

DIVISION OF ELEMENTARY AND SECONDARY EDUCATION RULES
GOVERNING PAYMENTS UNDER THE EDUCATIONAL FREEDOM ACCOUNT
PROGRAM

November 1, 2023

1.00 CONTINUATION OF PAYMENTS

1.01 Once families and participating schools have been approved to participate in the Educational Freedom Account (EFA) program, the Department of Education shall continue to make quarterly payments on behalf of the approved students and families to the approved participating schools or service providers:

1.01.1 The department shall make four (4) equal payments in quarterly installments from the participating student's educational freedom account to the participating school or service provider.

1.01.1.1 A third-party payment processing vendor shall create and set up payment accounts for participating families as determined by the department.

1.01.1.2 Participating schools or service providers, or third-party vendors shall issue an itemized invoice to the family for documentation of expense type, amount, and recipient.

1.01.1.3 Family shall verify and submit payment requests, identifying the participating school or service provider to receive payment, the payment amount, and the expense type.

1.01.1.4 Family shall include invoice for review and documentation during payment submission process via the third-party payment processing vendor.

1.01.1.5 The third-party payment processing vendor shall remit payment to participating school or service provider for authorized expenditures, unless expenditure is not authorized by law, following review and approval of expense request and documentation by the department.

1.02 This rule shall be effective until amended, rescinded, or superseded by permanent rules promulgated by the department, or until the rule's expiration, whichever comes first.

Emergency Clause

Whereas Act 237 of 2023 requires that the State of Arkansas through the Department of Education to administer the Educational Freedom Account program through rules promulgated by the State Board of Education no later than the beginning of the 2023-2024 school year; and

Whereas, emergency promulgation of the Rules Governing The Educational Freedom Account Program is necessary for the department to continue implementing the program; without which the State cannot efficiently administer the program, empower parents, or hold participating schools accountable. The rules are specifically necessary for the department to process and issue payments pursuant to the program.

THEREFORE, the State Board of Education hereby determines pursuant to Ark. Code Ann. § 25-15-204 that immediate peril to the welfare of the State, specifically students and parents, will result without emergency promulgation of these Rules.

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