

United States v. Morehouse Parish Sch. Bd.

United States District Court for the Western District of Louisiana, Monroe Division

August 14, 2008, Decided; August 14, 2008, Filed

CIVIL ACTION NO. 69-14429

Reporter

2008 U.S. Dist. LEXIS 62034 *

UNITED STATES OF AMERICA VERSUS MOREHOUSE
PARISH SCHOOL BOARD, ET AL.

Subsequent History: Motion granted by, Dismissed by
United States v. Morehouse Parish Sch. Bd., 2013 U.S. Dist.
LEXIS 29082 (W.D. La., Mar. 4, 2013)

Counsel: [*1] For U S A, Plaintiff: Emily H McCarthy,
LEAD ATTORNEY, U S Dept of Justice Civil Rights Div
(Penn Ave), Washington, DC; Katherine W Vincent, LEAD
ATTORNEY, U S Attorneys Office (LAF), Lafayette, LA;
Franz Marshall, U S Dept of Justice Civ Rights Div,
Washington, DC.

For School Board Morehouse Parish, Defendant: Stephen J
Katz, LEAD ATTORNEY, Rankin Yeldell et al, Bastrop, LA.

Judges: ROBERT G. JAMES, UNITED STATES
DISTRICT JUDGE. MAG. JUDGE KAREN L. HAYES.

Opinion by: ROBERT G. JAMES

Opinion

MEMORANDUM ORDER

This school district operates under a long-standing desegregation decree. Under *Swann v. Charlotte-Mecklenburg Bd. of Educ.*, 402 U.S. 1, 91 S. Ct. 1267, 28 L. Ed. 2d 554 (1971), school officials have a "continuing duty to eliminate the system-wide effects of earlier discrimination and to create a unitary school system untainted by the past." *Ross v. Houston Independent School Dist.*, 699 F.2d 218, 225 (5th Cir. 1983) (citing *Swann*, 402 U.S. at 15). This Court is required to "retain jurisdiction until it is clear that state-imposed segregation has been completely removed." *Id.* (citing *Green v. New Kent County School Bd.*, 391 U.S. 430, 439, 88 S. Ct. 1689, 20 L. Ed. 2d 716 (1968); *Raney v. Bd. of Educ.*, 391 U.S. 443, 449, 88 S. Ct. 1697, 20 L. Ed. 2d 727

(1968)).

Upon review of this matter, the Court finds that there [*2] has been some apparent confusion about the School Board's reporting requirements. Accordingly, the Court, upon its own motion, hereby AMENDS the standing Decree and amendments thereto as follows:

On or before October 15th of each calendar year, beginning in 2008, the School Board shall submit to the Court an annual report, which contains the following:

- (A) The enrollment by grade and race for each school for the current school year; and
- (B) For each school, the name and race of each teacher employed for the current school year.

To the extent that any School Board has entered into a formal or informal reporting agreement with the United States Department of Justice or the United States Department of Education, Civil Rights Division, the Court does not intend to change, terminate, or otherwise affect any such agreements.

Any party desiring a status conference to discuss the Court's amendment to the reporting requirements may file the appropriate motion.

MONROE, LOUISIANA, this 14th day of August, 2008.

/s/ Robert G. James

ROBERT G. JAMES

UNITED STATES DISTRICT JUDGE

End of Document