



Division of Elementary and Secondary Education

Transforming Arkansas to lead the nation in student-focused education

Johnny Key
Secretary

January 30, 2020

Via email transmission

State Board
of Education

Diane Zook
Melbourne
Chair

Mr. Jim Tucker, Superintendent
El Dorado School District
jtucker@esd-15.org

Charisse Dean
Little Rock
Vice Chair

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

Susan Chambers
Bella Vista

Dear Superintendent Tucker:

Dr. Fitz Hill
Little Rock

Kathy McFetridge
Springdale

Dr. Sarah Moore
Stuttgart

The Arkansas Department of Education, Division of Elementary and Secondary Education, has reviewed the documentation submitted by the El Dorado 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 two lawsuits filed in the United States District Court for the Western District of Arkansas: *Kemp, et al. v. Beasley, et al*, Case No. ED-1048, and *Townsend v. Watson, et al.*, Case No. 1:89-cv-111.

Ouida Newton
Poyen

Based on the documentation provided, the ADE has determined that the El Dorado 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.

Chad Pekron
Bryant

R. Brett Williamson
El Dorado

Respectfully,

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

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cc: (via email transmission)
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