

BEFORE THE ARKANSAS STATE BOARD OF EDUCATION

On July 9, 2020, 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 Mayfield family (“Petitioner”) challenging the decision of the Palestine-Wheatley School District (“Respondent”) denying the application for transfer of their child, Cason Mayfield, under the Public School Choice Act of 2015.

FINDINGS OF FACT

1. The Petitioner resides in the Lee County School District.
2. The Petitioner submitted an Arkansas Public School Choice application to the Palestine-Wheatley School District and the Lee County School District on behalf of their child.
3. On or about April 24, 2020, the Respondent denied the Petitioner’s application based on the assertion that the District lacked the capacity, teachers, staff, and/or classrooms to accept the student.
4. On or about May 8, 2020, pursuant to Ark. Code Ann. § 6-18-1907(b)(1), the Petitioner requested a hearing before the Board to appeal the decision of the Respondent to deny the school choice application.
5. No representative from the Palestine-Wheatley School District nor the Lee County School District appeared at the hearing.

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 standards of accreditation, or other applicable regulations. *Ark. Code Ann. § 6-18-1903.*

ORDER

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

Signed this 15th day of July, 2020



Charisse Dean, Chair
Arkansas State Board of Education