

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

LINDA STOUT, et al.,)	
)	
Plaintiffs,)	
and)	
)	
UNITED STATES OF AMERICA,)	CIVIL ACTION NUMBER
)	
Plaintiff-Intervenor,)	
)	
v.)	CV-65-J-396-S
)	
JEFFERSON COUNTY BOARD)	
OF EDUCATION, et al.,)	
)	
Defendants.)	

ORDER APPROVING MODIFICATION OF DESEGREGATION ORDER

The Court, having reviewed the Joint Motion to Modify Desegregation Order, having considered the ethnic compositions of schools in zones adjacent to the subject school, and having further considered the desegregation orders previously entered by the Court in this case, finds that the No Child Left Behind Act of 2001 is applicable to the Jefferson County Board of Education, but that the transfer obligations imposed on the district by the Act are in fundamental conflict with the transfer guidelines in desegregation orders entered by the Court.

The Court finds that the school choices included in the parties' motion are appropriate and hereby ORDERS that transfers under the No Child Left Behind Act may be granted to those listed schools as proposed.

This Order shall remain in effect for the school year 2005-2006, after which time the Court shall enter further orders if any of the subject schools remain classified as a school in need of

improvement, as defined by state or federal law. Should any of the subject schools be removed from that category, the uniform transfer guidelines and desegregation order approved by this Court shall then apply to all students attending the school removed from the category as they apply to all other students in the Jefferson County school system.

The Court also ORDERS that the school board may establish a deadline for parents to request a transfer under the Act and this order, after which the Board may deny any transfer request summarily, except that students who move into and establish a residence in any of the subject zones after said deadline will have fourteen (14) days in which to exercise the option to transfer under this Act.

DONE AND ORDERED on this 10th day of August, 2005.



INGE PRYTZ JOHNSON
U.S. DISTRICT JUDGE