

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

As Engrossed: H3/25/19

# A Bill

HOUSE BILL 1400

5 By: Representative Cozart  
6

## For An Act To Be Entitled

8 AN ACT CONCERNING THE SUCCEED SCHOLARSHIP PROGRAM; TO  
9 REQUIRE THE *HOUSE COMMITTEE ON EDUCATION AND SENATE*  
10 *COMMITTEE ON EDUCATION* TO CONDUCT A BIENNIAL STUDY  
11 AND FILE A BIENNIAL REPORT REGARDING CERTAIN  
12 INFORMATION CONCERNING THE SUCCEED SCHOLARSHIP  
13 PROGRAM; AND FOR OTHER PURPOSES.  
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## Subtitle

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17 *TO REQUIRE THE HOUSE COMMITTEE ON*  
18 *EDUCATION AND THE SENATE COMMITTEE ON*  
19 *EDUCATION TO CONDUCT A BIENNIAL STUDY AND*  
20 *FILE A BIENNIAL REPORT REGARDING CERTAIN*  
21 *INFORMATION CONCERNING THE SUCCEED*  
22 *SCHOLARSHIP PROGRAM.*  
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25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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27 *SECTION 1. DO NOT CODIFY. Legislative intent.*

28 *The General Assembly finds that:*

29 *(1) Efficient use of the state's tax dollars is a paramount*  
30 *priority;*

31 *(2) Policymakers should have updated information in order to*  
32 *make well-informed policy decisions; and*

33 *(3) To ensure efficient use of the state's tax dollars, there*  
34 *should exist documentation regarding how public funds are being spent by*  
35 *private institutions that receive public funds.*  
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1           SECTION 2. Arkansas Code Title 6, Chapter 41, Subchapter 9, is amended  
2 to add an additional section to read as follows:

3           6-41-908. Succeed scholarship biennial study.

4           (a) The House Committee on Education and Senate Committee on Education  
5 shall conduct biennially a study of the Succeed Scholarship Program under  
6 this subchapter to determine the following information without limitation:

7                   (1) The number of students currently participating in the  
8 Succeed Scholarship Program;

9                   (2) The number of students currently participating in the  
10 Succeed Scholarship Program who attended a traditional public school before  
11 receiving a Succeed Scholarship;

12                   (3) The number of students currently participating in the  
13 Succeed Scholarship Program who did not attend a traditional public school  
14 before enrolling in a private school upon receipt of a Succeed Scholarship;

15                   (4) The number of students who have been dismissed from the  
16 Succeed Scholarship Program by a private school that is receiving funds  
17 through the Succeed Scholarship Program;

18                   (5) The number of students who attended a private school with a  
19 Succeed Scholarship and voluntarily returned to a traditional public school;

20                   (6) The number of children in foster care who have entered the  
21 Succeed Scholarship Program, have been dismissed from the Succeed Scholarship  
22 Program, or have been removed from the Succeed Scholarship Program by the  
23 Department of Human Services;

24                   (7) The number of private schools receiving Succeed Scholarship  
25 funds that are currently accredited by the Arkansas Nonpublic School  
26 Accrediting Association, Inc., its successor, or another accrediting  
27 association recognized by the State Board of Education;

28                   (8) The number of private schools receiving Succeed Scholarship  
29 funds that are currently unaccredited but have applied for accreditation to  
30 the Arkansas Nonpublic Accrediting Association, Inc., its successor, or  
31 another accrediting association recognized by the state board, and where  
32 those schools are in the accreditation process;

33                   (9) The number of students who are enrolled in the Succeed  
34 Scholarship Program and who have taken a nationally recognized norm-  
35 referenced test and received the test results;

36                   (10) The number of students with individualized education

1 programs under the Individuals with Disabilities Education Act, 20 U.S.C. §  
2 1400 et seq., who are enrolled in the Succeed Scholarship Program and have  
3 been exempted from standardized testing requirements under § 6-41-903; and

4 (11) The number of student portfolios that have been developed  
5 for exempt students and a general summary of the information contained in the  
6 student portfolios as required under § 6-41-903.

7 (b) In addition to the above information, the House Committee on  
8 Education and Senate Committee on Education shall:

9 (1) Review norm-referenced test results and student portfolios;  
10 and

11 (2) Provide comparative data regarding student performance in  
12 the Succeed Scholarship Program.

13 (c) The House Committee on Education and Senate Committee on Education  
14 shall compile a final report that includes the findings under subsections (a)  
15 and (b) of this section Senate Committee on Education and the House Committee  
16 on Education biennial basis, with the first report due on March 1, 2020.

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18 *SECTION 3. Arkansas Code § 6-41-903(b)(1)(B), concerning private*  
19 *school accreditation as a requirement for eligibility under the Succeed*  
20 *Scholarship Program, is amended to add an additional subdivision to read as*  
21 *follows:*

22 (iv) A private school that is not fully accredited  
23 shall report annually to the state board its progress towards accreditation;  
24

25 *SECTION 4. Arkansas Code § 6-41-903(d), concerning a private school*  
26 *administering a nationally recognized norm-referenced test under the Succeed*  
27 *Scholarship Program, is amended to read as follows:*

28 (d)(1)(A) An eligible private school shall administer annually or make  
29 provisions for a student participating in the ~~scholarship program~~ Succeed  
30 Scholarship Program to take a nationally recognized norm-referenced test as  
31 established by the state board.

32 (B) A list, in a deidentified format, of students who have  
33 taken a nationally recognized norm-referenced test under subdivision  
34 (d)(1)(A) of this section and the students' test results shall be forwarded  
35 annually to the state board or its designee.

36 (2)(A) A student with an individual education plan that provides

1 for an exemption to standardized testing is not required to take the test  
2 required under subdivision ~~(d)(1)~~(d)(1)(A) of this section.

3 (B) A list, in a deidentified format, of students with an  
4 individual education plan that provides for an exemption to standardized  
5 testing under subdivision (d)(2)(A) of this section shall be provided  
6 annually to the state board or its designee.

7 (3)(A) An eligible private school shall annually prepare a  
8 portfolio that provides information on a student's progress to the student's  
9 parent or guardian if a student is exempt from standardized testing as  
10 permitted under subdivision ~~(d)(2)~~(d)(2)(A) of this section.

11 (B) A list, in a deidentified format, of students with  
12 portfolios under subdivision (d)(3)(A) of this section and a general summary  
13 of the information provided in the portfolios shall be provided annually to  
14 the state board or its designee.

15 (4)(A) An eligible private school under this section shall  
16 submit annually to the Department of Education or its designee, in a  
17 deidentified format required by the Bureau of Legislative Research in  
18 consultation with the Department of Education, a:

19 (i) Report that lists all students who have received  
20 a Succeed Scholarship under this subchapter who have been dismissed from the  
21 Succeed Scholarship Program by the private school;

22 (ii) Report that lists all students who have  
23 received a Succeed Scholarship under this subchapter who have voluntarily  
24 returned to a traditional public school;

25 (iii) List of foster children who have:

26 (a) Entered the Succeed Scholarship Program;

27 (b) Been dismissed from the Succeed

28 Scholarship Program; or

29 (c) Been removed from the Succeed Scholarship  
30 Program by the Department of Human Services;

31 (iv) Report of administrative costs required to  
32 implement the Succeed Scholarship Program; and

33 (v) Report regarding the demographic data of  
34 students who have applied for the Succeed Scholarship under this subchapter  
35 and students who were awarded the Succeed Scholarship under this subchapter,  
36 including without limitation the geographic location in the state of the

1 students who are participating in the Succeed Scholarship Program.

2 (B) The Department of Education shall make information  
3 received from eligible private schools under subdivision (d)(4)(A) of this  
4 section available to the House Committee on Education and the Senate  
5 Committee on Education in a deidentified format specified by the bureau in  
6 consultation with the Department of Education.

7 (5) All information under this subsection shall be included in  
8 the Succeed Scholarship Program biennial study under § 6-41-908.

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10 SECTION 5. Arkansas Code § 6-41-903, concerning a private school's  
11 eligibility to participate in the Succeed Scholarship Program, is amended to  
12 add an additional subdivision to read as follows:

13 (e)(1) The Department of Education shall prepare and submit annually  
14 or obtain from its designated administrator for the Succeed Scholarship  
15 Program under this subchapter a report, in a deidentified format required by  
16 the bureau in consultation with the Department of Education, that indicates  
17 the:

18 (A) List of students who have received a Succeed  
19 Scholarship under this subchapter;

20 (B) Eligible private school attended by each student who  
21 has received a Succeed Scholarship under this subchapter; and

22 (C) Amount of each Succeed Scholarship received by a  
23 student under this subchapter.

24 (2) In addition to the report required under subdivision (e)(1)  
25 of this section, the Department of Education shall make information received  
26 from its designated administrator regarding the Succeed Scholarship Program  
27 under this subchapter available to the House Committee on Education and the  
28 Senate Committee on Education through the bureau.

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30 /s/Cozart

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33 APPROVED: 4/9/19