

**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 Golden family (“Petitioner”) challenging the decision of the Ouachita School District denying their application for transfer of their child, Jace Golden, to the Ouachita School District under the Public School Choice Act of 2015.

**FINDINGS OF FACT**

1. The Petitioner resides in the Arkadelphia School District.
2. The Petitioner submitted Arkansas Public School Choice application to the Arkadelphia School District and the Ouachita School District on behalf of the child.
3. The Petitioner already has a child that transferred into the Ouachita School District under the Public School Choice Act of 2015.
4. The Ouachita School District denied the Petitioner’s application because it would be required to add staff in compliance with its Board of Director’s Resolution adopted on April 12, 2021, that allows the denial of any school choice application that would require the Ouachita School District to add staff for any reason.
5. On or about June 2, 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 Ouachita School District to deny the school choice application.

### **CONCLUSION OF LAW**

Under the Arkansas Public School Choice Act of 2015, a present or future sibling of a student who continues enrollment in the nonresident district and applied for a school choice transfer under Ark. Code Ann. § 6-18-1905, may enroll in the nonresident district if the district has the capacity to accept the sibling without adding teachers, staff, or classrooms or exceeding the regulations, rules, or standards established by law. *Ark. Code Ann. § 6-18-1904(c)(2)*. 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



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Ouida Newton, Chair  
Arkansas State Board of Education