

# **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)

Lanita Rotenbury  


**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: Amara Rotenbury**

**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

Four Capitol Mall  
Little Rock, AR  
72201-1019  
(501) 682-4475  
ArkansasEd.gov

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)

*An Equal  
Opportunity  
Employer*

# **APPEAL**

Lanita Rotenbury

June 8, 2020

Arkansas Department of Education  
ATTN: Mary Claire Hyatt  
Four Capitol Mall, Room 302-A  
Little Rock, AR 72201

RE: School Choice Application | Amara Rotenbury

To Whom It May Concern:

My name is Lanita Rotenbury, mother of Amara "Amy" Rotenbury. I am writing to request a hearing before the State Board of Education to appeal the denial of my School Choice Application (the "*Application*"). A copy of the Denial Letter, received by me on Saturday, May 30, 2020, is attached as "Exhibit A". The transfer of my daughter from Guy School District to Greenbrier School District is in her best educational, social and psychological interest.

In 2015, my daughter started Kindergarten at Eastside Elementary School ("EES"). She has attended EES from Kindergarten through Fourth Grade. She will start Fifth Grade, her final year of Elementary School, this August. We recently moved outside of the Greenbrier School District leading to my filing of the Application. By letter dated May 26, 2020, my Application was denied due to the 3% cap in our resident district of Guy Public Schools. I request that the Board use its discretionary authority to approve the Application for the reasons listed below.

Over the last four years, my daughter has thrived at EES. She has participated in the following groups and clubs:

- Woodworking;
- Photography;
- Choir;
- Panther Voice Student Team (Principal nomination);
- Quiz Bowl Team;
- TAG (gifted and talented);
- Destination Imagination (attended Regionals);
- Leader of a Kindergarten and 1<sup>st</sup> grade Prowl group; and
- A recommendation for the Future Leader's Council.

She has also received the following awards, aside from typical 9 weeks awards: 1<sup>st</sup> grade Principal Award, 2<sup>nd</sup> grade Student of the Year, and multiple perfect attendance awards.

RECEIVED  
LEGAL SERVICES

JUN 12 2020

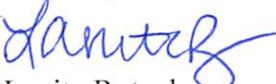
ARKANSAS DEPARTMENT OF EDUCATION  
CENTRAL ADMINISTRATION

Amy's academic and social participation at EES, and the options for involvement offered by the school, have been vital to the amazing experience she has had K-4. Amy has grown roots with the staff and her friends at EES. The denial of our application is detrimental to the relationships she has formed over the last five years. I've enclosed letters from her Principal ("Exhibit B"), TAG teacher ("Exhibit C"), and her 4<sup>th</sup> grade teacher ("Exhibit D") evidencing the bonds she has formed with her teachers and the school in general. I have requested a letter from her therapist, Marissa Wells, LPC (Salt Counseling and Consultation Inc.), and I will supplement as soon as it is received. Amy began seeing Marissa in November of 2019 for issues related to anxiety. The change of schools at this point is not in her best psychological interest.

Additionally, I've enclosed a map of the EES zone line, which ends on our street. I've placed a star on the location of our home which is 1.9 miles from the zone boundary. I am employed full-time in Conway and drive past EES Monday through Friday and we have no problem providing transportation to and from school.

In conclusion, I implore the Board to use its discretionary authority to approve the Application in Amy's best educational, social and psychological interest.

Sincerely,



Lanita Rotenbury

CC: Scott Spainhour, Greenbrier Superintendent  
Enclosures: As stated.



**GREENBRIER**  
PUBLIC SCHOOLS

May 26, 2020

Regarding: School Choice Application for: Amara Rotenbury

Dear Lanita Rotenbury,

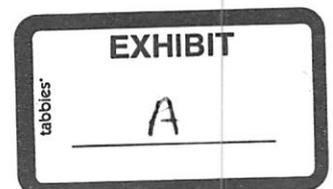
In accordance with the Arkansas Public School Choice Act of 2015, Greenbrier Public School District gives equal consideration to each transfer application made by non-resident students.

Following a review of your application received April 13, 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



emailed 4-15-20

Copy

### APPLICATION FOR SCHOOL CHOICE TRANSFER

(Deadline for submission is May 1, unless the student is eligible for School Choice for Military Families)

#### TYPE OF SCHOOL CHOICE TRANSFER REQUESTED

Public School Choice Act of 2015

Opportunity School Choice Act

**NOTE:** Applications for the Public School Choice Act of 2015 must be sent to the resident and nonresident districts. Applications for the Opportunity School Choice Act must be sent to the resident district, the nonresident district, and the Division of Elementary and Secondary Education.

*If you are unsure which type of school choice best applies, please review the FAQ following this form for information about the different types of school choice that may be available to your student.*

#### SIBLING INFORMATION

If applying for a transfer under the Public School Choice Act, does the applicant have a sibling or step-sibling already attending the nonresident district listed in this application pursuant to the Public School Choice Act? If so, please list: No.

#### APPLICANT INFORMATION

Student Name: Amara Retenburg

Grade: 5th 20/21

Student Date of Birth: 

Gender: Male  Female

Is the applicant currently expelled? Yes  No

#### MILITARY FAMILY INFORMATION

Does the applicant have a parent or guardian who is an active-duty member of the military who has been transferred to and resides on a military base? If so, please state the date of the parent's or guardian's arrival on the military base: No.

**NOTE:** In order to take advantage of school choice options available to military families who have recently transferred to a military base, you must submit military transfer orders and proof of residency on the military base to the resident and nonresident school districts.

#### RACE OR ETHNIC ORIGIN (CHECK ONE)

*This information is collected for data reporting purposes only, pursuant to Ark. Code Ann. §6-18-227(f)(2)(B).*

2 or More Races

Asian

African-American

Hispanic

Native American/  
Native Alaskan

Native Hawaiian/  
Pacific Islander

White

Copy

<b>RESIDENT SCHOOL AND SCHOOL DISTRICT OF APPLICANT</b>	
District and School Name:	County Name:
Guy Perkins Elementary	Faulkner
Address:	
492 AR 25, Guy, AR 72061	
Phone:	
501-679-7224	
<b>NONRESIDENT SCHOOL/SCHOOL DISTRICT APPLICANT WISHES TO ATTEND</b>	
District and School Name:	County Name:
Greenbrier East Side Elementary	Faulkner
Address:	
1st Glenn Lane, Greenbrier, AR 72058	
Phone:	
501-679-2111	
<b>PARENT OR GUARDIAN INFORMATION</b>	
Name:	Home Phone:
Lanita Potenburg	[REDACTED]
Address:	Work Phone:
[REDACTED]	AR 72058
Parent/Guardian Signature	Date:
[Signature]	04/09/2020
<b>DISTRICT USE ONLY</b>	
Date and Time Received by Nonresident District:	4/13/2020 2:06 pm
Date and Time Received by Resident District:	
Resident District LEA #:	
Nonresident District LEA#:	
2303000	
Student's State Identification #:	
Application:	
Accepted <input type="checkbox"/> Rejected <input checked="" type="checkbox"/>	
Reason for Rejection (If Applicable): 390 cap met in resident district	
Date Notification Sent to Resident District and Parent/Guardian of Applicant:	
5/28/20 5/27/20	

# **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 – Amara Rotenbury

Dear Arkansas State Board of Education:

The Guy-Perkins School District has received a copy of the Rotenbury 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 Denee' Acre at 501-679-7224, or [denee.acre@gptbirds.org](mailto:denee.acre@gptbirds.org).

Sincerely,

A handwritten signature in blue ink, appearing to read 'Joe Fisher', is written over the word '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. [REDACTED]	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. Amara Rotenbury	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		

emailed 4-15-20

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Address:	Work Phone:
[REDACTED]	72058
Parent/Guardian Signature	Date:
[Signature]	04/09/2020
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Student's State Identification #:	
Application:	Accepted <input type="checkbox"/> Rejected <input checked="" type="checkbox"/>
Reason for Rejection (If Applicable): 390 cap met in resident district	
Date Notification Sent to Resident District and Parent/Guardian of Applicant:	
5/28/20 5/27/20	

# **ASSOCIATED DOCUMENTS**



# Eastside Elementary School

61 Glenn Lane  
Greenbrier, AR 72058  
Mandi Dunlap, Principal

June 3, 2020

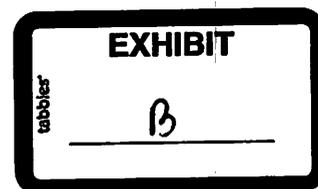
To Whom it May Concern,

I am writing this on behalf of Amy Rotenbury. Amy has been a student at Eastside since kindergarten. She will be going into the 5th grade, which in our district is the final year in elementary before transferring to our Middle School campus. We would be honored to have Amy with us for her 5th grade year. She is involved in many programs at Eastside and is seen as a leader among her peers. She is vital to our positive culture. I recently placed her on our Student Voice committee in the Spring and look forward to her input as a fifth grader. Amy and her family have proven to be faithful to the education system by attending family nights, student led conferences, and holding high expectations for Amy at home. Even during AMI, Amy was participating in all online zoom instruction with her teachers.

Should you have any questions, feel free to call me at 501-679-2111.

Sincerely,

Mrs. Mandi Dunlap, Ed. S.  
Eastside Elementary Principal



11 Rosewood Drive  
Conway, AR 72034  
June 2, 2020

To Whom It May Concern:

I am the Gifted and Talented Specialist at Eastside Elementary. For the past four years, I have had the pleasure of teaching Amy Rotenbury. She is an amazing asset to my Gifted and Talented classroom. She leads and encourages in her regular classroom as well as adds so much to the building as a whole.

For first and second grade I taught Amy in Enrichment block. Both years, Amy stood out as a leader in her class. She could work with anyone and was a friend to all. Her intelligence and her creativity led to her referral for our Gifted and Talented (TAG) Program beginning in the third grade. Since she's been in TAG, I have witnessed Amy grow immensely. She is a goal-setter, and she will work hard to reach her goals! Amy not only challenges herself to get better, but she constantly encourages her classmates and peers to reach their goals as well. She is a true leader in my class. In fourth grade, my TAG students study leadership including the seven habits of happy kids. I have never seen a student embody and take these habits to heart more than Amy has. Amy is also very responsible and shows integrity with everything she does. When the last 10 weeks of school switched to online learning via Alternative Methods of Instruction, Amy's desire to learn did not change. In TAG she was in the middle of an Independent Research Project with at least a month of work remaining. She finished her project and presented it virtually to her classmates and me through Zoom before the project was going to be due. She also was always very diligent to attend each online class I held. Her hunger for knowledge and learning was very evident during this unique time.

This past school year, I was in fourth grade classrooms often as an interventionist. Many times, I would co-teach with the literacy teacher, Mrs. McWilliams. In my time in Amy's class I always witnessed her add to the classroom community, and she would often help clarify concepts for her classmates. I was not surprised by these occurrences because that is the type of student and individual Amy is. She desires to be a teacher, so she helps her classmates whenever she can. Her reputation among her peers and teachers alike is she is a leader, a helper, and a friend.

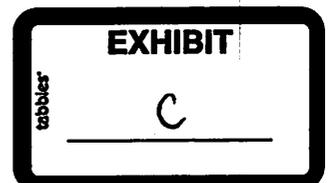
Eastside Elementary would simply not be the same if it were not for Amy's impact. Our building has school-wide essential behaviors the school is encouraging. These include perseverance, respect, integrity, dependable, and engaged. Amy is a model student for any one of these behaviors. She sets an example for students of all ages. This year for the first 30 minutes of the day, she led a group of younger students ages kindergarten and first grade. She was a role model for these students. She took the job seriously and developed caring relationships with these students.

Amy is an incredible student that has truly impacted more people than she probably realizes. She is amazingly talented, responsible, and caring. I hope this letter speaks to the need for Amy to remain a student at Eastside Elementary School for her final year in elementary.

Sincerely,



Jenna Barnhart  
Gifted and Talented Specialist  
Greenbrier Eastside Elementary



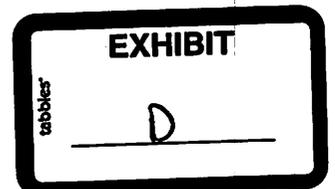
To whom it may concern,

I have had the great privilege of being Amy Rotenbury's classroom teacher for two consecutive years (3rd and 4th grade). Amy is a true leader at Eastside, consistently displaying all components of our behavior matrix – perseverance, respect, integrity, dependability, and engagement (PRIDE). It has been amazing to see how she has grown more and more into a leader from the support she receives from not only her peers, but the Eastside staff as well. These PRIDE traits are not only shown in the general education classroom, but in her time spent in TAG (talented and gifted) each week. She has an almost perfect attendance record over the past two years, and serves on the Panther Student Voice Team. She also helps our Kindergarteners during our morning intervention time.

Amy has been a true asset to the Eastside team.

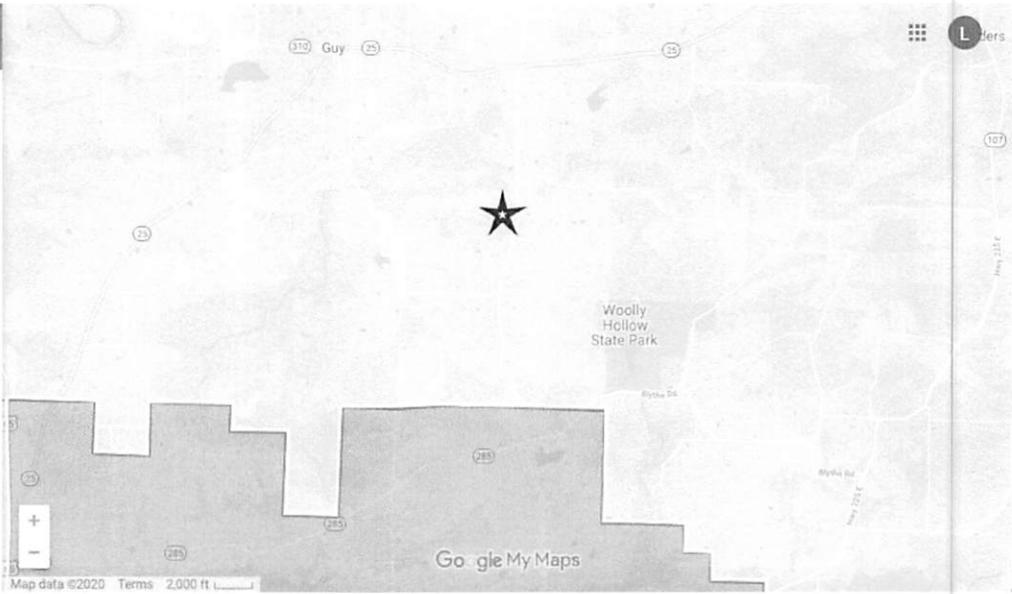
Thank you,

Araya Franklin  
4th Grade Science & Social Studies Teacher  
Eastside Elementary, Greenbrier



← Eastside Elementary Zone

name  
Eastside Elementary Zone



tabbles®  
**EXHIBIT**  
E