

State of Arkansas  
93rd General Assembly  
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As Engrossed: H3/1/21

# A Bill

HOUSE BILL 1446

By: Representative Ray

By: Senator J. English

## For An Act To Be Entitled

AN ACT CONCERNING THE SUCCEED SCHOLARSHIP PROGRAM; TO MAKE CHILDREN OF MEMBERS OF THE UNIFORMED SERVICES ELIGIBLE TO RECEIVE A SCHOLARSHIP UNDER THE SUCCEED SCHOLARSHIP PROGRAM; AND FOR OTHER PURPOSES.

### Subtitle

TO MAKE CHILDREN OF MEMBERS OF THE UNIFORMED SERVICES ELIGIBLE TO RECEIVE A SCHOLARSHIP UNDER THE SUCCEED SCHOLARSHIP PROGRAM.

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

SECTION 1. Arkansas Code § 6-41-901 is amended to read as follows:

6-41-901. Definitions – Establishment – Intent.

(a) As used in this ~~section~~ subchapter:

(1) “Foster care” means the care of a child by a group home or group facility on a twenty-four-hour-a-day basis away from the home of the child’s parent or parents;

(2) “Foster parent” means the responsible official or officials of a group home or group facility that provides foster care to a *child*; ~~and~~

(3) “Member of the uniformed services” means:

(A) An active duty or reserve component member of the United States Army, United States Navy, United States Air Force, United States Marine Corps, United States Space Force, or United States Coast Guard;

(B) A member of the National Guard;



(C) A member of the National Oceanic and Atmospheric Administration Commissioned Officer Corps; or

(D) A member of the active or reserve component of the United States Commissioned Corps of the Public Health Service; and

~~(3)~~(4) "Parent" means a student's parent or foster parent.

(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 who have either an:

(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); or

(3) Students who are children of a member of the uniformed services.

SECTION 2. Arkansas Code § 6-41-902(a)(2), concerning student eligibility under the Succeed Scholarship Program, is amended to read as follows:

(2) The student:

(A) Is in foster care or has been in the foster care system and achieved permanency through adoption, reunification, or permanent guardianship;

(B) Has an individualized education program in accordance with the Individuals with Disabilities Education Act, 20 U.S.C. § 1400 et seq., or has been medically diagnosed by a licensed physician as a child with a disability under 20 U.S.C. § 1401(3)(A);

(C) Participated in the Succeed Scholarship Program during the prior school year and has not yet graduated from high school or attained twenty-one (21) years of age; ~~or~~

(D) Has an individualized service plan in accordance with the Individuals with Disabilities Education Act, 20 U.S.C. § 1412(a)(10); or

(E) Is a child of a member of the uniformed services;

SECTION 3. Arkansas Code § 6-41-902, concerning student eligibility under the Succeed Scholarship Program, is amended to add an additional

subsection to read as follows:

(e) An eligible student who is a child of a member of the uniformed services may receive a scholarship under this subchapter only if funds remain after all eligible students as described by subdivisions (a)(2)(A)-(D) of this section have received a scholarship under this subchapter.

/s/Ray

**APPROVED: 4/13/21**