



# Division of Elementary and Secondary Education

*Transforming Arkansas to lead the nation in student-focused education*

**Johnny Key**  
*Secretary*

December 23, 2019

Via Email and Regular U.S. Mail

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Dr. Nancy Anderson, Superintendent  
Cutter-Morning Star School District  
2801 Spring Street  
Hot Springs, AR 71901  
[nancy.anderson@cmseagles.net](mailto:nancy.anderson@cmseagles.net)

**Re: *Cutter-Morning Star School District Claim of Conflict with the Public School Choice Act of 2015, Ark. Code Ann. § 6-18-1901 et seq.***

Dear Superintendent Anderson:

The Arkansas Department of Education, Division of Elementary and Secondary Education, has reviewed the documentation submitted by the Cutter-Morning Star School District in support of the District's claim that provisions of an enforceable desegregation court order or a court-approved desegregation plan bars the District from participating in school choice under the Public School Choice Act of 2015. Specifically, the District provided documents concerning a lawsuit filed in the United States District Court for the Western District of Arkansas captioned *Davis, et al., v. Hot Springs School District, et al.*, Case No. 89-6088.

Based on the documentation provided, the Division has determined that the Cutter-Morning Star School District is not required to participate in school choice under the Act, as participation would conflict with the terms of a federal court order. If you have any questions or require further information, I invite you and your attorney to call me at (501) 682-4234.

Respectfully,



Lori Freno

General Counsel  
Arkansas Department of Education  
Division of Elementary and Secondary Education

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cc: (via email transmission only)

Mr. Robert Brech at [rbrech@apsrc.net](mailto:rbrech@apsrc.net)

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