

1 County, the actions of the defendants in making these changes do not justify  
02 the ordering of a remedy which would go beyond the alteration of school zone  
03 [sic attendance area] lines. The court does wish to ensure, however, that any  
04 future zone changes [sic attendance lines] as well as the purchase of any new  
05 school sites are made so as to have the effect of furthering as opposed to  
06 hindering desegregation. Accordingly, a biracial committee will be  
07 established which will, as part of its functions, approve such zone changes  
08 and school site purchases. Singleton v. Jackson Municipal Separate School  
09 District, supra, 426 F.2d at 1370; Ellis v. Board of Public Instruction, 423  
10 F.2d 203, 207, n.4 (5th Cir. 1970).

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12 ORDER

*Begins 1977-78 school year*

13 For the foregoing reasons, the court hereby ORDERS that:

14 (1) The M-to-M program be modified so that any student may transfer  
15 from a school where his race is in the majority to any other school within the  
16 county in which his race is in the minority. Space must be made available in  
17 the receiving schools for transferees who shall be given priority for space  
18 over other new students, but in no instance shall a transferee displace a  
19 student previously enrolled in the receiving school.

20 (2) Such M-to-M transfers shall be effected by as simple an  
21 administrative procedure as possible. The school system will provide M-to-M  
22 transfer forms at the student's neighborhood school. The student's parent or  
23 guardian must, under usual circumstances, complete the form on or before May 1  
24 of the school year preceding the school year for which the student desires to

01 participate in the M-to-M program. The school system shall provide the  
02 student with a copy of the form which shall be presented to the receiving  
03 school by the student on the annual registration day.

04 (3) The school system shall publicize the M-to-M transfer procedure  
05 by paid advertisements in local newspapers; news releases to all media;  
06 brochures available at each school; and notices placed in school newsletters  
07 and newspapers no later than March 15 of each year. Such publicity shall be  
08 followed by notices sent to each parent or guardian no later than March 31 of  
09 each year.

10 (4) Any student may exercise a majority-to-minority transfer once  
11 during the student's elementary career and once during the secondary school  
12 career. Once a transfer is effected, the transferee need not reapply for the  
13 transfer each year. If the student's race becomes a majority in the receiving  
14 school, he may (a) remain at the receiving school; (b) return to his  
15 neighborhood school; or (c) transfer to another school in which his race does  
16 not comprise more than a majority of the student body.

17 (5) Transportation shall be provided at the expense of the school  
18 system to any M-to-M student who so requests and who lives more than one mile  
19 from the receiving school. Defendants may seek modification of this provision  
20 of the order if, based on the number of students electing to exercise M-to-M  
21 transfers and the receiving schools chosen, a workable plan of transportation  
22 proves impossible.

23 (6) These changes in the M-to-M program shall be implemented for  
24 transfers beginning with the 1977-78 school term. Students wishing to

01 participate in the program for the remainder of the 1976-77 school term, may  
02 transfer to a school which qualifies under the provisions of this order and in  
03 which there is space available. Transferees must provide their own  
04 transportation for the balance of the 1976-77 school term.

05 Distribution of Faculty

06 (7) The ratio of black to white teachers in each school must be  
07 substantially similar to the system-wide [sic systemwide] racial ratio.  
08 Defendants are required to reassign teachers with all deliberate speed so  
09 that the racial distribution of faculty in all schools approximates the  
10 distribution of faculty in the entire school system.

11 Biracial Committee

12 (8) A biracial committee shall be established which shall oversee  
13 the operation of the M-to-M program as modified by this order. The  
14 committee's approval must also be secured on any proposed school zone [sic  
15 attendance areas] changes or school site purchases. The committee is to be  
16 constituted by this court from names submitted by parties to this suit. The  
17 number of members will be determined by this court and shall consist of no  
18 more than 20 nor less than ten members. The membership shall be equally  
19 divided between whites and blacks and the chairmanship shall alternate  
20 annually between a white and a black chairman. The committee shall make  
21 annual reports to the court concerning the functioning of the M-to-M program  
22 and any other action taken by the committee on proposed attendance zone  
23 changes [sic attendance lines] or school purchase sites.

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IT IS SO ORDERED.

This 3rd day of November, 1976.

(signed) Newell Edenfield  
NEWELL EDENFIELD  
United States District Judge

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