

# **NOTICE LETTER**



# Division of Elementary and Secondary Education

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

**Johnny Key**  
*Secretary*

June 25, 2020

Joseph Fisher, Superintendent  
Guy-Perkins School District  
492 Highway 25 North  
Guy, AR 72061  
[joe.fisher@gptbirds.org](mailto:joe.fisher@gptbirds.org)

Andrew and Samantha Estep

**State Board  
of Education**

**Diane Zook**  
*Melbourne  
Chair*

Darren Spainhour, Superintendent  
Greenbrier School District  
4 School Drive  
Greenbrier, AR 72058  
[spainhours@greenbrierschools.org](mailto:spainhours@greenbrierschools.org)

**Charisse Dean**  
*Little Rock  
Vice Chair*

**Re: School Choice Appeal: Cooper Estep**

**Susan Chambers**  
*Bella Vista*

Everyone:

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

This letter is to notify you that the Arkansas State Board of Education is scheduled to hear the above-referenced appeal on **July 9, 2020**. The action item is set for the **10:00 a.m.** agenda in the Auditorium of the Arch Ford Education Building, Four Capitol Mall, Little Rock, Arkansas. Any additional materials any party chooses to submit should be provided to my office **no later than 12:00 noon on Monday, June 29, 2019.**

**Kathy McFetridge**  
*Springdale*

**Dr. Sarah Moore**  
*Stuttgart*

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.

**Ouida Newton**  
*Poyen*

The above-referenced appeal will be conducted pursuant to the legal authority and jurisdiction vested in the State Board by the Public School Choice Act and corresponding Rules. You may find a copy of the Rules on the Division of Elementary and Secondary Education's website by visiting the "Current Rules" page and clicking the link for "Public School Choice."

**R. Brett Williamson**  
*El Dorado*

Thank you in advance for your cooperation in this matter. Please do not hesitate to contact me at 501-683-0960 if you have any questions.

Warmly,

Mary Claire Hyatt  
Staff Attorney  
Division of Elementary and Secondary Education  
Four Capitol Mall, Room 301-A  
Little Rock, AR 72201  
[maryclaire.hyatt@arkansas.gov](mailto:maryclaire.hyatt@arkansas.gov)

Four Capitol Mall  
Little Rock, AR  
72201-1019  
(501) 682-4475  
[ArkansasEd.gov](http://ArkansasEd.gov)

*An Equal  
Opportunity  
Employer*

# APPEAL

Dear Ms. Mary Hyatt,

We are writing to you in regards of our child being denied for school choice. We moved during the school year of 2019-2020. After we moved Sammantha called Greenbrier to let them know our new address. It was Coopers 2<sup>nd</sup> day of 2<sup>nd</sup> grade and he was excited for the upcoming school year with all his friend that we got a call to pick up Cooper because Guy-Perkins would not release him to Greenbrier. Unknown to us our address is about 20 yards into Guy-Perkins School District. We called Guy-Perkins and asked if they would do a district to district transfer for Cooper. The person on the phone said "No, we don't do that you need to bring him here today and enroll him". I called the Guy-Perkins School and talked with the Superintendent and was asking him about his school and how they rank in testing, he stopped me and said "this is really a cup of coffee conversation and if you want to try for a transfer you want" I felt as if he didn't have the time to take 5 minutes out of his day to talk with me about this. When we had to pick our son up and let him know that he could no longer attend the school he loved you can imagine the disappointment and sadness. Cooper said he did not want to go to Guy Schools so that is when we looked for other options.

We decided to give home-Schooling a shot with the hopes of enrolling Cooper into Greenbrier by means of School Choice for the 2020/2021 School year. Sammantha talked to Greenbrier Schools and asked when is the earliest that they will accept school choice applications, they said "We start accepting them after Christmas break". On January 7<sup>th</sup> the day back from Christmas Break Sammantha turned in the school choice form to the front office. Our Child is no going into the 3<sup>rd</sup> grade and Greenbrier is the only school he has ever known.

Cooper has expressed how he has missed his friends, teachers, recess, music, PE, and Computer classes. He does not have a yearbook for 2<sup>nd</sup> grade and now is at risk for not having a 3<sup>rd</sup> grade yearbook or School picture.

Coopers younger sister will be attending Greenbrier pre-school so it would be so much easier to be able to enroll Cooper into Greenbrier Eastside Schools.

All in all, Cooper only wants to go to Greenbrier Schools. We are asking for help to be able to overturn this denial of school choice. We have followed all the steps that were necessary by turning in the forms as soon as it was open and we want to go about everything the right way. Cooper going to Eastside is something we as parent want so our 8 year old son s does not have to miss another year of school. He only gets this opportunity once in his whole life.

Sincerely

Andrew & Sammantha Estep

RECEIVED  
LEGAL SERVICES

JUN 9 2020

DEPARTMENT OF EDUCATION  
CENTRAL ADMINISTRATION

JUN 4 2020

RECEIVED  
LEGAL SERVICES

Andrew & Associates

Sincerely,

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does not have to make another way of school. The only part this information came in to whose  
the right way. Cooper going to Eastern is something we as parent want to our 8 year old son  
necessarily staying in the home as much as it was open and we want to do about everything  
done in over time this is for school choice. We have followed all the steps that were  
All in all, I hope only wants to go to Greengarden school. We are asking for help to be

either to be able to get to Cooper into Greengarden outside school  
Cooper's younger sister will be attending Greengarden the school so it would be so much

3rd grade preschool or part of district

Computer classes. He does not have a yearbook for 2nd grade and now is asking for not having a  
Cooper has expressed how he has missed his friends. The school was closed during the year

for children go in a 2nd grade and Greengarden is the only school he has been in  
back from children's school summer. The school is the school choice form to the front office.  
applications they said they start school after Christmas break. On January 1st the day  
Greengarden school and asked when is the earliest that they will accept school choice  
Greengarden by means of School Choice on the 2019/2021 school year. Summer was linked to  
We decided to give a home address a shot with the hope of enrolling Cooper into

to get to our 11 year old son in Greengarden. I hope for a better option  
school he loved you can imagine the day Cooper said he didn't want  
this. When we had to pick our son up and he was looking for the school he didn't want  
were. I was asking him to take a picture of the school to take with him and

the and said "It is really hard to go to the school and if you want to try for a transfer you  
superintendent and was asking him about the school and how they were in looking for a school  
back from home today and school year. I asked the Greengarden school and talked with the  
district manager for school. The manager on the phone said that we don't do that you need to  
Greengarden school. We asked the manager and said that they would do a shot to go  
Cooper would not release until summer. I told him to go to the school and see if they would

Cooper was not released until summer. I told him to go to the school and see if they would  
with a shot to go to the school and see if they would do a shot to go  
them and a shot to go to the school and see if they would do a shot to go  
during the school year of 2019/2021. After we moved Cooper to the school Greengarden to let  
we are asking you to transfer to our child's school Greengarden. We moved



**GREENBRIER**  
PUBLIC SCHOOLS

May 26, 2020

Regarding: School Choice Application for: Cooper Estep

Dear Andrew or Samantha Estep,

In accordance with the Arkansas Public School Choice Act of 2015, Greenbrier Public School District gives equal consideration to each transfer application made by non-resident students.

Following a review of your application received January 7, 2020, your request for transfer has been denied. This decision is based on the 3% cap in your resident district of Guy Public Schools which was met prior to receipt of application.

Thank you for your interest in our district. If you have further questions, please contact our office at 501-679-4808.

Sincerely,

Scott Spainhour  
Superintendent



RECEIVED JAN 07 2020

Copy

**APPLICATION FOR TRANSFER TO A NONRESIDENT DISTRICT**  
**"ARKANSAS PUBLIC SCHOOL CHOICE ACT OF 2015"**  
**(Must Be Submitted to Non-Resident District)**

**APPLICANT INFORMATION**

Student Name: Cooper Lane Ester

Student Date of Birth: [REDACTED] Gender Male ☒ Female ☐

Grade: 3rd

Does the applicant require special needs or programs? Yes ☐ No ☒

Is applicant currently under expulsion? Yes ☐ No ☒

**ETHNIC ORIGIN (CHECK ONE)**

(For data reporting purposes only)

2 or More Races ☐

Asian ☐

African-American ☐

Hispanic ☐

Native American/  
Native Alaskan ☐

Native Hawaiian/  
Pacific Islander ☐

White ☒

**RESIDENT SCHOOL DISTRICT OF APPLICANT**

District Name: Guy-Perkins County Name: Faulkner

Address:

Phone:

**NONRESIDENT SCHOOL DISTRICT APPLICANT WISHES TO ATTEND**

District Name: Greenbrier / Eastside County Name: Faulkner

Address:

Phone:

Does the applicant already have a sibling or step-sibling in attendance in this district pursuant to the Public School Choice Act of 2013 or the Public School Choice Act of 2015?

no

Copy

PARENT OR GUARDIAN INFORMATION	
Name: <u>Andrew or Samantha Estep</u>	Home Phone: <u>cell-</u> <span style="background-color: black; color: black;">[REDACTED]</span>
Address: <span style="background-color: black; color: black;">[REDACTED]</span>	Work Phone: <span style="background-color: black; color: black;">[REDACTED]</span>
<u>Greenbrier AR 72058</u>	
Parent/Guardian Signature <u>Samantha Estep</u>	Date: <u>1-7-2020</u>
<p>Pursuant to standards adopted by a nonresident school board a nonresident district may reserve the right to accept and reject applicants based on capacity of programs, class, grade level, or school building. Likewise, a nonresident district's standards may provide for the rejection of an applicant based upon the submission of false or misleading information to the above listed request for information when that information directly impacts the legal qualifications of an applicant to transfer pursuant to the School Choice Act. However, a nonresident district's standards shall not include an applicant's previous academic achievement, athletic or other extracurricular ability, handicapping conditions, English proficiency level, or previous disciplinary proceedings, except that an expulsion from another district may be included pursuant to Ark. Code Ann. § 6-18-510. Priority will be given to applicants with siblings or step-siblings attending the district. The nonresident district shall accept credits toward graduation that were awarded by another district and award a diploma to a nonresident applicant if the applicant meets the nonresident district's graduation requirements. This application must be filed in the nonresident district or postmarked no later than May 1 of the year in which the applicant would begin the fall semester at the nonresident district. A student whose application for transfer is rejected by the nonresident district may request a hearing before the State Board of Education to reconsider the transfer by filing such a request in writing with the Commissioner of Education no later than ten (10) days after the student or student's parent receives a notice of rejection. (Consult Ark. Code Ann. § 6-18-1905 and the Arkansas Department of Education Rules Governing the Public School Choice Act of 2015 for specific procedures on how to file such an appeal).</p>	
DISTRICT USE ONLY	
Date and Time Received by Resident District:	Date and Time Received by Nonresident District: <u>RECEIVED JAN 07 2020 109 pm</u>
Resident District LEA #:	Nonresident District LEA#: <u>2303000</u>
Student's State Identification #:	
Application	Accepted <input type="checkbox"/> Rejected <input checked="" type="checkbox"/>
Reason for Rejection (If Applicable): <u>390 cap met in Resident district</u>	
Date Notification Sent to Parent/Guardian of Applicant:	<u>5/27/20</u>
Date Notification Sent to Resident District:	<u>5/28/20</u>



# RESPONSE



## Guy-Perkins School District

492 Highway 25 North

Guy, Arkansas 72061

501-679-7224

[www.gptbirds.org](http://www.gptbirds.org)

June 16, 2020

Office of the Commissioner  
ATTN: Arkansas Public School Choice Act Appeals  
4 Capitol Mall  
Little Rock AR 72201

RE: School Choice Application – Cooper Estep

Dear Arkansas State Board of Education:

The Guy-Perkins School District has received a copy of the Estep family school-choice appeal, based on the district reaching its 3% cap. Enclosed is a copy of their school choice application and the worksheet used by the Guy-Perkins School District to determine the 3% cap. If you need additional information, please contact Dennee' Acre at 501-679-7224, or [dennee.acre@gptbirds.org](mailto:dennee.acre@gptbirds.org).

Sincerely,

Dr. Joe Fisher  
Superintendent

# SCHOOL CHOICE 2020-21

3% cap for 20-21 is **10**

## IN

Student Name	grade	resident school	received date and time	
1. [REDACTED]		Greenbrier	03-13-2020	1:45 PM
2. [REDACTED]	10	Greenbrier	04-03-2020	2:45 PM

## OUT

Student Name	grade	choice school	rcv'd by GP	rcv'd by non res	
1. [REDACTED]	K (sibling)	Greenbrier	01-10-2020	07-31-2019	2:35
2. [REDACTED]	K (siblings)	Greenbrier	02-05-2020	02-04-2020	3:30
3. [REDACTED]	K (siblings)	Quitman	02-12-2020	02-12-2020	11:15
4. [REDACTED]	K (sibling)	Greenbrier	03-09-2020	03-09-2020	1:31
5. [REDACTED]	1st	Quitman	01-13-2020	10-18-2019	8:00
6. [REDACTED]	7th	Greenbrier	01-10-2020	11-22-2019	1:30
7. [REDACTED]	8th	Greenbrier	01-10-2020	11-22-2019	1:31
8. [REDACTED]	7th	Southside	12-20-2019	12-20-2019	
9. [REDACTED]	10th	Greenbrier	01-10-2020	01-07-2020	9:52
10. [REDACTED]	8th	Greenbrier	01-10-2020	01-07-2020	9:52
11. [REDACTED]	6th	Greenbrier	01-10-2020	01-07-2020	9:52
12. [REDACTED]	2nd	Greenbrier	01-10-2020	01-07-2020	9:52

\*\*\*\*\*

**DENIED OVER 3% CAP** ↓

\*\*\*\*\*

**NET 10 is our cap**

1. Cooper Estep	3rd	Greenbrier	01-10-2020	01-07-2020	1:09
2. [REDACTED]	6th	Quitman	01-13-2020	01-08-2020	10:45
3. [REDACTED]	8th	Greenbrier	01-13-2020	01-13-2020	9:06
4. [REDACTED]	K	Quitman	01-14-2020	01-01-2020	7:50
5. [REDACTED]	K	Greenbrier	01-29-2020	01-29-2020	1:42
6. [REDACTED]	11 <sup>th</sup>	Quitman	02-18-2020	02-18-2020	9:52
7. [REDACTED]	2nd	Greenbrier	03-09-2020	03-09-2020	11:03
8. [REDACTED]	5 <sup>th</sup>	Greenbrier	04-13-2020	04-13-2020	2:06
9. [REDACTED]	8th	Greenbrier	04-22-2020		
10. [REDACTED]	4th	Greenbrier	04-22-2020		
11. [REDACTED]	1st	Greenbrier	04-22-2020		

RECEIVED JAN 07 2020

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Address: [REDACTED]	Work Phone:
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Parent/Guardian Signature <u>Samantha Estep</u>	Date: <u>1-7-2020</u>
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Date Notification Sent to Parent/Guardian of Applicant: <u>5/27/20</u>	
Date Notification Sent to Resident District: <u>5/28/20</u>	



# **ASSOCIATED DOCUMENTS**

**Subject:** Hearing Notice  
**Date:** Friday, June 26, 2020 at 9:31:44 AM Central Daylight Time  
**From:** Mary Claire Hyatt (ADE)  
**To:** Sammantha Estep  
**Attachments:** Estep, Cooper SIGNED Hearing Notice.pdf

Good morning,

I put this letter in the mail today. Your hearing for your school choice appeal will be here in Little Rock at the Arkansas Department of Education. You will need to wear your mask and we will abide by all social distancing guidelines. Please let me know if you have any questions.

MCH

**Mary Claire Hyatt**  
Attorney Specialist  
Arkansas Department of Education  
Division of Elementary and Secondary Education  
Legal Services  
Four Capitol Mall, 301-A  
Little Rock, AR 72201  
P: (501) 683-0960