

State of Arkansas  
93rd General Assembly  
Regular Session, 2021

As Engrossed: H3/1/21

# A Bill

HOUSE BILL 1446

By: Representative Ray  
By: Senator J. English

## For An Act To Be Entitled

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

## Subtitle

TO MAKE CHILDREN OF MEMBERS OF THE  
UNIFORMED SERVICES ELIGIBLE TO RECEIVE A  
SCHOLARSHIP UNDER THE SUCCEED SCHOLARSHIP  
PROGRAM.

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

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

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

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

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

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

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

(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

subsection to read as follows:

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

/s/Ray

APPROVED: 4/13/21