

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
90th General Assembly
Regular Session, 2015

A Bill

HOUSE BILL 1255

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

For An Act To Be Entitled

AN ACT TO ESTABLISH THE BUILDING BETTER FUTURES PROGRAM; AND FOR OTHER PURPOSES.

Subtitle

TO ESTABLISH THE BUILDING BETTER FUTURES PROGRAM.

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

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

Subchapter 7 – Building Better Futures Program

6-41-701. Program established – Purpose.

(a) The Building Better Futures Program is established.

(b) The purpose of the program is to allow students with intellectual disabilities to broaden their career opportunities through education and job training in an inclusive and age-appropriate environment.

6-41-702. Definitions.

As used in this subchapter:

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



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

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

(2)(A) “Arkansas resident” means a recipient or a recipient’s parent or guardian who is domiciled in Arkansas for at least twelve (12) months before applying for the Building Better Futures Program.

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

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

(ii) Valid Arkansas driver’s license;

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

(iv) Current vehicle registration;

(v) Current voter registration; or

(iv) Other forms that establish residency;

(3)(A) “Citizen” means a person who is a United States citizen or lawful permanent resident.

(B) If the person is a lawful permanent resident, he or she shall submit a copy of the lawful permanent resident form when submitting an application to the Building Better Futures Program;

(4) “Eligible student” means a person who satisfies the criteria established in this subchapter;

(5) “Intellectual disability” means a condition characterized by significant limitations in both intellectual functioning and in adaptive behavior:

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

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

(6) “Selective admission” means acceptance into the Building Better Futures Program is based on specific criteria that are used by each approved institution for its program.

6-41-703. Eligibility.

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

(1) Be a citizen;

(2)(A) Be an Arkansas resident.

(B) A nonresident may be eligible for the Building Better Futures Program if there are openings available after all Arkansas residents are admitted;

(3) Be selected for admission by an approved institution into the institution's comprehensive transition and postsecondary program or a program in the process of becoming a comprehensive transition and postsecondary program;

(4) Have an intellectual disability;

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

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

6-41-704. Program information.

A Building Better Futures Program implemented by an approved institution shall:

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

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

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

(4) Be part of a comprehensive transition and postsecondary program approved by the United States Department of Education within three (3) years of establishing the Building Better Futures Program at the approved institution;

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

(6) Not permit hours completed in the Building Better Futures program to be transferred towards credit for an associate or baccalaureate

degree program.

6-41-705. Responsibilities.

(a)(1) An institution of higher education that wishes to establish a Building Better Futures Program on campus shall seek recognition as a comprehensive transition and postsecondary program by the United States Department of Education.

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

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

(c) A variety of sources may be used to support the Building Better Futures Program, including the costs associated with tuition and support services.

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

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

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

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