



Division of Elementary and Secondary Education

Transforming Arkansas to lead the nation in student-focused education

Johnny Key
Secretary

December 29, 2022

Dr. Ivy Pfeffer
Deputy
Commissioner

via email

Mr. Michael Helms
mhelms@apsrc.net

Stacy Smith
Deputy
Commissioner

Re: *Garland County School Districts' Claims of Conflict with the Public School Choice Act of 2015, Ark. Code Ann. § 6-18-1901 et seq.*

**State Board of
Education**

Dear Mr. Helms:

Ouida Newton
Poyen
Chair

The Arkansas Department of Education, Division of Elementary and Secondary Education, has reviewed the documentation you submitted on behalf of the following school districts in support of the districts' claims that provisions of an enforceable desegregation court order or a court-approved desegregation plan bars the districts from participating in school choice under the Public School Choice Act of 2015: Hot Springs, Lakeside, Mountain Pine, Cutter Morning Star, Jessieville, Fountain Lake, and Lake Hamilton. Specifically, the districts 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.

Dr. Sarah Moore
Stuttgart
Vice Chair

Dr. Fitz Hill
Little Rock

Based on the documentation provided, the Division has determined that these school districts currently are 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, please do not hesitate to call me at (501) 682-1958.

Kathy McFetridge
Springdale

Steve Sutton
Marion

Adrienne Woods
Rogers

Respectfully,

Randy Henderson
Blytheville

/s/ Shastady Wagner
Staff Attorney

Lisa Hunter
White Hall

Arkansas Department of Education

Jeff Wood
Little Rock