

SCHOOL CHOICE MATTERS

Arkansas Policy Report

Introduction

PURPOSE

A combination of well-designed policies give all students access to the broadest range of educational opportunities, including key core policies and helpful policy enhancers. The purpose of this document is to provide insight to how well your state is doing at implementing the Ecosystem of School Choice Policies. This state report summarizes evidence across the seven policy buckets, with each policy component detailed in individual cells.

CORE POLICIES

Key policies expand student opportunities.



[Open Enrollment](#)



[Charter Schools](#)



[Private School Choice](#)



[Homeschooling](#)

POLICY ENHANCERS

Supporting policies enhance those opportunities.



[Part-time Enrollment/Course Access](#)



[Learn Everywhere](#)



[Transportation](#)

CORE POLICIES



Open Enrollment in Arkansas

POLICY	RATING	POLICY OVERVIEW
<p>Transfers Between Districts</p>	<p>YES</p> <p>Mandatory policy requiring districts to accept all students where capacity exists</p>	<p>Public School Choice Act of 2015 Arkansas statute, through the Public School Choice Act of 2015, as well as implementing rules promulgated by ADE establish a public school choice program “to enable a student in kindergarten through grade twelve (12) to attend a school in a nonresident district, subject to limitations under Ark. Code Ann. § 6-18-1906 and Section 2-4.00 of these rules.” Each school district is required to participate in the program, consistent with Arkansas Code, Title 6, Chapter 18, Subchapter 19 and these rules, including through the public school district board’s adoption of a resolution with specific standards for acceptance and rejection of applications. A school district may seek and be given an exception from the requirement if it conflicts with a desegregation order.</p> <p>(ADE – Division of Elementary and Secondary Education – Rules Governing Public School Choice, Chapter 2 (Effective May 2, 2022); See also A.C.A. § 6-18-1901, et al. Public School Choice Act of 2015)</p> <p>Opportunity Public School Choice Act Arkansas statute, through the Opportunity Public School Choice Act, as well as implementing rules promulgated by ADE, establish that a student may transfer from the resident district or public school to another school district or public school, if, at the time of the request:</p> <ul style="list-style-type: none"> • The resident public school district has been classified by the State Board of Education as a public school district in need of Level 5-Intensive support under § 6-15-2913 or 6-15-2915; or • The resident public school has a rating of “F” under Ark. Code Ann. §§ 6-15-2105 and 6-15-2106; and with limited exceptions (provided in Chapter 4 of the rules), the parent, guardian, or student over the age of 18 has notified both the resident and nonresident school districts of any request to transfer no earlier than January 1 and no later than May 1 of the school year before the school year in which the student intends to transfer.

An applicant may apply “to enroll the student in a legally allowable public school district that is not classified as a public school district in need of Level 5 – Intensive support” or “to enroll the student in a public school within the resident district that does not have a rating of “F” and that is nearest the legal residence of the student. If there is no public school within the resident district that does not have a rating of “F,” the parent or guardian, or the student if the student is over eighteen (18) years of age, may apply to enroll the student in a nonresident public school district and, if accepted, be placed in a public school that does not have a rating of “F.”” A school district shall not deny a student the ability to transfer to a nonresident school unless there is a lack of capacity at the nonresident school. A school district may claim a lack of capacity if, as of the date the application, ninety-five percent (95%) or more of the seats at the grade level at the nonresident school are filled.

[\(ADE – Division of Elementary and Secondary Education – Rules Governing Public School Choice, Chapter 3-4 \(Effective May 2, 2022\)\); see also A.C.A. § 6-18-227 Arkansas Opportunity Public School Choice Act — Definitions\)](#)

School Choice for Military Families

ADE Rules on Public School Choice establish school choice options for a student who has a parent or guardian who is an active-duty member of the military and who has been transferred to and resides on a military base. The student’s parent or guardian may file an application within 15 days of arrival on the military base. Under Chapter 4 of the rule, a transfer for a student who has a parent or guardian who is an active-duty member of the military and who resides on a military base is effective upon the approval of the accepting school board at its next meeting.

[\(ADE – Division of Elementary and Secondary Education – Rules Governing Public School Choice, Chapters 2-4 \(Effective May 2, 2022\)\)](#)

Transfer on Petition of Student

Arkansas statute establishes that, under A.C.A. § 6-18-316, the transfer of a student “(1) Places the responsibility for the education of the student on the receiving district; and (2) Permits the receiving district to count a student who transfers under this section for purposes of average daily membership for state aid purposes.” The receiving district may also enter into a tuition agreement with either the resident district or the parent, legal guardian, or person standing in loco parentis to the transferring student involved whereby the resident district or the parent, legal guardian, or person standing in loco parentis to the transferring student will make tuition payments to the receiving district to compensate the receiving district for local taxes not received on behalf of the transferring student.

[\(A.C.A. § 6-18-316 Transfer on petition of student; see also ADE – Legal Transfers\)](#)

Transfer from One School District to an Adjoining District

Arkansas statute allows for a student to be transferred from one school district to an adjoining school district upon the petition of a parent or guardian to the board of the resident district when student's "place of residence is at least fifteen (15) miles from the school in the resident district and whose place of residence is within seven (7) miles of a school in an adjoining district". The petition can seek a transfer to the adjoining district if the adjoining district has agreed in writing to accept transfer of the child.

[A.C.A. § 6-18-307 Transfer from one school district to adjoining school district](#)**An Act Making It Legal for a Student Living in One School District to Attend School in Another School District Under Specified Conditions**

Arkansas statute establishes that a student, subject to the permission of the receiving district, "may attend school in another district under the following conditions:

- (1) A student in grades nine through twelve (9-12) inclusive may attend school in another district for the purpose of enrolling for courses that will constitute not more than fifty percent (50%) of the classes taken by him or her during the school day;
- (2) Such classes shall be limited to those that are not offered by the student's home district and are required by the student to meet his or her educational objectives;
- (3) In order to qualify for such attendance, the student shall file a projected course of study with his or her principal or school counselor before enrollment in another school, and subsequent enrollment may be entered into only after it is determined that the desired courses cannot be taken in the home district;
- (4) The resident district of a student taking advantage of the provisions of this section shall pay tuition to the district that the student attends in an amount not less than a proportion of the home district's state foundation funding per student equal to a ratio that the number of classes taken by a student outside his or her home district bears to the total number of classes taken by the student."

A student may also attend school in another district for the purposes of enrolling for alternative education programs, secondary area vocational centers, or community-based education programs for which the resident district has entered into a compact with another district.

[\(A.C.A. § 6-18-204 Attendance in another district — Conditions\)](#)

- Arkansas Code 6-18-204 does not specifically require or authorize the promulgation of administrative rules.

		<p>School Choice for Children in Foster Care</p> <p>Arkansas statute establishes that the “foster parent or the foster child, if the foster child is over eighteen (18) years of age, may request the Department of Human Services to approve the transfer of the foster child to another public school or public school district.” The Department is required to approve the transfer if it determines that the transfer is in the best interest of the foster child, and the public school or public school district must allow the transfer unless it has reached the maximum student-to-teacher ratio allowed or approval of the transfer would conflict with an enforceable desegregation order or approved desegregation plan. For purposes of determining a public school district’s state aid, a foster child who transfers under this section shall be counted as a part of the average daily membership of the public school district where the foster child is enrolled.</p> <p>(A.C.A. § 6-18-233 School choice for children in foster care - Definition)</p>
<p>Transfers Within Districts</p>	<p>YES</p> <p>Mandatory policy allowing students to transfer schools</p>	<p>Opportunity Public School Choice Act</p> <p>The Public School Choice Act of 2015 was amended in 2025 to allow students to attend another public school within a resident district. Districts are required to establish and publicly post their intradistrict open enrollment policy and shall not deny a student enrollment except for lack of capacity or if they would exceed federal student-to-teacher ratios.</p> <p>Arkansas statute, through the Opportunity Public School Choice Act, as well as implementing rules promulgated by ADE establish that a student may transfer from the resident district or public school to another school district or public school, if, at the time of the request:</p> <ul style="list-style-type: none"> • The resident public school district has been classified by the State Board of Education as a public school district in need of Level 5 - Intensive support under § 6-15-2913 or 6-15-2915; or • The resident public school has a rating of “F” under Ark. Code Ann. §§ 6-15-2105 and 6-15-2106; and • With limited exceptions (provided in Chapter 4 of the rules), the parent, guardian, or student over the age of 18 has notified both the resident and nonresident school districts of any request to transfer no earlier than January 1 and no later than May 1 of the school year before the school year in which the student intends to transfer. <p>An applicant may apply “to enroll the student in a legally allowable public school district that is not classified as a public school district in need of Level 5 – Intensive support” or “to enroll the student in a public school within the resident district that does not have a rating of “F” and that is nearest the legal residence of the student. If there is no public school within the resident district that does not have a rating of “F,” the parent or guardian, or the student if the student is over eighteen (18) years of age, may apply to enroll the student in a nonresident public school district and, if accepted, be placed in a public school that does not have a rating of “F.”</p>

		<p>(ADE – Division of Elementary and Secondary Education – Rules Governing Public School Choice, Chapters 3-4 (Effective May 2, 2022)); see also A.C.A. § 6-18-227 Arkansas Opportunity Public School Choice Act - Definitions)</p> <p>Unsafe school choice program Arkansas statute establishes that any student who becomes the victim of a violent criminal offense while in or on the grounds of an Arkansas public elementary, secondary, or public charter school or who is attending a persistently dangerous public school shall be allowed to attend a safe public school within the local educational agency under rules established by the State Board of Education.</p> <p>(A.C.A. § 6-18-320 Unsafe school choice program)</p> <p>Optional Summer School Programs Arkansas statute permits a school district, upon agreement with another school district, to “transfer students to the nonresident school district for summer school classes.” The cost of such classes is the responsibility of the sending school district. Transportation is the responsibility of the student or the student’s parents. There is no requirement that either school district include such agreement in an intradistrict open enrollment policy.</p> <p>(A.C.A. § 6-16-706 Summer school for nonresidents)</p> <ul style="list-style-type: none"> Arkansas Code 6-16-706 does not specifically require or authorize the promulgation of administrative rules.
<p>Year-round Transfer Window</p>	<p>LIMITED</p> <p>Restricted transfer window</p>	<p>Public School Choice Act of 2015 Rules promulgated by ADE require each school district to have a policy stating the method by which a parent or guardian may submit a school choice application, including not requiring that an application be filed in person. They also require the district superintendent to “cause public announcements to be made” informing parents of students in adjoining districts of the availability of the program and application deadline.</p> <p>An application must be made to both the resident and nonresident district, or only the resident district if the student is applying to transfer within their resident district, and postmarked or delivered no earlier than January 1 and no later than May 1 of the year in which the student seeks to begin the all semester at the nonresident district. With limited exceptions defined in Rule, the nonresident district superintendent must notify an applicant of its acceptance or rejection by July 1. If accepted, the superintendent must provide “a reasonable deadline” by which the student is to enroll and after which the acceptance notification is null.</p> <p>(ADE – Division of Elementary and Secondary Education – Rules Governing Public School Choice, Chapter 2 (Effective May 2, 2022))</p>

		<p>Transfer on Petition of Student Arkansas statute provides that, upon the “petition of a student residing in one (1) school district, the resident district, to transfer to another school district, the receiving district, the board of directors of the resident district may enter into an agreement with the board of directors of the receiving school district transferring the student to the receiving district for purposes of education.” With limited exceptions, any such petition is to be placed on the agenda of the next regular monthly meeting of the school district board of directors or a specially called meeting of the school district board of directors, whichever occurs first.</p> <p>(A.C.A. § 6-18-316 Transfer on petition of student)</p> <p>Transfer from One School District to an Adjoining District If the board of directors receives the petition filed under the statutory provision pertaining to transfer from one school district to an adjoining school district, it is required to grant or deny the transfer within thirty (30) days of receipt of the petition.</p> <p>(A.C.A. § 6-18-307 Transfer from one school district to adjoining school district)</p> <p>Opportunity Public School Choice Act Rules implementing the Opportunity Public School Choice Act, require notification regarding a decision to approve or deny an application, with limited exceptions, by July 1 of the school year in which the student seeks to transfer.</p> <ul style="list-style-type: none"> • If the application is to enroll in a nonresident district, the nonresident district shall notify the applicant and the resident district in writing. If the nonresident district’s decision is to accept the application, the superintendent of the nonresident district shall state in the notification letter the deadline by which the student must enroll in the receiving school. • If the applicant has applied to attend a school within the student’s resident district, the resident district shall notify the applicant in writing. <p>(ADE – Division of Elementary and Secondary Education – Rules Governing Public School Choice, Chapters 3-4 (Effective May 2, 2022); see also A.C.A. § 6-18-227 Arkansas Opportunity Public School Choice Act - Definitions)</p>
<p>Tuition-Free Public Schools</p>	<p>YES Prohibition on parent tuition</p>	<p>Neither the Public School Choice Act of 2015 nor the Opportunity Public School Choice Act prohibit a school district from charging tuition; however, both establish provisions for the allocation of formula funding.</p>

		<p>(ADE – Division of Elementary and Secondary Education – Rules Governing Public School Choice, Chapter 3 (Effective May 2, 2022)); see also A.C.A. § 6-18-227 Arkansas Opportunity Public School Choice Act - Definitions)</p> <p>Similarly, both the statutory establishment of School Choice for Children in Foster Care and Transfer on Petition of a Student allow the transferred student to be counted for purposes of staid aid. Neither prohibit a district from charging tuition.</p> <p>(A.C.A. § 6-18-233 School choice for children in foster care - Definition; A.C.A. § 6-18-316 Transfer on petition of student; see also ADE, Legal Transfers)</p> <p>The Transfer on Petition of Student provisions permit the receiving district to count a student who transfers under this section for purposes of average daily membership for state aid purposes. The receiving district may also enter into a tuition agreement with either the resident district or the parent, legal guardian, or person standing in loco parentis to the transferring student involved whereby the resident district or the parent, legal guardian, or person standing in loco parentis to the transferring student will make tuition payments to the receiving district to compensate the receiving district for local taxes not received on behalf of the transferring student.</p> <p>(A.C.A. § 6-18-316 Transfer on petition of student see also ADE, Legal Transfers)</p> <p>An Act Making It Legal for a Student Living in One School District to Attend School in Another School District Under Specified Conditions</p> <p>Arkansas statute establishes conditions for a student living in one school district to attend school in another district. With one such option, the resident district must pay tuition to the district or education service cooperative where the student is permitted attendance. Under both options, attendance of a student enrolled in another school shall be counted for state aid purposes by the student's resident district.</p> <p>(A.C.A. § 6-18-204 Attendance in another district — Conditions)</p> <ul style="list-style-type: none"> Arkansas Code 6-18-204 does not specifically require or authorize the promulgation of administrative rules.
<p>School Capacity Transparency</p>	<p>NO No transparency policy</p>	<p>ADE Rules regarding the Public School Choice Act of 2015 and Opportunity Public School Choice Act establish the requirement that each public school district annually reports to the state:</p> <ul style="list-style-type: none"> The number of students applying for a transfer to a nonresident school district under Public School Choice; The number of students applying for a transfer to a nonresident school within the resident district under Opportunity School Choice; and

		<ul style="list-style-type: none"> The number of students applying for a transfer to a nonresident school outside of the resident district under Opportunity School Choice. <p>A district’s annual report is not required to include school/district capacity data by school and grade and there is no requirement that such data be made public.</p> <p>(ADE – Division of Elementary and Secondary Education – Rules Governing Public School Choice, Chapter 3 (Effective May 2, 2022))</p> <p>Transfer from One School District to an Adjoining District The transfer of any child or children from one district to another, as permitted by statute, “constitutes a transfer of the legal responsibility for the education of the child or children to the receiving district, and the child or children shall be included in the average daily membership of the receiving district for state aid purposes.”</p> <p>(A.C.A. § 6-18-307 Transfer from one school district to adjoining school district)</p>
<p>Transfer Data Transparency</p>	<p>YES</p>	<p>A 2025 change in law requires that 'Each school district shall report annually to the Secretary of the Department of Education the number of transfer applications, acceptances, denials, and reasons for each denial under this subchapter.' The data shall be published annually on the Division of Elementary and Secondary Education website.</p> <p>(Arkansas General Assembly, SB 624 – 2025 Regular Session)</p>
<p>Transparent Appeal Process</p>	<p>YES</p>	<p>Public School Choice Act of 2015 Rules promulgated by ADE regarding interdistrict transfers require the nonresident district to issue a rejection of a school choice application “[I]f the resident district has met its numerical net maximum limit on school choice transfers”. In such cases, the applicant must retain priority for transfer until July 1 and be reconsidered when the resident district is no longer at the numerical net maximum limit. Otherwise, a rejection of an application for transfer may be appealed to the State Board of Education.</p> <p>(ADE – Division of Elementary and Secondary Education – Rules Governing Public School Choice, Chapter 2 (Effective May 2, 2022))</p> <p>Opportunity Public School Choice Act Rules establish the right of an applicant to appeal a nonresident district’s decision to deny admission to a school in the student’s school district of choice due to a lack of capacity to the State Board of Education. Any such appeal must be postmarked or delivered within ten (10) days after the applicant receives written notice from the nonresident district that admission has been denied.</p>

	<p>(ADE – Division of Elementary and Secondary Education – Rules Governing Public School Choice, Chapter 3 (Effective May 2, 2022); see also A.C.A. § 6-18-227 Arkansas Opportunity Public School Choice Act - Definitions)</p> <p>Transfer from One School District to an Adjoining District If the board denies the petition for a transfer made under the statutory provision pertaining to transfer from one school district to an adjoining school district, the petitioner may appeal to the State Board of Education.</p> <p>(A.C.A. § 6-18-307 Transfer from one school district to adjoining school district)</p> <p>Transfer on Petition of Student Arkansas statute establishes that “if a petition for a transfer received under this section is denied, the parent, legal guardian, or person standing in loco parentis to the student who submitted a petition for a transfer may appeal the decision of the school district board of directors to the State Board of Education.”</p> <p>(A.C.A. § 6-18-316 Transfer on petition of student)</p> <p>School Choice for Children in Foster Care A foster child whose transfer is rejected by the public school district under A.C.A. § 6-18-233 may request a hearing before the State Board of Education to reconsider the transfer.</p> <p>(A.C.A. § 6-18-233 School choice for children in foster care - Definition)</p>
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SOURCE CITATIONS

<p>Statutes <i>Note: All statutory links are provided via Lexis through Arkansas State Legislature.</i></p> <p>A.C.A. § 6-18-227 Arkansas Opportunity Public School Choice Act - Definitions</p> <p>A.C.A. § 6-18-307 Transfer from one school district to adjoining school district</p>	<p>Administrative Rules</p> <p>ADE – Division of Elementary and Secondary Education – Rules Governing Public School Choice (Effective May 2, 2022)</p>	<p>State Department of Education</p> <p>ADE, School Choice</p> <p>ADE, Legal Transfers</p>
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<p>A.C.A. § 6-18-316 Transfer on petition of student</p> <p>A.C.A. § 6-18-233 School choice for children in foster care - Definition</p> <p>A.C.A. § 6-18-1901, et al. Public School Choice Act of 2015</p>		
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Charter Schools in Arkansas

POLICY	RATING	POLICY OVERVIEW
<p>Multiple Charter Authorizers</p>	<p>LIMITED</p> <p>No real authorizer options</p>	<p>Arkansas statute establishes that two entities may authorize a charter – the Division of Elementary and Secondary Education or the State Board of Education acting under AC.A. § 6-23-703. A conversion public charter school is one that has been converted to operate under the terms of a charter approved by the local school district board and the authorizer. An open-enrollment public charter school operates under the terms of a charter granted by the authorizer on the application of an eligible entity, which includes but is not limited to a public or private nonsectarian institution of higher education, or a governmental entity.</p> <p>The Division of Elementary and Secondary Education is the designated public charter authorizer with jurisdiction and authority over all public charters to take the following actions on a proposed or established public charter, through a public charter authorizing panel:</p> <ul style="list-style-type: none"> (1) Approve; (2) Reject; (3) Renew; (4) Nonrenew; (5) Place on probation; (6) Modify; (7) Revoke; (8) Deny; (9) Transfer; or (10) Assign. <p>(A.C.A. § 6-23-103 Definitions; A.C.A. § 6-23-701 Designated public charter authorizer)</p>

<p>Charter Appeal Process</p>	<p>YES</p> <p>Independent appeals process</p>	<p>Arkansas statute establishes that the State Board of Education, on a motion approved by a majority vote, may exercise a right of review of a charter determination made by the charter authorizer. If the state board votes to review a final decision made by the charter authorizer, it must, among other things, conduct a full hearing and, at the conclusion of the hearing, may issue a final decision by state board vote. A decision made by the state board is final with no right of appeal.</p> <p>(A.C.A. § 6-23-703 State Board of Education optional review)</p> <ul style="list-style-type: none"> The State Board is authorized to promulgate rules as necessary to implement this section. <p>ADE’s Division of Elementary and Secondary Education may provide technical assistance to an applicant whose application was disapproved by the authorizer, including assistance with modification of its application as directed by the authorizer.</p> <p>(A.C.A. § 6-23-203 Notice of disapproval - Technical assistance to conversion public charter school applicants; A.C.A. § 6-23-305 Notice of disapproval - Technical assistance to applicant for open-enrollment public charter school)</p> <ul style="list-style-type: none"> The State Board of Education is authorized and directed to establish rules for conversion public charter schools.
<p>Charter Regulatory Flexibility</p>	<p>LIMITED</p> <p>Some or no exemptions</p>	<p>Conversion Public Charter Schools</p> <p>Arkansas statute establishes that a public school district’s application for conversion public charter school status may include a list of the specific provisions of Title 6 of the Arkansas Code Annotated and the specific rules promulgated by the State Board of Education from which the conversion public charter school will be exempt.</p> <p>(A.C.A. § 6-23-201 Application for conversion public charter school status)</p> <ul style="list-style-type: none"> The State Board of Education is authorized and directed to establish rules for conversion public charter schools. <p>Open-Enrollment Public Charter Schools</p> <p>Arkansas statute establishes that an eligible entity may apply to the authorizer to grant a charter for an open-enrollment public charter school. Such application is to include a list of the specific provisions of Title 6 of the Arkansas Code Annotated and the specific rules promulgated by the State Board from which the open-enrollment public charter school seeks to be exempted.</p>

		<p>(A.C.A. § 6-23-302 Application for open-enrollment public charter school)</p> <p>Arkansas statute limits the flexibility available to open-enrollment public charter schools by establishing that any such school “is subject to any prohibition, restriction, or requirement imposed by this title and any rule promulgated by the State Board of Education under this title relating to:</p> <ol style="list-style-type: none"> (1) Monitoring compliance with this chapter, as determined by the commissioner; (2) Public school accountability under this title; (3) High school graduation requirements as established by the state board; (4) Special education programs as provided by this title; (5) (Conducting criminal background checks for employees as provided in this title; (6) Health and safety codes as established by the state board and local governmental entities; and (7) Reporting through the Arkansas Public School Computer Network applications as provided under this title.” <p>(A.C.A. § 6-23-401 Authority under a charter for open-enrollment public charter schools)</p> <p>Nothing in the statutorily prescribed contents of open-enrollment public charters limits an approved school’s flexibility from collective bargaining or otherwise restricts the employment of faculty and staff. However, employees of an open-enrollment public charter school “shall be eligible to participate in all benefits programs available to public school employees.”</p> <p>(A.C.A. § 6-23-306 Contents of open-enrollment public charters; A.C.A. § 6-23-504 Employee benefits)</p> <p>The State Board of Education is authorized to promulgate rules for the creation of open-enrollment public charter schools.</p>
<p>Equitable Charter Funding</p>	<p>YES</p> <p>Students are funded as in a traditional district school</p>	<p>Open-Enrollment Public Charter Schools</p> <p>Arkansas statute establishes that “[A]n open-enrollment public charter school shall receive funds equal to the amount that a public school would receive under § 6-20-2305(a) and (b) as well as any other funding that a public charter school is entitled to receive under law or under rules promulgated by the State Board of Education. Enhanced Student Achievement Funding under § 6-20-2305(b)(4) and Professional Development funding under § 6-20-2305(b)(5) are also provided, as well as other categorical funding under § 6-20-2305(a) and (b) for which an open-enrollment public charter school is eligible as provided by state law and rules promulgated by the state board.”</p>

		<p>(A.C.A. § 6-23-501 Funding for open-enrollment public charter schools)</p> <ul style="list-style-type: none"> The State Board of Education is authorized to promulgate rules for the creation of open-enrollment public charter schools.
<p>Charter Facilities Funding</p>	<p>LIMITED</p> <p>Some or no facilities funding</p>	<p>Open-Enrollment Public Charter Schools</p> <p>Arkansas statute establishes that ADE may provide for an open-enrollment public charter school facilities funding program, subject to appropriations by the General Assembly. Funds are to be granted to the third-party administrator to create a revolving loan fund to finance open-enrollment public charter school facilities projects.</p> <p>(A.C.A. § 6-23-508 Facilities funding for open-enrollment public charter schools; see also A.C.A. § 6-23-801 through 804 Open-Enrollment Public Charter School Capital Grant Program; A.C.A. § 6-23-901 through 908 Open-Enrollment Public Charter School Facilities Loan Fund)</p> <ul style="list-style-type: none"> The State Board may promulgate rules to implement section 6-23-508. The Commission for Arkansas Public School Academic Facilities and Transportation shall promulgate rules to implement the Open-Enrollment Public Charter School Capital Grant Program and rules necessary to administer the Open-Enrollment Public Charter School Facilities Loan Fund. <p>Arkansas statute establishes that an open-enrollment public charter school shall have no authority to impose taxes and shall not incur any debts without the prior review and approval of the Commissioner of Elementary and Secondary Education. In addition, every contract or lease into which an open-enrollment public charter school enters shall include the wording indicating that no indebtedness of any kind incurred or created by the open-enrollment public charter school “shall constitute an indebtedness of the state or its political subdivisions, and no indebtedness of the open-enrollment public charter school shall involve or be secured by the faith, credit, or taxing power of the state or its political subdivisions.”</p> <p>(A.C.A. § 6-23-401 Authority under a charter for open-enrollment public charter schools; A.C.A. § 6-23-503 Use of funding)</p> <ul style="list-style-type: none"> The State Board is authorized to promulgate rules for the creation of open-enrollment public charter schools.
<p>Options for High-Performing Charters</p>	<p>LIMITED</p> <p>No opportunities for high-performing charter schools</p>	<p>Arkansas has no relevant laws on high-performing charters.</p>

<p>Charter Zoning Exemptions</p>	<p>LIMITED</p> <p>Less than full protections</p>	<p>Arkansas has no laws on charter zoning or ordinance exemptions.</p>
<p>SOURCE CITATIONS</p>		
<p>Statutes <i>Note: All statutory links are provided via Lexis through Arkansas State Legislature.</i></p> <p>A.C.A. § 6-23-103 Definitions</p> <p>A.C.A. § 6-23-201 Application for conversion public charter school status</p> <p>A.C.A. § 6-23-203 Notice of disapproval - Technical assistance to conversion public charter school applicants</p> <p>A.C.A. § 6-23-302 Application for open-enrollment public charter school</p> <p>A.C.A. § 6-23-305 Notice of disapproval - Technical assistance to applicant for open-enrollment public charter school</p> <p>A.C.A. § 6-23-306 Contents of open-enrollment public charters</p> <p>A.C.A. § 6-23-401 Open-Enrollment Public Charter Schools - Operation</p> <p>A.C.A. § 6-23-501 Funding for open-enrollment public charter schools</p>	<p>Administrative Rules</p> <p>ADE – Rules Governing Public Charter Schools (Effective May 2, 2022)</p>	<p>State Department of Education</p> <p>ADE, Public Charter Schools</p>

<p>A.C.A. § 6-23-503 Use of Funding</p> <p>A.C.A. § 6-23-504 Employee benefits</p> <p>A.C.A. § 6-23-508 Facilities funding for open-enrollment public charter schools</p> <p>A.C.A. § 6-23-701 Designated public charter authorizer</p> <p>A.C.A. § 6-23-703 State Board of Education optional review.</p>		
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Private School Choice in Arkansas

POLICY	OVERALL RATING	PROGRAM OVERVIEW
<p>Universal Eligibility</p>	<p>YES</p> <p>(Phased in)</p> <p><i>Scoring is calculated based off % of all students served</i></p>	<p>Children’s Educational Freedom Account Program</p> <p>ADE’s Education Freedom Accounts webpage notes:</p> <p>“Education Freedom Accounts may be used by eligible families to cover private school tuition, fees, uniforms, and some other required expenses...For the 2023-2024 school year, participating students must be eligible to enroll in public elementary or secondary school in Arkansas, have at least one parent who is a resident of Arkansas, and meet one of the following criteria:</p> <ul style="list-style-type: none"> • First time kindergartener • Students who in the previous year were enrolled in an “F” rated school or “Level-5” district • Students who in the previous year were enrolled in the Succeed Scholarship Program • Students with a disability • Students experiencing homelessness • Current or former foster care students • Children of active-duty military personnel.” <p>(ADE - School Choice & Parent Empowerment - Family EFA Details)</p> <p>Arkansas statutes establish the Arkansas Children’s Educational Freedom Account (EFA) Program and criteria for a student’s initial eligibility for an account to include having a parent who is a resident of the state and is eligible to enroll in a public elementary or secondary school in the state.</p>

			<p>For the 2024-2025 school year, student eligibility is expanded to include any student who meets at least one of the 2023-2024 eligibility criteria or at least one of the following:</p> <ul style="list-style-type: none"> • Students who were enrolled in the prior school year in public schools rated “D” or “F”; or • Students whose parents are veterans as identified under Title 38 of the United States Code; in the uniformed service reserve components; first responders; or law enforcement officers. <p>Starting in the 2025-2026 school year, any Arkansas resident who is eligible to enroll in a public elementary or secondary school shall be eligible and there shall be no limitation on student participation in the program. However, in any year in which funds are insufficient to fund all applications for new accounts, priority is to be given to students as prescribed in statute.</p> <p>With limited exceptions, a student may only participate in and receive funds from either the EFA program or The Philanthropic Investment in Arkansas Kids Program Act, § 6-18-2301 et seq. (See Tax Credits, below)</p> <p>(A.C.A. § 6-18-2506 Student eligibility — Initial and continuing)</p> <ul style="list-style-type: none"> • The State Board of Education is required to promulgate rules for the implementation of this program. (See ADE – Division of Elementary and Secondary Education - Emergency Rules Governing the Educational Freedom Account (August 1, 2023))
		<p>LIMITED</p>	<p>Philanthropic Investment in Arkansas Kids Scholarship Program</p> <p>Arkansas statute creates the Philanthropic Investment in Arkansas Kids Scholarship Program, a tax credit scholarship program.</p> <p>(Philanthropic Investment in Arkansas Kids Program Act - A.C.A. § 6-18-2301 through 6-18-2308)</p> <p>“Qualified students” for this program are defined to include students who:</p> <ul style="list-style-type: none"> • are eligible to attend a public school in the state; • have an annual family income that is less than or equal to 200% of the federal poverty guidelines; • either (1) was enrolled on a full-time basis in a public school in the state in the previous year; (2) is enrolling in K-12 in the state for the first time; (3) was enrolled in a private school in the state and received an educational scholarship from a scholarship-granting

			<p>organization in the previous school year; (4) was residing in another state during previous school year before enrollment in a private school in the state, not the recipient of an educational scholarship from a scholarship-granting organization, and not attending a private school in the state for more than ½ of the school year before the year in which the qualified student is applying for an educational scholarship from a scholarship-granting organization; or</p> <ul style="list-style-type: none"> • is a student with a disability identified under the IDEA, as it existed on January 1, 2023. <p>(A.C.A. § 6-18-2302 Definitions - "Qualified Students")</p> <ul style="list-style-type: none"> • The Arkansas Department of Finance and Administration promulgated rules to implement this law. <p>Administrative rules require the scholarship-granting organizations to ensure that first-time recipients of educational scholarships are “qualified students” and were not continuously enrolled in a private school within the state during the previous school year.</p> <p>(Philanthropic Investment in Arkansas Kids Program Rules (Final Rule))</p>
<p>Comparable Student Funding</p>	<p>YES</p> <p><i>Scoring is calculated based off program with largest number of students (Children’s Educational Freedom Account)</i></p>	<p>YES</p>	<p>Children’s Educational Freedom Account Program</p> <p>Arkansas statute requires the ADE Division of Elementary and Secondary Education to allocate funds annually to each participating student’s account from funds appropriated or otherwise made available for the program in “an amount equal to ninety percent (90%) of the prior year’s statewide foundation funding allotted per student under § 6-20-2305...For the 2023-2024 school year and each school year thereafter, a student who participated in the Succeed Scholarship Program during the 2022-2023 school year shall receive one hundred percent (100%) of the prior year’s statewide foundation funding amount allotted per student” until the student graduates, receives a certificate of completion, or an event requiring account closure occurs.</p> <p>Arkansas statute specifies that “an account shall remain in force, and any unused funds shall roll over from quarter-to-quarter and from year-to-year, until:</p> <ul style="list-style-type: none"> A. A parent withdraws his or her participating student from the program; B. A participating student graduates from high school; or C. The end of the school year if a participating student turns twenty-one (21) years of age, whichever occurs first.”

			<p>(A.C.A. § 6-18-2505 Account funds)</p> <ul style="list-style-type: none"> The State Board may establish rules to implement this subchapter. (See ADE – Division of Elementary and Secondary Education - Emergency Rules Governing the Educational Freedom Account (August 1, 2023))
		LIMITED	<p>Philanthropic Investment in Arkansas Kids Scholarship Program Arkansas statute provides that the average amount of all educational scholarships must not exceed:</p> <ul style="list-style-type: none"> 80% of the previous school year’s foundation funding for qualified students who are in grades K-8; and 90% of the previous school year’s foundation funding for qualified students who are in grades 9-12. <p>(A.C.A. § 6-18-2305 Educational scholarships - Disbursement)</p> <ul style="list-style-type: none"> The Arkansas Department of Finance and Administration promulgated rules to implement this law. <p>Administrative rules do not address per-pupil funds.</p>
<p>Uncapped Student Access</p>	<p>YES (Phased in)</p> <p><i>Scoring is calculated based off program with largest number of students (Children’s Educational Freedom Account)</i></p>	YES	<p>Children’s Educational Freedom Account Program Arkansas statutes establish the Arkansas Children’s Educational Freedom Account (EFA).</p> <ul style="list-style-type: none"> Program participation for the 2023-2024 school year was capped at one and five-tenths percent (1.5%) of the 2022-2023 total public school student enrollment. For the 2024-2025 school year, a maximum of three percent (3%) of the 2022-2023 total public school student enrollment may be approved to participate. Beginning with the 2025-2026 school year, there shall be no limitation on student participation in the program; however, in any year in which funds are insufficient to fund all applications for new accounts, priority is to be given to students as prescribed in statute. <p>(A.C.A. § 6-18-2506 Student eligibility — Initial and continuing)</p>

			<ul style="list-style-type: none"> The State Board of Education must promulgate rules for this program's implementation. (See ADE – Division of Elementary and Secondary Education - Emergency Rules Governing the Educational Freedom Account (August 1, 2023))
		LIMITED	<p>Philanthropic Investment in Arkansas Kids Scholarship Program Arkansas statute does not provide for an enrollment cap.</p> <p>Scholarship funds are limited in total as follows:</p> <ul style="list-style-type: none"> 80% of the previous school year’s foundation funding for qualified students who are in grades K-8; and 90% of the previous school year’s foundation funding for qualified students who are in grades 9-12. <p>(A.C.A. § 6-18-2305 Educational scholarships - Disbursement)</p> <ul style="list-style-type: none"> The Arkansas Department of Finance and Administration promulgated rules to implement this law. <p>Administrative rules do not address enrollment caps; however, the rules confirm the scholarship fund limits.</p> <p>(Philanthropic Investment in Arkansas Kids Program Rules (Final Rule))</p>
Extended Application Window	<p>LIMITED</p> <p>Application period or periods</p> <p><i>Scoring is calculated based off program with largest number of students</i></p>	LIMITED	<p>Children’s Educational Freedom Account Program Arkansas statute requires that ADE create a standard form that a parent may submit to establish his or her child's eligibility for the program.</p> <p>(A.C.A. § 6-18-2506 Student eligibility — Initial and continuing)</p> <p>A 2025 revision to state law sets the maximum length of the EFA application period from February 1 to June 1.</p> <p>(Arkansas General Assembly, Act 920 – 2025 Regular Session)</p>

	<p><i>(Children’s Educational Freedom Account)</i></p>	<p>YES</p>	<p>Philanthropic Investment in Arkansas Kids Scholarship Program Arkansas statute does not address applications for scholarship funds.</p> <ul style="list-style-type: none"> • The Arkansas Department of Finance and Administration promulgated rules to implement this law. <p>Administrative rules do not address applications for scholarship funds.</p> <p>(Philanthropic Investment in Arkansas Kids Program Rules (Final Rule))</p>
<p>Student Testing Options</p>	<p>YES</p> <p><i>Scoring is calculated based off program with largest number of students (Children’s Educational Freedom Account)</i></p>	<p>YES</p>	<p>Children’s Educational Freedom Account Program Arkansas statute requires that each participating school and participating service provider provide for each participating student to annually take an assessment approved by the State Board of Education. These must include:</p> <ul style="list-style-type: none"> • An examination identified by the state board that is required for students attending public schools; or • A state board-approved nationally recognized norm-referenced test or a statewide assessment, which measures, at a minimum, literacy and math. <p>A student who has an individualized service plan due to a significant cognitive disability is exempted from the standardized testing requirement. In such cases, the participating private school must “annually make provision for the student to take an alternate assessment approved by the state board or prepare a portfolio that provides information on a student's progress to the student's parent or guardian.”</p> <p>(A.C.A. § 6-18-2509 Testing)</p> <p>ADE’s Emergency Rules on the EFA appear more prescriptive and give the decision on which testing option to use to the private school, not students or their parents. Specifically, it establishes that “participating schools and service providers shall administer the following to all participating students who are enrolled on a full- time basis” – either the state board required examination or a state board approved norm-referenced test.</p> <p>(ADE – Division of Elementary and Secondary Education - Emergency Rules Governing the Educational Freedom Account (August 1, 2023))</p>

		<p>YES</p>	<p>Philanthropic Investment in Arkansas Kids Scholarship Program Arkansas statute requires scholarship-granting organizations to annually administer or make provisions for the administration of a nationally recognized norm-referenced test to qualified students in grades 3-10 who have received educational scholarships.</p> <p>Qualified students in grades 3-10 who have an individualized service plan in accordance with IDEA and who need an exemption from standardized testing due to the existence of a significant cognitive disability is not required to take this test. For these students, participating private schools must annually make provision for the student to take an alternate assessment approved by the State Board or prepare a portfolio of the student’s progress.</p> <p>(A.C.A. § 6-18-2306 Scholarship-granting organizations - Duties)</p> <ul style="list-style-type: none"> • The Arkansas Department of Finance and Administration promulgated rules to implement this law. <p>Administrative rules require scholarship-granting organizations ensure that participating private schools annually report student assessment scores and other academic progress of qualified students.</p> <p>(Philanthropic Investment in Arkansas Kids Program Rules (Final Rule))</p>
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<p>School Autonomy</p>	<p>LIMITED</p> <p>Silent language or adverse regulations</p> <p><i>Scoring is calculated based off program with largest number of students (Children’s Educational Freedom Account)</i></p>	<p>LIMITED</p> <p>Children’s Educational Freedom Account Program Arkansas statute establishes eligibility requirements for a private school to participate in the EFA program, including some restrictions regarding hiring.</p> <p>Specifically, a private school must employ or contract only with teachers who hold at least baccalaureate degrees or have equivalent documented experience; complete background checks and fingerprinting for any employee working in the private school; exclude any individual from employment who may reasonably pose a risk to the appropriate use of funds disbursed; and, among other things, meet any other eligibility criteria set by state board rules.</p> <p>(A.C.A. § 6-18-2507 Participating schools and participating service providers — Eligibility — Participation)</p> <ul style="list-style-type: none"> The State Board is required to promulgate rules to implement this subchapter. By not later than June 30, 2024, the state board shall adopt rules providing for program eligibility for participating service providers that are not participating schools, including without limitation an application process that is executed, at a minimum, annually for the purpose of determining service provider eligibility.
		<p>LIMITED</p> <p>Philanthropic Investment in Arkansas Kids Scholarship Program Arkansas statute does not address private school autonomy. Requirements in the law include ensuring private schools comply with all health and safety laws and rules; ensuring private schools hold valid occupancy of buildings; and following the student assessments requirements; as well as annual reporting requirements regarding students’ progress.</p> <p>(A.C.A. § 6-18-2306 Scholarship-granting organizations - Duties)</p> <ul style="list-style-type: none"> The Arkansas Department of Finance and Administration promulgated rules to implement this law. <p>Administrative rules do not address private school autonomy.</p> <p>(Philanthropic Investment in Arkansas Kids Program Rules (Final Rule))</p>

<p>Accessible School Participation</p>	<p>LIMITED</p> <p>Accreditation requirement</p> <p><i>Scoring is calculated based off program with largest number of students (Children’s Educational Freedom Account)</i></p>	<p>LIMITED</p>	<p>Children’s Educational Freedom Account Program</p> <p>Arkansas statute establishes eligibility requirements for a private school to participate in the EFA program, including:</p> <p>“Either:</p> <ul style="list-style-type: none"> (i) Meet accreditation requirements established by the State Board of Education, the Arkansas Nonpublic School Accrediting Association, Inc., or its successor, or another accrediting association recognized by the state board; or (ii) Be an associate member of or have applied for accreditation by the Arkansas Nonpublic School Accrediting Association, Inc., or its successor, or another accrediting association recognized by the state board.” <p>A private school will no longer be eligible if it has not received accreditation within four (4) years of becoming eligible.</p> <p>(A.C.A. § 6-18-2507 Participating schools and participating service providers — Eligibility — Participation)</p> <ul style="list-style-type: none"> • The State Board is required to promulgate rules to implement this subchapter. (See ADE – Division of Elementary and Secondary Education - Emergency Rules Governing the Educational Freedom Account (August 1, 2023))
		<p>YES</p>	<p>Philanthropic Investment in Arkansas Kids Scholarship Program</p> <p>Arkansas statute does not address the requirement of private school accreditation for this scholarship program.</p> <ul style="list-style-type: none"> • The Arkansas Department of Finance and Administration promulgated rules to implement this law. <p>Administrative rules require scholarship-granting organizations ensure that participating private schools annually report the name and accreditation status of private schools that receive funds through the act.</p> <p>(Philanthropic Investment in Arkansas Kids Program Rules (Final Rule))</p>

ESAs and Parent-Directed Spending

Freedom to
Customize

YES

Children’s Educational Freedom Account Program

Arkansas statute establishes the Arkansas Children’s Educational Freedom Account (EFA) Program under which parents of participating students may use account funds for qualifying expenses. The list of qualifying expenses, initially established for the 2023-2024 school year and expanded beginning with the 2024-2025 school year, includes:

- Tuition;
- Fees;
- The cost of testing;
- The cost of required school uniforms, if any;
- Reasonable costs associated with co-curricular courses in the fine arts, music, or STEM fields if the co-curricular course is offered by a public school within the state;
- Expenses determined by a participating school to be necessary for the education of a participating student and required to be paid by a participating student who is enrolled in the participating school, including without limitation expenses related to: Supplies; Equipment; Access to technology; and services provided by or at the participating school.
- Instructional materials required for either in-person or virtual instruction provided by a participating service provider or participating school;
- Instructional or tutoring services;
- Curriculum;
- Supplemental materials or supplies required by a course of study for a particular content area;
- Fees for: Courses and associated examinations for college credit; and Any examination related to postsecondary educational institution admission; Courses and associated examinations for career training; and Any examination required to obtain an industry-based credential;
- Educational services provided by a licensed or accredited practitioner or participating service provider to a participating student who is a student with a disability;
- Fees for account management by participating service providers;
- Technological devices used to meet a participating student's educational needs (subject to exceptions);
- Costs associated with transportation to and from a participating service provider or participating school, up to 25% of the funds allocated to a student's account in a fiscal year; and
- Any other educational expense approved by the Division of Elementary and Secondary Education.

		<p>(A.C.A. § 6-18-2503 Definitions)</p> <ul style="list-style-type: none"> The State Board of Education is required to adopt rules by which the ADE administers the EFA program. (See ADE – Division of Elementary and Secondary Education - Emergency Rules Governing the Educational Freedom Account (August 1, 2023)) <p>(Arkansas General Assembly, Act 920 – 2025 Regular Session)</p>
<p>Freedom to Access</p>	<p>YES</p>	<p>Children’s Educational Freedom Account Program EFA participation is not limited to public school students. Subject to satisfying additional criteria, a student must be eligible to enroll in a public elementary or secondary school in Arkansas.</p> <p>ADE’s Education Freedom Accounts webpage notes: “Education Freedom Accounts may be used by eligible families to cover private school tuition, fees, uniforms, and some other required expenses... For the 2023-2024 school year, participating students must be eligible to enroll in public elementary or secondary school in Arkansas, have at least one parent who is a resident of Arkansas, and meet one of the following criteria:</p> <ul style="list-style-type: none"> First time kindergartener Students who in the previous year were enrolled in an “F” rated school or “Level-5” district Students who in the previous year were enrolled in the Succeed Scholarship Program Students with a disability Students experiencing homelessness Current or former foster care students Children of active-duty military personnel” <p>(ADE - School Choice & Parent Empowerment - Family EFA Details)</p> <p>For the 2024-2025 school year, student eligibility is expanded to include any student who meets at least one of the 2023-2024 eligibility criteria, or at least one of the following:</p> <ul style="list-style-type: none"> Students who were enrolled in the prior school year in public schools rated “D” or “F”; or Students whose parents are veterans as identified under Title 38 of the United States Code; in the uniformed service reserve components; first responders; or law enforcement officers.

		<p>Starting in the 2025-2026 school year, any Arkansas resident eligible to enroll in a public elementary or secondary school shall be eligible, and there shall be no limitation on student participation in the program. However, in any year in which funds are insufficient to fund all applications for new accounts, priority is to be given to students as prescribed in statute.</p> <p>(A.C.A. § 6-18-2506 Student eligibility — Initial and continuing)</p> <ul style="list-style-type: none"> The State Board of Education must promulgate rules for this program's implementation. (See ADE – Division of Elementary and Secondary Education - Emergency Rules Governing the Educational Freedom Account (August 1, 2023))
<p>Carry-Over Funding</p>	<p>YES</p>	<p>Children’s Educational Freedom Account Program</p> <p>Arkansas statute requires that ADE create a standard form that a parent may submit to establish his or her child's eligibility for the program. The ADE division administering the program must, among other things, continue making deposits into a participating student’s account until:</p> <ul style="list-style-type: none"> The division determines that the participating student is no longer an eligible student; The division determines that there was substantial misuse of account funds, as defined by the State Board; A parent or a participating student withdraws from the program A participating student enrolls full-time in a public school; A participating student graduates from high school; or A participating student completes the school year in which they turn twenty-one (21) years old. <p>A student’s enrollment as a full-time student in a public school will result in the immediate suspension of payment of additional funds into the participating student’s account. “However, for accounts that have been open for at least one (1) full academic year, the account shall remain open and active for the parent of a former participating student to make qualifying expenditures to educate the student from funds remaining in the account.”</p> <p>(A.C.A. § 6-18-2506 Student eligibility — Initial and continuing)</p> <ul style="list-style-type: none"> The State Board and the department may adopt rules to provide the least disruptive process for a participating student who desires to stop receiving funds and enroll full-time in a public school. (See ADE – Division of Elementary and Secondary Education - Emergency Rules Governing the Educational Freedom Account (August 1, 2023))

Tax Credits

Full Tax Credit

YES

Philanthropic Investment in Arkansas Kids Scholarship Program

Arkansas statute establishes the Philanthropic Investment in Arkansas Kids Scholarship Program and authorizes a taxpayer’s claim of a state income tax credit for one hundred percent (100%) of eligible contributions made to an eligible scholarship-granting organization.

[\(A.C.A. § 6-18-2304 Eligible taxpayer contributions\)](#)

- The Revenue Division of the Department of Finance and Administration is required to promulgate rules, in consultation with ADE’s Division of Elementary and Secondary Education, that are necessary to carry out the purposes of this section.

Administrative Rules in Arkansas confirm this dollar-for-dollar credit for scholarship donations.

[\(Philanthropic Investment in Arkansas Kids Program Rules \(Final Rule\)\)](#)

SOURCE CITATIONS

Statutes

Note: All statutory links are provided via Lexis through [Arkansas State Legislature](#).

[A.C.A. § 6-18-2301, et al. Philanthropic Investment in Arkansas Kids Program Act](#)

[A.C.A. § 6-18-2501, et al. Arkansas Children's Educational Freedom Account Program](#)

Administrative Rules

[ADE - Division of Elementary and Secondary Education - Emergency Rules Governing the Educational Freedom Account \(August 1, 2023\)](#)

[Philanthropic Investment in Arkansas Kids Program Rules \(Final Rule\)](#)

State Department of Education

[ADE, LEARNS](#)

[ADE, School Choice & Parent Empowerment - Education Freedom Accounts](#)

[ADE, School Choice & Parent Empowerment - Family EFA Details](#)

[ADE, School Choice & Parent Empowerment - Private School EFA Details](#)

Other Resources

[EdChoice, The ABCs of School Choice: Arkansas \(2024 Edition\)](#)

[Reform Alliance](#)

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Homeschooling in Arkansas

POLICY	RATING	POLICY OVERVIEW
<p>Homeschool without Prior Approval</p>	<p>YES</p> <p>No permission required</p>	<p>Arkansas statute establishes prerequisites to home schooling (defined as a school provided by a parent or legal guardian for his or her own child at A.C.A. § 6-15-501). While there is no requirement that families receive permission to homeschool, unless the local district board or superintendent agree to permit home schooling (or other criteria are satisfied), a public school student is not eligible for enrollment in a home school if the student is currently under disciplinary action for violation of any written school policy, including excessive unexcused absences.</p> <p>Arkansas statute also establishes prerequisites to home schooling, including providing the written notice of intent to the local school district superintendent. Such notice must include the parent/guardian’s agreement to be responsible for the education of his or her children.</p> <p>(A.C.A. § 6-15-503 Prerequisites to home schooling)</p> <ul style="list-style-type: none"> Arkansas Code 6-15-503 does not specifically require or authorize the promulgation of administrative rules. <p>Administrative rules establish an additional Notice of Intent requirement following a student’s enrollment in a school that is not the home school. Specifically, it establishes that:</p> <ul style="list-style-type: none"> “Home school students who enroll in a public, private, or parochial school during the time they are home schooling cannot re-enter home schooling until a new Notice of Intent is completed and submitted to the resident school district or completed through the Division of Elementary and Secondary Education’s online process.” <p>(ADE – Division of Elementary and Secondary Education – Rules Governing Home Schools (Effective May 29, 2023))</p>

<p>No Extra Homeschool Notifications</p>	<p>NO Annual notification</p>	<p>Administrative rules establish that the required Notice of Intent “is valid for the entire school year if filed at the beginning of the school year or for the remainder of the school year if filed during the school year.” (ADE – Division of Elementary and Secondary Education – Rules Governing Home Schools (Effective May 29, 2023))</p>
<p>No Certification to Homeschool</p>	<p>YES No certification requirement</p>	<p>Arkansas statute does not require homeschool parents to possess state teacher certification. Administrative rules establish that no additional criteria or information shall be required for a student to attend a home school beyond what law requires. (ADE – Division of Elementary and Secondary Education – Rules Governing Home Schools (Effective May 29, 2023))</p>
<p>Flexible Assessment Options</p>	<p>YES Flexible academic accountability</p>	<p>Arkansas statute does not require home school students to participate in state assessments or norm-referenced testing. Administrative rules establish that no additional criteria or information shall be required for a student to attend a home school beyond what law requires. (ADE – Division of Elementary and Secondary Education – Rules Governing Home Schools (Effective May 29, 2023))</p>

SOURCE CITATIONS

<p>Statutes <i>Note: All statutory links are provided via Lexis through Arkansas State Legislature.</i> A.C.A. § 6-15-503 Prerequisites to home schooling</p>	<p>Administrative Rules ADE – Division of Elementary and Secondary Education – Rules Governing Home Schools (Effective May 29, 2023)</p>	<p>State Department of Education ADE, Home Schools ADE, Home School Rules and Laws ADE - Notice of Intent to Homeschool</p>
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POLICY ENHANCERS



Part-time Enrollment in Arkansas

POLICY	RATING	POLICY OVERVIEW
<p>Resident Course Access</p>	<p>LIMITED</p> <p>By type of student, type of course, or district policy</p>	<p>Home School Student Enrollment in District Academic Courses Administrative rules require a public school district to adopt a policy that allows a student who attends a home school to enroll in an academic course at a public school if the student resides in the school district. A district’s policy may require academic or grade-level prerequisites, attendance, testing, coursework, grades, and conduct, all of which must be consistent with provisions that apply to public school students. Enrollment may be limited if it would create a financial loss for the public school district or violate any state or federal law or rule of ADE’s Division of Elementary and Secondary Education.</p> <p>The district or open-enrollment public charter enrolling any such student in an academic course is entitled to an amount equal to one-sixth (1/6) of the state foundation funding amount for each academic course.</p> <p>(A.C.A. § 6-18-232 Enrollment of private school or home school students; See also ADE – Division of Elementary and Secondary Education – Rules Governing Home Schools (Effective May 29, 2023))</p> <p>Concurrent Enrollment Course Access Both home school and private school students can participate in concurrent enrollment courses. A school shall not charge a private school or home school student for an endorsed concurrent enrollment course unless the district also charges public school students or open-enrollment public charter students for the endorsed concurrent enrollment course.</p> <p>(A.C.A. § 6-18-232 Enrollment of private school or home school students; See also ADE – Division of Elementary and Secondary Education – Rules Governing Home Schools (Effective May 29, 2023))</p> <p>Course Access – Nonacademic Class Period Coinciding with Interscholastic Activity Arkansas statute establishes that a homeschooled student who participates in an interscholastic activity may be enrolled “by his or her resident school district in a nonacademic class period that coincides with the</p>

		<p>interscholastic activity in which the homeschooled student participates in order for the resident school district to receive an amount equal to one-sixth (1/6) of the state foundation funding amount provided under § 6-20-2305 for the duration of the homeschooled student's enrollment in the resident school district.”</p> <p>(A.C.A. § 6-15-509 Participation of homeschooled students in interscholastic activities — Definitions)</p> <ul style="list-style-type: none"> Arkansas Code 6-15-509 does not specifically require or authorize the promulgation of administrative rules. <p>Course Choice Program Arkansas statute establishes the Course Choice Program and requires, not later than the 2025-2026 school year, the State Board of Education to promulgate rules on the Course Choice Program.</p> <p>Nonpublic and homeschool students are not considered eligible for participation. Statutory definitions establish that an Eligible Student is any student who resides in Arkansas and meets at least one (1) of the following criteria:</p> <ul style="list-style-type: none"> (A) “Is attending a public school that does not offer the course in which the student desires to enroll, as determined by the state board; or (B) Is attending a public school that received a letter grade of “C”, “D”, or “F”, or any variation thereof, under §§ 6-15-2105 and 6-15-2106 and state board rules, and would like to take a required course through the Course Choice Program.” <p>(A.C.A. § 6-16-1703 Course choice program; A.C.A. § 6-16-1702 Definitions)</p> <ul style="list-style-type: none"> The State Board of Education is required to promulgate rules to administer the program. No relevant rules were located.
<p>Nonresident Course Access</p>	<p>LIMITED</p> <p>Districts only serve resident students or can impose other restrictions</p>	<p>Policy only requires districts to serve resident students.</p> <p>Arkansas Code Title 6. Education § 6-18-232 FindLaw</p>

Virtual Course Access

NO

No virtual options provided by other entities than the school district in which a student resides

Arkansas statute details the General Assembly’s finding that “[D]istance learning should be available to every Arkansas student who wishes to participate.” In the same section, the legislature directed ADE to promulgate rules necessary for the efficient scheduling of courses offered by public schools through distance learning technologies.

Rules Governing Distance and Digital Learning are “intended to ensure that distance learning is available to every Arkansas student who wishes to participate, to improve content and course

offerings available to students—including Advanced Placement courses or other academic courses not otherwise available—and encourage innovation in education, and to prepare students for participation in the information age economy.” Digital Learning Provider is defined to mean an agency or entity approved by the Division of Elementary and Secondary Education pursuant to the rules. A public school district or open-enrollment public charter school may seek and obtain approval.

These rules are not limited in scope to distance and digital learning made available to public school students. In fact, they establish that “A public school district or open-enrollment public charter school may offer and teach distance learning courses to a student enrolled in a private school or a home school if, among other things, the student resides in the school district and agrees to physically attend the school for the purposes of taking state tests and assessments required for course participation.”

A public school district or open-enrollment public charter school that teaches or offers a distance learning course to one or more home-schooled or private school students is entitled to an amount equal to one-sixth of the state foundation funding amount for each course taught to a private school student or home-schooled student.

[\(A.C.A. § 6-16-136 Statewide coordination of distance learning;](#)

[ADE – Division of Elementary and Secondary Education – Rules Governing Distance and Digital Learning \(May 2020\)\)](#)

Arkansas statute requires that all public school districts and public charter schools provide at least one digital learning course to their students as either a primary or supplementary method of instruction.

[\(A.C.A. § 6-16-1406 Digital learning courses\)](#)

- The State Board is authorized to promulgate rules to implement this section but is prohibited from limiting the number of digital learning courses for which a public school or public charter school student may receive credit.

		<p>Arkansas statute establishes that digital learning services may be procured from both in-state and out-of-state digital learning providers and requires ADE to annually publish a list of approved course choice providers that offer digital learning services.</p> <p>(A.C.A. § 6-16-1403 Digital learning - Approved provider list - Definition)</p> <ul style="list-style-type: none"> Arkansas Code 6-16-1403 does not specifically require or authorize the promulgation of administrative rules.
<p>Extracurricular Access</p>	<p>LIMITED</p> <p>Access denied to some resident students, or students must take at least one class in a public school</p>	<p>Public schools establish some options for home school students to participate in a public school’s athletics and extra/co-curricular activities. There are no corresponding options established for students in charter schools and nonpublic schools.</p>

SOURCE CITATIONS

Statutes

Note: All statutory links are provided via Lexis through [Arkansas State Legislature](#).

[A.C.A. § 6-15-503 Prerequisites to home schooling](#)

[A.C.A. § 6-15-509 Participation of homeschooled students in interscholastic activities - Definitions](#)

[A.C.A. § 6-16-136 Statewide coordination of distance learning](#)

[A.C.A. § 6-16-1403 Digital learning - Approved provider list - Definition](#)

[A.C.A. § 6-16-1406 Digital learning courses](#)

[A.C.A. § 6-16-1702 Course Choice Program - Definitions](#)

[A.C.A. § 6-16-1703 Course choice program](#)

Administrative Rules

[ADE – Division of Elementary and Secondary Education – Rules Governing Home Schools \(Effective May 29, 2023\)](#)

[ADE – Division of Elementary and Secondary Education – Rules Governing Distance and Digital Learning \(May 2020\)](#)

[A.C.A. § 6-18-232 Enrollment of private school or home school students](#)



Learn Everywhere in Arkansas

POLICY	RATING	POLICY OVERVIEW
Provider Qualification Standard	<p>NO</p> <p>No program</p>	Arkansas has not established a Learn Everywhere program.
Course Credit Standard	<p>NO</p> <p>No program</p>	
Core Course Opportunities	<p>NO</p> <p>No program</p>	
Central State List	<p>NO</p> <p>No program</p>	



Transportation in Arkansas

POLICY	RATING	POLICY OVERVIEW
<p>Open Enrollment Transit</p>	<p>NO</p>	<p>Public School Choice Act of 2015 Rules promulgated by ADE regarding interdistrict transfers establish that a transfer student or transfer student’s parent is responsible for the transportation to and from the school in the nonresident district where the transfer student is enrolled. The nonresident district may enter into a written agreement with the student, student’s parent, or resident district to provide the transportation.</p> <p>(ADE – Division of Elementary and Secondary Education – Rules Governing Public School Choice, Chapter 2 (Effective May 2, 2022))</p> <p>Opportunity Public School Choice Act Rules promulgated by ADE establish that, under this Act, the receiving public school or school district may transport students to and from the transferring public school or school district, and the cost of transporting students shall be the responsibility of the transferring public school or school district. Exceptions are made such that a transferring public school or school district shall not be required to spend more than four hundred dollars (\$400) per student per school year for such transportation, and, upon the transferring public school district’s removal from classification as a public school district in need of Level 5 –Intensive support or the transferring public school’s receipt of rating other than “F,” the transportation costs shall no longer be the responsibility of the transferring public school or school district, and the student’s transportation and the costs of transportation shall be the responsibility of the parent or guardian or of the receiving public school district if the receiving public school district agrees to bear the transportation costs.</p> <p>(ADE – Division of Elementary and Secondary Education – Rules Governing Public School Choice, Chapter 3 (Effective May 2, 2022))</p> <p>Parent/Legal Guardian Relocation Arkansas statute establishes limited criteria allowing for a student’s attendance in a nonresident district, including for a child whose parent or legal guardian relocates him or her to a nonresident school district. The school district in which a student is enrolled at the time of the relocation and where he or she will complete his or her remaining school years is not required to provide transportation for the student “to and from his or her original school district if the child's new residency status is outside the boundaries of his or her original school district.”</p>

[\(A.C.A. § 6-18-203 Attendance in district other than district of residence\)](#)

- Arkansas Code 6-18-203 does not specifically require or authorize the promulgation of administrative rules.

Optional Summer School Program

Arkansas statute permits a school district, upon agreement with another school district, to “transfer students to the nonresident school district for summer school classes.” Transportation is the responsibility of the student or the student’s parents.

[\(A.C.A. § 6-16-706 Summer school for nonresidents\)](#)

- Arkansas Code 6-16-706 does not specifically require or authorize the promulgation of administrative rules.

Enrollment of Private School or Home School Students

Arkansas statutes providing for the enrollment of private school or home school students in one or more courses offered by a public school district or an open-enrollment public charter school establishes that a district or open-enrollment public charter school may provide transportation for a private school or home-schooled student to and from the location of the academic course.

[\(A.C.A. § 6-18-232 Enrollment of private school or home school students; see also ADE – Division of Elementary and Secondary Education – Rules Governing Home Schools \(Effective May 29, 2023\)\)](#)

School Choice for Children in Foster Care

If a foster child whose transfer to another public school district is approved the foster child or foster parent is responsible for transportation to and from the public school to which the foster child transferred, with limited exceptions.

[\(A.C.A. § 6-18-233 School choice for children in foster care - Definition\)](#)

<p>Fair Transportation Access</p>	<p>NO</p>	<p>There are no policies requiring or providing transportation services for charter and nonpublic students on equivalent terms as district students; however, a charter school operating school buses must comply with rules adopted by The Commission for Arkansas Public School Academic Facilities and Transportation to govern the design and operation of all school buses used for the transportation of school children.</p> <p>(A.C.A. § 6-19-111 Bus rules - Design and operation)</p> <p>Arkansas statutes establishes that a homeschooled student who participates in an interscholastic activity “may be transported by the resident school district to and from interscholastic activities as the resident school district transports other students who are enrolled in the resident school”.</p> <p>(A.C.A. § 6-15-509 Participation of homeschooled students in interscholastic activities - Definitions)</p> <ul style="list-style-type: none"> Arkansas Code 6-15-509 does not specifically require or authorize the promulgation of administrative rules.
<p>Vehicle Flexibility</p>	<p>YES</p>	<p>Arkansas statute defines “school bus” to mean:</p> <ul style="list-style-type: none"> A motor vehicle designed to carry ten (10) or more passengers that is: Owned by a public or a governmental agency or a private school and operated for the transportation of students to or from school or school-sponsored activities; or Privately owned and operated for compensation for the transportation of students to or from school or school-sponsored activities <p>(A.C.A. § 6-19-117 School bus safety equipment - Definition)</p> <p>The Commission for Arkansas Public School Academic Facilities and Transportation is required to adopt and enforce rules to govern the design and operation of all school buses used for the transportation of school children when the buses are owned and operated by a school district or privately owned and operated under contract with a school district.</p> <p>(A.C.A. § 6-19-111 Bus rules - Design and operation)</p>

After April 11, 2005, no public school in the state shall purchase nonconforming vans, as defined by the federal motor vehicle safety standards in existence on January 1, 2005, to transport students to or from school or to any school-related activity.

[\(A.C.A. § 6-19-121 Approved buses\)](#)

SOURCE CITATIONS

Statutes

Note: All statutory links are provided via Lexis through [Arkansas State Legislature](#).

[A.C.A. § 6-15-509 Participation of homeschooled students in interscholastic activities - Definitions](#)

[A.C.A. § 6-16-706 Summer school for nonresidents](#)

[A.C.A. § 6-18-203 Attendance in district other than district of residence](#)

[A.C.A. § 6-18-232 Enrollment of private school or home school students](#)

[A.C.A. § 6-18-233 School choice for children in foster care - Definition](#)

[A.C.A. § 6-19-111 Bus rules - Design and operation](#)

[A.C.A. § 6-19-117 School bus safety equipment - Definition](#)

[A.C.A. § 6-19-121 Approved buses](#)

Administrative Rules

[ADE – Division of Elementary and Secondary Education – Rules Governing Home Schools \(Effective May 29, 2023\)](#)

