



eStem Public Charter School
200 River Market Avenue
Little Rock, AR 72201

May 2, 2024 (VIA EMAIL)

Mr. Darrell Smith
Assistant Commissioner
Arkansas Department of Education
Division of Elementary and Secondary Education
Four Capitol Mall, Box 26
Little Rock, AR 72201

Re: eStem Public Charter Schools

Dear Mr. Smith:

Pursuant to Section 4.02.4 of the ADE Rules Governing Public Charter Schools, I have attached a completed Charter Amendment Form (with the required attachments and related documents) for consideration by the Charter Authorizing Panel.

I am requesting that this amendment request be placed on the May 15, 2024 agenda of the Charter Authorizing Panel for consideration.

I am also sending a copy of this notice letter by email to the Superintendent of the Little Rock School District.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Milhollen".

Mark Milhollen
Interim Superintendent
eStem Public Charter Schools

Cc: Dr. Jermall Wright, Superintendent (via email)
Little Rock School District
jermall.wright@lrsd.org



Charter Amendment Request Form

The Charter Amendment Request Form and all required documentation must be received via email (ade.charterschools@ade.arkansas.gov) at the Arkansas Department of Education at least 35 days prior to the Charter Authorizing Panel meeting.

Charter Name: eStem Public Charter Schools **LEA:** 6047700

Superintendent or Director: Mark Milhollen

Email: superintendent@estemschools.org **Phone:** 501-551-9789

Type of Amendment(s) Requested

Add a New Campus (Must also submit the Facilities Utilization Agreement)

Address: _____

School District: _____

Relocate Existing Campus (Must also submit the Facilities Utilization Agreement)

Campus Name: _____

Current Address: _____

Proposed Address: _____

School District: _____

Increase Enrollment Cap

Current Cap: _____

Proposed Cap: _____

Change Grade Levels Served

Current Grade Levels Served: Junior High 7-9/High School 10-12

Proposed Grade Levels Served: Junior High 7-8/High School 9-12 (see attached)



Narrative

eStem Public Charter Schools is requesting the reconfiguration of our current Junior High campuses and our High School campus. We have two Junior High campuses, Downtown Junior High and East Village Junior High, which currently both serve students in grades 7-9. Our High School campus, eStem High School, currently serves students in grades 10-12. To best serve our students and families, we would like to merge our Junior High campuses to serve all students in grades 7-8 at one location, the current Downtown Junior High campus. This scenario will allow our High School to serve students in grades 9-12. To provide this opportunity for our 9th grade students, the current East Village Junior High campus will become a Ninth Grade Academy. This Ninth Grade Academy would focus on the specific needs of ninth grade students who are entering high school and allow us to provide innovative opportunities to these students and families to be a part of our high school. There are no anticipated additional costs associated with this request, and the approval of the request will not place an undue financial burden on the charter. This reconfiguration allows us to prioritize the needs of these groups of students. It will also allow us to optimize the use of our fiscal resources, in terms of facilities, staffing, academic achievement, and student retention and recruitment.

Headcount Statistics Report

Building List: 703, 702, 705

Date: 05/02/2024

Totals	Male	Female	Total
702 - eStem Downtown Jr High School			
Grade 07 Totals	62	57	119
Grade 08 Totals	58	63	121
Grade 09 Totals	50	58	108
702 - eStem Downtown Jr High School	170	178	348
703 - eStem High School			
Grade 10 Totals	108	89	197
Grade 11 Totals	98	87	185
Grade 12 Totals	79	76	155
703 - eStem High School	285	252	537
705 - eStem East Village Junior High			
Grade 07 Totals	52	62	114
Grade 08 Totals	37	47	84
Grade 09 Totals	34	29	63
705 - eStem East Village Junior High	123	138	261
Report Totals	578	568	1146

Meal Status Count by Building

Building: eStem East Village Junior High

Grade / Meal Status	01	02	03	04	Summary
07	29	18	44	23	114
08	25	14	26	19	84
09	15	21	16	11	63
Summary	69	53	86	53	261

Meal Status Count by Building

Building: eStem Downtown Jr High School

Grade / Meal Status	01	02	03	04	Summary
07	37	26	31	25	119
08	35	16	42	28	121
09	34	18	38	18	108
Summary	106	60	111	71	348

Meal Status Count by Building

Building: eStem High School

Grade / Meal Status	01	02	03	04	Summary
10	57	31	77	32	197
11	51	31	79	24	185
12	34	34	71	16	155
Summary	142	96	227	72	537

eStem Public Charter Schools Desegregation Analysis

eStem Public Charter Schools (eStem) is seeking an amendment of its open-enrollment charter from the State's charter authorizer. eStem's campuses are all located within the boundaries of the Little Rock School District and, as an open-enrollment public charter school unconfined by district boundaries, expects to continue to obtain most of its students from within the boundaries of the Little Rock (LRSD), North Little Rock (NLRSD), Pulaski County (PCSSD) and Jacksonville-North Pulaski (JNPSD) school districts. eStem's charter amendment is not seeking to modify or increase its enrollment cap.

I. The Status of Pulaski County Desegregation Litigation

eStem is providing this desegregation analysis in accordance with Ark. Code Ann. §6-23-106 to review the potential impact that its amendment request would have upon the efforts of all four (4) 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. In conducting its review, eStem has substantiated that the LRSD and the NLRSD have been declared unitary in all respects of their school operations. 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 into a settlement agreement (the "1989 Settlement Agreement") under which the Arkansas Department of Education, the then-three (3) Pulaski County school districts, and the intervenors agreed to the terms of state funding for desegregation obligations.

LRSD successfully completed its desegregation efforts in 2007 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.), Order filed February 23, 2007. In 2010, LRSD filed a motion to enforce the 1989 Settlement Agreement. The motion contended that operation of open-enrollment public charter schools within Pulaski County interfered with the "M-M Stipulation" and the "Magnet Stipulation." 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.), Order filed January 17, 2013. 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. In light of LRSD's unitary status and the parties' 2014 Settlement Agreement, Friendship's charter amendment request cannot interfere with the purposes of the Pulaski County desegregation litigation, which has been fully concluded as to LRSD. After the dismissal and the settlement agreement, the case was completely concluded for all purposes as to LRSD, and the federal

court terminated all jurisdiction in the matter. Because of that, there is no possibility that Friendship's charter amendment request could impact LRSD's unitary status. To be clear, Friendship's charter amendment request cannot impact LRSD's unitary status because 1) there is no case in which LRSD's unitary status could be an issue; 2) LRSD made a claim regarding operation of open-enrollment charter schools in federal court in 2010 and lost it; and 3) as a consequence of the 2014 Settlement Agreement, the LRSD released any claims it had concerning the charter school issues. On January 30, 2014, the Court also approved a stipulation among the parties that PCSSD is unitary in the areas of Assignment of Students and Advanced Placement, Gifted and Talented and Honors Programs. Based on the stipulation, the Court released PCSSD from supervision and monitoring in these areas. Thus, as of January 30, 2014, LRSD, NLRSD and PCSSD are unitary in the area of student assignments. On April 4, 2014, the court found that PCSSD is unitary in the areas of Special Education and Scholarships. Subsequently, PCSSD was also found to be unitary in the areas of Staff and Monitoring. Pursuant to Judge Marshall's order on May 6, 2021, both PCSSD and JNPSD are unitary in all areas except School Facilities.

Upon review, eStem believes that its charter amendment request shall have no negative effects on the efforts of the PCSSD and JNPSD to attain unitary status.

II. Data

According to the most current enrollment figures as maintained by the DESE Data Center, LRSD had a student population of 19,952 students, of which 58.6% were Black/African-American; 19.3% were White, and 16.7% were Hispanic. NLRSD's student population was 7,295 students, of which 57.7% were Black/African-American; 21.9% were White, and 13.3% were Hispanic. PCSSD's student population was 11,875 students, of which 45.6% were Black/African-American; 34.0% were White, and 11.6% were Hispanic. JNPSD's student population was 4,174 students, of which 52.8% were Black/African-American; 29.5% were White, and 10.0% were Hispanic. eStem's total student population was 2,739 students, of which 70.3% were Black/African-American; 13.3% were White, and 9.7% were Hispanic.

Ark. Code Ann. §6-23-106 requires that eStem's charter amendment request 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. As explained in more detail above, eStem's careful review of the relevant statutes and court orders affecting the LRSD, NLRSD, PCSSD, and JNPSD and their student populations, and its own student population, shows that such negative impact is not present here.

III. Conclusion

eStem submits that upon the basis of its review, neither any existing federal desegregation order affecting the PCSSD, LRSD, NLRSD, and JNPSD, nor the 1989 Settlement Agreement prohibit the State's charter school authorizer from granting its charter amendment request.