

State of Arkansas  
89th General Assembly  
Regular Session, 2013

# A Bill

HOUSE BILL 1788

By: Representative Alexander

## For An Act To Be Entitled

AN ACT TO ALLOW A FOSTER PARENT TO PLACE A FOSTER  
CHILD IN A NONPUBLIC SCHOOL; AND FOR OTHER PURPOSES.

### Subtitle

TO ALLOW A FOSTER PARENT TO PLACE A  
FOSTER CHILD IN A NONPUBLIC SCHOOL.

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

SECTION 1. Arkansas Code § 9-28-113(J), concerning the placement of foster children in nonpublic schools, is amended to read as follows:

(j) Notwithstanding any of the provisions of this section and subject to the order of a court having jurisdiction of the custody matter, the Department of Human Services shall allow the foster parent to place the child, if it is in the best interest of the child, a foster child may be placed in a nonpublic school, including a private, parochial, or home school if:

(1) It is in the best interest of the child;

(2) The foster parent is willing and able to assume the responsibilities of the placement; and

(3) as long as no No state or federal funding is used for the placement, except funding for education and services provided under an individualized educational program for the child under state law or the Individuals with Disabilities Education Act, 20 U.S.C. § 1400 et seq., as in effect on January 1, 2013.

