

NOTICE LETTER



Division of Elementary and Secondary Education

Transforming Arkansas to lead the nation in student-focused education

June 28, 2021

Johnny Key
Secretary

Tonya Sanders

Dr. Brian Golden, Superintendent
Malvern School District
1620 South Main Street
Malvern, AR, 72104

Dr. Ivy Pfeffer
Deputy
Commissioner

Mr. Danny Thomas, Superintendent
Magnet Cove School District
472 Magnet Cove School Road
Malvern, AR 72104

Stacy Smith
Deputy
Commissioner

Re: Appeal Under the Public School Choice Act-Aubrey Sanders

**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

Tonya Sanders

[REDACTED]

[REDACTED]

[REDACTED] 2021

Office of the Commissioner

Attention: Arkansas Public School Choice Act Appeals

4 Capitol Mall

Little Rock, AR 72201

School Choice Cap: Aubrey Sanders

Dear School Board Members,

I am writing an appeal for the School Choice Cap per Malvern School District. I received a letter from Malvern on June 17, 2021, stating that Aubrey was denied school choice for 2021-22 school year due to the Malvern reaching its transfer cap under Arkansas Code Annotated 6-18-1906.

I purchased a home in Butterfield December 20, 2018. It was said to have been in Magnet Cove school district which I never questioned as Magnet Cove is just at 2 miles from my home, which is miles closer than Malvern. My child, Aubrey Sanders was enrolled at Poyen after I had went through a divorce and was renting a home in Leola. School choice had been approved for both of my children. The original school choice from Harmony Grove school was in 2015, for my son, Clint Vines. Since my son was graduating 2021, I kept my children in Poyen so he could finish his year with his classmates he had grown to love and attended school since 7th grade. May 2021, I contacted Magnet School to confirm how to submit the school choice. It was during that day, I was informed with my address, we were Malvern school district, not Magnet Cove. This was such a surprise, as Magnet is 2.1 miles from our home, and Malvern is 4.8 miles from our home. I was informed on that call that Malvern would need to be the school to approve for Aubrey to attend Magnet, not Poyen

Aubrey has attended Poyen for three years; Pre-k, Kindergarten, and First grade. She is used to a smaller school setting. With Magnet showing over 300 students compared to Malvern over 2100 students, I believe she would feel overwhelmed with such an increase of students. She went through a difficult time after her father, and I divorced. She was withdrawn and in therapy due to more personal issues she was going through. I feel she does not adjust to changes as well as others. We already have a wonderful support system at Magnet Cove with girls that she cheers with and friends of our family that attend Magnet Cove. She also has her only other sibling who will be leaving to attend Arkansas State University

in August where she has expressed sadness that she will not get to see him daily as he will be hours away from our home.

I fully believe the emotional and social well-being would be challenged with such a drastic change. I believe students at small schools develop strong relationships with their peers and their teachers in an environment where they feel safe and included. When class sizes are small, teachers can better know the academic strengths and weaknesses of each of their students. Small schools foster citizenship, leadership, and student engagement. Students at small schools are more likely to be highly engaged in their school community.

Per the great Dr. MLK Jr stated "Injustice anywhere is a THREAT everywhere." I realize that you may not necessarily believe that there is injustice from being denied the school choice transfer, but I do! It is your judiciary responsibility to make the best decision that you feel will benefit my child. This is not just about a smaller school setting, I have seen what a smaller school setting can do to a child, my own other child. I must go back a little further, so you have the complete picture of a mother wanting the best for her child looks like and how that story finishes. My son was in kindergarten when his father was killed in an accident. He was attending school in White Hall which services more than 3,000 students. He started having behavioral issues continually. He was a sad child, but also angry as he blamed God for not keeping his father alive. My son was sent to Day Treatment programs, but still had difficulties at school. We moved to Haskell in 2012 where he attended Harmony Grove school. He continually got worse each year. My family has a strong Christian heritage. We prayed for years for my son, and I kept hold that God would help him. It was 2014 when I had just about felt like prayers would never be answered, but God is always just on time! He had an encounter with God that forever changed him one night. Shortly after that, my family started to attend the church we attend now, Poyen Assembly of God. Once we fell in love with that church and many prayers, I moved Clint to Poyen school. I can't describe to you how a mother's heart was filled when each year seeing her child that had struggled so hard for 6 years, to finally feel they belong somewhere. Poyen school showed my child love and gave him all the support that he needed. I believe the smaller school setting helped him not feel so out of place or overwhelmed. For a child that had dealt with so much over those 6 years, where he questioned where he belongs in this life, finally found his home in that small school district! This is how I know that a smaller school setting can make the difference for a child, as it made a difference for my first child and now, I'm asking for you to help make this school choice transfer because it could make another child's entire school be something wonderful!

I thank you all for letting me share my story. I do not believe one transfer will affect Malvern, but it will affect my little girl who means the world to me. I'm asking for you to approve Aubrey to attend Magnet Cove for 2021-2022. If it was your child that you have had to pray for God to make a change, would you?

Sincerely,

Tonya Sanders



OTHER DOCUMENTS



MALVERN SCHOOL DISTRICT

Home of Leopards

“Where PASSION, PRIDE, & EXCELLENCE are expected.”

Brian Golden
Superintendent of Schools
Jace Roberts
Chief of Staff

1620 SOUTH MAIN STREET
MALVERN, ARKANSAS 72104
501-332-7500, FAX: 501-332-7501

Lillian Harper
Assistant Superintendent
Gerald Hatley
Assistant Superintendent

June 14, 2021

Tonya Sanders
[REDACTED]

Re: School Choice Cap: Aubrey Sanders

Dear Parent,

I am writing to inform you that your child(ren) listed above have been denied school choice for the 2021-22 school year due to the Malvern School District reaching its transfer cap under Arkansas Code Annotated 6-18-1906. Each year there is a cap on the number of transfers allowed under Arkansas Law based upon the enrollment numbers of each school. Applications are approved on a first come basis in the order they are received from the non-resident school district. Per Arkansas law, your child(ren) will receive priority for a transfer in the first school year in which the district has enough space under the cap.

Should you have any questions, please contact our office at the contact information listed above.

Respectfully,

Brian Golden
Superintendent