

# **NOTICE LETTER**



# Division of Elementary and Secondary Education

*Transforming Arkansas to lead the nation in student-focused education*

**Johnny Key**  
Secretary

June 17, 2022

**Dr. Ivy Pfeffer**  
Deputy  
Commissioner

Toni Buie

Mr. Brian Golden, Superintendent  
Malvern School District  
1620 South Main St.  
Malvern, AR 72104

**Stacy Smith**  
Deputy  
Commissioner

Mr. Tim Holicer, Superintendent  
Glen Rose School District  
14334 Hwy 67  
Malvern, AR 72104

**State Board of  
Education**

**Re: Appeal Under the Public School Choice Act – [REDACTED]**

**Ouida Newton**  
*Poyen*  
Chair

Everyone:

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 14, 2022**. The action item is set for **10:00 a.m. in the Auditorium of the Arch Ford Education Building, Four Capitol Mall, Little Rock, Arkansas 72201**. Any additional materials any party chooses to submit should be provided to my office **no later than 12:00 noon on Friday, July 8, 2022**.

**Dr. Sarah Moore**  
*Stuttgart*  
Vice Chair

**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.**

**Charisse Dean**  
*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 Division of Elementary and Secondary Education Rules Governing the Public School Choice Act. You may find copies of these references on the DESE website at <https://dese.ade.arkansas.gov/Offices/legal/school-choice>.

**Dr. Fitz Hill**  
*Little Rock*

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) 682-1958 should you require additional information.

**Kathy McFetridge**  
*Springdale*

**Steve Sutton**  
*Marion*

Sincerely,

**Adrienne Woods**  
*Rogers*

/s/Shastady Wagner

**Dr. Beth Anne Rankin**  
*Magnolia*

Shastady Wagner  
Staff Attorney  
Division of Elementary and Secondary Education  
shastady.wagner@ade.arkansas.gov

**Randy Henderson**  
*Blytheville*

**APPEAL**

RECEIVED  
LEGAL SERVICES

JUN 16 2022

June 10, 2022

DEPARTMENT OF EDUCATION  
CENTRAL ADMINISTRATION

To whom it may concern,

I am writing to appeal the decision made by Malvern Public School District to reject my child's application for school of choice for the 2022-2023 school year. My child [REDACTED] has already been accepted by the Glen Rose School District for the 2022-2023 school year. As her parent I believe this is in her best interest. [REDACTED] was diagnosed with ADHD in second grade and has since been diagnosed with anxiety as well as depression. I feel the smaller school district (resulting in smaller classes) would allow her to participate and engage more in the classroom resulting in a better learning experience. [REDACTED] also has family that goes to Glen Rose one grade younger than her.

[REDACTED] has had many issues while in the Malvern School District with teachers as well as students, to the point that I had her transferred to homebased learning for the last semester of the 2021-2022 school year.

I have tried to resolve the issues with the teacher this year to no avail. Every time I call or go to the school to speak to the Principal I am told he is in a meeting or unavailable. My phone calls are never returned. I feel Malvern School District does not have [REDACTED] best interest as a priority.

I would appreciate any help you could give me in getting  
[REDACTED] in Glen Rose School district where she will be able to  
succeed.

Thank you,

*Toni Buie*

Toni Buie





**MALVERN SCHOOL DISTRICT**

Home of Leopards

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


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

**Brian Golden**  
Superintendent of Schools  
**Jace Roberts**  
Chief of Staff

**Lillian Harper**  
Assistant Superintendent  
**Gerald Hatley**  
Assistant Superintendent

May 31, 2022

Toni Buie  

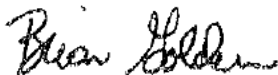

Re: School Choice Cap Student(s): 

Dear Parent,

I am writing to inform you that your child(ren) listed above have been denied school choice for the 2022-23 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