

1 State of Arkansas  
2 93rd General Assembly  
3 Regular Session, 2021  
4  
5 By: Representative Ray

# A Bill

HOUSE BILL 1446

## For An Act To Be Entitled

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

## Subtitle

15 TO MAKE CHILDREN OF ACTIVE DUTY MEMBERS  
16 OF THE UNIFORMED SERVICES ELIGIBLE TO  
17 RECEIVE A SCHOLARSHIP UNDER THE SUCCEED  
18 SCHOLARSHIP PROGRAM.

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

23 SECTION 1. Arkansas Code § 6-41-901 is amended to read as follows:  
24 6-41-901. Definitions – Establishment – Intent.

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

26 (1) "Active duty member of the uniformed services" means a  
27 person who is on full-time duty status in the active uniformed services of  
28 the United States, including without limitation a member of the National  
29 Guard and reserve components of the armed forces on active duty orders under  
30 10 U.S.C. §§ 1209 and 1210, as they existed on January 1, 2021;

31 (2) "Foster care" means the care of a child by a group home or  
32 group facility on a twenty-four-hour-a-day basis away from the home of the  
33 child's parent or parents;

34 ~~(2)~~(3) "Foster parent" means the responsible official or  
35 officials of a group home or group facility that provides foster care to a  
36 child; and



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

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

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

(2) Students with disabilities who have either an:

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

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

(3) Students who are children of an active duty member of the uniformed services.

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

(2) The student:

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

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

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

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

(E) Is a child of an active duty member of the uniformed services;