

Title 6. Education

Chapter I. Division of Elementary and Secondary Education

Subchapter E. Special Education

Part 130. Procedural Requirements and Program Standards

Subpart 1. Purpose and Applicability

6 CAR § 130-101. Purpose.

The purposes of this part are to:

(1) Ensure that all children with disabilities in the State of Arkansas have available to them a free appropriate public education that emphasizes special education and related services designed to meet their unique needs and prepare them for:

- (A) Further education;
- (B) Employment; and
- (C) Independent living;

(2) Ensure that the rights of children with disabilities and their parents are protected;

(3) Assist public agencies, local education agencies, and educational service agencies to provide for the education of children with disabilities in the State of Arkansas; and

(4) Assess and ensure the effectiveness of efforts to educate children with disabilities in the State of Arkansas.

6 CAR § 130-102. Applicability.

The applicability of this part to state, local, and private agencies is as follows:

(1) This part applies to all public agencies providing education to children with disabilities;

(2) For public agencies within the state, the provisions of this part:

(A) Apply to all political subdivisions of the State of Arkansas that are involved in the education of children with disabilities, including:

- (i) The state educational agency (SEA);

(ii) Local educational agencies, educational service agencies, and public charter schools that are not otherwise included as LEAs or ESAs and are not a school of an LEA or ESA;

(iii) Other state agencies and schools (such as departments of human services and health and state schools for children with deafness or children with blindness); and

(iv) State and local juvenile and adult correctional facilities; and

(B) Are binding on each public agency in the state that provides special education and related services to children with disabilities, regardless of whether that agency is receiving funds under Part B of the Individuals with Disabilities Education Act; and

(3) For private schools and facilities, each public agency in the State of Arkansas is responsible for ensuring that the rights and protections under Part B of the Individuals with Disabilities Education Act are given to children with disabilities:

(A) Referred to or placed in private schools and facilities by that public agency; or

(B) Placed in private schools by their parents under the provisions of 34 C.F.R. § 300.148 and 6 CAR § 130-1401 et seq.