

NOTICE LETTER



Division of Elementary and Secondary Education

Transforming Arkansas to lead the nation in student-focused education

June 28, 2021

Johnny Key
Secretary

Michelle Adam

Mr. Doug Dorris, Superintendent
White Hall School District
1020 West Holland Avenue
White Hall, AR 71602

Dr. Ivy Pfeffer
Deputy
Commissioner

Dr. Jerry Guess, Superintendent
Watson Chapel School District
4100 Camden Rd.
Pine Bluff, AR 71603

Stacy Smith
Deputy
Commissioner

Re: Appeal Under the Public School Choice Act-Nickolas Garner

**State Board of
Education**

Everyone:

Charisse Dean
Little Rock
Chair

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 8, 2021**. 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.**

Ouida Newton
Poyen
Vice Chair

Any additional materials any party chooses to submit should be provided to my office **no later than 12:00 noon on Friday, July 2, 2021.**

Susan Chambers
Bella Vista

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.

Dr. Fitz Hill
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 Arkansas Department of Education Rules Governing the Public School Choice Act. You may find copies of these references on the Arkansas Department of Education Website.

Kathy McFetridge
Springdale

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) 682-4585 should you require additional information.

Dr. Sarah Moore
Stuttgart

Steve Sutton
Marion

Sincerely,

/s/Taylor Dugan

Adrienne Woods
Rogers

Taylor Dugan
Staff Attorney

Dr. Beth Anne Rankin
Magnolia

Division of Elementary and Secondary Education
taylor.dugan@ade.arkansas.gov

APPEAL

Michelle Adam



June 9, 2021

Office of the Commissioner
ATTN: Opportunity School Choice Appeal
Four Capital Mall
Little Rock, AR 72201

Dear Sir or Ma'am:

We live in the Watson Chapel School District. My son, Nickolas Garner, has been a student in the White Hall School District for 5 years. This past fall, after the first nine weeks, we decided it was best to remove him to a virtual option due to the fact that we live with my aging parents and we were concerned with spreading COVID to them. My mom has COPD and is on oxygen and is very susceptible to the virus. White Hall only offered the option of virtual at the beginning of the school year and did not offer to switch from in person to virtual. We switched to Arkansas Virtual Academy at that time.

With the case numbers dropping, and a vaccine available we decided it was safe to return to in person school and submitted a new school of choice application. I did not realize the law had changed and that the request needed to be send to the resident district as well as the non-resident district.

I received a rejection letter from White Hall School District on June 8, 2021 stating they have rejected the application due to being over capacity. Also, Watson Chapel School District has refused to release him, even though he has not been in their district for 5 years now, because we submitted the request after the deadline.

I would like to appeal both of these decisions and request a hearing to appeal.

Sincerely,

A handwritten signature in cursive script that reads "Michelle Adam".

Michelle Adam

OTHER DOCUMENTS

WCSD received application from White Hall on 3-9-21. Parent never sent it to WCSD

50

24

APPLICATION FOR SCHOOL CHOICE TRANSFER

(Deadline for submission is May 1, unless the student is a member of a military family)

FOR MEMBER OF 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:

APPLICANT INFORMATION

Student Name: Nickolas R Garner

Grade: ~~9~~ 10

Student Date of Birth: 10/03/2005

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:

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 <input type="checkbox"/> | Asian <input type="checkbox"/> | African-American <input type="checkbox"/> |
| Hispanic <input type="checkbox"/> | Native American/
Native Alaskan <input type="checkbox"/> | Native Hawaiian/
Pacific Islander <input type="checkbox"/> |
| White <input checked="" type="checkbox"/> | | |

mamadam4510@gmail.com



RESIDENT SCHOOL AND SCHOOL DISTRICT OF APPLICANT	
District and School Name: Watson Chapel School District	County Name: Jefferson
Address: 4100 Camden Road, Pine Bluff, AR 71603	
Phone: 870-879-0220	
NONRESIDENT SCHOOL/SCHOOL DISTRICT APPLICANT WISHES TO ATTEND	
District and School Name: White Hall School District	County Name: Jefferson
Address: 1020 West Holland / White Hall, Arkansas 71602	
Phone: 870-247-2002	
PARENT OR GUARDIAN INFORMATION	
Name: Michelle Adam	Home Phone: [REDACTED]
Address: [REDACTED]	Work Phone: [REDACTED]
Parent/Guardian Signature <i>Michelle Adam</i>	Date: 3-02-2021
DISTRICT USE ONLY	
Date and Time Received by Nonresident District:	MAR 08 2021
Date and Time Received by Resident District:	MAR 09 2021 2:35 (SP) 12:54:10 pm
Resident District LEA #:	WCSD
Nonresident District LEA#:	3510
Student's State Identification #:	
Application:	Accepted <input type="checkbox"/> Rejected <input type="checkbox"/>
Reason for Rejection (If Applicable):	
Date Notification Sent to Resident District and Parent/Guardian of Applicant:	



Jamie Roberts <jroberts@wcmail.k12.ar.us>

Fwd: School Choice Application

3 messages

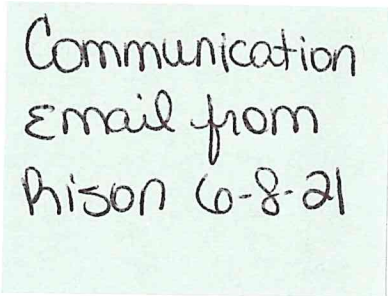
Joanie Beck <joanie.beck@ccs1.org>
To: Jamie Roberts <jroberts@wcmail.k12.ar.us>

Tue, Jun 8, 2021 at 1:46 PM

Here is the email that was sent to the wrong email address in January, so I did not receive it. The mother called today to check on the status so this is how we discovered it was not received. She had the wrong email address. Just let me know what you guys want to do and I will go from there.

Thanks a bunch!!

----- Forwarded message -----
From: **Michelle Adam** <mmadam4510@gmail.com>
Date: Tue, Jun 8, 2021 at 12:11 PM
Subject: Fwd: School Choice Application
To: <joanie.beck@ccs1.org>



----- Forwarded message -----
From: **Michelle Adam** <mmadam4510@gmail.com>
Date: Tue, Jun 8, 2021 at 12:10 PM
Subject: Fwd: School Choice Application
To: <joanie.beck@ccl1.org>

----- Forwarded message -----
From: **Michelle Adam** <mmadam4510@gmail.com>
Date: Tue, Jan 26, 2021 at 12:02 PM
Subject: School Choice Application
To: <joanie.beck@ccs1.org>

Good morning,

I am attaching our school of choice application form from the ADE. If you need anything else, please let me know.

Thank you,
Michelle Adam

—
Joanie Beck
Administrative Assistant
Purchasing Director

Cleveland County School District
700 Main Street
Rison, AR 71665
PH: 870-325-6344
Fax: 870-325-7094
Email: joanie.beck@ccs1.org

Rison Application.pdf
815K

Jamie Roberts <jroberts@wcmail.k12.ar.us>
To: Joanie Beck <joanie.beck@ccs1.org>

Wed, Jun 9, 2021 at 7:54 AM

Good morning,
I just spoke to Dr. Guess and he said he would not release the student for school choice due to the deadline. I'm sorry 😞

Jamie Roberts
Watson Chapel School District
4100 Camden Rd.
Pine Bluff, AR 71603
870-879-0220 (P)
870-879-0588 (F)

[Quoted text hidden]

Joanie Beck <joanie.beck@ccs1.org>

Wed, Jun 9, 2021 at 8:05 AM

6/24/2021

Watson Chapel Schools Mail - Fwd: School Choice Application

To: Jamie Roberts <jroberts@wcmail.k12.ar.us>

No problem, thank you for letting me know!
[Quoted text hidden]

Board of Education
Darrell Wilson
Tony White
Kelly Neal
William King
Stan Sadler
Jason Hall

Cleveland County School District

700 Main
Rison, AR 71665

Rison Elementary - Rison High

Superintendent
Craig Dupuy
High School Principal
Davy King
Asst High School Principal
Zach Branch
Elementary Principal
Letitia Johnson

June 15, 2021

Watson Chapel School District

Attn: Administrator

4100 Camden Road

Pine Bluff,, AR 71603

RE: School Choice Applicants 2021-2022 SY

School Choice application(s) have been received and **Not Approved** by the Cleveland County School District for enrollment for the 2021-2022 school year for the following student(s) due to the application being turned in on June 8th, which was past the deadline of May 1st.

- Nickolas R. Garner

Sincerely,

Craig Dupuy

Superintendent

CD/jb

Hison
Application

APPLICATION FOR SCHOOL CHOICE TRANSFER
(Deadline for submission is May 1, unless the student is eligible for School Choice Transfer 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:

APPLICANT INFORMATION

Student Name: Nickolas R. Garner Grade: 9th
Student Date of Birth: 10-03-2005 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:

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

RESIDENT SCHOOL AND SCHOOL DISTRICT OF APPLICANT

District and School Name: *Watson Chapel* County Name: *Jefferson*

Address: *4100 Camden Rd., Pine Bluff, AR 71603*

Phone: *870-879-0220*

NONRESIDENT SCHOOL/SCHOOL DISTRICT APPLICANT WISHES TO ATTEND

District and School Name: *Rison* County Name: *Cleveland*

Address: *700 Main St., Rison, AR 71665*

Phone: *870.325-6344*

PARENT OR GUARDIAN INFORMATION

Name: *Michelle Adam* Home Phone: *870-489-3904*

Address: *4702 Lynwood Dr. Pine Bluff, AR 71603* Work Phone: *870.536-6500*

Parent/Guardian Signature: *Michelle Adam* Date: *01-06-2021*

DISTRICT USE ONLY

Date and Time Received by Nonresident District:

Date and Time Received by Resident District: *RR 1:50*

Resident District LEA #: *3509000*

Nonresident District LEA#:

Student's State Identification #:

Application: Accepted Rejected

Reason for Rejection (If Applicable):

Date Notification Sent to Resident District and Parent/Guardian of Applicant:



Taylor Dugan (ADE)

From: Jamie Roberts <jroberts@wcmail.k12.ar.us>
Sent: Thursday, June 24, 2021 4:20 PM
To: Taylor Dugan (ADE)
Cc: Jerry Guess
Subject: N. Garner
Attachments: doc02179920210624150459.pdf

Please see attached.

White Hall notified Watson Chapel on 3/9/21 that they received a school choice application on Nickolas Garner. Parent never sent an application to Watson Chapel, but we did receive a notice from White Hall. To my understanding, White Hall denied the application due to meeting their capacity cap and did not have room to accept the application.

Rison contacted Watson Chapel on June 8th and stated that the parent called and was inquiring about her child's application. At that time the parent and Rison realized she had sent the application to the wrong address. Therefore, missing the May 1st deadline. Watson Chapel never received an application from the parent. We did receive an application from Rison, but it was on June 8th, after the May 1st deadline. Rison denied the application due to receiving the application after the May 1st deadline.

I have attached all communication with Watson Chapel regarding the student's applications.

I hope this helps.

Jamie Roberts
Watson Chapel School District
4100 Camden Rd.
Pine Bluff, AR 71603
870-879-0220 (P)
870-879-0588 (F)

WHITE HALL SCHOOL DISTRICT



1020 West Holland Avenue
White Hall, Arkansas 71602-9632
Phone: 870.247.2002 ~ Fax: 870.247.3707
www.whitehallsd.org

Doug Dorris, Superintendent

~ Debbie Jones, Director of Curriculum & Federal Programs

~ Cedric Hawkins, Assistant Superintendent

June 14, 2021

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

School Choice appeal: Nickolas Garner

To Whom it may concern:

The White Hall School District received a "Public School Choice Act of 2015" application for Nickolas Garner on March 8, 2021.

Nickolas attended White Hall under School Choice from 8/15/2016 until 11/2/2020, at which time he withdrew and enrolled in Arkansas Virtual Academy Charter. He was in the ninth grade at the time he withdrew.

The White Hall School District sent a denial letter to Ms. Adams, because we had reached our 90% cap for tenth grade. At that time Ms. Adam's informed us her son was being retained in the 9th grade. The White Hall School District has also reached our 90% cap for ninth grade for the upcoming school year. And in some cases, we have reached 93% cap with Opportunity School Choice.

Sincerely,



Doug Dorris
Superintendent
White Hall School District

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

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APPLICANT INFORMATION

Student Name: Nickolas R Garner Grade: 9th *(current 9th grade) (? 10th)*

Student Date of Birth: 10/03/2005 Gender: Male Female

Is the applicant currently expelled? Yes No

MILITARY FAMILY INFORMATION

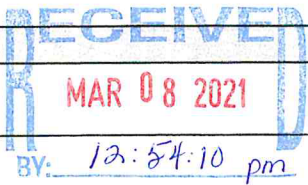
Does the applicant have a parent or guardian who is an active-duty member of the military who has been transferred to and resides on a military base? If so, please state the date of the parent's or guardian's arrival on the military base:

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2 or More Races <input type="checkbox"/>	Asian <input type="checkbox"/>	African-American <input type="checkbox"/>
Hispanic <input type="checkbox"/>	Native American/ Native Alaskan <input type="checkbox"/>	Native Hawaiian/ Pacific Islander <input type="checkbox"/>
White <input checked="" type="checkbox"/>		

RESIDENT SCHOOL AND SCHOOL DISTRICT OF APPLICANT	
District and School Name:	County Name:
Watson Chapel School District	Jefferson
Address:	
4100 Camden Road, Pine Bluff, AR 71603	
Phone:	
870-879-0220	
NONRESIDENT SCHOOL/SCHOOL DISTRICT APPLICANT WISHES TO ATTEND	
District and School Name:	County Name:
White Hall School District	Jefferson
Address:	
1020 West Holland / White Hall, Arkansas 71602	
Phone:	
870-247-2002	
PARENT OR GUARDIAN INFORMATION	
Name:	Home Phone:
Michelle Adam	[REDACTED]
Address:	Work Phone:
[REDACTED]	[REDACTED]
Parent/Guardian Signature:	Date:
[REDACTED]	302-2021
DISTRICT USE ONLY	
Date and Time Received by Nonresident District:	
Date and Time Received by Resident District:	
Resident District LEA #:	
Nonresident District LEA#:	3510
Student's State Identification #:	
Application:	Accepted <input type="checkbox"/> Rejected <input type="checkbox"/>
Reason for Rejection (If Applicable):	
Date Notification Sent to Resident District and Parent/Guardian of Applicant:	

WHITE HALL SCHOOL DISTRICT
1020 West Holland Avenue
White Hall, AR 71602
870-247-2002

June 4, 2021

RE: Request for School Choice

Michelle Adam


Michelle Adam,

I am sorry to inform you the School Choice application you submitted for Nickolas Ryan Garner has been rejected for the following reason:

- The non-resident district (White Hall) is over capacity for Grade 10.

Respectfully,



Doug Dorris
Superintendent