



Division of Elementary and Secondary Education

Transforming Arkansas to lead the nation in student-focused education

Jacob Oliva
Secretary

June 25, 2024

Stacy Smith
Deputy
Commissioner

Kacey Olvey
wilsonkacey@yahoo.com

Albert Snow, Superintendent
Harmony Grove School District (Ouachita)
snowa@hgsd1.com

**State Board of
Education**

James Scarbrough, Superintendent
Hampton School District
mscarbrough@hampton.k12.ar.us

Re: Appeal Under the Public School Choice Act – [REDACTED]

Dr. Sarah Moore
Stuttgart
Chair

Everyone:

Kathy Rollins
Springdale
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, July 11, 2024, at 9:00 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 our office no later than 12:00 noon on Friday, June 28, 2024.

Adrienne Woods
Rogers

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

Randy Henderson
Blytheville

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>.

Lisa Hunter
White Hall

Jeff Wood
Little Rock

Thank you in advance for your cooperation in this matter. Please do not hesitate to contact the Arkansas Department of Education's Office of Legal Services at (501) 682-4227 should you require additional information.

Ken Bragg
Sheridan

Sincerely,

Leigh Keener
Little Rock

/s/ Stephen M. Reynolds

Stephen M. Reynolds
Associate Legal Counsel
Arkansas Department of Education
stephen.reynolds@ade.arkansas.gov

Office of the Commissioner

ATTN: Arkansas Public School Choice Act Appeals

Four Capitol Mall

Little Rock, AR 72201

Date: 5-15-2024

Dear Commissioner:

I would like to request a hearing before the State Board of Education concerning my [REDACTED] [REDACTED] and [REDACTED] School Choice Application denial to Harmony Grove School District.

I received two letters from Harmony Grove (non-resident district). One stating that my [REDACTED] [REDACTED] had been accepted; the other stating that my [REDACTED] autistic [REDACTED] had been denied. Reasons stated for denial were, "based upon the recommendation that [REDACTED] would require a one-on-one paraprofessional in order to be successful in the classroom."

School choice law 2-1.03 "These rules do not require a school district to add teachers, staff, or classrooms, or in any way exceed the requirements and standards established by the existing law." was stated.

If I am correct, law 2-1.03 is referencing adding "teachers, staff, or classrooms" in terms of exceeding capacity, not in terms of making sure that a special needs child is receiving an appropriate education and supervision as an individual with a disability.

I would like to appeal this decision based on law 3-1.05.3 "A school district shall not deny a student the ability to transfer to a nonresident school under these rules unless there is a lack of capacity at the nonresident school."

Furthermore, [REDACTED] is very capable of being successful in a classroom without a paraprofessional so long as he is with a certified special education teacher, or teachers aid (adult). Despite struggling to be able to walk alone without the guidance of an adult and with independent toileting (which is usually handled by the school nurse), he is very smart and is above reading level and excels in math.

It is my hope, Commissioner, that you overturn the determination of the nonresident district, and allow both my [REDACTED] to attend Harmony Grove, a B rated school, rather than their resident district, a D rated school, together.

Thank you for your consideration,

Kacey Olvey



Harmony Grove

Public Schools



401 Ouachita Road 88 • Camden, Arkansas 71701 • Telephone (870) 574-0971 • Fax (870) 574-2765

Dr. Albert L. Snow, Ed. D., Superintendent
Mr. Matthew Nutt, President
Mr. Ty Turner, Vice-President
Mr. Mason Stone, Secretary

Mr. Ben Chandler, Member
Mr. Matthew Ray, Member
Mr. Timothy Ray, Member
Mr. Jason Thomas, Member

May 8, 2024

We have received your application for school choice. At this time, we are denying this request based upon the recommendation that [REDACTED] would require a one-on-one paraprofessional in order to be successful in the classroom. School choice law, 2-1.03, states, "These rules do not require a school district to add teachers, staff, or classrooms, or in any way exceed the requirements and standards established by the existing law."

If you need further information or clarification, please contact the school.

Sincerely,

Sharon Hale

Sharon Hale,
Special Programs Adm.

HARMONY GROVE PUBLIC SCHOOLS
401 OUACHITA ROAD 88
CAMDEN, ARKANSAS 71701

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