

1 State of Arkansas As Engrossed: S2/27/25 H3/12/25

2 95th General Assembly

# A Bill

3 Regular Session, 2025

SENATE BILL 167

4

5 By: Senator A. Clark

6 By: Representative Brooks

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## For An Act To Be Entitled

9 AN ACT TO AMEND THE DATES BY WHICH APPLICATIONS FOR A  
10 TRANSFER UNDER THE ARKANSAS OPPORTUNITY PUBLIC SCHOOL  
11 CHOICE ACT AND PUBLIC SCHOOL CHOICE ACT OF 2015 SHALL  
12 BE SUBMITTED; TO AMEND THE DATE BY WHICH A FOSTER  
13 CHILD SHALL SUBMIT A REQUEST TO TRANSFER SCHOOLS; AND  
14 FOR OTHER PURPOSES.

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## Subtitle

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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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25 SECTION 1. Arkansas Code § 6-18-227(b)(1), concerning a request for a  
26 student to transfer from his or her resident district or public school to  
27 another school district or public school under the Arkansas Opportunity  
28 Public School Choice Act, is amended to read as follows:

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(b)(1) Upon the request of a parent, guardian, or student, if the  
student is eighteen (18) years of age or older, a student may transfer from  
his or her resident district or public school to ~~another~~ a nonresident school  
district or another public school under this section if, at the time of the  
request under this subdivision (b)(1):

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(A) Either:

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(i) The resident public school district has been  
classified by the state board as a public school district in need of Level 5



1 – Intensive support under § 6-15-2913 or § 6-15-2915; or

2 (ii) The resident public school has a rating of “F”  
3 under §§ 6-15-2105 and 6-15-2106 and state board rules, as allowed in  
4 subdivision (b)(3)(B)(i)(b) of this section; and

5 (B) Except as provided in subsection (n) of this section,  
6 the parent, guardian, or student, if the student is eighteen (18) years of  
7 age or older, has notified both the resident and nonresident school districts  
8 of the request for a transfer no earlier than January 1 and no later than ~~May~~  
9 ~~±~~ June 1 of the school year before the school year in which the student  
10 intends to transfer.

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12 SECTION 2. Arkansas Code § 6-18-227(b)(3)(A), concerning notification  
13 of public school transfers options to students enrolled in or assigned to  
14 certain public school districts under the Arkansas Opportunity Public School  
15 Choice Act, is amended to read as follows:

16 (3)(A) For each student enrolled in or assigned to a public  
17 school district that is classified by the state board as a public school  
18 district in need of Level 5 – Intensive support under § 6-15-2913 or § 6-15-  
19 2915 or a public school that has a rating of “F” under §§ 6-15-2105 and 6-15-  
20 2106 and state board rules, a school district shall:

21 (i) Timely notify the parent, guardian, or student  
22 if the student is eighteen (18) years of age or older, as soon as practicable  
23 after the designation is made, of all options available under this section;  
24 and

25 (ii)(a) Offer the parent, guardian, or student if  
26 the student is eighteen (18) years of age or older, an opportunity to submit  
27 an application no earlier than January 1 and no later than ~~May~~ June 1 to  
28 enroll the student in the upcoming school year in any public school district  
29 that is not classified by the state board as a public school district in need  
30 of Level 5 – Intensive support under ~~§§ 6-15-2913 and 6-15-2915~~ § 6-15-2913  
31 or § 6-15-2915 or a public school within the resident district that does not  
32 have a rating of “F” under §§ 6-15-2105 and 6-15-2106 and state board rules.

33 (b) The opportunity to continue attending the  
34 public school or school district that the student transfers to under this  
35 section remains in effect until the student graduates from high school.

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1 SECTION 3. Arkansas Code § 6-18-227(d)(2)(C) and (D), concerning  
2 notification to a student of his or her transfer into a nonresident district  
3 under the Arkansas Opportunity Public School Choice Act, are amended to read  
4 as follows:

5 (C) ~~Except as provided in subdivision (b)(1)(B)(ii) of~~  
6 ~~this section, by July 1~~ of the school year in which the student seeks to  
7 enroll in a nonresident district, the nonresident district shall notify the  
8 parent or guardian of the student and the resident district in writing as to  
9 whether the student's application has been accepted or rejected.

10 (D) If the parent or guardian of the student has applied  
11 to attend a school within the student's resident district, the resident  
12 district shall notify the parent or guardian of the student in writing as to  
13 whether the student's application has been accepted or rejected by July 1.  
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15 SECTION 4. Arkansas Code § 6-18-227(m)(2)(D), concerning a Changing  
16 Schools/Athletic Participation form required under the Arkansas Opportunity  
17 Public School Choice Act, is amended to read as follows:

18 (D) A Changing Schools/Athletic Participation form shall  
19 be used only for eligibility determination of a student who transfers to  
20 another public school or nonresident school district under this section and  
21 is enrolled in the receiving school district by July 1 before the student  
22 enters grades seven through twelve (7-12).  
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24 SECTION 5. Arkansas Code § 6-18-233(d), concerning the deadline by  
25 which a request by a foster child to transfer to another public school or  
26 public school district shall be submitted, is amended to read as follows:

27 (d)(1) A request to transfer under subsection (c) of this section  
28 shall be:

29 (A) Made on a form approved by the division; and

30 (B) Postmarked no later than ~~May 1~~ June 1 of the year in  
31 which the student seeks to begin the fall semester at the public school  
32 district.

33 (2)(A) By July 1 of the school year in which the student seeks  
34 to transfer under this section, the superintendent of the public school  
35 district shall notify the foster parent or the foster child, if the foster  
36 child is over eighteen (18) years of age, in writing as to whether the foster

1 child's application has been accepted or rejected.

2 (B)(i) If the application is rejected, the superintendent  
3 of the public school district shall state in the notification letter the  
4 reason for rejection.

5 (ii) If the application is accepted, the  
6 superintendent of the public school district shall state in the notification  
7 letter a reasonable deadline by which the foster child shall enroll in the  
8 public school district and after which the acceptance notification is null.

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10 SECTION 6. Arkansas Code § 6-18-1904(f)(2)(D), concerning a Changing  
11 Schools/Athletic Participation form under the Public School Choice Act of  
12 2015, is amended to read as follows:

13 (D) A Changing Schools/Athletic Participation form shall  
14 be used only for eligibility determination of a student who transfers to  
15 another public school or nonresident school district under this subchapter  
16 and is enrolled in the receiving school district by July 1 before the student  
17 enters grades seven through twelve (7-12).

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19 SECTION 7. Arkansas Code § 6-18-1905(a)(1), concerning an application  
20 to transfer under the Public School Choice Act of 2015, is amended to read as  
21 follows:

22 (a)(1) An application under this section shall be accepted no earlier  
23 than January 1 and no later than ~~May 1~~ June 1 each year.

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25 SECTION 8. Arkansas Code § 6-18-1905(a)(3), concerning the date by  
26 which a student shall submit an application to transfer under the Public  
27 School Choice Act of 2015, is amended to read as follows:

28 (3) If a student seeks to attend a school in a nonresident  
29 district, the student's parent or guardian, or a student who is eighteen (18)  
30 years of age or older, shall submit an application:

31 (A) To the nonresident district and to the student's  
32 resident district;

33 (B) On a form approved by the Division of Elementary and  
34 Secondary Education; and

35 (C) Postmarked or delivered no later than ~~May 1~~ June 1 of  
36 the year in which the student seeks to begin the fall semester at the

1 nonresident district, except as otherwise provided for dependents of  
2 uniformed service members and uniformed service veterans under this  
3 subchapter.

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5 SECTION 9. Arkansas Code § 6-18-1905(e)(1), concerning the date by  
6 which a nonresident district shall notify a student of his or her transfer  
7 application's acceptance or rejection under the Public School Choice Act of  
8 2015, is amended to read as follows:

9 (e)(1) By July 1 of the school year in which a student seeks to enroll  
10 in a nonresident district under this subchapter, the superintendent of the  
11 nonresident district shall notify the student's parent or guardian and the  
12 resident district in writing as to whether the student's application has been  
13 accepted or rejected.

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15 /s/A. Clark

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18 **APPROVED: 4/14/25**

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