

BEFORE THE ARKANSAS STATE BOARD OF EDUCATION

On August 11, 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 Hicks family (“Petitioner”) challenging the decision of the Augusta School District denying their application for transfer of their child, Jaicen Castro, to the McCrory School District under the Public School Choice Act of 2015.

FINDINGS OF FACT

1. The Petitioner resides in the Augusta School District.
2. The Petitioner submitted an Arkansas Public School Choice application to the Augusta School District and the McCrory School District on behalf of their child.
3. The Augusta 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 30, 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 Augusta 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 11th day of August, 2022

A handwritten signature in cursive script, appearing to read "Ouida Newton", written over a horizontal line.

Ouida Newton, Chair
Arkansas State Board of Education