provide additional resources to assist school districts  
15 in the development of methods and strategies to effectively use poverty  
16 funding that they receive more effectively.

17 (B) The resources may include the following:

18 (i) Technical assistance;

19 (ii) Organizational assistance;

20 (iii) Program assistance;

21 (iv) Professional assistance; or

22 (v) Any other assistance that is determined to be  
23 needed to help school districts overcome nonacademic barriers;

24 (10) Find alternative funding sources for the State Child Abuse  
25 and Neglect Prevention Board and the programs under this subchapter,  
26 including, but not limited to, grants or donations; and

27 (11) Perform other duties as determined by the State Child Abuse  
28 and Neglect Prevention Board.

29 (b)(1) This subchapter is the framework for schools to address student  
30 poverty issues and to remove nonacademic barriers that hinder student  
31 performance.

32 (2) A school district may fund programs or services under this  
33 subchapter with moneys received from the Department of Education Public  
34 School Fund Account or its successor fund account for poverty index funding,  
35 National School Lunch Act student funding, national school lunch students  
36 funding, or other funding for students eligible for the free or reduced-price

1 lunch program.

2 (3) The programs under this subchapter shall be included in any  
 3 list of approved programs and purposes established by rule of the Department  
 4 of Education, any successor agency of the department, or the State Board of  
 5 Education regarding the use of poverty index funding, National School Lunch  
 6 Act student funding, national school lunch students funding, or other funding  
 7 for students eligible for the free or reduced-price lunch program.

8 (4) School districts may use any available funding resources to  
 9 establish and administer family resource centers under this subchapter,  
 10 including, but not limited to, federal or state Medicaid moneys or  
 11 reimbursements.

12 (c) On or before October 1 of each year, the chair of the State Child  
 13 Abuse and Neglect Prevention Board or his or her designee shall report to the  
 14 House Interim Committee on Aging, Children and Youth, Legislative and  
 15 Military Affairs, and the Senate Interim Committee on Children and Youth  
 16 regarding the status of the development of the family resource centers and  
 17 the outcomes achieved at each operational family resource center.

18

19 6-18-1405. Purposes.

20 (a) Family resource centers shall be designed to remove nonacademic  
 21 barriers to success and to enhance the abilities of the students to succeed  
 22 in school.

23 (b) Students and families who are the most economically disadvantaged  
 24 shall have priority status for receiving services at the family resource  
 25 centers.

26 (c) Family resource centers shall work in conjunction with the parent  
 27 facilitator at the school to avoid duplication of services and to maximize  
 28 personnel and resources.

29 (d)(1) Beginning on the effective date of this act and subject to  
 30 funding, the family resource center programs under this subchapter may be  
 31 used by Division of Behavioral Health Services of the Department of Health  
 32 and Human Services to implement a system of providing school-based or other  
 33 services to children with emotional disturbances as defined under § 20-47-  
 34 502(4).

35 (2) Family resource centers under subdivision (d)(1) of this  
 36 section shall be designed to empower teachers, educators, mental health

1 professionals, parents, and children with emotional disturbances to work  
 2 collaboratively with the goal of helping children who attend public schools  
 3 to succeed in public schools by removing nonacademic barriers to the child's  
 4 success.

5  
 6 6-18-1406. Implementation plans developed by the State Child Abuse and  
 7 Neglect Prevention Board.

8 (a) The implementation plan developed by the State Child Abuse and  
 9 Neglect Prevention Board with input from the local advisory groups, the local  
 10 school district, and the priority elementary school shall include an effort  
 11 to implement a network of family resource centers across the state.

12 (b) The family resource centers shall be located in or near each  
 13 priority elementary school.

14 (c) The implementation plan shall promote identification and  
 15 coordination of existing resources, including any program that currently  
 16 exists at the school under a parental involvement plan under § 6-15-1701 et  
 17 seq.

18 (d) The implementation plan may include the following components for  
 19 each site:

20 (1)(A) Information and referral activities for off-site services  
 21 to assist participants in having their basic needs met.

22 (B) Information and referral activities that provide  
 23 participants with a point of entry to available support networks.

24 (C) Examples of off-site service referrals include, but  
 25 are not limited to, the following:

- 26 (i) Child care centers;
- 27 (ii) Health care providers;
- 28 (iii) Counseling services;
- 29 (iv) Legal aid;
- 30 (v) Food banks;
- 31 (vi) Housing and domestic violence shelters; and
- 32 (vii) Federal agencies, state agencies, or other
- 33 entities that provide benefits or services that the participants may need;

34 (2)(A) Parenting education services to promote the sharing of  
 35 information, strategies, and tools to help parents with the difficult job of  
 36 being parents.

1 (B) Examples of parenting activities include, but are not  
2 limited to, the following:

- 3 (i) Group-based parent education classes;
- 4 (ii) Providing credentialed guest speakers; or
- 5 (iii) Making materials on parenting issues available  
6 to parents through lending libraries or take-home materials;

7 (3)(A) Child development activities to strengthen the parent and  
8 child bond and to promote optimal development of a child by assisting parents  
9 in the utilization, understanding, and application of early child development  
10 activities.

11 (B) Child development activities shall emphasize child  
12 development during the earliest years, specifically zero to three (0-3) years  
13 of age.

14 (C) Child development activities shall address the  
15 following:

- 16 (i) Healthy physical development;
- 17 (ii) Cognitive development;
- 18 (iii) Social development; or
- 19 (iv) Emotional development.

20 (D) Specific strategies to promote child development  
21 within family resource centers may include the following:

- 22 (i) Referring or establishing quality child care or  
23 after-school care programs;
- 24 (ii) Providing developmental screenings;
- 25 (iii) Educating parents about developmental  
26 milestones;
- 27 (iv) Providing literacy and pre-literacy activities  
28 such as story time;
- 29 (v) Providing play groups or "make and take"  
30 activities for young children; or
- 31 (vi) Establishing toy, book, computer, or technology  
32 sharing or lending libraries.

33 (E) Child development activities may be conducted at the  
34 family resource centers through home visiting programs such as Home  
35 Instruction for Parents of Preschool Youngsters (HIPPO) or as part of Head  
36 Start;



1 (4) Life skills education to provide an opportunity for  
2 participants to strengthen skills and competencies that will help them  
3 succeed in everyday tasks to include, but not be limited to, the following:

- 4 (A) Developing and maintaining a household budget;
- 5 (B) Shopping for and preparing nutritious meals;
- 6 (C) Securing and maintaining employment;
- 7 (D) Conflict resolution skills;
- 8 (E) Goal setting;
- 9 (F) Time management;
- 10 (G) Decision making; or
- 11 (H) Stress management;

12 (5)(A) Family literacy to connect education for children with  
13 literacy instruction for their parents.

14 (B) Family literacy activities may include the following:

- 15 (i) Adult literacy instruction for parents;
- 16 (ii) General education diploma instruction for  
17 parents;
- 18 (iii) Referral to a vocational educational  
19 institution or an institution of higher education in the state;
- 20 (iv) Information provided on scholarships that might  
21 be available to the parent if the parent decides to proceed with higher  
22 education;
- 23 (v) Child literacy programs; or
- 24 (vi) Parent and child literacy activities; and

25 (6)(A) Informal network building to assist families in  
26 developing a network of mutual support, to include caring, resource sharing,  
27 emotional support, and social support.

28 (B) The informal network building program shall be  
29 designed to promote activities to help parents get to know one another, raise  
30 their social capital, and reduce their isolation.

31 (C) Examples of informal network building programs include  
32 the following:

- 33 (i) Support groups;
- 34 (ii) Social activities;
- 35 (iii) Family celebrations;
- 36 (iv) Recreational activities;

1 (v) Holiday gatherings; or

2 (vi) Newsletters.

3 (e) The State Child Abuse and Neglect Prevention Board and the local  
 4 advisory group shall agree which of the components in subsection (d) of this  
 5 section are core components or optional components based on the individual  
 6 implementation plan for each priority elementary school's family resource  
 7 center.

8 (f)(1) The State Child Abuse and Neglect Prevention Board shall  
 9 determine which schools meet the definition of priority elementary schools  
 10 under this subchapter by July 1, 2004.

11 (2) The Department of Education and the State Board of Education  
 12 shall provide all information necessary in the format necessary for the State  
 13 Child Abuse and Neglect Prevention Board to meet the deadline under this  
 14 subsection.

15 (g)(1) The State Child Abuse and Neglect Prevention Board shall select  
 16 a minimum of ten (10) eligible priority elementary schools for which an  
 17 implementation plan shall be completed, subject to funding.

18 (2) The State Child Abuse and Neglect Prevention Board shall  
 19 complete its implementation plan for a minimum of ten (10) priority  
 20 elementary schools on or before December 1, 2004, subject to funding.

21 (h) On or before August 1, 2005, family resource centers shall be  
 22 established in or adjacent to a minimum of ten (10) priority elementary  
 23 schools, subject to funding.

24  
 25 6-18-1407. Grant program administered by the State Child Abuse and  
 26 Neglect Prevention Board.

27 (a) A grant program is established to provide financial assistance to  
 28 school districts with priority elementary schools that establish family  
 29 resource centers.

30 (b) The implementation of the grant program under this section is  
 31 subject to funding.

32 (c) Local school districts shall submit to the State Child Abuse and  
 33 Neglect Prevention Board the grant applications and plans for their family  
 34 resource centers by March 1, 2005.

35 (d) Beginning July 1, 2005, the board shall award grants to school  
 36 districts that establish family resource centers at priority elementary

1 schools in their districts.

2 (e)(1) The board or its designee shall develop a grant application  
 3 process that includes the following:

- 4 (A) An application for a grant under this subchapter;
- 5 (B) Instructions about the grant process; and
- 6 (C) Scoring procedures to determine the award of the  
 7 grants.

8 (2)(A) The grant application process shall include the  
 9 preparation of a grant application package that is distributed to each  
 10 priority elementary school and the superintendent of the school district  
 11 containing each priority elementary school.

12 (B) The board shall distribute the grant application  
 13 package no later than December 15, 2004.

14 (3) The grant application process shall be straightforward and  
 15 require a minimum amount of paperwork.

16 (f) In the award of grants under this subchapter, special  
 17 consideration shall be given to the most impoverished and the lowest  
 18 performing schools.

19

20 6-18-1408. Local advisory councils for family resource centers.

21 (a) Each family resource center shall have a local advisory council  
 22 that has a central role in designing and delivering services.

23 (b) Members of the council shall be representative of the diversity of  
 24 the students in the priority elementary school that is served.

25 (c)(1) Except for the initial chair, the members shall determine  
 26 annually and by majority vote who shall serve as chair.

27 (2) The superintendent of the priority elementary school shall  
 28 appoint the initial chair for the purpose of calling the first organizational  
 29 meeting.

30 (3) The initial chair shall call an organizational meeting no  
 31 fewer than thirty (30) days after all of the members are appointed.

32 (d)(1) The council shall meet at such times and places that the chair  
 33 deems necessary, but no meetings shall be held outside of the county where  
 34 the priority elementary school is located.

35 (2) A quorum is not required for the council to transact  
 36 business.

1 (3) All actions of the council shall be by a majority vote of  
2 all members who are present.

3 (e) The local school district shall provide meeting facilities for the  
4 council.

5  
6 6-18-1409. Family resource centers administered by the by the State  
7 Child Abuse and Neglect Prevention Board.

8 (a) Each family resource center shall have the following, subject to  
9 funding:

10 (1) A full-time coordinator;

11 (2) At least fifteen (15) hours per week of social work  
12 services; and

13 (3) Sufficient staff to implement the plan submitted with the  
14 grant application.

15 (b) The services provided at the family resource centers shall take  
16 into consideration the schedule of the student and the student's family to  
17 provide discreet after-hour services where appropriate.

18 (c) The family resource centers shall work with the local advisory  
19 council to give the members notice of all activities and needs of the family  
20 resource centers.

21  
22 6-18-1410. Family resource center programs.

23 (a) The purpose of this section is to provide a framework for the  
24 Division of Behavioral Health Services of the Department of Health and Human  
25 Services in collaboration with the Child and Adolescent Service System  
26 Program to:

27 (1) Provide individualized services for children with emotional  
28 disturbance who require services from multiple agencies; and

29 (2) Ensure that sufficient flexibility exists to secure the  
30 least restrictive environment for a child with specific needs.

31 (b)(1) The Division of Behavioral Health Services of the Department of  
32 Health and Human Services shall administer, oversee, and have rule-making  
33 authority over the expenditure of funds appropriated for family resource  
34 center programs.

35 (2) The exclusive purpose of family resource center programs are  
36 to secure the following services:

- 1                   (A) Collaboration services;
- 2                   (B) Emergency shelter;
- 3                   (C) Family support services;
- 4                   (D) Financial support;
- 5                   (E) Mobile crisis teams;
- 6                   (F) Parenting education;
- 7                   (G) Respite care;
- 8                   (H) Substance abuse treatment;
- 9                   (I) Miscellaneous wraparound services; or
- 10                  (J) Any combination of the services listed under this
- 11 subsection.

12           (c) The priority population to be served under this section is a child  
 13 with emotional disturbance who requires services from multiple agencies and  
 14 who has been identified as:

- 15                   (1) Having been hospitalized;
- 16                   (2) Needing additional services to maintain the child in the
- 17 least restrictive environment;
- 18                   (3) Currently or previously in residential treatment, including,
- 19 but not limited to, commitment to the Division of Youth Services of the
- 20 Department of Health and Human Services;
- 21                   (4) Currently or previously in therapeutic foster care; or
- 22                   (5) Needing additional services to reduce the occurrence of out-
- 23 of-home placement.

24           (d) By October 1 of each year, the Division of Behavioral Health  
 25 Services of the Department of Health and Human Services shall report the  
 26 following information to the Senate Interim Committee on Education and the  
 27 House Interim Committee on Education:

- 28                   (1) Expenditures for each category of services provided under
- 29 subsection (b) of this section;
- 30                   (2) The number of children served for each category of services
- 31 provided under subsection (b) of this section; and
- 32                   (3) The geographic distribution by county for expenditures for
- 33 each category of services provided under subsection (b) of this section.

34

35           SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CHILD AND

1 ADOLESCENT SERVICE SYSTEM PROGRAM FUND TRANSFER. Immediately upon the  
 2 effective date of this act, the Chief Fiscal Officer of the State shall  
 3 transfer on his or her books and those of the State Treasurer and the Auditor  
 4 of the State the sum of two million dollars (\$2,000,000) from unobligated  
 5 funds in the General Improvement Fund to the Mental Health Services Fund  
 6 Account to provide funds for the family resource center programs created  
 7 under this Act by funding the Child and Adolescent Service System Program  
 8 appropriation provided in Act 2079 of the Regular Session of 2005 to be  
 9 expended for the services described in this act.

10  
 11 SECTION 3. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CHILD AND  
 13 ADOLESCENT SERVICE SYSTEM PROGRAM TRANSFER RESTRICTION. Notwithstanding any  
 14 law that grants transfer or reallocation of resource authority to the  
 15 Arkansas Department of Health and Human Services or any law to the contrary  
 16 of this section, the appropriation for the Child and Adolescent Service  
 17 System Program under Act 2079 of the Regular Session of 2005 that is used for  
 18 the family resource center programs created under this act shall not be  
 19 transferred or reallocated by the Arkansas Department of Health and Human  
 20 Services for any other purpose.

21  
 22 SECTION 4. EMERGENCY CLAUSE. It is found and determined by the  
 23 General Assembly of the State of Arkansas that the Arkansas Supreme Court  
 24 found that the public school funding system continues to be inadequate and  
 25 the public schools are operating under a constitutional infirmity which must  
 26 be corrected immediately; that students with emotional disturbances often  
 27 need additional, targeted services to succeed academically; and that this act  
 28 is immediately necessary to empower teachers, educators, mental health  
 29 professionals, parents, and children with emotional disturbances to work  
 30 collaboratively with the goal of helping children who attend public schools  
 31 succeed in public schools by removing nonacademic barriers to each child's  
 32 academic success. Therefore, an emergency is declared to exist and this act  
 33 being immediately necessary for the preservation of the public peace, health,  
 34 and safety shall become effective on:

- 35 (1) The date of its approval by the Governor;
- 36 (2) If the bill is neither approved nor vetoed by the Governor,

1 the expiration of the period of time during which the Governor may veto the  
2 bill; or

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

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