

Stricken language would be deleted from and underlined language would be added to present law.  
Act 563 of the Regular Session

State of Arkansas  
95th General Assembly  
Regular Session, 2025

As Engrossed: S2/27/25 H3/12/25

**A Bill**

SENATE BILL 167

By: Senator A. Clark

By: Representative Brooks

**For An Act To Be Entitled**

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

**Subtitle**

TO AMEND THE DATES BY WHICH CERTAIN REQUESTS TO TRANSFER PUBLIC SCHOOLS OR PUBLIC SCHOOL DISTRICTS SHALL BE SUBMITTED.

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

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

(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):

(A) Either:

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



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

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

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

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

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

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

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

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

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

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

(D) If the parent or guardian of the student has applied to attend a school within the student's resident district, the resident district shall notify the parent or guardian of the student in writing as to whether the student's application has been accepted or rejected by July 1.

SECTION 4. Arkansas Code § 6-18-227(m)(2)(D), concerning a Changing Schools/Athletic Participation form required under the Arkansas Opportunity Public School Choice Act, is amended to read as follows:

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

SECTION 5. Arkansas Code § 6-18-233(d), concerning the deadline by which a request by a foster child to transfer to another public school or public school district shall be submitted, is amended to read as follows:

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

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

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

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

child's application has been accepted or rejected.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

*/s/A. Clark*

**APPROVED: 4/14/25**