



# ARKANSAS DEPARTMENT OF EDUCATION

## AGENDA CHARTER AUTHORIZING PANEL

March 21, 2014

Arkansas Department of Education

ADE Auditorium

1:00 PM

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### Consent Agenda

#### C-1 Minutes – February 19, 2014

*Presenter: Mary Perry*

#### C-2 Approval of Charter Authorizing Panel Meeting Dates for the 2014-2015 School Year

*Charter Authorizing Panel meeting dates are proposed to allow decisions made by the panel to be sent to existing charters, charter applicants, and the State Board of Education at least 14 days prior to the next meeting of the board, as required by Ark. Code Ann. § 6-23-702(b)(1).*

*Presenter: Mary Perry*

### Action Agenda

#### A-1 Request for Open-Enrollment Public Charter School Amendments: Arkansas Virtual Academy (ARVA)

*The State Board of Education approved the application for ARVA on October 13, 2004. The charter is approved to serve students in grades K-12 with a maximum enrollment of 3,000. ARVA is appearing before the Charter Authorizing Panel to request amendments to the current charter.*

*Presenter: Mary Perry*

#### A-2 Request for Open-Enrollment Public Charter School Amendments: Benton County School of the Arts

*The State Board of Education approved the application for Benton County School of the Arts on November 13, 2000. The charter is approved to serve students in grades K-12 with a maximum enrollment of 825. Benton County School of the Arts is appearing before the Charter Authorizing Panel to request amendments to the current charter.*

*Presenter: Mary Perry*

#### A-3 Request for Open-Enrollment Public Charter School Amendment: Northwest Arkansas Classical Academy

*The State Board of Education approved the application for Northwest Arkansas Classical Academy on November 1, 2012. The charter is approved to serve students in grades K-12 with a maximum enrollment of 685. Northwest Arkansas Classical Academy is appearing before the Charter Authorizing Panel to request amendments to the current*

charter.

**Presenter:** Mary Perry

**A-4 Request for Open-Enrollment Public Charter School Amendment: Premier High School of Little Rock**

*The State Board of Education approved the application for Premier High School of Little Rock on November 1, 2012. The charter is approved to serve students in grades 9-12 with a maximum enrollment of 240. Premier High School of Little Rock is appearing before the Charter Authorizing Panel to request an amendment to the current charter.*

**Presenter:** Mary Perry

**A-5 Request for Open-Enrollment Public Charter School Amendment: Quest Middle School of Pine Bluff**

*The State Board of Education approved the application for Quest Middle School of Pine Bluff on November 1, 2012. The charter is approved to serve students in grades 5-12 with a maximum enrollment of 460. Quest Middle School of Pine Bluff is appearing before the Charter Authorizing Panel to request an amendment to the current charter.*

**Presenter:** Mary Perry

**A-6 Request for Open-Enrollment Public Charter School Amendment: Quest Middle School of West Little Rock**

*The Charter Authorizing Panel approved the application for Quest Middle School of West Little Rock on November 14, 2013. The charter is approved open in the 2014-2015 school year and to serve students in grades 6-12 with a maximum enrollment of 490. Quest Middle School of Pine Bluff is appearing before the Charter Authorizing Panel to request an amendment to the current charter.*

**Presenter:** Mary Perry

**Minutes  
Charter Authorizing Panel  
Wednesday, February 19, 2014**

The Charter Authorizing Panel met on Wednesday, February 19, 2014, in the auditorium of the Department of Education building. Assistant Commissioner of Education Dr. Megan Witonski, Vice Chair, called the meeting to order at 8:39 a.m.

Present: Dr. Megan Witonski, Vice Chair; Deborah Coffman; Mike Hernandez; John Hoy, Dr. Karen Walters, and Cody Decker

Absent: Dr. Tom Kimbrell, Chair

The transcription of this meeting may be accessed on the Arkansas Department of Education website at the following:

<http://www.arkansased.org/about-ade/charter-authorizing-panel/minutes/archive/2014>

**Action Agenda**

**A-1 Request for Open-Enrollment Public Charter School Amendment:  
Academic Plus Charter School**

Mr. Rob McGill discussed the request to amend the current charter by increasing the maximum enrollment from 650 to 850 over the next two years.

Mr. Sam Jones and Dr. Jerry Guess from the Pulaski County Special School District spoke in opposition to the amendment, and Mr. McGill responded.

A question and answer period followed.

Representative Mark Lowery and Senator David Sanders spoke in support of the charter amendment.

It was moved by Mr. Hernandez, seconded by Dr. Walters, and carried unanimously to approve the request. Dr. Walters asked Mr. McGill to confirm, on the record, that with the approved expansion of the enrollment cap, transportation, in addition to bus passes currently offered, would be provided. Mr. McGill responded in the affirmative.

**A-2 Request for Open-Enrollment Public Charter School Renewal: Jacksonville  
Lighthouse Charter School**

Dr. Phillis Nichols-Anderson discussed the request for a charter 10-year renewal.

Dr. Gary Ritter presented student performance data.

A question and answer period followed.

Dr. Walters moved to renew the charter but amend the number of years for renewal to three. Dr. Anderson accepted the amendment. The motion was seconded by Mr. Hernandez and unanimously approved.

### **A-3 Request for Open-Enrollment Public Charter School Renewal: Little Rock Preparatory Academy**

Mr. Ben Lindquist discussed the request for a five-year charter renewal, an increase in maximum enrollment from 432 to 540, and additional waivers.

Dr. Gary Ritter presented student performance data.

A question and answer period followed.

It was moved by Dr. Walters to renew the charter but amend the number of years for renewal to three without an increase in the maximum enrollment. Mr. Lindquist accepted the amendments. The motion was seconded by Mr. Hernandez and unanimously approved.

### **Panel Discussion**

A discussion of procedures to allow public testimony at the panel meetings was held.

### **Adjournment**

It was moved by Mr. Hernandez, seconded by Mr. Decker, and approved unanimously to adjourn.

The meeting adjourned at 2:15 p.m.

*Minutes recorded by Mary Perry.*

**PROPOSED MEETING DATES  
CHARTER AUTHORIZING PANEL**

**2013-2014 Remaining Dates**

Friday, March 21, 2014 (1:00 p.m. start time)

Wednesday, April 16, 2014  
(Wednesday after SBE on April 10-11 and 21 calendar days before SBE on May 8-9)

Wednesday, May 14, 2014  
(Wednesday after SBE on May 8-9 and 28 calendar days before SBE on June 12-13)

**2014-2015 Proposed Dates**

Wednesday, September 17, 2014  
Wednesday after SBE on September 11-12 and 21 days before SBE on October 9-10

Wednesday, October 15, 2014, and Thursday, October 16, 2014  
Wednesday after SBE on October 9-10 and 27 days before SBE on November 13-14

Wednesday, November 19, 2014, and Thursday, November 20, 2014  
Wednesday after SBE on November 13-14 and 20 days before SBE on December 11-12

Wednesday, December 17, 2014  
Wednesday after SBE on December 11-12 (projected to be at least 15 days in advance of January 2015 SBE meeting yet to be scheduled)



ARKANSAS  
DEPARTMENT  
OF EDUCATION

CHARTER AMENDMENT REQUEST FORM

Charter Name Arkansas Virtual Academy

LEA Number 6043700

**Type of Amendment Requested:**

**Other:** Waiver requests will be presented for grades 9 and 10 to begin during the 2014/2015 school year.

Please see attached letter.

Charter Leader Dr. Scott Sides

Email address ssides@k12.com

Phone number 501-352-3357

February 11, 2014

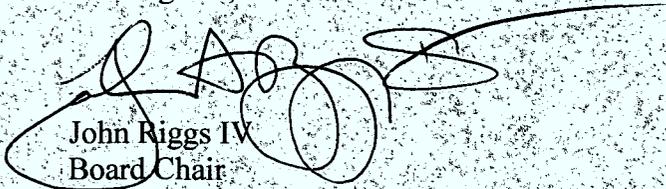
Ms. Mary Perry  
Coordinator  
Charter and Home Schools Office  
Arkansas Department of Education  
Four Capitol Mall  
Little Rock, Arkansas 72201

Dear Ms. Perry:

On behalf of the Arkansas Virtual Academy Board of Directors, we respectfully request that ARVA be placed on the March 19 meeting agenda of the Charter Authorizing Panel. It is the intent of the ARVA Board to serve students in grades 9 and 10 in the 2014-2015 school year. As we prepare to provide a fully virtual, full-time high school, we request the Panel's review of waivers needed for implementation of the virtual model for high school grades.

We are encouraged by the opportunity to serve, and we look forward to the coming dialogue with the Charter Authorizing Panel as we look ahead to this exciting time in the life of the school.

Best regards,



John Riggs IV  
Board Chair

## **Arkansas Virtual Academy**

### **New Waivers Requested**

To serve high school students through a fully virtual model, additional waivers from Title VI of Arkansas Code Annotated, State Board of Education Rules and Regulations, and/or the *Standards for Accreditation* will be needed. Arkansas Virtual Academy is requesting that the following waivers be added to the school's current contract based on the rationale provided.

#### A.C.A. § 6-15-903 (a)(2) Report Cards

Report cards are issued quarterly and are provided electronically through a secure communication delivery system within the Online School.

#### A.C.A. § 6-17-2403 Minimum Teacher Compensation Schedule; Rules Governing School District Requirements for Personnel Policies, Salary Schedules, Minimum Salaries, and Documents Posted to District Websites (Sections 1 – 7)

Arkansas Virtual Academy has been granted a waiver from the State Board's Rules Governing Certified Staff Salary Schedule. The current request brings into alignment waivers from certified salary schedule and personnel policies granted as part of the school's charter. Responsibilities applicable to website posting requirement are not included within this waiver request.

#### A.C.A. § 6-18-210 Definition of Planned Instructional Time; Rules Governing Mandatory Attendance Requirements for Students in Grades Nine Through Twelve (3.04);

##### Required Time for Instruction and School Calendar – Standards for Accreditation (10.01.4)

Students in grades nine through 12 (9-12) will enroll in no less than three hundred fifty minutes (350) minutes of planned instructional time each day, but we are requesting that the term "planned instructional time" not be limited to direct, synchronous instruction as the only method of instructional delivery. This request is not seeking a waiver for less instructional time.

#### A.C.A. § 6-18-1005 Student Services Program Defined (a)(6) Health and Safety Services – Standards for Accreditation (16.03)

Students do not gather at a physical school site, licensed personnel trained to provide health care services would not be necessary or available.

#### A.C.A. § 6-25-103 – 106 Public School Library and Media Technology Act; Media Services – Standards for Accreditation (16.02)

As students do not gather at a physical school site for learning, requirements pertaining to a public school library, collections, and a library media specialist would not be similarly applicable.

A.C.A. § 6-15-1005 (b)(5), A.C.A. § 6-18-503 (a)(1)(C)(i), and  
A.C.A. § 6-48-101 et. seq. Alternative Learning Environment;  
Alternative Learning Environment – Standards for Accreditation (19.03)

Arkansas Virtual Academy is a model that provides a personalized learning environment to eliminate barriers for students who may be academically or socially affected by each student's respective personal characteristics or situation.

Class Size and Teaching Load Grades 7-12 – Standards for Accreditation (10.02.5)

Students learning within the virtual model receive synchronous and asynchronous instruction. Direct instruction and intervention, in conjunction with the asynchronous provision, allow teachers in core areas to address student needs based on an average of 180 students per teacher in grades 9-12.

Smart Core in 38 Units Taught Teach Each Year – Standards for Accreditation (9.03.1.2)

Standard for Accreditation 9.03.1.2 requires the Smart Core curriculum be contained within the 38 units and taught each year. Arkansas Virtual Academy would offer course work to meet this requirement by the senior year. The full 38 credits would be available and taught by the senior year for students entering as 9<sup>th</sup> or 10<sup>th</sup> grade students in 2014-2015.

Reading, Writing, and Mathematics Courses Provided – Standards for Accreditation  
(9.03.4)

The full 38 units described by discipline would be available and taught by the senior year for students entering as 9<sup>th</sup> or 10<sup>th</sup> grade students in 2014-2015.



ARKANSAS  
DEPARTMENT  
OF EDUCATION

CHARTER AMENDMENT REQUEST FORM

Charter Name BENTON COUNTY SCHOOL OF THE ARTS

LEA Number 440700

**Type of Amendment Requested:**

**Other:** Benton County School of the Arts is seeking a waiver from ACA 6-17-111 Duty Free Lunch for Certified Teachers. We have had classified cafeteria supervisors on the Elementary/Middle School campus since 2011 and they have not worked out well for us. It is very difficult to hire someone to substitute for them when they are absent since they are hired for 3 hours each day. Cafeteria discipline has been an issue under their supervision. On the Elementary/Middle School campus it would mean that a teacher would have cafeteria duty 30 minutes a day every ten (10) school days. The high school teachers voluntarily eat lunch with the high school students daily and provide supervision there.

Charter Leader Dr. Paul M. Hines

Email address phines@bcsa.k12.ar.us

Phone number 479-878-2787



ARKANSAS  
DEPARTMENT  
OF EDUCATION

CHARTER AMENDMENT REQUEST FORM

Charter Name BENTON COUNTY SCHOOL OF THE ARTS

LEA Number 440700

Type of Amendment Requested:

- Other: Benton County School of the Arts is requesting to change its name to the Arkansas Arts Academy effective July 1, 2014. After a 9 month study conducted by the University of Arkansas and CJRW Marketing firm, we have determined it is advantageous to us at this time to seek this name change in order to develop name recognition in northwest Arkansas and to remove us from the regional characterization as a "Benton County" school only. We are in the process of a significant marketing initiative to assist us with name and program recognition and desire to develop a new name that identifies us as Arkansas, Arts, and Academy focused. We are not changing our charter mission.

Charter Leader Dr. Paul M. Hines

Email address phines@bcsa.k12.ar.us

Phone number 479-878-2787

# BENTON COUNTY SCHOOL OF THE ARTS



## Elementary/Middle School

2005 S. 12th Street  
Rogers, AR 72758  
Phone: 479-636-2272  
Fax: 479-636-5447  
www.bcsa.k12.ar.us

## Administration Office

8 Halsted Circle, Suite 5  
Rogers, AR 72756  
Phone: 479-878-2787  
Fax: 479-878-2790  
www.bcsa.k12.ar.us



## High School

506 W. Poplar  
Rogers, AR 72756  
Phone: 479-631-2787  
Fax: 479-899-6479  
www.bcsahs.k12.ar.us

February 12, 2014

Ms. Mary Perry  
Division of Learning Services  
Arkansas Department of Education  
4 Capitol Mall, Room 304-B  
Little Rock, AR 72201

Dear Ms. Perry:

I am enclosing two (2) charter amendment request forms and am requesting the opportunity to present them to the Charter Authorizing Panel on March 19, 2014. If you are in need of additional information regarding these requests, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "Paul M. Hines". The signature is written in a cursive style.

Paul M. Hines, Ed.D.  
Superintendent



**CHARTER AMENDMENT REQUEST FORM**

**Charter Name** Northwest Arkansas Classical Academy

**LEA Number** 0442700/0442702

**Type of Amendment Requested:**

**Other:** Northwest Arkansas Classical Academy seeks exemption from Section 6-13-619 of Title 6 of the Arkansas Code Annotated to the extent that it requires board members to be physically present at board meetings.

**Charter Leader** Charles Cook

**Email address** ccook@responsived.com

**Phone number** 972.316.3663

February 11, 2014

**Via E-mail ([mary.perry@arkansas.gov](mailto:mary.perry@arkansas.gov))**

Ms. Mary Perry, Charter/Home Schools Coordinator  
Arkansas Department of Education  
Division of Learning Services  
Four Capitol Mall, Room 304-B  
Mail Slot 3  
Little Rock, Arkansas 72201

Re: Charter Amendment Request: Premier High School of Little Rock

Ms. Perry:

Please accept this letter as the formal request of Responsive Education Solutions (“ResponsiveEd”) to have the Charter Authorizing Panel (“Panel”) consider the following charter amendments on March 19, 2014.

**Northwest Arkansas Classical Academy:** Northwest Arkansas Classical Academy seeks exemption from Section 6-13-619 of Title 6 of the Arkansas Code Annotated to the extent that it requires board members to be physically present at board meetings.

**Premier High School of Little Rock:** Premier High School of Little Rock seeks exemption from Section 6-13-619 of Title 6 of the Arkansas Code Annotated to the extent that it requires board members to be physically present at board meetings.

**Quest Middle School of Pine Bluff:** Quest Middle School of Pine Bluff seeks exemption from Section 6-13-619 of Title 6 of the Arkansas Code Annotated to the extent that it requires board members to be physically present at board meetings.

**Quest Middle School of West Little Rock:** Quest Middle School of West Little Rock relocate the school from 1815 Rahling Road, Little Rock, Arkansas 72223, to 400 Hardin Road, Little Rock, Arkansas 72211. We have attached as additional documentation for your consideration a map of the present location, a map of the proposed location, and a signed Facilities Utilization Agreement.



PREMIER HIGH SCHOOLS



VISTA ACADEMIES



FOUNDERS  
Classical Academy

P.O. Box 292730, Lewisville, TX 75029 . Phone: 972.316.3663 . Fax: 972.315.9506

[ResponsiveEd.com](http://ResponsiveEd.com) [PremierHighSchools.com](http://PremierHighSchools.com) [Vista-Academies.com](http://Vista-Academies.com) [iSchoolHigh.com](http://iSchoolHigh.com) [QuestMiddleSchools.com](http://QuestMiddleSchools.com) [FoundersClassical.com](http://FoundersClassical.com)

Please feel free to contact me should you have any further questions.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Ch AB' followed by a long horizontal flourish.

Chris Baumann  
General Counsel

Enclosures

Cc: Charter and Home Schools Office (ADE.CharterSchools@arkansas.gov)  
Mr. Chuck Cook (ccook@responsiveed.com)  
Mr. Jeremy Lasiter (jeremy.lasiter@arkansas.gov)  
Mr. Michael Poore (mpoore@bentonvillek12.org)  
Dr. Dexter Suggs (dexter.suggs@lrsd.org)  
Dr. Linda Watson (linda.watson@pbsdk12.ar.us)



**CHARTER AMENDMENT REQUEST FORM**

**Charter Name** Premier High School of Little Rock

**LEA Number** 6053700/6053703

**Type of Amendment Requested:**

**Other:** Premier High School of Little Rock seeks exemption from Section 6-13-619 of Title 6 of the Arkansas Code Annotated to the extent that it requires board members to be physically present at board meetings.

**Charter Leader** Charles Cook

**Email address** ccook@responsived.com

**Phone number** 972.316.3663

February 11, 2014

**Via E-mail ([mary.perry@arkansas.gov](mailto:mary.perry@arkansas.gov))**

Ms. Mary Perry, Charter/Home Schools Coordinator  
Arkansas Department of Education  
Division of Learning Services  
Four Capitol Mall, Room 304-B  
Mail Slot 3  
Little Rock, Arkansas 72201

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**Quest Middle School of West Little Rock:** Quest Middle School of West Little Rock relocate the school from 1815 Rahling Road, Little Rock, Arkansas 72223, to 400 Hardin Road, Little Rock, Arkansas 72211. We have attached as additional documentation for your consideration a map of the present location, a map of the proposed location, and a signed Facilities Utilization Agreement.



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Dr. Dexter Suggs (dexter.suggs@lrsd.org)  
Dr. Linda Watson (linda.watson@pbsdk12.ar.us)



**CHARTER AMENDMENT REQUEST FORM**

**Charter Name** Quest Middle School of Pine Bluff

**LEA Number** 3542700/3542702

**Type of Amendment Requested:**

**Other:** Quest Middle School of Pine Bluff seeks exemption from Section 6-13-619 of Title 6 of the Arkansas Code Annotated to the extent that it requires board members to be physically present at board meetings.

**Charter Leader** Charles Cook

**Email address** ccook@responsived.com

**Phone number** 972.316.3663

February 11, 2014

**Via E-mail ([mary.perry@arkansas.gov](mailto:mary.perry@arkansas.gov))**

Ms. Mary Perry, Charter/Home Schools Coordinator  
Arkansas Department of Education  
Division of Learning Services  
Four Capitol Mall, Room 304-B  
Mail Slot 3  
Little Rock, Arkansas 72201

Re: Charter Amendment Request: Premier High School of Little Rock

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Chris Baumann  
General Counsel

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Dr. Dexter Suggs (dexter.suggs@lrsd.org)  
Dr. Linda Watson (linda.watson@pbsdk12.ar.us)



**ARKANSAS  
DEPARTMENT  
OF EDUCATION**

**CHARTER AMENDMENT REQUEST FORM**

**Charter Name** Quest Middle School of West Little Rock

**LEA Number** TBD

**Type of Amendment Requested:**

**Relocate existing campus**

**Current campus address**

1815 Rahling Road, Little Rock, Arkansas 72223

**Proposed campus address**

400 Hardin Road, Little Rock, Arkansas 72211

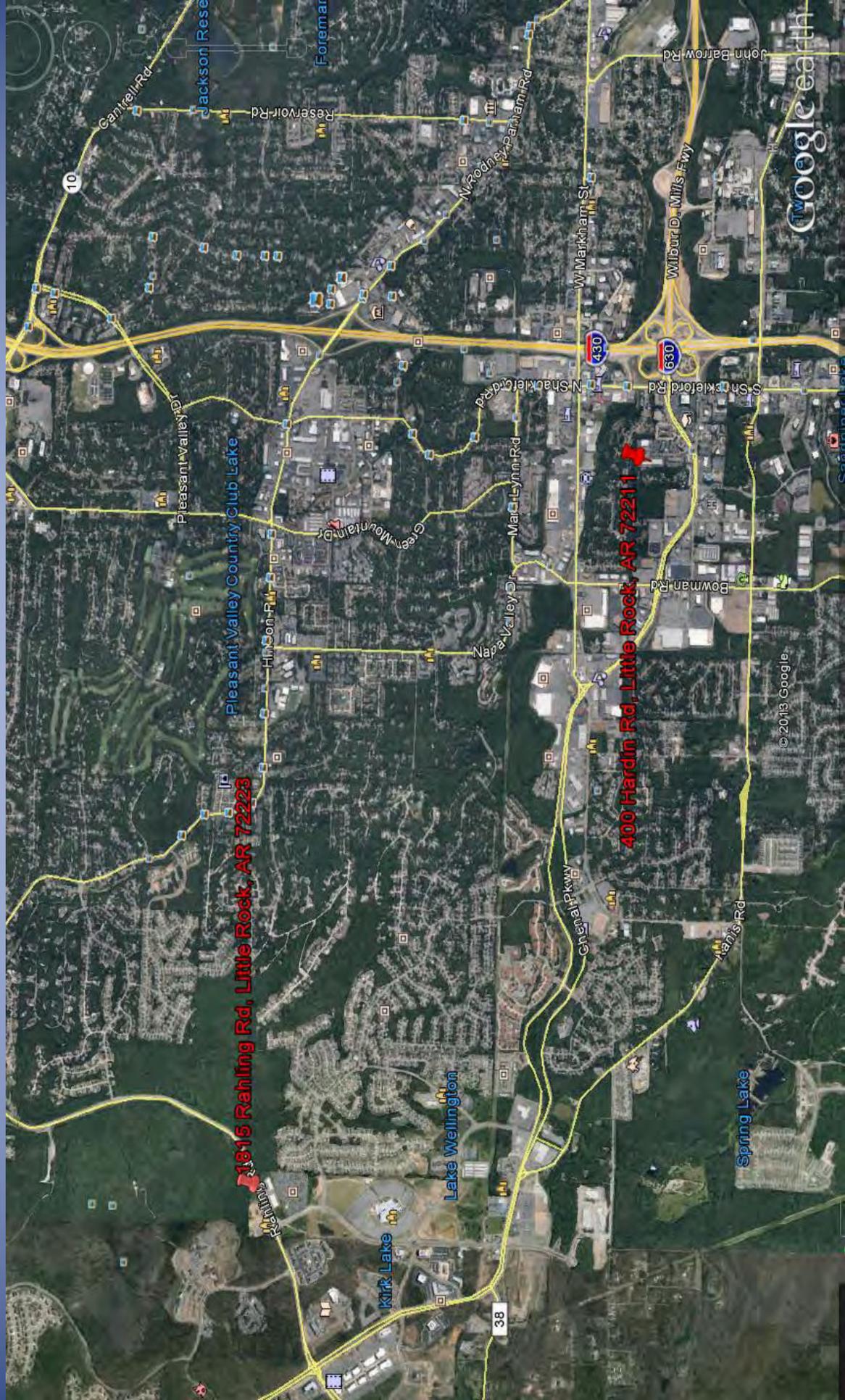
**School district in which  
the campus will be located** LRSD

**Charter Leader** Charles Cook

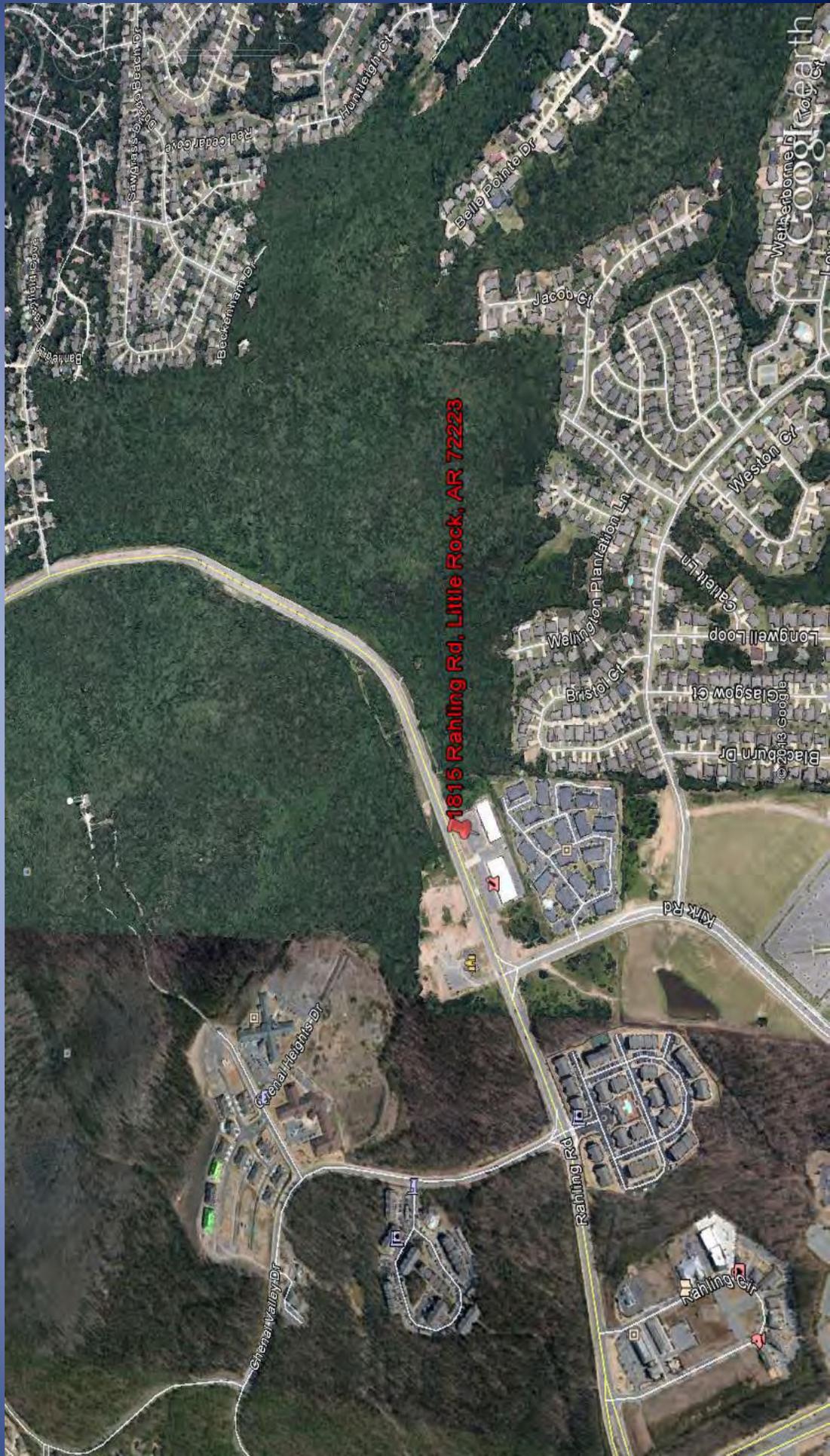
**Email address** ccook@responsived.com

**Phone number** 972.316.3663

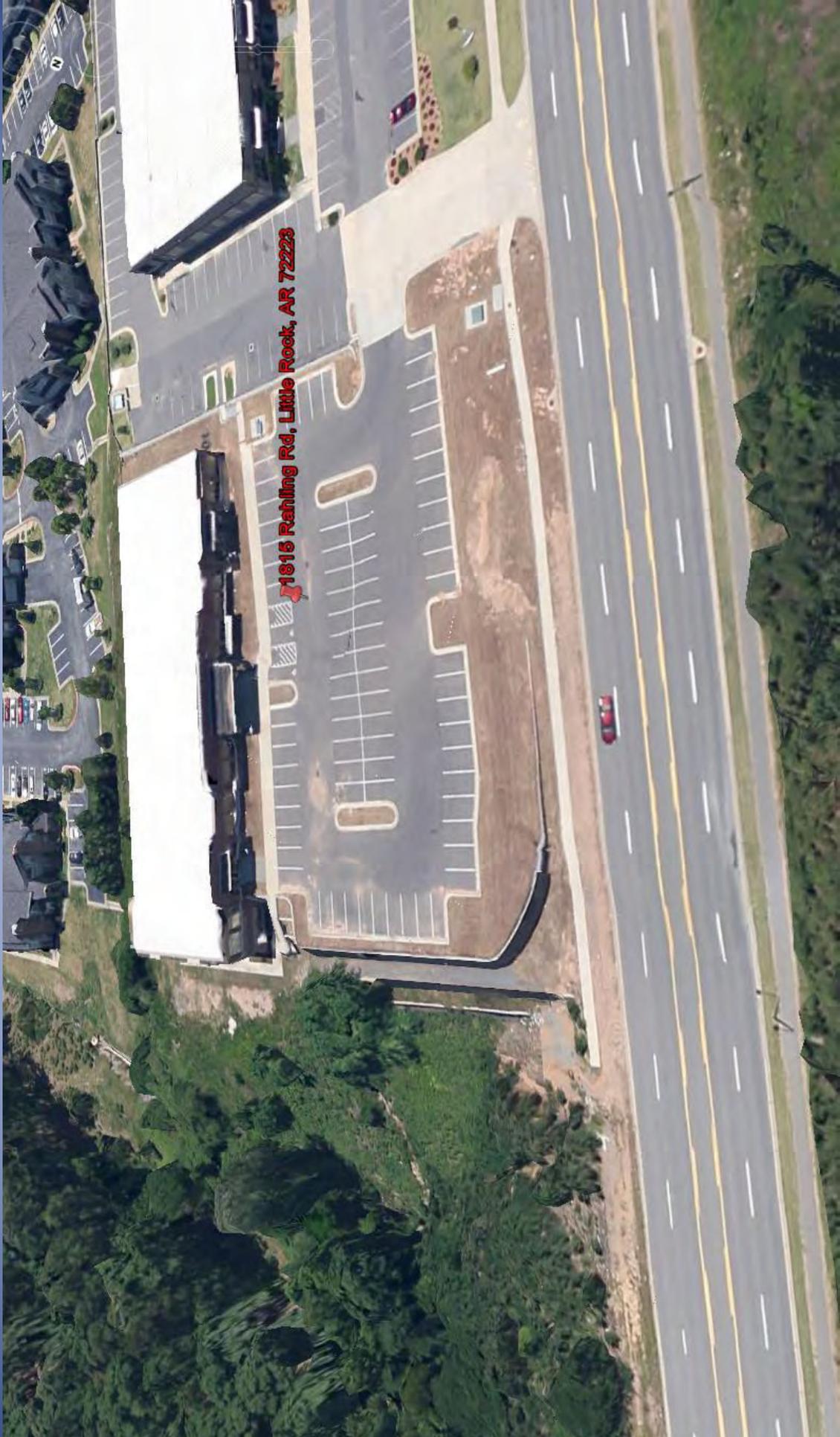
# Quest Middle School Little Rock



# 1815 Rahling Rd, Little Rock, AR 72223



1815 Rahling Rd, Little Rock, AR 72223



1815 Rahling Rd, Little Rock, AR 72223





# 400 Hardin Rd, Little Rock, AR 72211



# 400 Hardin Rd, Little Rock, AR72211





**ARKANSAS  
DEPARTMENT  
OF EDUCATION**

**FACILITIES UTILIZATION AGREEMENT**

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

Lessor(Owner): Responsive Education Solutions

Lessee(Tenant): Quest Middle School of West Little Rock

Any information regarding affiliation, family ties, or other relationships between the Lessor (Owner) and Lessee (Tenant) must be disclosed with the facilities lease agreement.

Describe the present use of the facility:  
Office space.

Address of Premises: 400 Hardin Road, Little Rock, Arkansas 72211

Square Footage: 22,650

Terms of Lease: 5 Year

Rental Amount: \$20,932.38/mo - \$11.09 PSF

Contingency: The terms of this agreement are contingent upon  
Responsive Education Solutions

*Charter School*

receiving approval by the Authorizer to operate an open-enrollment public charter school at the premises identified.

Statutory Language Concerning No Indebtedness:

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 of the state or its political subdivisions. An open-enrollment public charter school shall not incur any debt, including any lease, without the prior review and approval of the Commissioner of Education.

Lessee: Quest Middle School of West Little Rock

By:  Date 2/11/2014  
*Signature*

Lessor: Responsive Education Solutions

By:  Date 2/11/2014  
*Signature*

March 5, 2014

**Via E-mail ([mary.perry@arkansas.gov](mailto:mary.perry@arkansas.gov))**

Ms. Mary Perry, Charter/Home Schools Coordinator  
Arkansas Department of Education  
Division of Learning Services  
Four Capitol Mall, Room 304-B  
Mail Slot 3  
Little Rock, Arkansas 72201

Re: Desegregation Analysis Regarding Relocation of Quest Middle School of West Little Rock

Ms. Perry:

On February 11, 2014, Responsive Education Solutions (“ResponsiveEd”) submitted a request to your office, seeking an amendment to Quest Middle School of West Little Rock’s charter to relocate the school from 1815 Rahling Road, Little Rock, Arkansas 72223, to 400 Hardin Road, Little Rock, Arkansas 72211. In response, on February 26, 2014, Dr. Tom Kimbrell sent a letter to ResponsiveEd, requesting that we submit a desegregation analysis regarding the requested move to aid his staff in the completion of its own analysis in accordance with Ark. Code Ann. § 6-23-106. The following analysis is provided for your consideration in response to Dr. Kimbrell’s request.

ResponsiveEd was granted a charter for Quest Middle School of West Little Rock (“Quest”) by the Charter Authorizing Panel (“Panel”) on November 14, 2013. On January 10, 2014, the State Board of Education (“SBE”), after a hearing, denied the request of the Little Rock School District (“LRSD”) to reverse the Panel’s decision. Pursuant to Ark. Code Ann. §6-23-106, ResponsiveEd prepared and submitted a desegregation analysis as part of its charter application for Quest. There were no objections made at either the Panel or SBE levels concerning the possible denial of the charter due to desegregation issues. Quest proposes to locate its open-enrollment public charter school within the boundaries of the LRSD, and as an open-enrollment public charter school unconfined by district boundaries, expects to obtain the majority of its students from within the boundaries of the Little Rock, North Little Rock, and Pulaski County Special School Districts. Quest may also receive some students from the neighboring Benton, Bryant, England, and Lonoke School Districts.

In carefully reviewing the potential impact that Quest would have upon the efforts of the Pulaski County school districts to comply with court orders and statutory obligations to create



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P.O. Box 292730, Lewisville, TX 75029 . Phone: 972.316.3663 . Fax: 972.315.9506

[ResponsiveEd.com](http://ResponsiveEd.com) [PremierHighSchools.com](http://PremierHighSchools.com) [Vista-Academies.com](http://Vista-Academies.com) [iSchoolHigh.com](http://iSchoolHigh.com) [QuestMiddleSchools.com](http://QuestMiddleSchools.com) [FoundersClassical.com](http://FoundersClassical.com)

and maintain a unitary system of desegregated public schools, the applicant finds that two of the three Pulaski County school districts—the LRSD and the North Little Rock School District (“NLRSD”)—have both been found by the federal District Court to be unitary in all respects of their school operations. The Pulaski County Special School District (“PCSSD”) has been determined by the federal District Court to be unitary in all respects concerning all student assignment, as of January 30, 2014. In view of the unitary status of LRSD and NLRSD and the status of PCSSD as unitary in the areas of student assignment, those school districts have no further obligations to comply with court orders in these areas. Therefore the granting of an open-enrollment public school charter for Quest cannot be said to have a negative impact on the three (3) Pulaski County school districts’ ability to comply with court orders or statutory obligations to create and maintain a unitary system of desegregated public schools.

The Benton, Bryant, and Lonoke School Districts are not currently, nor have they ever been, under a federal District Court desegregation order. The England School District is currently under a federal District Court desegregation order, but after carefully examining the effect of the opening of Quest in Little Rock, the applicant is convinced that such action shall not hinder the District in meeting its court-ordered desegregation obligations. As an open-enrollment public charter school, Quest must be race-neutral and non-discriminatory in its student selection and admission processes, and its operation will not serve to hamper, delay, or in any manner negatively affect the desegregation efforts of any public school district or districts within the state.

In 2010, LRSD filed a motion to enforce the 1989 Settlement Agreement in the Pulaski County School Desegregation case. That motion contends that the operation of open-enrollment public charter schools within Pulaski County interferes with the “M-M Stipulation” and the “Magnet Stipulation.” On January 17, 2013, United States District Judge D.P. Marshall, Jr. denied LRSD’s motion in these words:

To sum up, LRSD and Joshua’s motions fail because, after considering the undisputed facts, and considering those that are disputed in LRSD and Joshua’s favor, no reasonable fact finder could conclude that the State is in material breach of the parties’ 1989 Settlement Agreement as to open-enrollment charter schools in Pulaski County. The proof of any adverse effect beyond the margin on either the stipulation magnet schools or M-to-M transfers has not materialized. 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. *Roberts Contracting*, 2009 Ark. App. 437, at 8, 320 S.W.3d at 7.

**4. Disposition.** LRSD and Joshua’s motions to enforce and for summary judgment, *Document No. 4440 & 4704*, are denied without prejudice on all issues except charter schools and denied with prejudice on that issue. The State and Charter Intervenors have prevailed on whether the State has violated the 1989 Settlement Agreement in authorizing open-enrollment charter schools in Pulaski County. In the Court’s judgment, as a matter of law, the State did not do so.

*Little Rock School District, et al. v. North Little Rock School District et al., Lorene Joshua et al., Arkansas Virtual Academy, et al.*, Case No. 4:82-CV-866-DPM, U.S. District Court-Eastern Division of Arkansas Western Division, Document 4809, at pages 29-30.

There are no current interdistrict effects of the past desegregation found in 1985 in the Pulaski County School Desegregation case. The interdistrict remedies were set in 1985 by the United States Court of Appeals for the Eighth Circuit, which reversed county-wide consolidation, 778 F.2d 404 (8th Cir. 1985) (en banc), and required a judicial remedy that included adjustment of the boundaries between PCSSD and LRSD under which all land within the then-city-limits of Little Rock was assigned to LRSD and the land in the Granite Mountain area was assigned to PCSSD. This was a direct remedy for the interdistrict effects affirmed by the Eighth Circuit, and this interdistrict remedy was promptly carried out before the parties' settlement agreement in 1989.

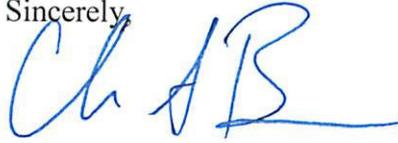
The Eighth Circuit made this clear in subsequent opinions. See 805 F.2d 815 (8th Cir. 1986); 921 F.2d 1371 (8th Cir. 1990). In the 1990 decision, the Eighth Circuit stated:

On remand from our en banc decision, several remedial developments occurred of relevance to the present appeals. For one thing, NLRSD proposed a plan to comply with our en banc opinion. The District Court approved the plan, 659 F.Supp. 363, 368 (E.D. Ark. 1987), and no one appealed. For another, the City of Little Rock annexed certain additional territory, and the question arose whether our direction that LRSD be expanded to the city limits referred to the city limits as they existed at the time of our en banc opinion, or to the city limits as they might exist from time to time in the future. The District Court held that LRSD would automatically expand whenever the city annexed new territory, so that LRSD would always be contiguous with the city as it existed from time to time. We reversed. We held that the remedy contemplated by our en banc opinion was intended to be a complete cure for all interdistrict violations that we had found. The en banc opinion, we said, prescribed "a full and sufficient correction of wrongs done in the past," including all interdistrict violations. *Little Rock School District v. Pulaski County Special School District*, 805 F.2d 815, 816 (8th Cir. 1986) (per curiam).

In conclusion, neither any existing federal District Court desegregation order affecting the Pulaski County school districts, nor the 1989 Settlement Agreement, contain any proscriptions or restrictions concerning the granting of a new charter for an open-enrollment public charter school in Pulaski County.

Please feel free to contact me should you have any further questions.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Ch AB', with a long horizontal flourish extending to the right.

Chris Baumann  
General Counsel

Cc: Mr. Chuck Cook (ccook@responsived.com)  
Mr. Jeremy Lasiter (jeremy.lasiter@arkansas.gov)  
Dr. Dexter Suggs (dexter.suggs@lrsd.org)  
Dr. Jerry Guess (jguess@pcssd.org)

February 11, 2014

**Via E-mail ([mary.perry@arkansas.gov](mailto:mary.perry@arkansas.gov))**

Ms. Mary Perry, Charter/Home Schools Coordinator  
Arkansas Department of Education  
Division of Learning Services  
Four Capitol Mall, Room 304-B  
Mail Slot 3  
Little Rock, Arkansas 72201

Re: Charter Amendment Request: Premier High School of Little Rock

Ms. Perry:

Please accept this letter as the formal request of Responsive Education Solutions (“ResponsiveEd”) to have the Charter Authorizing Panel (“Panel”) consider the following charter amendments on March 19, 2014.

**Northwest Arkansas Classical Academy:** Northwest Arkansas Classical Academy seeks exemption from Section 6-13-619 of Title 6 of the Arkansas Code Annotated to the extent that it requires board members to be physically present at board meetings.

**Premier High School of Little Rock:** Premier High School of Little Rock seeks exemption from Section 6-13-619 of Title 6 of the Arkansas Code Annotated to the extent that it requires board members to be physically present at board meetings.

**Quest Middle School of Pine Bluff:** Quest Middle School of Pine Bluff seeks exemption from Section 6-13-619 of Title 6 of the Arkansas Code Annotated to the extent that it requires board members to be physically present at board meetings.

**Quest Middle School of West Little Rock:** Quest Middle School of West Little Rock relocate the school from 1815 Rahling Road, Little Rock, Arkansas 72223, to 400 Hardin Road, Little Rock, Arkansas 72211. We have attached as additional documentation for your consideration a map of the present location, a map of the proposed location, and a signed Facilities Utilization Agreement.



PREMIER HIGH SCHOOLS



VISTA ACADEMIES



FOUNDERS  
Classical Academy

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Please feel free to contact me should you have any further questions.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Ch AB' followed by a long horizontal flourish.

Chris Baumann  
General Counsel

Enclosures

Cc: Charter and Home Schools Office (ADE.CharterSchools@arkansas.gov)  
Mr. Chuck Cook (ccook@responsiveed.com)  
Mr. Jeremy Lasiter (jeremy.lasiter@arkansas.gov)  
Mr. Michael Poore (mpoore@bentonvillek12.org)  
Dr. Dexter Suggs (dexter.suggs@lrsd.org)  
Dr. Linda Watson (linda.watson@pbsdk12.ar.us)

RECEIVED  
MAR 10 2014



United States Department of the Interior CHARTER SCHOOL OFFICE

U.S. GEOLOGICAL SURVEY  
Arkansas Water Science Center  
401 Hardin Road  
Little Rock, Arkansas 72211

March 7, 2014

Charter Authorizing Panel  
Arkansas Department of Education  
Four Capitol Mall  
Little Rock, AR 72201

Dear Members,

We would like to express our concerns about locating a proposed charter middle school at 400 Hardin Road.

The U.S. Geological Survey's (USGS) 19,000 sq. ft. office, lab, warehouse, and ware yard is located at 401 Hardin Road. This facility sits at the end of the Hardin Road cul-de-sac directly across the street from the proposed charter middle school at 400 Hardin Road. Approximately 50 people work in the USGS office and daily move large boats and construction trucks to and from the office. We regularly have visits from the public and host various meetings and conferences from our facility.

Hardin Road is a less than two block long cul-de-sac with only one entrance/exit (to Financial Parkway which turns into Chenal Parkway just a block west). Hardin Road currently exists at the very west end of all the construction ongoing at the "Big Rock Interchange" and the street has the 1<sup>st</sup> traffic light where I-630 ends after flying over Shackleford Rd.

Our major concern relates to the potential traffic flow problem. Parents transporting 220 kids each morning and afternoon will certainly congest Hardin Road something horrible with only one entrance and exit to Financial/Chenal Parkway. We anticipate traffic stacking up along most of Hardin Road since the light will probably prefer the cars coming on and off I-630 during the morning and afternoon rush hours. If a school function happens during the day, cars will be parked along the narrow road and most likely into our lot. Parents may use our parking lot as a place to wait for their kids and tie up spaces for our visitors and employees of the building. A few weeks ago an accident blocked our entry/exit into Hardin Road for more than an hour.

Another concern is the kids who walk home or wait for their ride after school. The kids will likely wander away from campus and become roving groups that will trash up the place, tear up landscaping, make a bunch of noise, sometimes fight and scuffle among themselves – in general being kids. We are aware of a problem at a charter school about

a ½ mile from us where kids were throwing rocks at each other (for fun, not attacks) and hitting cars accidentally.

We are all for schools, but think it is poor planning to put one where there is only one traffic entrance and exit.

Sincerely,

A handwritten signature in black ink, appearing to read "David Freiwald". The signature is written in a cursive, flowing style with a large initial "D".

David Freiwald  
Director  
USGS Arkansas Water Science Center  
(501) 228-3618



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March 10, 2014

**VIA EMAIL – mary.perry@arkansas.gov**

Mary Perry  
Charter/Home School Director  
Arkansas Department of Education  
Four Capitol Mall  
Little Rock, AR 72201

SUBJECT: QUEST MIDDLE SCHOOL APPLICATION / 400 HARDIN ROAD, LITTLE ROCK AR

Dear Ms. Perry:

We are the Agent for the Owner and Property Manager for the U.S. Geological Survey Building, 401 Hardin Road, Little Rock. We are strongly opposed to allowing the proposed Quest Middle School to be located on Hardin Road. Hardin Road is a two block cul-de-sac with only one entrance/exit to Financial Centre Parkway. Our client Jess Woods, who owns 401 Hardin Road, and his tenant, the U.S. Geological Survey Water Science Center, both object to this school location.

Our client's building is zoned for office use and has always been used as an office. The building the school wants to use is also zoned for office use and has been used as offices. Changing its use to that of a school would be a fundamental alteration of the traffic flows and usage patterns at the property and would be detrimental to other property owners and businesses in the area, as well as to the general public's right to have adequate safety and traffic flow on public streets. The U.S. Geological Survey has approximately 50 people in this office daily and have equipment and vehicles related to their business coming and going on a regular basis. Having a school at this location with parents dropping off students and picking them up will further impede ingress and egress on Hardin Road, not to mention the possibility of blocking the entrance to the U.S. Geological Survey's building, and will cause considerable difficulties not only for this office but to other businesses on this street.

There is also concern regarding the practicality of having a school in a former office building with little to no outside space for a playground or area for students taking a break from classes. Wherever this school is located, there should be a reasonable expectation that the facility and grounds would be designed to keep students and related activities on the property itself, without impacting neighbors.

There is another school located in an office park on Corporate Hill Drive and we have observed numerous problems stemming from the daily presence of patrons' vehicles lining city streets and private property owned by others. Allowing this location for this school would cause dangerous traffic safety issues and harm the property values and business operations nearby.

Sincerely,

A handwritten signature in black ink that reads 'Jeffrey R. Hathaway'. The signature is fluid and cursive, with the first name 'Jeffrey' being particularly prominent.

Jeffrey R. Hathaway, CCIM, SIOR  
President

cc: David Freiwald (freiwald@usgs.gov)  
Jess Woods  
Vada Reynolds (vreynolds@hathawaygroup.com)  
Sally Mears (smears@hathawaygroup.com)  
Donna James and Tony Bozynski, City of LR

Each Office is Independently Owned and Operated.