



# School Enrollment Fact Sheet

## Introduction

Every parent, guardian, or other person taking care of a child living in the state of Arkansas—having custody or charge of any child aged years five through 17 on or before August 1 of that year—must enroll and send the child to a public, private, or parochial school or provide a home school for the child. You may home school your child in Arkansas if you meet the guidelines.

You may elect for the child not to attend kindergarten if the child will not be aged six years on August 1 of that school year. If you elect for the child to not attend kindergarten for that year, then the parent, guardian, or other person having custody or charge of the child must file a signed kindergarten waiver form with the local school district's administration. The kindergarten waiver form can be gotten from the Arkansas Department of Education.

## Enrolling

Prior to a child's admission to an Arkansas public school, the parent, guardian, or responsible person shall provide the school district with one of the following, indicating the child's age:

- a birth certificate
- a statement by a local registrar or county recorder certifying the child's date of birth
- an attested baptismal certificate
- a passport
- an affidavit of the date and place of birth by the child's parent or guardian
- previous school records
- a United States military identification

Prior to a child's admission to an Arkansas public school, the parent, guardian, or other responsible person shall indicate on school registration forms whether the child has been expelled from school in any other school district or is a party to an expulsion proceeding.

## Districts

Before a student may attend a school in a nonresident district, the student's parent or guardian must submit a "school choice" application on a form approved by the Department of Education to the nonresident district. This application must be postmarked no later than July 1 of the year in which the student would begin the fall semester at the nonresident district. You will be notified in writing within 30 days of the receipt of the application, the application being from a nonresident student seeking admission, as to if the student's application has been accepted or rejected.

Any student who applies for a transfer and is denied by the non-resident district may request a hearing before the Arkansas Department of Education. A request for the hearing must be

made in writing and postmarked no later than 10 days after notice of rejection of the application. If your application is approved, you are responsible for transportation to and from school for your child.

## The following school districts do not have school choice:

- Camden Fairview
- Cutter Morning Star
- Dollarway
- El Dorado
- Fountain Lake
- Hope
- Hot Springs
- Jacksonville/North Pulaski
- Jessieville
- Junction City
- Lafayette County
- Lake Hamilton
- Lakeside
- Mountain Pine
- Pulaski County Special
- Texarkana

## Guardianship

Many schools in Arkansas tell caregivers they must have a legal guardianship over a child to enroll the minor in school. That is not the law. In Arkansas, you may enroll a child if you are a parent; legal guardian; person having legal, lawful control of the minor under order of a court; or person standing in *loco parentis*. "*Loco parentis*" means you are acting like the parent, caring for the child, providing for the needs of the child, and the child lives at the same address as you.

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*This fact sheet is a collaboration of the Center for Arkansas Legal Services and Legal Aid of Arkansas, Inc. These nonprofit organizations provide free legal assistance to eligible Arkansans who meet income, asset, and other guidelines. Legal assistance may also include advice and counsel, brief services, or full representation depending on the situation. For more information about civil legal aid in Arkansas, please visit [arlegalservices.org](http://arlegalservices.org). For information specific to Legal Aid of Arkansas, Inc., visit [arlegalaid.org](http://arlegalaid.org). Apply for services online or by calling 1-800-9-LAW-AID (1-800-952-9243).*

*The information and statements of law in this fact sheet should not be considered legal advice. This fact sheet is provided as a broad guide to help you understand how certain legal matters are handled in general. Courts may interpret the law differently. Before you take action, talk to an attorney and follow his or her advice. Always do what the court tells you to do.*

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