

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

State of Arkansas  
92nd General Assembly  
Regular Session, 2019

# A Bill

HOUSE BILL 1511

By: Representative Lowery

## For An Act To Be Entitled

AN ACT CONCERNING THE SUCCEED SCHOLARSHIP PROGRAM; TO REQUIRE THAT NON-PUBLIC SCHOOL STUDENTS BE ELIGIBLE FOR THE SUCCEED SCHOLARSHIP PROGRAM; AND FOR OTHER PURPOSES.

### Subtitle

TO REQUIRE THAT NON-PUBLIC SCHOOL STUDENTS BE ELIGIBLE FOR THE SUCCEED SCHOLARSHIP PROGRAM.

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

SECTION 1. Arkansas Code § 6-41-901(b)(2), concerning the eligibility of a student with a disability for the Succeed Scholarship Program, is amended to read as follows:

(2) Students with disabilities ~~that~~ who are enrolled in a public school, private school, or home school and who have an individualized education program or other education program that is approved by the Department of Education and that is in accordance with the Individuals with Disabilities Education Act, 20 U.S.C. § 1400 et seq.

SECTION 2. Arkansas Code § 6-41-902(a), concerning eligibility requirements for a parent or legal guardian to enroll his or her student in a private school under the Succeed Scholarship Program, is amended to read as follows:

(a) A parent or legal guardian of a public school, private school, or home school student may apply for a Succeed Scholarship to enroll his or her



child in a private school if:

(1)(A) The student is currently enrolled in a public school, private school, or home school and has attended public school, private school, or home school for at least one (1) full academic year.

(B) Subdivision (a)(1)(A) of this section does not apply if:

(i) The student is a dependent of an active duty member of any branch of the United States Armed Forces; or

(ii) The superintendent of the student's resident school district waives the requirement;

(2) The student:

(A) Is in foster care; ~~or~~

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

(C) Has an alternate education program that is approved by the Department of Education and that is in accordance with the Individuals with Disabilities Education Act, 20 U.S.C. § 1400 et seq.;

(3) The student has been accepted for admission into a private school that is eligible to participate in the Succeed Scholarship Program;

(4) The parent has notified the student's current public school district or private school of the request for a scholarship at least sixty (60) days before the date of the first scholarship payment as required under § 6-41-904; and

(5)(A) For students in foster care, the Department of Human Services approves the student's placement in the private school.

(B) The Department of Human Services shall approve the student's placement in the private school if a determination is made that placement in the private school is in the best interest of the student.

SECTION 3. Arkansas Code § 6-41-904(a)(2), concerning responsibility of the parent of a Succeed Scholarship Program recipient to notify the student's resident school district of application to the Succeed Scholarship Program, is amended to read as follows:

(2) Apply for the scholarship at least sixty (60) days before the date of the first scholarship payment and notify the superintendent of

the student's resident school district or the head of the student's private school within five (5) business days of submitting the application;

SECTION 4. Arkansas Code § 6-41-904(a)(5), concerning responsibility of the parent of a Succeed Scholarship Program recipient to release the student's original school from certain legal obligations to provide educational services, is amended to read as follows:

(5) Sign a waiver that releases the student's resident school district or private school from any legal obligation to provide services or education to the student participating in the program while the student is not enrolled in the student's resident school district or private school ~~as provided under the rules established by the state board~~; and