Dollarway School District

Office of the Superintendent

Administration

Frank Anthony, Superintendent
•
Janice Streeter Director of Academic Accountability
•
Dornetta Hobbs, Director of Special Programs
•
Ruth Bogy, Federal Coordinator
•
Barbara Boyce, LEA Supervisor
•

Schools

Altheimer-Martin Elementary 870-766-0005
•
James Matthews Elementary 870-534-0726
•
Townsend Park Elementary 870-534-4185
•
Dollarway Middle School 870-534-5243
•
Dollarway High School 870-534-3878

May 16, 2013

Tom W. Kimbrell, E.D.
Commissioner of Education
Arkansas Department of Education
Four Capitol Mall
Little Rock, AR 72201-1019

Re: Notice of Exemption Pursuant to Act 1227 of 2013

Dear Dr. Kimbrell:

Thank you for your letter to me dated May 13, 2013 in connection with the above-referenced matter. As you are aware, on June 11, 2012, the Arkansas Department of Education required the Dollarway School District ("DSD") to operate without a local school board of directors pursuant to Ark. Code Ann. § 6-15-430 (2003). Since that time the DSD has operated under the supervision of an administration chosen by you as Commissioner of Education. In your letter of May 13, for the reasons stated therein, you delegated to me the authority to determine whether the DSD would or would not submit a notice of exemption pursuant to Act 1227 of 2013. As set forth below, the DSD hereby declares an exemption from participation in the Arkansas Public School Choice Act of 2013.

On April 16, 2013, Governor Mike Beebe signed into law Act 1227, the Public School Choice Act of 2013 ("Act 1227"), which was duly passed by the Arkansas General Assembly. Act 1227 establishes a public school choice program that would allow students who are residents of DSD to apply for a school choice transfer to a non-resident district. Ark. Code Ann. § 6-18-1906(b)(1) (to be codified as set forth in Act 1227) provides that "[a] school district annually may declare an exemption under this section if the school district is subject to a desegregation order or mandate of a federal court or agency remedying the effects of past racial segregation". DSD is subject to a desegregation order or mandate of a federal court or agency remedying the effects of past racial segregation. DSD historically operated racially dual school systems that segregated black and non-black students and was desegregated in the early 1970s by closing the black school(s) and merging their enrollment with the white students.

4900 Dollarway Road • Pine Bluff, Arkansas 71602
(Phone) 870-534-7003 (Fax) 870-534-7859
dollarway.k12.ar.us

The federal court or agency orders include the original directive from the United States Supreme
Court in Brown v. Board of Education of Topeka, Kansas (1954), and its progeny, that maintenance of racially dual public schools was unconstitutional and directing that racially segregated schools be dismantled; the 1969 mandate from the United States Department of Health, Education, and Welfare to the same effect; and the various orders entered over the years in Cato v. Parham, United States District Court for the Eastern District of Arkansas, Case No. PB-67-c-69; and Dove v. Parham, United States District Court for the Eastern District of Arkansas, Case No. Civ. A. No. 3680.

Accordingly, DSD desires to declare an exemption from participation in Act 1227 of 2013, the Public School Choice Act of 2013, until April 1, 2014, on the basis of the aforementioned federal court cases and orders, and agency mandates. The DSD understands that this exemption is irrevocable for one year from the date the Arkansas Department of Education is notified of the declaration of exemption.

Thank you for your cooperation in this matter. Please do not hesitate to contact me should you have questions or comments.

Sincerely,

Frank Anthony
Superintendent