

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015
4

A Bill

HOUSE BILL 1552

5 By: Representative House
6

For An Act To Be Entitled

8 AN ACT TO ESTABLISH THE SUCCEED SCHOLARSHIP PROGRAM
9 FOR STUDENTS WITH DISABILITIES; SPECIFYING PROCEDURES
10 AND STARTING DATE; ESTABLISHING ELIGIBILITY
11 REQUIREMENTS FOR STUDENTS; ESTABLISHING ELIGIBILITY
12 REQUIREMENTS FOR PRIVATE SCHOOLS; AND FOR OTHER
13 PURPOSES.
14

Subtitle

15
16 TO ESTABLISH THE SUCCEED SCHOLARSHIP
17 PROGRAM FOR STUDENTS WITH DISABILITIES.
18
19
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. Arkansas Code Title 6, Chapter 41, is amended to add an
24 additional subchapter to read as follows:
25

Subchapter 7 – Succeed Scholarship Program

26
27

6-41-701. Intent.

28
29 (a) The Succeed Scholarship Program is established and intended to
30 provide a scholarship to a private school of choice for students with
31 disabilities that have an individualized education program in accordance with
32 the Individuals with Disabilities Education Act, 20 U.S.C. § 1400 et seq.

33 (b) The program shall begin awarding scholarships in the 2016-2017
34 school year.
35

6-41-702. Student eligibility.

36



1 (a) A parent or legal guardian of a public school student with a
2 disability may apply for a Succeed Scholarship to enroll his or her child in
3 a private school if:

4 (1) The student is currently enrolled in a public school and has
5 attended public school for at least one (1) full academic year;

6 (2) The student has an individualized education program in
7 accordance with the Individuals with Disabilities Education Act, 20 U.S.C. §
8 1400 et seq.;

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

12 (4) The parent has notified the student's current school
13 district of the request for a scholarship at least sixty (60) days before the
14 date of the first scholarship payment.

15 (b) If a student is accepted to a private school upon the availability
16 of space, a parent or legal guardian shall notify the student's school
17 district at least sixty (60) days before the student enrolls in the private
18 school and receives the first scholarship payment.

19
20 6-41-703. Private school eligibility.

21 (a)(1) A private school shall notify the Department of Education of
22 its intent to participate in the Succeed Scholarship Program.

23 (2) The notice shall specify the grade levels and services that
24 the private school has available for students with disabilities who are
25 participating in the program.

26 (b) The department shall approve a private school as eligible to
27 participate in the program if the private school:

28 (1) Meets the accreditation requirements set by the State Board
29 of Education or another accrediting association approved by the state board;

30 (2)(A) Demonstrates fiscal soundness by having been in operation
31 for one (1) school year or providing the department with a statement by a
32 certified public accountant confirming that the private school is insured and
33 the private school has sufficient capital or credit to operate in the
34 upcoming school year.

35 (B) In lieu of a statement, a surety bond or letter or
36 credit for the amount equal to the scholarship funds for any quarter may be

1 filed with the department;

2 (3) Complies with the antidiscrimination provisions of 42 U.S.C.
 3 § 2000d;

4 (4) Meets state and local health and safety requirements;

5 (5) Is academically accountable to the parent or legal guardian
 6 for meeting the educational needs of the student;

7 (6) Employs or contracts with teachers who hold baccalaureate or
 8 higher degrees;

9 (7) Complies with all state laws and regulations governing
 10 private schools; and

11 (8) Adheres to the tenets of its published disciplinary
 12 procedures before an expulsion of a student receiving a scholarship.

13 (c) The department shall maintain a list of private schools eligible
 14 to participate in the program and make the list available on the department's
 15 website.

16
 17 6-41-704. Responsibilities of scholarship recipients.

18 (a) The parent or legal guardian of a Succeed Scholarship Program
 19 recipient shall:

20 (1) Select the private school from the list of private schools
 21 eligible to participate in the program that is maintained by the Department
 22 of Education;

23 (2) Request the scholarship at least sixty (60) days before the
 24 date of the first scholarship payment;

25 (3) Fully comply with the parental involvement requirements of
 26 the private school unless excused by the school for illness or other good
 27 cause; and

28 (4) Upon the issuance of a scholarship warrant, restrictively
 29 endorse the warrant to the private school for deposit into the account of the
 30 private school.

31 (b) A student participating in the program shall:

32 (1) Attend the private school throughout the school year unless
 33 excused by the school for illness or other good cause; and

34 (2) Comply fully with the code of conduct for the private
 35 school.

36 (c) A parent, legal guardian, or student that fails to comply with the

1 responsibilities under this section forfeits the scholarship.

2
3 6-41-705. Scholarship payments.

4 (a) The maximum scholarship available under the Succeed Scholarship
5 Program is the foundation funding amount for the current school year under §
6 6-20-2305.

7 (b) The amount of the scholarship shall be the amount calculated under
8 subsection (a) of this section or the amount of tuition and fees for the
9 private school, whichever is less.

10 (c) Scholarship payments shall be disbursed on a semester basis.

11
12 6-41-706. Rules.

13 The State Board of Education shall adopt rules to administer the
14 Succeed Scholarship Program.