

BEFORE THE ARKANSAS STATE BOARD OF EDUCATION

On July 14, 2022, 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 Ealy family (“Petitioner”) challenging the decision of the Guy-Perkins School District denying their application for transfer of their children, Greyson & Westen Ealy, to the Quitman School District under the Public School Choice Act of 2015.

FINDINGS OF FACT

1. The Petitioner resides in the Guy-Perkins School District.
2. The Petitioner submitted an Arkansas Public School Choice application to the Guy-Perkins School District and the Quitman School District on behalf of their child.
3. The Guy-Perkins School District denied the Petitioner’s application based on the 3% transfer limit, as provided by Ark. Code Ann. § 6-18-1906.
4. On or about June 16, 2022, pursuant to Ark. Code Ann. § 6-18-1907(b)(1), the Petitioner requested a hearing before the Board to appeal the decision of the Guy-Perkins School District to deny the school choice application.

CONCLUSION OF LAW

The Arkansas Public School Choice Act of 2015 establishes a numerical net maximum limit on school choice transfers each school year from a school district, less any school choice transfers into the school district, of not more than three percent (3%) of the enrollment that exists in the school district as of October 1 of the immediately preceding school year. *Ark. Code Ann. § 6-18-1906(b)(1)(A)*. As part of the review

process, however, the family may submit supporting documentation that the transfer would be in the best educational, social, or psychological interest of the child. *Ark. Code Ann. 6-18-1907(b)(2)(B)*.

ORDER

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

Signed this 15th day of July, 2022

A handwritten signature in cursive script, reading "Ouida Newton". The signature is written in dark ink and is positioned above a horizontal line.

Ouida Newton, Chair
Arkansas State Board of Education