BEFORE THE ARKANSAS STATE BOARD OF EDUCATION

On July 8, 2021, during a regular meeting of the Arkansas State Board of Education ("Board"), a
hearing was conducted pursuant to the legal authority and jurisdiction vested in the Board by the Public
School Choice Act of 2015, Ark. Code Ann. § 6-18-1901 et seq., and the Division of Elementary and
Secondary Education Rules Governing Public School Choice. Before the Board was the appeal of the
Blevins family ("Petitioner") challenging the decision of the Batesville School District denying their
application for transfer of their child, Lucas Blevins, to the Batesville School District under the Public
School Choice Act of 2015.

FINDINGS OF FACT

1. The Petitioner resides in the Midland School District.

2. The Petitioner submitted an Arkansas Public School Choice application to the Midland School
District and the Batesville School District on behalf of their children.

3. The Batesville School District denied the Petitioner’s application based on capacity, as provided

4. On or about March 23, 2021, pursuant to Ark. Code Ann. § 6-18-1907(b)(1), the Petitioner
requested a hearing before the Board to appeal the decision of the Batesville School District to deny the
school choice application.

CONCLUSION OF LAW

The Arkansas Public School Choice Act of 2015 authorizes the board of directors of a public school
district to adopt by resolution specific standards for acceptance and rejection of applications made under
the Public School Choice Act of 2015. These standards may include a claim of a lack of capacity by a
school district only if the school district has reached at least 90% of the maximum authorized student
population in a program, class, grade level, or school building under federal law, state law, the rules for

ORDER

Based on the information presented at the hearing, the Petitioner’s school choice appeal is hereby granted.

Signed this 9th day of July, 2021

[Signature]

Ouida Newton, Chair
Arkansas State Board of Education