

NOTICE LETTER



Division of Elementary and Secondary Education

Transforming Arkansas to lead the nation in student-focused education

Johnny Key
Secretary

July 26, 2022

Dr. Ivy Pfeffer
Deputy
Commissioner

Savannah Hicks

Cathy Tanner, Superintendent
Augusta School District
10 Red Devil Dr.
Augusta, AR 72006

Stacy Smith
Deputy
Commissioner

Nathan White, Superintendent
McCrory School District
509 N. Jackson
Mccrory, AR 72101

**State Board of
Education**

Re: Appeal Under the Public School Choice Act-

Ouida Newton
Poyen
Chair

Everyone:

Dr. Sarah Moore
Stuttgart
Vice Chair

This letter is to notify you that the Arkansas State Board of Education is scheduled to hear the above-referenced appeal(s) on **Thursday, August 11, 2022**. The action item is set for **10:00 a.m. in the Auditorium of the Arch Ford Education Building, Four Capitol Mall, Little Rock, Arkansas 72201**. Any additional materials any party chooses to submit should be provided to my office **no later than 12:00 noon on Friday, August 5, 2022**.

Dr. Fitz Hill
Little Rock

The Arkansas State Board of Education has requested the parent, the non-resident district, and the resident district attend this meeting and be available for questions. You may attend via Zoom.

Kathy McFetridge
Springdale

The above-referenced appeal(s) will be conducted pursuant to the legal authority and jurisdiction vested in the State Board by the Public School Choice Act and the Division of Elementary and Secondary Education Rules Governing the Public School Choice Act. You may find copies of these references on the DESE website at <https://dese.ade.arkansas.gov/Offices/legal/school-choice>.

Steve Sutton
Marion

Thank you in advance for your cooperation in this matter. Please do not hesitate to contact the Arkansas Department of Education's Legal Services Division at (501) 682-1958 should you require additional information.

Adrienne Woods
Rogers

Randy Henderson
Blytheville

Sincerely,

/s/Shastady Wagner

Shastady Wagner
Staff Attorney
Division of Elementary and Secondary Education
shastady.wagner@ade.arkansas.gov

APPEAL

To whom it may concern,

May
24th, 2022

My name is Savannah Hicks, and I am the mother of [REDACTED] who has been a student of McCrory School since Kindergarten. He will be entering the 8th grade in the upcoming school year. I am writing this letter to request a hearing to dispute the rejection letter I received from the Augusta School District regarding my request for school choice. We lived in Patterson, AR from 2014 until recently which is in the McCrory school district. The new house we purchased is 2 miles west of the house we resided in earlier making McCrory High School 5.9 miles from our house and Augusta High School 4.5 miles away.

[REDACTED] started playing baseball when he was 3, basketball in third grade, and football in 3rd grade. He has competed in all three of these sports every year since and is an incredible athlete. He is a starting player in each of these sports. He has also been playing with the same teammates every year since he started. The McCrory Senior High football team brought home the state championship this year and their motto for the win was "from the sandbox". Meaning that they attributed much of the success of the team is from having the opportunity to play together as a team throughout the entirety of their school career allowing them to grow together as a team. Our Baseball team also did very well this year. Augusta has a very poor sports program and I would find it unfair to take away the athletic opportunity my child has at McCrory School on the bases that we live 2 miles west of our former home, which is also right on the line of the two school districts.

My son has been an honor student all of his years at McCrory School making honor roll every semester. He is also a part of the gifted and talented program for academics at McCrory School. Next year he has been invited to an advanced math class so that he can begin acquiring his college credits earlier. I don't believe changing schools will be beneficial to his education, in fact I believe the opposite. [REDACTED] has been a proud Jaguar for over seven years and would like to continue doing so.

Thank you for your time,

Savannah Hicks

Phone: [REDACTED]

Email: [REDACTED]

Address: [REDACTED]



McCrory Public Schools

OFFICE OF THE SUPERINTENDENT
PO BOX 930 * 509 NORTH JACKSON
MCCRORY, ARKANSAS 72101
PHONE (870) 731-2535 - FAX (870) 731-2536



Nathan White
SUPERINTENDENT

June 22, 2022

Savannah Hicks
[REDACTED]

Ms. Hicks,

I regrettably have to inform you that your child, [REDACTED] cannot enroll at McCrory School District.

Our district received a letter from the Augusta School District stating that they have reached their maximum limit of school choice transfers for the 2022-2023 school year. We can no longer accept any students from the Augusta School District as school choice participants.

This is in effect for the children applying for enrollment at the McCrory School District from the Augusta School District for the 2022-2023 school year.

Sincerely,

Nathan White,
Superintendent

NW/tr



Augusta School District

#10 Red Devil Drive

Augusta, AR 72006



April 29, 2022

Savannah Hicks

Dear Parent:

The Augusta School District received the application for Jaicen Castro transfer to a non-resident district on April 29, 2022. According to Act 490 of 2021, which govern these transfers, the State of Arkansas will set a limit of allowable transfers from a district for each school year. The Augusta School District has reached this limit for the upcoming 2023 school year. At this time we are denying this request. We will place her on a waiting list.

Please be aware your child will need to attend school in the Augusta School District for the upcoming school year.

We have a lot of exciting programs to offer all students. We are excited to have your child participate in these programs.

You may contact my office if you have questions concerning this information 870-347-2241

Sincerely,

Cathy Tanner, Superintendent

CT/mh

OTHER DOCUMENTS

Subject: Fwd: School Choice Appeal Notice Hicks Family
Date: Friday, July 22, 2022 at 1:24:21 PM Central Daylight Time
From: Cathy Tanner
To: Shastady Wagner (ADE)
Attachments: 1st Application .pdf, 2nd Application .pdf, Hearing Request.pdf

Caution: This is an external email and may contain a suspicious subject or content. Please take care when clicking links or opening attachments. When in doubt, contact [ADE IT Services](#).

Ms. Wagner,

Thank you for calling me earlier in the week. I am sorry that I misunderstood how I was to handle this process. I have included the email I asked my administrative assistant sent to me that describes how all this came about with Ms. Hicks. Please let me know if you need more information.

Cathy Tanner
Superintendent
Augusta Schools

----- Forwarded message -----

From: **Donna Wedgworth** <dwedg@augustasd.org>
Date: Fri, Jul 1, 2022 at 8:07 AM
Subject: Re: School Choice Appeal Notice Hicks Family
To: Cathy Tanner <ctanner@augustasd.org>
Cc: Rebecca Worsham <rworsham@mixonlawfirm.com>

Attached is information concerning this situation. We received the 1st application from Ms. Hicks on 4/25/2022. It was completed showing that she was transferring her child **into** the Augusta School District from McCrory. Since the child had not been attending school here, we assumed this was a correct application. We mailed McCrory a letter saying we were accepting the application.

We got a second application from the parent on 4/29/2022. This showed that she was wanting to school choice her child to McCrory. At that date we were already over the required limit set by the State and placed the child on the waiting list. We sent her and the McCrory School District a letter noting this fact and that we looked forward to having her child in Augusta in the fall.

Ms. Hicks mailed a letter requesting a hearing with the board to dispute the rejection of the school choice application. The letter was received after the May school board meeting. She was placed on the June school board agenda and notified by Ms. Tanner of the date and time. Ms. Hicks did not attend the scheduled meeting. All board members received a copy of the letter with their packet for the meeting. No action was taken as Ms. Hicks was not there.

Let me know if you need anything else concerning this info.

Thank you,
Donna

APPLICATION FOR SCHOOL CHOICE TRANSFER

(Deadline for submission is May 1, unless the student is eligible for School Choice for Military Families)

TYPE OF SCHOOL CHOICE TRANSFER REQUESTED

Public School Choice Act of 2015 ☒Opportunity School Choice Act ☐

NOTE: Applications for the Public School Choice Act of 2015 must be sent to the resident and nonresident districts. Applications for the Opportunity School Choice Act must be sent to the resident district, the nonresident district, and the Division of Elementary and Secondary Education.

If you are unsure which type of school choice best applies, please review the FAQ following this form for information about the different types of school choice that may be available to your student.

SIBLING INFORMATION

If applying for a transfer under the Public School Choice Act, does the applicant have a sibling or step-sibling already attending the nonresident district listed in this application pursuant to the Public School Choice Act? If so, please list:

APPLICANT INFORMATION

Student Name: [REDACTED]

Grade: [REDACTED]

Student Date of Birth: [REDACTED]

Gender: Male ☒Female ☐

Is the applicant currently expelled?

Yes ☐No ☒

MILITARY FAMILY INFORMATION

Does the applicant have a parent or guardian who is an active-duty member of the military who has been transferred to and resides on a military base? If so, please state the date of the parent's or guardian's arrival on the military base:

NOTE: In order to take advantage of school choice options available to military families who have recently transferred to a military base, you must submit military transfer orders and proof of residency on the military base to the resident and nonresident school districts.

RACE OR ETHNIC ORIGIN (CHECK ONE)

This information is collected for data reporting purposes only pursuant to Ark. Code Ann. §6-18-227(f)(2)(B).

2 or More Races ☐Asian ☐African-American ☐Hispanic ☒Native American/
Native Alaskan ☐Native Hawaiian/
Pacific Islander ☐White ☐

RESIDENT SCHOOL AND SCHOOL DISTRICT OF APPLICANT	
District and School Name:	County Name:
McCrory, McCrory High School, Woodruff Co.	
Address:	
509 Jackson, McCrory, AR, 72010	
Phone:	
870.731.2535	
NONRESIDENT SCHOOL/SCHOOL DISTRICT APPLICANT WISHES TO ATTEND	
District and School Name:	County Name:
Augusta, Augusta High School, Woodruff Co	
Address:	
1011 Main St, Augusta, AR, 72006	
Phone:	
870.347.2515	
PARENT OR GUARDIAN INFORMATION	
Name:	Home Phone:
Savannah Hicks	
Address:	Work Phone:
DISTRICT USE ONLY	
Date and Time Received by Nonresident District:	
April 25, 2022 2:23 pm	
Date and Time Received by Resident District:	
Resident District LEA #:	
Nonresident District LEA#:	
7401	
Student's State Identification #:	
Application:	
Accepted <input type="checkbox"/> Rejected <input type="checkbox"/>	
Reason for Rejection (If Applicable):	
Date Notification Sent to Resident District and Parent/Guardian of Applicant:	

APPLICATION FOR SCHOOL CHOICE TRANSFER

(Deadline for submission is May 1, unless the student is eligible for School Choice for Military Families)

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Opportunity School Choice Act



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If you are unsure which type of school choice best applies, please review the FAQ following this form for information about the different types of school choice that may be available to your student.

SIBLING INFORMATION

If applying for a transfer under the Public School Choice Act, does the applicant have a sibling or step-sibling already attending the nonresident district listed in this application pursuant to the Public School Choice Act? If so, please list:

APPLICANT INFORMATION

Student Name

Grade:

Student Date of Birth:

Gender: Male



Female



Is the applicant currently expelled?

Yes



No

**MILITARY FAMILY INFORMATION**

Does the applicant have a parent or guardian who is an active-duty member of the military who has been transferred to and resides on a military base? If so, please state the date of the parent's or guardian's arrival on the military base:

NOTE: In order to take advantage of school choice options available to military families who have recently transferred to a military base, you must submit military transfer orders and proof of residency on the military base to the resident and nonresident school districts.

RACE OR ETHNIC ORIGIN (CHECK ONE)

This information is collected for data reporting purposes only, pursuant to Ark. Code Ann. §6-18-227(f)(2)(B).

2 or More Races



Asian



African-American



Hispanic

Native American/
Native AlaskanNative Hawaiian/
Pacific Islander

White




RESIDENT SCHOOL AND SCHOOL DISTRICT OF APPLICANT	
District and School Name:	County Name:
Augusta, Augusta High School, Woodruff	
Address:	
1611 Main St, Augusta, AR, 72006	
Phone:	
870.347.2515	
NONRESIDENT SCHOOL/SCHOOL DISTRICT APPLICANT WISHES TO ATTEND	
District and School Name:	County Name:
McCrory, McCrory High School, Woodruff	
Address:	
509 Jackson, McCrory AR, 72101	
Phone:	
870.721.2851	
PARENT OR GUARDIAN INFORMATION	
Name:	Home Phone:
Savannah Hicks	[REDACTED]
Address:	Work Phone:
[REDACTED]	
[REDACTED]	
4.28.22	
DISTRICT USE ONLY	
Date and Time Received by Nonresident District:	April 29, 2022 11:00
Date and Time Received by Resident District:	April 29, 2022 12:43pm
Resident District LEA #:	7401
Nonresident District LEA#:	7403 JR
Student's State Identification #:	
Application:	Accepted <input checked="" type="checkbox"/> Rejected <input type="checkbox"/>
Reason for Rejection (If Applicable):	
Date Notification Sent to Resident District and Parent/Guardian of Applicant:	

April 29, 2022

Savannah Hicks


Dear Parent:

The Augusta School District received the application for  transfer to a non-resident district on April 29, 2022. According to Act 490 of 2021, which govern these transfers, the State of Arkansas will set a limit of allowable transfers from a district for each school year. The Augusta School District has reached this limit for the upcoming 2023 school year. At this time we are denying this request. We will place her on a waiting list.

Please be aware your child will need to attend school in the Augusta School District for the upcoming school year.

We have a lot of exciting programs to offer all students. We are excited to have your child participate in these programs.

You may contact my office if you have questions concerning this information 870-347-2241

Sincerely,

Cathy Tanner, Superintendent

CT/mh

March 29, 2022.

***Robert Casteel, Superintendent
McCrory School District
PO Box 930
McCrory, AR. 72101***

Dear Mr. Casteel:

This letter is to notify you that Augusta School District reached the maximum limit of school choice transfers for the 2023 school year as provided in Commissioner's Memo COM-22-069 on November 01, 2021. For that reason we have notified Savanna Hicks that we are denying her request for their child, [REDACTED] to transfer to the McCrory School District.

You may contact my office, 870-347-2241, if you have questions concerning this information.

Sincerely,

***Cathy Tanner, Superintendent
Augusta School District***

CT/mh