State of Arkansas
95th General Assembly
Fiscal Session, 2026 SR 16

By: Senator B. King

SENATE RESOLUTION

TO AUTHORIZE THE INTRODUCTION OF A NONAPPROPRIATION BILL CONCERNING THE ARKANSAS CHILDREN'S EDUCATIONAL FREEDOM ACCOUNT PROGRAM; TO AMEND THE AMOUNT A PARTICIPATING STUDENT RECEIVES IN HIS OR HER ACCOUNT EACH YEAR UNDER THE ARKANSAS CHILDREN'S EDUCATIONAL FREEDOM ACCOUNT PROGRAM; AND TO AMEND THE TESTING REQUIREMENTS FOR STUDENTS PARTICIPATING IN THE ARKANSAS CHILDREN'S EDUCATIONAL FREEDOM ACCOUNT PROGRAM.

Subtitle

TO AUTHORIZE THE INTRODUCTION OF A NONAPPROPRIATION BILL CONCERNING THE ARKANSAS CHILDREN'S EDUCATIONAL FREEDOM ACCOUNT PROGRAM.

BE IT RESOLVED BY THE SENATE OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

THAT Senator King is authorized to introduce a bill which as introduced will read substantially as follows:

"Title
AN ACT CONCERNING THE ARKANSAS CHILDREN'S EDUCATIONAL FREEDOM ACCOUNT PROGRAM; TO AMEND THE AMOUNT A PARTICIPATING STUDENT RECEIVES IN HIS OR HER ACCOUNT EACH YEAR UNDER THE ARKANSAS CHILDREN'S EDUCATIONAL FREEDOM ACCOUNT

PROGRAM; TO AMEND THE TESTING REQUIREMENTS FOR STUDENTS PARTICIPATING IN THE ARKANSAS CHILDREN'S EDUCATIONAL FREEDOM ACCOUNT PROGRAM; AND FOR OTHER PURPOSES.

Subtitle
CONCERNING THE ARKANSAS CHILDREN'S EDUCATIONAL FREEDOM ACCOUNT PROGRAM.

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

SECTION 1. Arkansas Code § 6-18-2505(a)(1), concerning the funds appropriated to a participating student's account, is amended to read as follows:

(a)(1)(A) ~~The~~ Except as provided under subsection (g) of this section, the Division of Elementary and Secondary Education shall allocate annually to each participating student's account, from funds appropriated to the Arkansas Children's Educational Freedom Account Fund or otherwise made available for the Arkansas Children's Educational Freedom Account Program, an amount equal to ninety percent (90%) of the prior year's statewide foundation funding allotted per student under § 6-20-2305.

(B) An amount allocated under subdivision (a)(1)(A) of this section to a participating student who is a homeschooled student shall not exceed five thousand dollars ($5,000) during a school year.

SECTION 2. Arkansas Code § 6-18-2505(b)(1), concerning the disbursement of account funds under the Arkansas Children's Educational Freedom Account Program, is amended to read as follows:

(b)(1)(A) On behalf of participating students enrolled in participating schools or with participating service providers and at the direction of a participating student's parent, the Department of Education shall make disbursements from the participating student's account to the participating school or participating service provider in which the participating student is enrolled for qualifying expenses.

(B) A disbursement to a participating student's account under subdivision (b)(1)(A) of this section shall be made only after the participating student achieves at least the minimum score established by the division under subdivision (g)(2)(A)(i) of this section that is required on

the annual assessment that each participating student must take under § 6-18-2509.

SECTION 3. Arkansas Code § 6-18-2505(g), concerning procedures to determine whether a student participating in the Arkansas Children's Educational Freedom Account Program is eligible to continue participating in the program, is amended to read as follows:

(g)(1) The division shall create procedures to ensure that a fair process exists to determine whether a participating student is no longer eligible for participation in the Arkansas Children's Educational Freedom Account Program, including without limitation a participating student who is no longer eligible for participation in the Arkansas Children's Educational Freedom Account Program due to his or her failure to demonstrate academic achievement or academic growth.

(2)(A)(i) The procedures created by the division under subdivision (g)(1) of this section shall include a minimum score requirement for the annual assessment that each participating student must take under § 6-18-2509.

(ii) The minimum score requirement under subdivision (g)(2)(A)(i) of this section shall not apply to a participating student who:

(a) Was enrolled during the previous school year in a public school that has a rating of "D" or "F" under §§ 6-15-2105 and 6-15-2106 and state board rules during the student's first year participating in the Arkansas Children's Educational Freedom Account Program; or

(b) Has an individualized service plan and is determined by a participating private school to need an exemption from standardized testing because of the existence of a significant cognitive disability.

(B) The amount a participating student is eligible to receive in his or her account shall be reduced in a manner determined by the state board based on the participating student's performance on the annual assessment required by the state board under § 6-18-2509.

(C) If a participating student fails to achieve the minimum score requirement for the annual assessment required under subdivision (g)(2)(A) of this section, then the participating student shall

no longer be eligible for participation in the Arkansas Children's Educational Freedom Account Program at the beginning of the next school year.

SECTION 4. Arkansas Code § 6-18-2506, concerning initial and continuing eligibility requirements for students under the Arkansas Children's Educational Freedom Account Program, is amended to add an additional subsection to read as follows:

(k) The following students shall not be eligible for an account under the Arkansas Children's Educational Freedom Account Program:

(1) A student who attends a private school in Arkansas at the time of his or her initial application for an account under the Arkansas Children's Educational Freedom Account Program; or

(2) A student who currently has an account under the Arkansas Children's Educational Freedom Account Program and attended a private school in Arkansas before his or her application for and award of an account under the Arkansas Children's Educational Freedom Account Program.

SECTION 5. Arkansas Code § 6-18-2509(a) and (b), concerning annual assessment requirements for participating students under the Arkansas Children's Educational Freedom Account Program, are amended to read as follows:

(a)(1)(A) Each participating school and participating service provider shall provide for each participating student to annually take an assessment approved by the State Board of Education, which shall include:

~~(A)~~(i) An examination identified by the state board that is required for students attending public schools; or

~~(B)~~(ii) A state board-approved nationally recognized norm-referenced test or a statewide assessment, which measures, at a minimum, literacy and math.

(B) The annual assessment approved by the state board under subdivision (a)(1)(A) of this section shall be the same annual assessment administered to each participating student.

(C) The assessment taken by each participating student under this section shall be administered by and completed at an educational service cooperative in Arkansas.

(2)(A) However, a participating student who has an

individualized service plan and is determined by a participating private school to need an exemption from standardized testing due to the existence of a significant cognitive disability is not required to take the test required under subdivision (a)(1) of this section.

(B) If a student is not required to take the test required under subdivision (a)(1) of this section, a participating private school shall 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~~ the student's progress to the student's parent or guardian.

(b) For a participating student who is served by a participating service provider that is not a private school that is a participating school during or after the 2024-2025 school year, his or her parent shall provide for his or her child who is a participating student to take an approved examination meeting the standards established under subsection (a) of this section that is administered by and completed at an educational service cooperative in Arkansas.

SECTION 6. Arkansas Code § 12-18-402(b), concerning the individuals who are mandated reporters, is amended to add an additional subdivision to read as follows:

(44) A person who is a participating service provider to a participating student under the Arkansas Children's Educational Freedom Account Program, § 6-18-2501 et seq., when the participating student is homeschooled."