

# ResponsiveEd®

ARKANSAS

400 Hardin Road, Ste. 120 Little Rock, AR 501-419-9109

**May 12, 2023**

**Ms. Dorie Summons  
Director of Public Charter Schools  
Arkansas Department of Education  
Division of Elementary and Secondary Education  
Four Capitol Mall, Box 26  
Little Rock, AR 72201**

Re: Premier High Schools of Arkansas

Dear Ms. Summons:

Pursuant to Section 4.02.4 of the ADE Rules Governing Public Charter Schools, I have enclosed a completed Charter Amendment Form (with the required attachments and related documents) for the purpose of requesting the following amendment to our charter:

- 1.) Increase the charter (Premier High Schools of Arkansas) enrollment cap to 950 students.

I am requesting that this amendment request be placed on the June, 2023 agenda of the Charter Authorizing Panel for consideration.

I am also contemporaneously sending a copy of this notice letter to the Superintendents of the Little Rock, Texarkana, and Fort Smith School Districts.

Sincerely,

**Rhonda Bradford  
Superintendent  
Responsive Education Solutions Arkansas**

Cc:

# ResponsiveEd®

## ARKANSAS

400 Hardin Road, Ste. 120 Little Rock, AR 501-419-9109

Superintendent Jermall Wright (via email)

Little Rock School District

[jermall.wright@lrsd.org](mailto:jermall.wright@lrsd.org)

810 West Markham Street

Little Rock, AR 72201

Superintendent Terrence Morawski (via email)

Fort Smith Public Schools

[tmorawski@fortsmithschools.org](mailto:tmorawski@fortsmithschools.org)

PO Box 1948

Fort Smith, AR 72902

Superintendent Becky Kesler (via email)

Texarkana School District

[Becky.kesler@tasd7.net](mailto:Becky.kesler@tasd7.net)

3435 Jefferson Ave.

Texarkana, AR 71854

**Premier High Schools of Arkansas**  
**Supporting Documents**

Charter Amendment Request Form

Student Demographic Information

Current Enrollment Cap by School

Proposed Enrollment Cap by School

Desegregation Analysis

Budget Projections

# Charter Amendment Request Form



## Charter Amendment Request Instructions

The Charter Amendment Request Form, with any additional documentation pertaining to the amendment request, must be received, via email at [ade.charterschools@ade.arkansas.gov](mailto:ade.charterschools@ade.arkansas.gov), at the Arkansas Department of Education at least 35 days prior to the meeting of the Charter Authoring Panel.

### Documentation to be Included with ALL Amendment Requests

- Budget projections that include the costs associated with the amendment request and demonstrate that the approval of the request will not place an undue financial burden on the charter
- Current year to date enrollment by race and grade
- Current year to date free and reduced lunch

### Additional documentation for requests to add a campus or relocate an existing campus

- Map of present location
- Map of proposed location
- Signed Facilities Utilization Agreement
- Desegregation Analysis

### Additional documentation

- Budget projections that include the costs associated with the amendment request and demonstrate that the approval of the request will not place an undue financial burden on the charter
- Current year to date enrollment by race and grade
- Current year to date free and reduced lunch

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## Charter Amendment Request Form

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**Charter Name:** Premier High Schools of Arkansas **LEA:** 6053700

**Superintendent or Director:** Rhonda Bradford

**Email:** rbradford@responsiveedar.com **Phone:** 501-472-0539

### 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: 850

Proposed Cap: 950

**Change Grade Levels Served**

Current Grade Levels Served: \_\_\_\_\_

Proposed Grade Levels Served: \_\_\_\_\_

**Waiver(s)**

Statute/Standard/Rule to be Waived: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Rationale for Waiver:**

The charter Premier High School of Arkansas is seeking to increase the current charter enrollment cap of 850 students to 950 students. The district will reallocate seats according to historical enrollment trends to meet the demands of the schools within the charter. The charter is seeking to 1) Decrease the Little Rock campus enrollment cap by sixty-five (65) seats 2) Decrease the Fort Smith campus enrollment cap by one-hundred ten (110) seats. 3) Increase Texarkana campus enrollment cap by twenty-five (25) seats and 4) Increase the PHS Virtual enrollment cap by two-hundred fifty (250) seats. The amended enrollment caps will allow for continued expansion of the mission, vision, and impact across the state at the respective locations. The overall charter cap increase request is one-hundred (100) students.

Statute/Standard/Rule to be Waived: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Rationale for Waiver:**

Statute/Standard/Rule to be Waived: \_\_\_\_\_

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Rationale for Waiver:

Statute/Standard/Rule to be Waived: \_\_\_\_\_

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Rationale for Waiver:



# Facilities Utilization Agreement

To be completed and submitted with an amendment request to add a new campus or relocate an existing campus

Lessor (Owner): \_\_\_\_\_

Lessee (Tenant): \_\_\_\_\_

Information regarding affiliation, family ties or other relationships between the Lessor and Lessee:

\_\_\_\_\_  
\_\_\_\_\_

Address of Premises: \_\_\_\_\_

Describe the present use of the facility: \_\_\_\_\_

\_\_\_\_\_

Square Footage: \_\_\_\_\_ Rental Amount: \_\_\_\_\_

Terms of Lease: \_\_\_\_\_

**Contingency:** The terms of this agreement are contingent upon \_\_\_\_\_  
Charter School receiving approval by the Authorizer to operate an open-enrollment public charter school at the premises identified.

No indebtedness of any kind incurred or created by the open-enrollment public charter school shall constitute an indebtedness of the State of Arkansas or its political subdivisions and no indebtedness of the open-enrollment public charter school shall involve or be secured by the faith, credit or taxing power for the state or its political subdivisions. An open-enrollment public charter school shall not incur any debt, including lease, without the prior review and approval of the Commissioner of Education.

We affirm that the facility is, or will be prior to charter occupancy, compliant with ADE/IDEA accessibility regulations and will remain so while the charter occupies the location.

Lessee: \_\_\_\_\_

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Signature

Lessor: \_\_\_\_\_

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Signature

# Student Demographic Information

# Current Enrollment Cap Breakdown by School

**PHS of Arkansas**

**Current Enrollment**

<b>PHS of Arkansas</b>	<b>Current Enrollment (as of 5/8/23)</b>
PHS Little Rock	60
PHS Fort Smith	66
PHS-Online	224
PHS Texarkana	46
<b>Total</b>	<b>396</b>

**Premier High Schools of Arkansas**

**Enrollment by Grade**

<b>Enrollment by Grade</b>	<b>Little Rock</b>	<b>Fort Smith</b>	<b>Texarkana</b>	<b>Virtual</b>	<b>Total</b>
09	15	22	13	64	114
10	18	18	16	62	114
11	23	18	15	68	124
12	4	8	2	30	44
<b>Total</b>	60	66	46	224	396

**Premier High Schools of Arkansas**

**Enrollment by Race**

<b>Enrollment by Race</b>	<b>Little Rock</b>	<b>Fort Smith</b>	<b>Texarkana</b>	<b>Virtual</b>	<b>Total</b>
Asian	0	1	0	2	3
Black	58	10	20	112	200
Hawaii/Pacific Islander	0	0	0	0	0
Hispanic/Latino	1	14	3	19	37
Native American/Alaskan Native	1	0	0	2	3
Two or More Races	1	5	0	11	17
White	0	36	23	78	137

### Poverty Rate by School

<b>School</b>	<b>Poverty Rate</b>
PHS Little Rock	100%
PHS Fort Smith	70.7%
PHS Texarkana	41.3%
PHS Virtual	18.7%

# Proposed Enrollment Cap Breakdown by School

**PHS of Arkansas**

**Charter Enrollment Cap Breakdown**

**Enrollment Cap Request: 950 students**

<b>PHS of Arkansas</b>	<b>Grades Served</b>	<b>Current Enrollment Cap</b>	<b>New Enrollment Cap</b>
PHS Little Rock	9-12	240	175
PHS Fort Smith	9-12	285	175
PHS-Online	9-12	250	500
PHS Texarkana	9-12	75	100
	<b>Total</b>	<b>850</b>	<b>950</b>

# Desegregation Analysis



Premier High Schools of Arkansas  
Desegregation Analysis (Fort Smith and Texarkana Campuses)

I. Introduction

Premier High Schools of Arkansas (Premier) is seeking an amendment to increase its system-wide enrollment cap for its Premier High Schools of Arkansas charter (which covers Premier High School campuses in Fort Smith, Little Rock and Texarkana) from 850 to 950 students. This desegregation analysis covers the Fort Smith and Texarkana campuses.

II. General Analysis

Premier, in this analysis, has carefully reviewed the potential impact that its enrollment cap increase would have upon the efforts of the Fort Smith (FSSD) and Texarkana (TSD) 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, Premier has found that neither the FSSD nor TSD are under any court orders concerning their desegregation obligations, and are therefore unitary in all respects of their school operations. Therefore, the small enrollment cap increase sought by Premier cannot be said to have a negative impact on the FSSD and TSD's ability to comply with their statutory obligations to create and maintain a unitary system of desegregated public schools.

III. Fort Smith Campus Student Information

According to the latest third-quarter student enrollment information as maintained in the ADE Data Center, the FSSD had a student population of 13,818 students, of whom 38.91% were White; 34.88% were Hispanic, and 10.51% were Black. Premier Fort Smith's current student population is 65 students, of whom 53.85% are White; 21.54% are Hispanic, and 15.38% are Black.

IV. Texarkana Campus Student Information

According to the latest third-quarter student enrollment information as maintained in the ADE Data Center, the TSD had a student population of 3,820 students, of whom 54.82% were Black; 34.12% were White, and 5.52% were Hispanic. Premier Texarkana's current student population is 46 students, of whom 50% are White; 43.48% are Black, and 6.52% are Hispanic.

V. Conclusion

In conclusion, Premier submits that upon the basis of its review pursuant to Ark. Code Ann. §6-23-106, no statutory or other impediments concerning the operation of desegregated public schools prohibit the State's charter school authorizer from granting its amendment request to increase its system-wide enrollment cap from 850 to 950 students.

## Premier High Schools of Arkansas Desegregation Analysis (Little Rock Campus)

Premier High Schools of Arkansas (Premier) is seeking an amendment to its open-enrollment public school charter for an enrollment cap increase from 850 to 950 students, with the enrollment cap applying to each of three (3) covered campuses (Fort Smith, Little Rock and Texarkana) combined. This desegregation analysis will only cover the Premier Little Rock campus. Premier's Little Rock campus is 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.

### I. The Status of Pulaski County Desegregation Litigation

Premier is providing this desegregation analysis in accordance with Ark. Code Ann. §6-23-106 to review the potential impact that its proposed enrollment cap increase 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, Premier 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, Premier's requested charter renewal 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 Premier's requested charter renewal could impact LRSD's unitary status. To be clear, Premier's charter renewal application 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, Premier believes that its request to obtain the enrollment cap increase for its open-enrollment public charter shall have no negative effects on the efforts of the PCSSD and JNPSD to attain unitary status.

## II. Data

According to the most recent third-quarter Average Daily Membership enrollment figures as maintained by the DESE Data Center, LRSD had a student population of 20,518 students, of which 59.94% were Black/African-American; 19.57% were White, and 16.02% were Hispanic. NLRSD's student population was 7,640 students, of which 57.19% were Black/African-American; 25.75% were White, and 11.45% were Hispanic. PCSSD's student population was 11,227 students, of which 44.37% were Black/African-American; 38.61% were White, and 10.17% were Hispanic. JNPSD's student population was 3,841 students, of which 54.81% were Black/African-American; 33.85% were White, and 7.54% were Hispanic. Premier's student population was 127 students, of which 80.8% were Black/African-American, and 14.4% were White. Premier Little Rock's student population was 82 students, of whom 97.6% were Black.

Ark. Code Ann. §6-23-106 requires that Premier's enrollment cap increase 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, Premier'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

Premier 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 enrollment cap increase, which includes a campus operating within the geographic boundaries of the LRSD.

# Budget Projections

# RESPONSIVE ED ARKANSAS - PREMIER HIGH SCHOOL OF ARKANSAS CONSOLIDATED PROJECTION

## Campus Operating Budget

	ADM	2023-24 638 <u>Total</u>
<b>REVENUE</b>		
Revenue per ADM	\$	7,618
Facility Funding	\$	178,906
Teacher Salary Equalization Act		59,698
LEADS Funding		98,769
Foundation Funding		2,458,252
Student Growth		2,050,480
Professional Development		13,230
ESA Funding		55,038
CNP Funding		29,688
<b>TOTAL Revenue</b>	<b>\$</b>	<b>4,944,061</b>
<b>EXPENDITURES</b>		
<b>61000 - Personal Services - Salaries</b>		
Total 61000 - Personal Services - Salaries	\$	908,032
<b>62000 - Personal Services - Employee Benefits</b>		
Total 62000 - Personal Services - Employee Benefits	\$	254,249
<b>63000 - Purchased Professional and Technical Services</b>		
Total 63000 - Purchased Professional and Technical Services	\$	2,688,826
<b>64000 - Purchased Property Services</b>		
Total 64000 - Purchased Property Services	\$	336,956
<b>65000 - Other Purchased Services</b>		
Total 65000 - Other Purchase Services	\$	129,793
<b>66000 - Supplies &amp; Materials</b>		
Total 66000 - Supplies and Materials	\$	204,746
<b>67000 - Property</b>		
Total 67000 - Supplies & Materials	\$	9,000
<b>68000 - Other Objects</b>		
Total 68000 - Other Operating Costs	\$	34,085
<b>TOTAL Expenditures</b>	<b>\$</b>	<b>4,565,687</b>
<b>Net Carryover</b>	<b>\$</b>	<b>378,374</b>