

AUG 5 1970

ALTON L. CURTIS, CLERK  
BY Gerrard L. D. [Signature]  
DEPUTY

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF LOUISIANA  
MONROE DIVISION

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 )  
 vs. ) CIVIL ACTION  
 )  
 LINCOLN PARISH SCHOOL ) No. 12,071  
 BOARD, et al., )  
 )  
 Defendants. )  
 )  
 \_\_\_\_\_ )

DECREE

The Court, having considered the proposal for modification of the school desegregation plan filed by defendants, and having had a hearing thereon in Chambers, and it appearing to the Court that the interest of justice will best be served by granting the relief requested;

It is ORDERED that the modified plan of desegregation filed by defendants, a copy of which is attached hereto as Appendix A, is approved and that defendant, Lincoln Parish School Board shall take affirmative action to disestablish all school segregation by implementing said plan immediately.

It is FURTHER ORDERED that the August 1, 1970 Order of this Court shall be modified by adding the provisions set out below.

I.

Desegregation of Faculty and other Staff

The School Board shall announce and implement the following policies:

(A) Effective not later than September 1, 1970, the principals, and teachers, teacher-aides and other staff who work directly with children at a school shall be so assigned that in no case will the racial composition of a staff indicate that a school is intended for black students or white students. For the 1970-71 school year the district shall assign the staff described above so that the ratio of black to white teachers in each school, and the ratio of other staff in each, are substantially the same as each such ratio is to the teacher and other staff, respectively, in the entire school system, in accordance with the Order of August 1, 1970.

The school district shall, to the extent necessary to carry out this desegregation plan, direct members of its staff as a condition of continued employment to accept new assignments.

(B) Staff members who work directly with children, and professional staff who work on the administrative level will be hired, assigned, promoted, paid, demoted, dismissed, and otherwise treated without regard to race, color, or national origin.

(C) If there is to be a reduction in the number of principals, teachers, teacher-aides, or other professional staff employed by the school district which will result in a dismissal or demotion of any such staff members, the staff member to be dismissed or demoted must be selected on the basis of objective and reasonable non-discriminatory standards from among all the staff of the school district. In addition, if there is any such dismissal or demotion, no staff vacancy may be filled through recruitment of a person of a race, color, or national origin different from that of the individual dismissed or demoted, until each displaced staff member who is qualified has had an opportunity to fill the vacancy and has failed to accept an offer to do so.

Prior to such a reduction, the school board will develop or require the development of non-racial objective criteria to be used in selecting the staff member who is to be dismissed or demoted. These criteria shall be available for public inspection and shall be retained by the school district. The school district also shall record and preserve the evaluation of staff members under the criteria. Such evaluation shall be made available upon request to the dismissed or demoted employee.

"Demotion" as used above includes any re-assignment (1) under which the staff member receives less pay or has less responsibility than under the assignment he held previously, (s) which requires a lesser degree of skill than did the assignment he held previously, or (3) under which the staff member is asked to teach a subject or grade other than one for which he is certified or for which he has had substantial experience within a reasonably current period. In general, and depending upon the subject matter involved, five years is such a reasonable period.

(D) In the event that the system, in connection with its conversion to a unitary system, plans to dismiss or demote personnel, as those terms are used in the preceding paragraphs, a report containing the following information shall be filed with the court and served upon the parties, by October 1, 1970:

- (1) the system's non-racial objective criteria used in selecting the staff member(s) dismissed or demoted;
- (2) the name, address, race, type of certificate held, degree or degrees held, total teaching experience and experience in the system and position during the 1969-70 school year of each person to be dismissed, or demoted, as defined in the preceding paragraphs; and in the case of a demotion, the person's new position during

the 1970-71 school year and his salaries for 1969-70 and 1970-71;

(3) the basis for the dismissal or demotion of each person; including the procedure employed in applying the system's non-racial, objective criteria;

(4) whether or not the person to be dismissed or demoted was offered any other staff vacancy; and if so, the outcome; if not, the reason.

## II.

### Majority to Minority Transfer Policy

The school district shall permit a student attending a school in which his race is in the majority to choose to attend another school where his race is in the minority. All such transferring students are to be given priority for space and thus the transfer is not to be dependent on space being available. All such transferring students must be given transportation if they desire it.

## III.

### Transportation

The transportation system of the school district shall be completely re-examined regularly by the superintendent, his staff, and the school board. Bust routes and the assignment of students to buses will be designed to insure the transportation of all eligible pupils on a non-segregated and otherwise non-discriminatory basis.

## IV.

### School Construction and Site Selection

All school construction, school consolidation, and site selection (including the location of any temporary classrooms) in

the system shall be done in a manner which will prevent the recurrence of the dual school structure once this desegregation plan is implemented.

V.

Attendance Outside System of Residence

If the school district grants transfers to students living in the district for their attendance at public schools outside the district, or if it permits transfers into the district of students who live outside the district, it shall do so on a non-discriminatory basis, except that it shall not consent to transfers where the cumulative effect will reduce desegregation in either district or reinforce the dual school system.

VI.

Desegregation of Classroom, Non-classroom and Extra-Curricular Activities

The school district shall be prohibited from maintaining any classroom, non-classroom, or extra-curricular activity on a segregated basis, so that no student is effectively excluded from attending any class or participating in any non-classroom or extra-curricular activity on the basis of race, color, or national origin.

VII.

Protection of Persons Exercising Rights Under this Order

Within their authority, school officials are responsible for the protection of persons exercising rights under, or otherwise affected by, this order. They shall, without delay, take appropriate

action with regard to any student, teacher, or staff member who interferes with the successful operation of the provisions of this order. Such interference shall include harassment, intimidation, threats, hostile words or acts, and similar behavior. If officials of the school system are not able to provide sufficient protection, they shall seek whatever assistance is necessary from other appropriate officials.

#### VIII.

##### Bi-Racial Advisory Committee

There is hereby established a bi-racial committee composed of an equal number of black and white persons. Such persons shall be selected by the school board and shall be representative of their respective races in the community. The chairmanship of such committee shall alternate annually between a Black chairman and a White chairman. This bi-racial committee shall be charged with the responsibility for discussing ways and means of achieving inter-racial harmony and understanding among the students, teachers, and patrons, and shall function as an advisory body to the school board. The committee shall review the operation of the transportation system, the majority to minority transfer rule, and any other aspect of school operation relevant to achievement of a unitary school system, and shall advise the school board of its findings and conclusions.

Before the School Board shall submit any proposal of modification of the court-approved student assignment plan to the court, it shall first submit such proposal to the bi-racial committee; and the bi-racial committee shall, after consideration and study of the proposed modification, submit its findings and

conclusions thereon, along with any objections and/or exceptions thereto, or any recommendations or suggestions for improvement, to the School Board and to the Court.

IX.

Reporting Provision

(A) The school district shall, on November 1, 1970, and April 15, 1971, and on the same dates biannually thereafter until further order of this court, file with the clerk of this court a report setting forth the following:

(1)

(a) The number of students by race enrolled in the school district;

(b) The number of students by race enrolled in each school of the district;

(c) The number of students by race enrolled in each classroom in each of the schools in the district.

(2)

(a) The number of full time teachers by race in the district;

(b) The number of full time teachers by race in each school in the district;

(c) The number of part time teachers by race in the district;

(d) The number of part time teachers by race in each school in the district.

(3)

Describe for the current school semester, the requests and the results which have occurred, by race, under the majority the

minority transfer provision which is a part of this Court's Order of this day.

(4)

State the number of inter-district transfers granted during the current school semester, or since the last report to the Court, the race of the students who were granted such transfers, and the school district to which the transfers were allowed.

(5)

State wheter the transportation system, if any, in the district is desegregated to the extent that Negro and White students are transported daily on the same buses.

(6)

State whether all facilities such as gymnasiums, auditoriums, and cafeterias are being operated on a desegregated basis.

(7)

Give brief description of any present or proposed construction or expansion of facilities; including

(a) the exact location and nature of the proposed site acquisition, new construction, or expansion;

(b) the grade levels to be served by the proposed structure, and the anticipated number and race of the students to be assigned;

(c) the action taken by the board pursuant to the submitted proposal and the anticipated dates for: (1) preliminary architectural plans, (2) final plan, (3) construction bids advertised and accepted, (4) site preparation, and (5) construction undertaken.



(8)

(a) State whether the school board has sold or abandoned any school facility, equipment, or supplies having a total value of more than \$500.00 since this court's order entered this day.

(b) State whether the school board has sold, abandoned, or otherwise transferred any real property of this school district since this court's order entered this day.

(c) State whether the school board has closed or discontinued use of any school property, building, or facility since this court's order entered this day.

(9)

(a) State whether there is a bi-racial advisory committee to the school board in the school district;

(b) If so, state whether the bi-racial advisory committee has submitted recommendations to the board of education;

(c) If so, state the number and disposition of such recommendations;

(d) If a bi-racial committee is in existence, state briefly the areas of the education process in which the bi-racial committee is to function.

(B) Copies of reports are to be served on counsel for all parties including amicus curiae.

X.

Retention of Jurisdiction

Jurisdiction of this cause shall be, and the same hereby is, retained for all purposes, and especially for the purpose of entering any and all further orders which may become necessary

for the purpose of enforcing or modifying this order, either or both.

Should any school in the system become all black as a result of this modified plan, the School Board shall be under the positive obligation to take remedial action so that said school will not be racially identifiable.

Thus done and signed in Monroe, Louisiana on this the 5<sup>th</sup> day of August, 1970.

Ben C. Dandridge  
UNITED STATES DISTRICT JUDGE