

RECEIVED  
 IN MONROE, LA  
 MAR 21 2007

ROBERT H. SHEMPELL, CLERK  
 WESTERN DISTRICT OF LOUISIANA

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

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 14428
	)	Judge James
WEST CARROLL PARISH SCHOOL	)	Magistrate Judge Hayes
BOARD, <i>et al.</i>	)	
	)	
Defendants.	)	

CONSENT ORDER

On November 29, 2005, the United States filed a motion for further relief that would require the Defendant West Carroll Parish School Board to desegregate its schools by eliminating its virtually one-race schools to the extent practicable. U.S. Mot. for Further Relief of Nov. 29, 2005. The Board filed an opposition to the motion, which was treated as a motion for a declaration of unitary status in the area of student assignment to schools. Dist. Opp'n of Jan. 24, 2006. A trial on the parties' motions was set for February 26, 2007. After the close of discovery, both parties filed cross motions for summary judgment. U.S. Summ. J. Mot. & Dist. Summ. J. Mot. of Dec. 22, 2006.

On February 14, 2007, this Court granted the summary judgment motion of the United States and denied the summary judgment motion of the Board. Ruling of Feb. 14, 2007, at 9; J. of Feb. 14, 2007. In issuing the ruling, the Court found that the Board had failed to eliminate the vestiges of discrimination in the area of student assignment to schools to the extent practicable. *Id.* The Court directed that a trial proceed on February 26, 2007, so that the Court could consider an appropriate student assignment plan. *Id.*

Upon receiving the ruling, the parties entered into a settlement conference with Magistrate

Judge Hayes to determine if the parties could agree on a new student assignment plan. After lengthy deliberations, the parties agreed in principle on a new plan. The Board voted 6 to 1 to approve the plan at a public meeting on February 14, 2007. As indicated by the signatures of the parties' counsel below, the parties have agreed on a plan proposed by the Board in lieu of proceeding to trial on an appropriate remedy on February 26, 2007.

It is the opinion of the Court that the provisions of this Consent Order are fair, just, and adequate and will satisfy the requirements of this Court's February 14, 2007 ruling and other applicable federal law. IT IS THEREFORE ORDERED that the West Carroll School Board, together with its agents, officers, employees, and all those in active concert or participation with them (collectively "the Board"), shall implement the provisions herein.

**I. The New Five-Zone Assignment Plan**

The seven-zone student assignment plan set forth in the Order of August 1, 1969 and amended by this Court's Orders of August 4, 1976 and April 29, 1991 (hereinafter "the 1969 Plan"), shall be replaced by the following five-zone plan. The Board shall implement this five-zone plan by the start of the 2007-08 school year until further order of this Court. A map of the new zone lines is attached to this Consent Order.

**A. Zone A**

PreK-12 students residing in the area defined as Zone 5 in the 1969 Plan shall attend Kilbourne High School. This area shall be renamed Zone A.

**B. Zone B**

The Fiske Union Elementary School (PreK-8) shall be closed at the end of the 2006-07 school year. All grade PreK-12 students residing in the area defined as Zone 4 in the 1969 Plan shall

attend Oak Grove Elementary and Oak Grove High Schools. All grade PreK-12 students residing in the area defined as Zone 3 in the 1969 Plan shall continue to attend Oak Grove Elementary and Oak Grove High Schools. The combined area encompassing the former Zones 3 and 4 in the 1969 Plan shall be renamed Zone B.

C. Zone C

The area referred to as Zone 2 in the 1969 Plan shall retain the same boundaries except that its Eastern boundary shall move further East to include Fletcher Road, McDonald Road, Davis Road, and State Route 2 West of and including its intersection with State Route 597 and Green Lane. This revised area will be referred to as Zone C and will include all students residing on or to the West of Fletcher Road, McDonald Road, and Davis Road and on State Route 2 West of and including its intersection with State Route 597 and Green Lane up to the border with (a) Morehouse Parish to the West, (b) Zone B to the North, and (c) Zone E to the South. (See attached map for exact location of new boundary lines). All grade PreK-6 students residing in Zone C shall attend Goodwill Elementary School. All grade 7-12 students residing in Zone C shall attend Forest High School.

D. Zone D

The area referred to as Zone 6 in the 1969 Plan shall have its Western border moved further to the East and South as specified in paragraph I.C above. The area referred to as Zone 6 shall have its Southern border moved further South to include all students residing: (a) on Williams Road and Head Road; (b) on Route 259 from its intersection with Prince Road to its Southern end; (c) on State Route 17 North of its intersection with Wood Road; and (d) to the East of State Route 17 South of its intersection with Wood Road. (See attached map for exact location of new boundary lines). This expanded area, including all of the former Zone 6 and the part of the former Zone 7 described in this

paragraph, shall be renamed Zone D. All grade PreK-12 students residing in Zone D shall attend Forest High School.

**E. Zone E**

The Pioneer Elementary School (PreK-8) shall be closed at the end of the 2006-07 school year. The area known as Zone 7 in the 1969 Plan, except for the portion of Zone 7 that will be added to the former Zone 6 under paragraph I.D above, shall join with the area known as Zone 1 in the 1969 Plan to become Zone E. All PreK-12 students residing in Zone E shall attend Epps High School (PreK-12)

The current enrollments for the 2006-07 school year under the 1969 seven-zone plan and the projected enrollments under the new five-zone assignment plan set forth above are as follows.

**1969 Seven-Zone Plan**

**New Five-Zone Plan**

School	White	Black	Other	Total	White	Black	Other	Total
Epps capacity = 460	139 (51%)	131 (48%)	2	272	204 (58%)	147 (42%)	2	353
Forest capacity = 540	459 (96%)	8 (2%)	12	479	461 (86%)	61 (11.4%)	12	534
Goodwill capacity = 240	162 (99%)	0 (0%)	1	163	162 (99%)	0 (0%)	1	163
Kilbourne capacity = 480	272 (81%)	55 (16%)	9	336	272 (81%)	55 (16%)	9	336
OGES/OGHS capacity = 840	523 (73%)	180 (25%)	21	724	695 (77%)	180 (20%)	26	901
Fiske	172 (97%)	0 (0%)	5	177	CLOSED	CLOSED	-----	-----
Pioneer	67 (49%)	69 (51%)	0	136	CLOSED	CLOSED	-----	-----
Total capacity = 2,560	1,794 (78%)	443 (19%)	50	2,287	1,794 (78%)	443 (19%)	50	2,287

## II. Transfers

The terms of the August 11, 2003 Modifications to the 1991 Consent Order ("2003 Order") shall remain in effect except that the following terms shall be modified as follows.

A. The deadline for advertising the Residency Verification and Transfer Notice in paragraph I.A.7.a of the 2003 Order shall be changed from June 1 to May 15. The Residency Verification and Transfer Notice shall notify parents that transfers are limited to receiving schools that have "available space" in accordance with paragraph I.A.7.f of the 2003 Consent Decree. If no school will meet the requirement for offering Majority-to-Minority ("M-to-M") transfers in the upcoming school year, provisions regarding M-to-M transfers may be deleted from the Residency Verification and Transfer Notice, the Transfer Request Form, and each student handbook for that school year.

B. The deadline for submitting a transfer application in paragraph I.A.7.e of the 2003 Order shall be changed from July 1 to June 15. The Committee shall consider only timely and complete applications that have all of the information required by paragraphs I.A.5 and I.A.7 of the 2003 Order.

C. Copies of all transfer applications, together with supporting documentation, shall be produced by the Board to the United States by June 22.

D. The deadlines in paragraph I.A.7.f and I.A.7.g are revised so that the Committee has until July 15 to evaluate the transfer requests and to submit to the United States a list of the proposed transfers by type, sending and receiving schools, and students' races and grades that the Committee proposes to deny and approve. The United States' deadline for raising objections to the proposed transfers in paragraph I.A.7.g is revised from August 15 to July 22.

E. If the United States does not raise any objections to or questions regarding the proposed

transfers by July 22 of each year, the Board may grant any transfer that complies fully with the terms of the 2003 Order and this Consent Order. If the United States raises any objections or questions by July 22, the Board shall respond to the United States by August 1, and the parties shall attempt to resolve any remaining disputes by August 10. If the parties cannot resolve a dispute by August 10, the Board will not allow the student to transfer. If any party or person files a motion asking the Court to resolve the dispute regarding the transfer application(s), the Court will determine whether to grant or deny the transfer application(s).

F. Those students who were granted valid transfers for the 2006-07 school year shall be permitted to attend the same receiving schools for the 2007-08 school year provided that: (a) their circumstances have not changed; (b) they furnish all documentation in support of such transfers required by the 2003 Order; (c) their documentation complies with the terms of the 2003 Order; and (d) the same receiving schools are open and serve students of that grade.

G. Summary of Transfer-Related Deadlines:

May 15	The Board shall advertise the Residency Verification and Transfer Notice
June 15	Deadline for submitting all transfer applications
June 22	Deadline for producing a copy of all transfer applications to the United States
July 15	Deadline for producing to the United States a list of transfers that the Board proposes to deny or approve
July 22	United States' deadline for objecting to or questioning the proposed transfers
August 1	Board's deadline for responding to United States' objections or questions
August 10	Deadline for the parties to resolve any transfer disputes
September 1	Deadline for reporting to the United States: (a) the number of denied and

approved transfers by type, sending school, and receiving school and by the race and grade of the student, and (b) the total number of students by race enrolled in each school

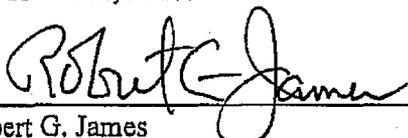
### III. Other Provisions

A. If the Board successfully, fully, and in good faith implements the new student assignment plan and the transfer provisions set forth herein and in the 2003 Order for three school years, it is anticipated that one or both parties will move for unitary status in the area of student assignment to schools without objection. As is true in any unitary status inquiry, the Board also will need to "demonstrate[], to the public and to the parents and students of the once disfavored race, its good-faith commitment to the whole of the courts' decree and to those provisions of the law and the Constitution that were the predicate for judicial intervention in the first instance." Missouri v. Jenkins, 515 U.S. 70, 89 (1995) (citation omitted); see also Bd. of Educ. v. Dowell, 498 U.S. 237, 247 (1991) (the court must inquire into whether it is "unlikely that the school board [will] return to its former ways").

B. During the next three school years, both parties commit to working toward the resolution of any disputes regarding the other Green factors in this desegregation case.

C. All previous orders and decrees of this Court shall remain in full force and effect to the extent they are not inconsistent with or expressly amended by this Consent Order.

MONROE, LOUISIANA, this 21 day of March, 2007.

  
Robert G. James  
UNITED STATES DISTRICT JUDGE

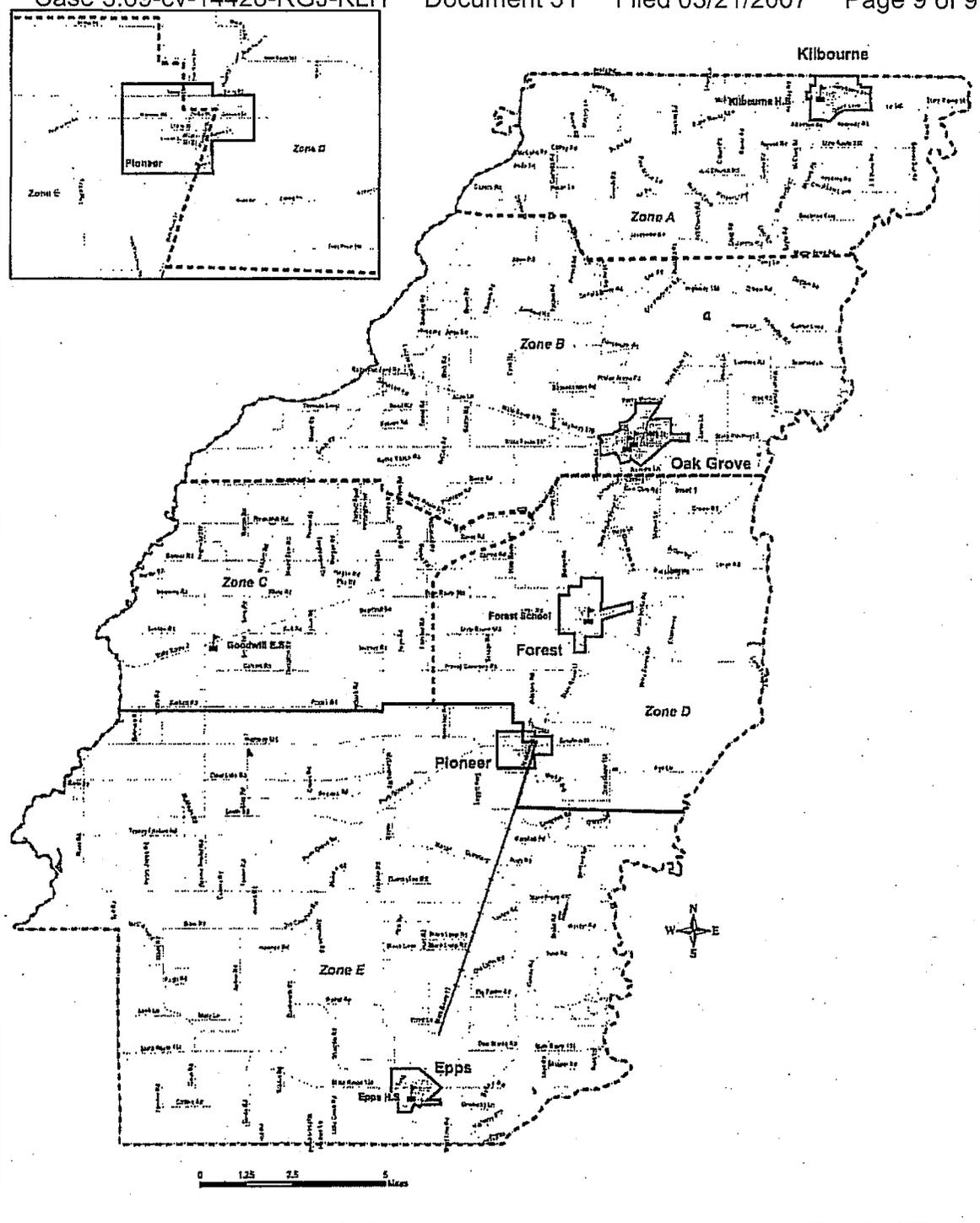
DONALD W. WASHINGTON  
United States Attorney  
Western District of Louisiana

WAN J. KIM  
Assistant Attorney General  
Civil Rights Division

KATHERINE W. VINCENT  
Assistant United States Attorney

  
JEREMIAH GLASSMAN  
EMILY H. MCCARTHY (D.C. Bar No. 463447)  
Attorneys for the Plaintiff  
U.S. Department of Justice  
Civil Rights Division  
950 Pennsylvania Ave., NW  
Educational Opportunities Section  
Patrick Henry Building, Suite 4300  
Washington, D.C. 20530  
Phone: (202) 514-4092  
Fax: (202) 514-8337

  
ROBERT L. HAMMONDS (Bar Roll No. 6484)  
BRETT M. SEARCY (Bar Roll No. 30718)  
HAMMONDS & SILLS  
Physical Address:  
1111 South Foster Drive, Suite C  
Baton Rouge, LA 70806  
Mailing Address:  
P.O. Box 65236  
Baton Rouge, LA 70896  
Phone: (225) 923-3462  
Fax: (225) 923-0315



Case 3:69-cv-14428-RGJ-KLH Document 30-3 Filed 03/14/2007 Page 1 of 1

### West Carroll Parish, Louisiana

- Schools
- Roads
- Railroads
- School Zones
- Places
- Water Bodies



Prepared by:  
 U.S. Department of Justice  
 Civil Rights Division  
 Washington, D.C. 20530  
 3/13/07

