

# **NOTICE LETTER**



# Division of Elementary and Secondary Education

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

**Johnny Key**  
Secretary

June 16, 2022

**Dr. Ivy Pfeffer**  
Deputy  
Commissioner

Ruston Hobbs

Mr. Brian Golden, Superintendent  
Malvern School District  
1620 South Main St.  
Malvern, AR 72104

**Stacy Smith**  
Deputy  
Commissioner

Mr. Tim Holicer, Superintendent  
Glen Rose School District  
14334 Hwy 67  
Malvern, AR 72104

**State Board of  
Education**

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

**Ouida Newton**  
*Poyen*  
Chair

Everyone:

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 14, 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, July 8, 2022**.

**Dr. Sarah Moore**  
*Stuttgart*  
Vice Chair

**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.**

**Charisse Dean**  
*Little Rock*

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>.

**Dr. Fitz Hill**  
*Little Rock*

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.

**Kathy McFetridge**  
*Springdale*

**Steve Sutton**  
*Marion*

Sincerely,

**Adrienne Woods**  
*Rogers*

/s/Shastady Wagner

**Dr. Beth Anne Rankin**  
*Magnolia*

Shastady Wagner  
Staff Attorney  
Division of Elementary and Secondary Education  
[shastady.wagner@ade.arkansas.gov](mailto:shastady.wagner@ade.arkansas.gov)

**Randy Henderson**  
*Blytheville*

**APPEAL**

RECEIVED  
LEGAL SERVICES

June 3, 2022

JUN 09 2022

Division of Elementary and Secondary Education

DEPARTMENT OF EDUCATION  
CENTRAL ADMINISTRATION

Attn: Legal Services Unit

Four Capital Mall

Little Rock, AR 72201

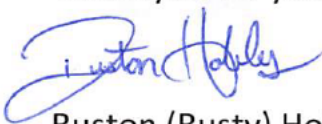
This is a request for my daughter [REDACTED] who is an upcoming kindergartner to be allowed to start the 2022-2023 school year at Gifford which is part of the Glen Rose district. I believe that since we will be living in the Glen Rose district within approximately 18 months that it would be best for her to start and stay in the same district. While children are resilient I would not want her to have to start in one district in kindergarten and then move in first grade.

I am a divorced dad with sole custody of my daughter and in Glen Rose we have many friends and relatives who will be there to support her.

My grandmother taught at Glen Rose in the 1940's and my mother graduated from Glen Rose in 1970. I myself would have been there had we not lived in Fort Smith with my dad's job for many many years.

I am purchasing three acres about one mile behind the school from Duane Sowell and we will be building a new home there.

Thank you for your time and consideration,



Ruston (Rusty) Hobbs



**MALVERN SCHOOL DISTRICT**

Home of Leopards

“Where PASSION, PRIDE, & EXCELLENCE are expected.”

Brian Golden  
Superintendent of Schools  
Jace Roberts  
Chief of Staff

1620 SOUTH MAIN STREET  
MALVERN, ARKANSAS 72104  
501-332-7500, FAX: 501-332-7501

Lillian Harper  
Assistant Superintendent  
Gerald Hatley  
Assistant Superintendent

May 31, 2022

Rusty Hobbs  
[REDACTED]

Re: School Choice Cap Student(s): [REDACTED]

Dear Parent,

I am writing to inform you that your child(ren) listed above have been denied school choice for the 2022-23 school year due to the Malvern School District reaching its transfer cap under Arkansas Code Annotated 6-18-1906. Each year there is a cap on the number of transfers allowed under Arkansas Law based upon the enrollment numbers of each school. Applications are approved on a first come basis in the order they are received from the non-resident school district. Per Arkansas law, your child(ren) will receive priority for a transfer in the first school year in which the district has enough space under the cap.

Should you have any questions, please contact our office at the contact information listed above.

Respectfully,

Brian Golden  
Superintendent



May 31, 2022

Rusty Hobbs

Dear Applicant,

Thank you for your application for transfer to the Glen Rose School District for [REDACTED]. We appreciate your interest in our schools. We regret to inform you that we must deny your application for the 2022-23 school year. A copy of the Glen Rose School District's policy for acceptance and rejection of school choice non-resident student is enclosed for your review.

The Glen Rose School District is unable to accept your application for transfer at this time, as the Malvern School District has reached the maximum limit on school choice transfers for the school year. Your application will be given priority for a transfer in the first school year in which Malvern School District is no longer subject to this limitation.

Should you have any questions or need any additional information, please feel free to contact myself or Amber Wiggins at 501-332-3694 ext 6.

Sincerely,

Tim Holicer  
Superintendent