

BEFORE THE ARKANSAS STATE BOARD OF EDUCATION

On August 12, 2013, during a regular meeting of the Arkansas State Board of Education, a hearing was conducted pursuant to the legal authority and jurisdiction vested in the Board by the Public School Choice Act of 2013 (Act 1227 of 2013) and the Arkansas Department of Education Emergency Rules Governing the Public School Choice Act of 2013. Before the Board was the appeal of the Shirley family (“Petitioner”) challenging the decision of the Lonoke School District (“Respondent”) denying their applications for transfer of their children under the School Choice Act of 2013.

FINDINGS OF FACT

1. The Petitioner family resides in the Cabot School District.
2. On or about June 11, 2013, Petitioner submitted applications to transfer two children to Respondent Lonoke School District pursuant to the School Choice Act of 2013. On or about June 28, 2013, Respondent denied the applications because the Petitioner had submitted the applications after the June 1, 2013 deadline set forth in the Public School Choice Act of 2013 and the Arkansas Department of Education Emergency Rules Governing the Public School Choice Act of 2013.

CONCLUSIONS OF LAW

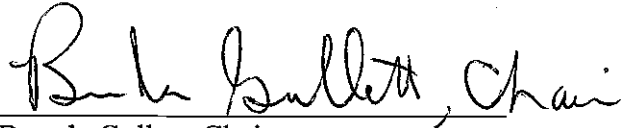
3. The Public School Choice Act of 2013 and the Arkansas Department of Education Emergency Rules Governing the Public School Choice Act of 2013 require that if a student seeks to attend school in a nonresident district, an application must be submitted to the nonresident district with a copy to the resident district postmarked no later than June 1 of the year in which the student seeks to begin the fall semester at the nonresident district.

4. Because Petitioner did not submit applications to transfer their two children from the Cabot to the Lonoke School District on or before June 1, 2013, the applications were untimely.

ORDER

5. Because Petitioner's applications were not timely filed, the Board denies the Petitioner's appeal.

Signed this 9 day of September, 2013


Brenda Gullett, Chair
Arkansas State Board of Education