

A.C.A. § 6-23-106 requires each open-enrollment charter school applicant to review the potential impact of the proposed charter school on the efforts of affected public school districts to comply with court orders or statutory obligations to create and maintain a unitary system of desegregated public schools. Omni Classical completed the desegregation analysis and shows that it will not negatively impact the desegregation efforts of the neighboring districts.

REVIEW

Code Ann. §6-23-106 states a review of the potential impact that a charter application would have upon the efforts of the Pulaski County school districts to comply with court orders and statutory obligations to create and maintain a unitary system of desegregated public schools. The Pulaski County desegregation litigation was first filed in 1982. *Little Rock School District, et al v. Pulaski County Special School District, et al.*, Case No. 4:82:cv-00866-DPM. In 1989, the parties entered the “1989 Settlement Agreement”, which the Arkansas Department of Education, the Pulaski County school districts, and the intervenors agreed to the terms of state funding for desegregation obligations.

In 2007, the Little Rock School District completed its desegregation efforts and was declared fully unitary by the federal court in 2007. *Little Rock School District v. Pulaski County Special School District*, Case No. 4:82-cv-0866 (E.D. Ark.). In 2010, LRSD filed a motion to enforce the “1989 Settlement Agreement”. On January 17, 2013, Judge D.P. Marshall Jr. denied LRSD’s motion, stating: “The cumulative effect of open enrollment charter schools in Pulaski County on the stipulation magnet schools and M-to-M transfers has not, as a matter of law, substantially defeated the relevant purposes of the “1989 Settlement Agreement”, the magnet stipulation, or the M-to-M stipulation.” *Little Rock School District v. Pulaski County Special School District*, Case No. 4:82-cv-0866 (E.D. Ark.), LRSD appealed to the Eighth Circuit Court of Appeals.

One (1) year later, on January 13, 2014, Judge Marshall approved a Settlement Agreement that included a provision stipulating to the voluntary dismissal with prejudice of LRSD’s pending appeal concerning the charter school issues. All schools were deemed unitary, at this point, except PCSSD and JNPSD.

During a 2021 court hearing, Judge Marshall ruled that PCSSD and JNSD were now unitary but must continue to finish the master facilities plans to ensure all building are equal. They both are no longer under Court’s jurisdiction but must file annually to update them on the facilities issues.

DATA

According to the 2021-2022 ADE Data Center, 43, 582 kids are enrolled in Pulaski County, within the four (4) public school districts.

JNPSD has a student population of 3,846 enrolled, of which approximately 53% (2,038) are African American; 33.8% (1,300) are white; 7.6% (292) are Hispanic/Latino, and 5.4% (208) are Other.

LRSD has 20,786 students enrolled, of which approximately 60.5% (12,576) are African American; 19.2% (3,991) are White; 15.7% (3,263) are Hispanic, and 4.5% (956) are other races.

NLRSD has 7,685 students enrolled, of which approximately 59.4% (4,565) are African American; 26.4% (2,029) are White; 10.1% (776) are Hispanic, and 4.2% (315) are other races.

PCSSD has 11,265 students enrolled, of which approximately 44.4% (5,002) are African American; 39.2% (4,416) are White; 9.6% (1,081) are Hispanic, and 6.7% (766) are other races.

Cabot Public School District had 10,171 students enrolled in 2021-2022, of which approximately 82.8% were white; 6.6% Hispanic; 6% two or more races; 2.6% African American, and 2% other races. The students enrolled represent a good sampling of the Lonoke County population which is roughly 85.5% white, 5.5% African American, and 4.6% Hispanic.

CONCLUSION

Ark. Code Ann. §6-23-106 requires that Omni Classical's operation will not serve to hamper, delay, or in any manner negatively affect the desegregation efforts of a public school district or districts within the state. Now that all districts are unitary, Omni Classical sees no way it can negatively impact the two districts which still need to continue their facility upgrades or hinder any of the districts that were under desegregation orders. Omni Classical will be reaching out to students currently in PCSSD and JNSD, which will ensure all students, no matter the race, have equal access to Omni Classical.