

1 State of Arkansas  
2 93rd General Assembly  
3 Regular Session, 2021  
4

As Engrossed: H3/1/21

# A Bill

HOUSE BILL 1446

5 By: Representative Ray  
6 By: Senator J. English  
7

## For An Act To Be Entitled

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

15 TO MAKE CHILDREN OF MEMBERS OF THE  
16 UNIFORMED SERVICES ELIGIBLE TO RECEIVE A  
17 SCHOLARSHIP UNDER THE SUCCEED SCHOLARSHIP  
18 PROGRAM.  
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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24 SECTION 1. Arkansas Code § 6-41-901 is amended to read as follows:  
25 6-41-901. Definitions – Establishment – Intent.

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

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

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

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

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

36 (B) A member of the National Guard;



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

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

5 ~~(3)~~(4) "Parent" means a student's parent or foster parent.

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

8 (1) Students in foster care; ~~or~~

9 (2) Students with disabilities who have either an:

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

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

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

16  
 17 SECTION 2. Arkansas Code § 6-41-902(a)(2), concerning student  
 18 eligibility under the Succeed Scholarship Program, is amended to read as  
 19 follows:

20 (2) The student:

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

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

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

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

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

34  
 35 SECTION 3. Arkansas Code § 6-41-902, concerning student eligibility  
 36 under the Succeed Scholarship Program, is amended to add an additional

1 subsection to read as follows:

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

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/s/Ray

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APPROVED: 4/13/21

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