

State of Arkansas  
92nd General Assembly  
Regular Session, 2019

As Engrossed: S3/14/19

# A Bill

HOUSE BILL 1467

By: Representative Lowery

## For An Act To Be Entitled

AN ACT CONCERNING THE SUCCEED SCHOLARSHIP PROGRAM; TO DEEM A STUDENT WITH AN INDIVIDUALIZED SERVICE PLAN ELIGIBLE FOR PARTICIPATION IN THE SUCCEED SCHOLARSHIP PROGRAM; AND FOR OTHER PURPOSES.

### Subtitle

TO DEEM A STUDENT WITH AN INDIVIDUALIZED SERVICE PLAN ELIGIBLE FOR PARTICIPATION IN THE SUCCEED SCHOLARSHIP PROGRAM.

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

SECTION 1. Arkansas Code § 6-41-901(b), concerning students who are eligible for the Succeed Scholarship Program, is amended to read as follows:

(b) The Succeed Scholarship Program is established and intended to provide a scholarship to a private school of choice for:

- (1) Students in foster care; or
- (2) Students with disabilities ~~that~~ who have either an

~~individualized;~~

(A) Individualized education program in accordance with the Individuals with Disabilities Education Act, 20 U.S.C. § 1400 et seq.; or

(B) Individualized service plan in accordance with the Individuals with Disabilities Education Act, 20 U.S.C. § 1412(a)(10).

SECTION 2. Arkansas Code § 6-41-902(a)(2)(B), concerning eligibility requirements for students planning to enroll in a private school with a Succeed Scholarship, is amended to read as follows:



(B) *Has an individualized education program in accordance with the Individuals with Disabilities Education Act, 20 U.S.C. § 1400 et seq., or an individualized service plan in accordance with the Individuals with Disabilities Education Act, 20 U.S.C. § 1412(a)(10);*

SECTION 3. Arkansas Code § 6-41-903(a)(2), concerning enrollment by a private school of students with disabilities in the Succeed Scholarship Program, is amended to read as follows:

(2) If the private school intends to enroll students with disabilities who have an individualized education program in accordance with the Individuals with Disabilities Education Act, 20 U.S.C. § 1400 et seq., or an individualized service plan in accordance with the Individuals with Disabilities Education Act, 20 U.S.C. § 1412(a)(10), the notice shall specify the grade levels and services that the private school has available for students with severe disabilities who are participating in the Succeed Scholarship Program.

SECTION 4. Arkansas Code § 6-41-903(d)(2), concerning the administering of nationally recognized norm-referenced tests to Succeed Scholarship Program students by an eligible private school, is amended to read as follows:

(2) A student with an individual education plan or an individualized service plan that provides for an exemption to standardized testing is not required to take the test required under subdivision (d)(1) of this section.

/s/Lowery

**APPROVED: 3/21/19**