

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

A Bill

HOUSE BILL 1511

5 By: Representative Lowery
6

For An Act To Be Entitled

8 AN ACT CONCERNING THE SUCCEED SCHOLARSHIP PROGRAM; TO
9 REQUIRE THAT NON-PUBLIC SCHOOL STUDENTS BE ELIGIBLE
10 FOR THE SUCCEED SCHOLARSHIP PROGRAM; AND FOR OTHER
11 PURPOSES.
12
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Subtitle

14 TO REQUIRE THAT NON-PUBLIC SCHOOL
15 STUDENTS BE ELIGIBLE FOR THE SUCCEED
16 SCHOLARSHIP PROGRAM.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code § 6-41-901(b)(2), concerning the eligibility
23 of a student with a disability for the Succeed Scholarship Program, is
24 amended to read as follows:

25 (2) Students with disabilities ~~that~~ who are enrolled in a public
26 school, private school, or home school and who have an individualized
27 education program or other education program that is approved by the
28 Department of Education and that is in accordance with the Individuals with
29 Disabilities Education Act, 20 U.S.C. § 1400 et seq.
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31 SECTION 2. Arkansas Code § 6-41-902(a), concerning eligibility
32 requirements for a parent or legal guardian to enroll his or her student in a
33 private school under the Succeed Scholarship Program, is amended to read as
34 follows:

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



1 child in a private school if:

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

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

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

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

11 (2) The student:

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

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

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

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

21 (4) The parent has notified the student's current public school
 22 district or private school of the request for a scholarship at least sixty
 23 (60) days before the date of the first scholarship payment as required under
 24 § 6-41-904; and

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

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

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

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

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

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

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