

1 State of Arkansas  
2 89th General Assembly  
3 Regular Session, 2013  
4

# A Bill

HOUSE BILL 1788

5 By: Representative Alexander  
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## For An Act To Be Entitled

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

11 TO ALLOW A FOSTER PARENT TO PLACE A  
12 FOSTER CHILD IN A NONPUBLIC SCHOOL.  
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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19 SECTION 1. Arkansas Code § 9-28-113(J), concerning the placement of  
20 foster children in nonpublic schools, is amended to read as follows:

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

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

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

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