

311 F.Supp. 265
United States District Court, W.D. North Carolina,
Charlotte Division.

James E. SWANN et al., Plaintiffs,
v.

The CHARLOTTE-MECKLENBURG BOARD OF
EDUCATION et al., Defendants.

Civ. A. No. 1974. | Feb. 5, 1970.

Suit was brought concerning desegregation of public schools. The District Court, McMillan, J., held that in desegregating public schools, seniors would be permitted to remain in their present schools until end of school year but 11th and 10th graders would be transferred to their new schools not later than May 4, 1970 and complete desegregation of junior high schools had to be accomplished by May 4, 1970 and complete desegregation of elementary schools had to be accomplished not later than April 1, 1970 with complete desegregation of various faculties accomplished by various times required for desegregation of student bodies.

Order accordingly.

See also D.C., 306 F.Supp. 1299.

Attorneys and Law Firms

*266 J. Levonne Chambers and Adam Stein, Charlotte, N.C., for plaintiffs.

Brock Barkley, William J. Waggoner, Weinstein, Waggoner, Sturges & Odom, and Benjamin S. Horack, Ervin, Horack & McCartha, Charlotte, N.C., for defendants.

Opinion

ORDER

McMILLAN, District Judge.

On December 2, 1969, this court appointed Dr. John A.

Finger, Jr., of Providence, Rhode Island, to study the Charlotte-Mecklenburg school system and advise the court how the schools could be desegregated. The defendant school board, by order of December 1, 1969, had been extended a fourth opportunity to submit a plan if they wished. Dr. Finger went to work; the school staff worked with him; and they have produced some extremely useful information and reports, which will be referred to in this order as the Board plan and the Finger plan.

Hearings on the plans were conducted on February 2 and February 5, 1970.

The board plan, prepared by the school staff, relies almost entirely on geographic attendance zones, and is tailored to the Board's limiting specifications. It leaves many schools segregated. The Finger plan incorporates most of those parts of the Board plan which achieve desegregation in particular districts by re-zoning; however, the Finger plan goes further and produces desegregation of all the schools in the system.

Taken together, the plans provide adequate supplements to a final desegregation order.

The court would like again to express appreciation to Dr. Finger for the intelligence, *267 resourcefulness and tact with which he has pursued his difficult assignment, and to Dr. William Self, Superintendent of the schools, and to his able staff, for the excellent work done by them in their difficult role of helping prepare one plan to comply with what the court believes the law requires, and simultaneously preparing another plan to suit the majority of the School Board who, at last reckoning, still did not appear to accept the court's order as representing the law of the land.

The court is also grateful to the Board's outside consultant, Mr. Weil, of Systems Associates, Inc., whose two hundred days of work and whose computer studies formed the building blocks, or points of departure, for much of the work of the others.

Recent appellate court decisions have hammered home the message the sixteen years of 'deliberate speed' are long enough to desegregate tax supported schools. On October 29, 1969, in *Alexander v. Holmes County*, 396 U.S. 19, 90 S.Ct. 29, 24 L.Ed.2d 19, the Supreme Court ordered numerous Deep South school districts be completely desegregated by January 1, 1970; schools in

Atlanta, Miami and parts of Chicago have been ordered totally desegregated; the Supreme Court in January ordered February 1, 1970, desegregation of 300,000 pupils in six Gulf Coast states; the Fourth Circuit Court of Appeals in *Nesbit v. Statesville*, 418 F.2d 1040 (December 2, 1969), ordered elimination by January 1, 1970, of the racial characteristics of the last black schools in Durham, Reidsville and Statesville, North Carolina; and in *Whittenberg v. Greenville*, South Carolina, 424 F.2d 195, the Fourth Circuit Court of Appeals, in an opinion by Chief Judge Clement F. Haynsworth, Jr., has just last month ordered the desegregation by February 16, 1970, of the 58,000 students in Judge Haynsworth's own home town. Judge Robert Martin of Greenville, pursuant to that mandate, on February 2, 1970, ordered all the Greenville schools to be populated by February 16, 1970, on a basis of 80% White and 20% Black.

In the Greenville opinion the court said:

'These decisions leave us with no discretion to consider delays in pupil integration until September 1970. Whatever the state of progress in a particular school district and whatever the disruption which will be occasioned by the immediate reassignment of teachers and pupils in mid-year, there remains no judicial discretion to postpone immediate implementation of the constitutional principles as announced in *Green v. County School Board of New Kent County*, 391 U.S. 430, 88 S.Ct. 1689, 20 L.Ed.2d 716; *Alexander v. Holmes County Bd. of Educ.*, 396 U.S. 19, 90 S.Ct. 29, 24 L.Ed.2d 19 (Oct. 29, 1969); *Carter v. West Feliciana Parish School Bd.*, 396 U.S. 1032, 90 S.Ct. 611, 24 L.Ed.2d 530 (Jan. 14, 1970).'

These decisions are binding on the United States District Court for the Western District of North Carolina. Unless that were true, the Constitution would mean whatever might be the temporary notion of whichever one of 340-odd federal judges happened to hear the case. This is a matter of law, not anarchy; of constitutional right, not popular sentiment.

The order which follows is not based upon any requirement of 'racial balance.' The School Board, after four opportunities and nearly ten months of time, have failed to submit a lawful plan (one which desegregates all the schools). This default on their part leaves the court in the position of being forced to prepare or choose a lawful plan. The fairest way the court knows to deal with this situation was stated clearly in the December 1, 1969 order, as follows:

'In default of any such plan from the school board, the court will start with the thought, originally advanced in the order of April 23, that efforts *268 should be made to reach a 71-29 ratio in the various schools so that there will be no basis for contending that one school is racially different from the others, but to understand that variations from that norm may be unavoidable.'

Therefore, and in accordance with the specific, detailed, numbered guidelines of this court's order of December 1, 1969, it is ordered:

1. That the defendants discontinue the operation of segregated schools.

2. That the defendants take such action as is necessary to desegregate all the schools— students and faculty.

^[1] 3. That desegregation of faculty be accomplished, as previously ordered, by assigning faculty (specialized faculty positions excepted) so that the ratio of black and white faculty members of each school shall be approximately the same as the ratio of black and white faculty members throughout the system.

^[2] 4. That teachers be assigned so that the competence and experience of teachers in formerly or recently black schools will not be inferior to those in the formerly or recently white schools in the system.

5. That no school be operated with an all-black or predominantly black student body.

^[3] 6. That pupils of all grades be assigned in such a way that as nearly as practicable the various schools at various grade levels have about the same proportion of black and white students.

^[4] ^[5] 7. That transportation be offered on a uniform non-racial basis to all children whose reassignment to¹ any school is necessary to bring about the reduction of segregation, and who live farther from the school to which they are assigned than the Board determines to be walking distance. Estimates of the number of children who may have to be transported have run as high as 10,000 or more. Since the cost to the local system is about \$18 or \$20 a year per pupil, and the cost to the state in those areas where the state provides transportation funds is about another \$18 or \$20 a year per pupil, the average cost for transportation is apparently less than \$40 per pupil per year. The local school budget is about \$45,000,000 a year. It would appear that transporting 10,000 additional children, if that is necessary, and if the

defendants had to pay it all, would add less than one per cent to the local cost of operating the schools. The significant point, however, is that cost is not a valid legal reason for continued denial of constitutional rights.

^{16l} 8. That if geographic zones are used in making school assignments, the parts of a zone need not be contiguous.

^{17l} 9. That the defendants maintain a continuing control over the race of children in each school, just as was done for many decades before *Brown v. Board of Education*, and maintain the racial make-up of each school (including any new and any re-opened schools) to prevent any school from becoming racially identifiable.

^{18l} 10. That 'freedom of choice' or 'freedom of transfer' may not be allowed by the Board if the effect of any given transfer or group of transfers is to increase the degree of segregation in the school from which the transfer is requested or in the school to which the transfer is desired.

^{19l} 11. That the Board retain its statutory power and duty to make assignments of pupils for administrative reasons, with or without requests from parents. Administrative transfers shall not be made if the result of such transfers is to restore or increase the degree *269 of segregation in either the transferor or the transferee school.

^{100l} 12. That if transfers are sought on grounds of 'hardship,' race will not be a valid basis upon which to demonstrate 'hardship.'

13. That the Board adopt and implement a continuing program, computerized or otherwise, of assigning pupils and teachers during the school year as well as at the start of each year for the conscious purpose of maintaining each school and each faculty in a condition of desegregation.

14. That the defendants report to the court weekly between now and May 15, 1970, reporting progress made in compliance with this order; and that they report thereafter on July 15, August 15, September 15 and November 1, 1970, and on February 1 and May 1, 1971.

15. That the internal operation of each school, and the assignment and management of school employees, of course be conducted on a non-racial, non-discriminatory basis.

^{111l} 16. The duty imposed by the law and by this order is the desegregation of schools and the maintenance of that

condition. The plans discussed in this order, whether prepared by Board and staff or by outside consultants, such as computer expert, Mr. John W. Weil, or Dr. John A Finger, Jr., are illustrations of means or partial means to that end.^{1a} The defendants are encouraged to use their full 'know-how' and resources to attain the results above described, and thus to achieve the constitutional end by any means at their disposal. The test is not the method or plan, but the results.

17. The choice or approval or partial approval of any proposed desegregation plan is subject to all the requirements and restrictions of the preceding sixteen paragraphs, as well as to any later requirements or restrictions set out in this order.

18. Subject to the above, the Board's pupil assignment plan for senior high school pupils is approved, with one exception. This exception is that black students, some 300 in number, should be assigned from map grids 294D, 295C, 295D, and 318A, to attend Independence High School.

19. Although the Board junior high school plan is inferior in design and results to Dr. Finger's plan, it is a purely 'home grown' product and the court would like to approve it, if it can be brought into compliance with law by desegregating Piedmont Junior High School, and by adding transportation as above indicated, and by increasing the black attendance at several outlying schools. The Board may if it wishes consider (1) re-zoning; (2) two-way transporting of pupils between outlying schools and Piedmont; (3) closing Piedmont and assigning the pupils to Albemarle Road, Carmel, McClintock and Quail Hollow. Unless the court has been notified in writing by noon of February 9, 1970, of an affirmative decision adopting one of these choices by formal *270 Board action, the junior high schools are directed to be desegregated according to Dr. Finger's plan, as illustrated by exhibits E and F.

^{112l} 20. The Board's plan for elementary schools, illustrated by exhibits G and H, cannot be approved because (1) it retains nine schools 83% To 100% Black, serving over half the black elementary pupils, and (2) it leaves approximately half the 31,500 white elementary students attending schools that are 86% To 100% White; and (3) it promises to provide little or no transportation in aid of desegregation, even though the plan's zones in some cases are apparently five or six miles long. The Board plan for elementaries openly rejects the duty to eliminate all the black schools.

The Finger plan uses many of the same basic attendance lines as the Board plan; however, it does not stop short of the constitutional requirements, and by pairing and clustering groups of schools it achieves full desegregation of the elementary schools. The school staff worked out the details of this plan and are familiar with it. Its attendance zones are illustrated on the map, exhibit I; its elementary school populations are listed in exhibit J; and the pairing and grouping of the outlying and inner-city schools, grade by grade, are shown in detail on exhibit K. Subject to the qualifications previously stated, the Board are directed to follow the Finger plan with reference to elementary schools.

¹¹³ 21. THE TIME TABLE: Deadlines to complete various phases of the program required in this order are as follows:

SENIOR HIGH SCHOOLS.— Seniors may remain in their present schools until the end of the school year; the Board may make any decision they deem wise about allowing seniors to transfer before graduation to schools where their race will be in the minority. Eleventh and tenth graders will be transferred to their new schools not later than the 4th day of May, 1970.

JUNIOR HIGH SCHOOLS (Grades 7, 8, 9).— Complete desegregation shall be accomplished by the 4th day of May, 1970.

ELEMENTARY SCHOOLS (Grades 1 through 6).— Complete desegregation shall be accomplished not later than the 1st day of April, 1970.

**Research
Report**

**January 31,
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FACULTY.— Complete desegregation of the various faculties shall be accomplished by the various times set out above for desegregation of the student bodies.

22. MODIFICATIONS.— The intention of this order is to put on the Board the full duty to bring the schools into compliance with the Constitution as above outlined, but to leave maximum discretion in the Board to choose methods that will accomplish the required result. However, it is directed that leave of court be obtained before making any material departure from any specific requirement set out herein. The court will undertake to rule promptly on any such requests for deviation from prescribed methods.

¹¹⁴ 23. APPEAL.— The court claims no infallibility and does not seek to prevent appeal from all or any part of this order, and will allow the making of any record needed to present on appeal any contention the parties desire to make, and will do what this court can to expedite such appeal. However, in accordance with Whittenberg v. Greenville, supra, this order will not be stayed pending appeal, and immediate steps to begin compliance are directed.

24. All evidence in the cause and all findings and conclusions in previous orders which support or tend to support this order are relied upon in support of this order.

25. Jurisdiction of this cause is retained for further orders.

Exhibit B

The Charlotte-Mecklenburg Schools

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DESEGREGATION PLAN for 1970-71

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Senior High Schools

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School	1970-71			1969-70						
	Capacity			Board Plan						
	Base	+20%	B	W	T	% B	B	W	T	% B
East Mecklenburg	1700	2040	215	1925	2140	10%	360	1716	2076	17%
Garinger	1874	2249	492	2148	2640	18%	721	1914	2635	27%
Harding	1202	1442	612	720	1332	45%	395	692	1087	36%
Independence	1047	1256	101	1111	1212	9%	23	1241	1264	2%
Myers Park	1679	2015	224	1767	1991	12%	426	1883	2309	18%
North Mecklenburg	1158	1390	446	1185	1631	28%	440	998	1438	31%
Olympic	807	968	351	512	863	41%	201	687	888	23%

										%
South Mecklenburg	1523	1828	90	2024	2114	5%	482	1846	2328	21%
West Charlotte	1593	1912	1641	0	1641	100%	597	1045	1642	36%
West Mecklenburg	1374	1649	141	1444	1585	9%	494	998	1492	33%
.....										
Total	13,957	16,749	4,313	12,836	17,149		4,139	13,020	17,159	
(A1466)										

**Research
Report**

**January 31,
1970**

Exhibit D

The Charlotte-Mecklenburg Schools

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DESEGREGATION PLAN for 1970-71

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Junior High Schools

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School	1970-71		1969-70							
	Capacity		Board Plan							
	Base	+20%	B	W	T	% B	B	W	T	% B
Albemarle Road	948	1138	63	995	1058	5%	19	753	772	2%
Alexander	874	1049	328	761	1089	30%	303	698	1001	30%
Cochrane	1190	1428	72	1544	1616	5%	571	1150	1721	33%
Coulwood	704	845	101	770	871	12%	313	551	864	36%
Eastway	1093	1312	61	1356	1417	4%	375	971	1346	28%
Alexander Graham	996	1194	101	1028	1129	8%	261	888	1149	23%
Hawthorne	850	910	550	472	1022	54%	276	704	980	28%
Kennedy	801	961	802	9	811	99%	325	510	835	39%
McClintock	923	1100	84	1288	1372	6%	25	1048	1073	2%
Northwest	1068	1282	1032	1	1033		296	675	971	30%

											%
.....											
Pledmont	631	757	408	55	463	89%	758	84	842	90	%
Quail Hollow	1238	1486	129	1421	1550	9%	138	1144	1282	11	%
Randolph	972	1170	279	710	989	28%	307	683	990	31	%
Ranson	851	1021	246	548	794	31%	295	558	853	35	%
Sedgefield	777	930	167	809	976	17%	234	612	846	28	%
.....											
Smith	1093	1312	51	1436	1487	4%	330	957	1287	26	%
Spaugh	826	1091	262	839	1101	24%	346	752	1098	32	%
Williams	801	967	1081	0	1081	100%	336	722	1058	32	%
Wilson	1044	1253	60	1145	1205	5%	346	795	1141	30	%
.....											
Carmel	558	670					2	555	557	0%	
J. H. Gunn (Wilgrove)	558	670					49	470	519	9%	
.....											
Total	18,796	22,546	5,877	15,187	21,064		5,905	15,280	21,185		

[A1446]

Exhibit F

DESEGREGATION PLAN for Charlotte-Mecklenburg Schools

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Junior High Schools

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School	1970-71		1969-70				Court Consultant			
	Capacity		B	W	T	% B	Plan			% B
	Base	+20%					B	W	T	
Albemarle Road	948	1138	63	995	1058	5%	292	696	988	30%
Alexander	874	1049	328	761	1089	30%	335	690	1025	33%
Cochrane	1190	1428	72	1544	1616	5%	370	984	1354	27%
Coulwood	704	845	101	770	871	12%	245	568	813	30%

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Eastway	1093	1312	61	1356	1417	4%	351	839	1190	30 %
.....										
Alexander Graham	996	1194	101	1028	1129	8%	359	938	1297	28 %
Hawthorne	850	910	550	472	1022	54%	290	677	967	30 %
Kennedy	801	961	802	9	811	99%	184	606	790	23 %
McClintock	923	1100	84	1288	1372	6%	386	925	1311	30 %
Northwest	1068	1282	1032	1	1033		336	736	1072	31 %
.....										
Piedmont	631	757	408	55	463	89%	243	538	781	32 %
Quail Hollow	1238	1486	129	1421	1550	9%	339	1050	1389	25 %
Randolph	972	1170	279	710	989	28%	402	832	1234	33 %
Ranson	851	1021	246	548	794	31%	264	583	847	31 %
Sedgefield	777	930	167	809	976	17%	171	641	812	21 %
.....										
Smith	1093	1312	51	1436	1487	4%	350	929	1279	27 %

Spaugh	826	1091	262	839	1101	24%	324	807	1131	29%
Williams	801	967	1081	0	1081	100%	308	727	1035	30%
Wilson	1044	1253	60	1145	1205	5%	230	570	800	29%
.....										
Carmel	558	670					142	444	586	24%
J. H. Gunn	558	670					49	475	524	9%
.....										
Total	18,796	22,546	5,877	15,187	21,064		5,970	15,255	21,225	
[A1447]										

Research Report

January 31, 1970

**Exhibit H,
page 1.**

The Charlotte-Mecklenburg Schools

DESEGREGATION PLAN for 1970-71

Elementary Schools

School	1970-71		1969-70*							
	Capacity		Board Plan							
	Base	+12%	B	W	T	% B	B	W	T	% B
Albemarle Rd.	432	484	4	510514		1%	4	469473		1%
Allenbrook	540	605	61	452513		12%	59	496555		11%
Ashley Park	621	696	27	574601		4%	155	421576		27%
Bain	702	786	33	735768		4%	25	706731		3%
Barringer	486	544	843	16859		98%	203	320523		39%
Berryhill	836	936	98	639737		13%	247	574821		30%
Beverly Woods	540	605	68	684752		9%	8	648656		1%
Billingsville	594	665	596	0596		100%	113	325438		26%
Briarwood	540	605	6	680686		1%	2	663665		0%
Bruns Ave.	675	756	759	10769		99%	624	73697		90%
Chantilly	432	484	0	472472		0%	142	303445		32%
Clear Creek	324	363	48	229277		17%	43	266309		14%
Collinswood	621	696	111	443554		20%	224	448672		33%

Cornelius	459	514	181	235416	44%	182	265447	41%
Cotswold	540	605	23	537560	4%	128	449577	24%
.....								
Davidson	324	363	104	186290	36%	102	174276	32%
Marie Davis	756	847	662	0662	100%	666	82748	88%
Derita	783	877	150	678828	18%	152	595747	20%
Devonshire	648	726	0	903903	0%	0	925925	0%
Dilworth	648	726	90	317407	22%	241	376617	39%
.....								
Double Oaks	675	756	836	0836	100%	825	3828	100%
Druid Hills	486	544	472	3475	99%	465	20485	96%
Eastover	648	726	42	559601	7%	157	478635	25%
Elizabeth	405	454	314	125439	72%	112	294406	28%
Enderly Park	513	575	3	371374	1%	119	238357	33%
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* Not including Special Education in self-contained classes

[A1448]

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The Charlotte-Mecklenburg Schools

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DESEGREGATION PLAN for 1970-71

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Elementary Schools

School	1970-71		1969-70							
	Capacity		Board Plan							
	Base	+12%	B	W	T	% B	B	W	T	% B
First Ward	702	786	805	0	805	100%	770	7	777	99%
Hickory Grove	459	514	70	533	603	12%	74	556	630	12%
Hidden Valley	648	726	0	1100	1100	0%	1	1077	1078	0%
Highland	297	333	69	305	374	18%	76	237	313	24%
Hoskins	297	333	13	212	225	6%	124	219	343	36%
Huntersville	675	756	145	531	676	21%	130	554	684	19%

Huntingtowne Farms	594	665	7	603	610	1%	3	614	617	0%
Idlewild	567	635	47	581	628	7%	59	549	608	10%
Irwin Ave.			292	0	292	100%	*			
Amay James	378	423	462	3	465	99%	90	169	259	35%
.....										
Lakeview	378	423	346	89	435	80%	119	285	404	29%
Lansdowne	756	847	75	802	877	9%	79	719	798	10%
Lincoln Heights	648	726	711	0	711	100%	903	6	909	99%
Long Creek	702	786	267	468	735	36%	259	523	782	33%
Matthews	945	1058	86	802	888	10%	81	837	918	9%
.....										
Merry Oaks	486	544	0	442	442	0%	0	557	557	0%
Midwood	459	514	9	437	446	2%	116	401	517	23%
Montclair	675	756	0	718	718	0%	1	781	782	0%
Myers Park	432	484	22	444	466	5%	150	314	464	32%
Nations Ford	621	696	43	669	712	6%	177	548	725	24%
.....										
Newell	594	665	74	438	512	14%	64	436	500	13%
Oakdale	540	605	69	517	586	12%	202	460	662	31%
Oakhurst	594	665	5	616	621	1%	92	504	596	15%
Oaklawn	594	665	584	0	584	100%	597	3	600	99%

Olde Providence 540 605 80 512 592 14% 83 461 544 15%

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[A1449]

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**The Charlotte-Mecklenburg Schools
DESEGREGATION PLAN for 1970-71**

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Elementary Schools

School	1970-71		1969-70					Board Plan			
	Capacity		B	W	T	% B	B	W	T	% B	
	Base	+12%									
Park Road	540	605	44	548	592	7%	41	571	612	7%	
Paw Creek	594	665	27	609	636	4%	83	602	685	12 %	
Paw Creek Annex	270	302	30	271	301	10%					
Pineville	486	544	136	356	492	28%	123	379	502	25	

											%
Pinewood	648	726	0	674	674	0%	0	900	900	0%	
.....											
Plaza Road	459	514	80	340	420	19%	181	350	531	34%	
Rama Road	648	726	1	815	816	0%	3	744	747	0%	
Sedgefield	540	605	3	548	551	1%	223	364	587	38%	
Selwyn	486	544	31	617	648	5%	32	459	491	7%	
Shamrock Gardens	486	544	0	515	515	0%	84	496	580	15%	
.....											
Sharon	459	514	72	361	433	17%	91	421	512	18%	
Starmount	648	726	25	712	737	3%	67	833	900	7%	
Statesville Road	648	726	333	522	855	39%	160	553	713	23%	
Steele Creek	378	423	5	509	514	1%	195	475	670	29%	
Thomasboro	729	816	0	690	690	0%	135	777	912	15%	
.....											
Tryon Hills	486	544	309	164	473	65%	200	342	542	37%	
Tuckaseegee	540	605	58	578	636	9%	57	510	567	10%	

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2 s k2e22H22	d8p	I Gd	8p	dpp	I i d	I P	HG	dHi	I 3H	I P
22	[[[[[[[[[[



2t k2H2	831 y6	8HG	y 6i	B63	i 6GI	p 88Gpp	6GppH	i 6HG	88B3p
22	[[[[[[[[[
5268H392									
22									

2

[Note: The following TABLE/FORM is too wide to be displayed on one screen. You must print it for a meaningful review of its contents. The table has been divided into multiple pieces with each piece containing information to help you assemble a printout of the table. The information for each piece includes: (1) a three line message preceding the tabular data showing by line # and character # the position of the upper left-hand corner of the piece and the position of the piece within the entire table; and (2) a numeric scale following the tabular data displaying the character positions.]

 ***** This is piece 1. -- It begins at character 1 of table line 1.

 ***** The Charlotte-Mecklenburg Schools DESEGREGATION PLAN for 1970-71 Elementary Schools-----

-----	1970-71	1969-70
School Capacity Base		
12% B W T % B-----		
-----Park Road	540 605 44 548 592 7%	Paw
Creek	594 665 27 609 636 4%	Paw Creek Annex
270 302	30 271 301 10%	Pineville
486 544 136 356 492	28%	Pinewood
648 726 0 674 674 0%	Plaza Road	459 514
80 340 420 19%	Rama Road	648 726 1 815 816
0%	Sedgefield	540 605 3 548 551 1%
Selwyn	486 544 31	617 648 5%
Shamrock Gardens	486 544 0 515 515	0%
Sharon	459 514 72 361 433 17%	Starmount
648 726	25 712 737 3%	Statesville Road
648 726 333 522 855	39%	Steele Creek
378 423 5 509 514 1%	Thomasboro	729
816 0 690 690 0%	Tryon Hills	486 544 309 164 473
65%	Tuckaseegee	540 605 58 578 636 9%
University Park	648 726 825 1 826 100%	Villa Heights
810 907 902 83	985 92%	Westerly Hills
405 454 46 539 585 8%	Wilmore	378 423 222 210 432 51%
Windsor Park	648 726 1 748	749 0%
Winterfield	648 726 48 688 736 7%	Total
40,391		

Albemarle Rd.	432	434	4	510514	1%	162336	500	32%
Allenbrook	540	605	61	452513	12%	135341	476	28%
Ashley Park	621	696	27	574601	4%	175426	601	29%
Bain	702	786	33	735768	4%	25706	731	3%
Barringer	486	544	843	16859	98%	203320	523	39%
Perryhill	836	936	98	639737	13%	247574	821	30%
Beverly Woods	540	605	68	684752	9%	186446	632	29%
Billingsville	594	665	596	0596	100%	113325	438	26%
Briarwood	540	605	6	680636	1%	256479	735	35%
Bruns Avenue	675	756	759	10769	99%	252540	792	32%
Chantilly	432	484	0	472472	0%	142333	475	30%
Clear Creek	324	363	48	229277	17%	43266	309	14%
Collinswood	621	696	111	443554	20%	224406	630	36%
Cornelius	459	514	181	235416	44%	182265	447	41%
Cotswold	540	605	23	537560	4%	128404	532	24%
Davidson	324	363	104	186290	36%	102174	276	32%
Marie Davis	756	847	662	0662	100%	193532	725	27%

Derita	783	877	150	678828	18%	167625	792	21%
Devonshire	648	726	0	903903	0%	333624	957	35%
Dilworth	648	726	90	317407	22%	241376	617	39%
.....								
Double Oaks	675	756	836	0836	100%	234496	730	32%
Druid Hills	486	544	472	3475	99%	158303	461	34%
Eastover	648	726	42	559601	7%	157445	602	26%
Elizabeth	405	454	314	125439	72%	132304	436	30%
Enderly Park	513	575	3	371374	1%	150270	420	36%

[A1451]

Exhibit J, page 2

DESEGREGATION PLAN for Charlotte-Mecklenburg Schools

.....

Elementary Schools

School	1970-71		1969-70			Court Consultant			
	Capacity		W	T	% B	Plan			
	Base	+ 20%B				B	W	T	% B

.....											
First Ward	702	786	805	0	805	100%	265	686	951	28%	
Hickory Grove	459	514	70	533	603	12%	272	439	711	38%	
Hidden Valley	648	726	0	1100	1100	0%	310	679	989	31%	
Highland	297	333	69	305	374	18%	76	237	313	24%	
Hoskins	297	333	13	212	225	6%	139	244	383	36%	
.....											
Huntersville	675	756	145	531	676	21%	130	554	684	19%	
Huntingtowne Farms	594	665	7	603	610	1%	205	415	619	33%	
Idlewild	567	635	47	581	628	7%	190	410	600	32%	
Irwin Avenue			292	0	292	100%*					
Amay James	378	423	462	3	465	99%	105	194	299	35%	
.....											
Lakeview	378	423	346	89	435	80%	139	280	419	33%	
Lansdowne	756	847	75	802	877	9%	207	496	703	29%	
Lincoln Heights	648	726	711	0	711	100%	241	456	697	35%	
Long Creek	702	786	267	468	735	36%	259	523	782	33%	
Matthews	945	1058	86	802	888	10%	81	837	918	9%	
.....											
Merry Oaks	486	544	0	442	442	0%	106	236	342	31%	
Midwood	459	514	9	437	446	2%	116	446	562	21%	

Montclair	675	756	0	718	718	0%	280	504	784	36%
Myers Park	432	484	22	444	466	5%	150	445	595	25%
Nations Ford	621	696	43	669	712	6%	177	582	759	23%
.....										
Newell	594	665	74	438	512	14%	74	546	620	12%
Oakdale	540	605	69	517	586	12%	250	460	710	35%
Oakhurst	594	665	5	616	621	1%	197	534	731	27%
Oaklawn	594	665	584	0	584	100%	226	594	820	28%
Olde Providence	540	605	80	512	592	14%	145	351	496	29%

[A1452]

Exhibit J, page 3

DESEGREGATION PLAN (Cont'd)

.....
.....

Elementary Schools

.....

School	Capacity		1969-70							
	Base	+20%	B	W	T	% B	B	W	T	% B
Park Road	540	605	44	548	592	7%	148	359	50	729%
Paw Creek	594	665	27	609	636	4%	160	395	55	529%
Paw Creek										
Annex	270	302	30	271	301	10%	83	209	29	228%
Pineville	486	544	136	356	492	28%	123	379	50	225%
Pinewood	648	726	0	674	674	0%	283	697	98	029%
.....										
Plaza Road	459	514	80	340	420	19%	181	350	53	134%
Rama Road	648	726	1	815	816	0%	273	493	76	636%
Sedgefield	540	605	3	548	551	1%	223	364	58	738%
Selwyn	486	544	31	617	648	5%	150	309	45	933%
Shamrock										
Gardens	486	544	0	515	515	0%	174	511	68	525%
.....										
Sharon	459	514	72	361	433	17%	123	245	36	833%
Starmount	648	726	25	712	737	3%	217	441	65	833%
Statesville										
Road	648	726	333	522	855	39%	160	533	71	323%
Steele Creek	378	423	5	509	514	1%	195	475	67	029%

Thomasboro	729	816	0	690	690	0%	230 770	100023%
.....								
Tyron Hills	486	544	309	164	473	65%	107 262	36929%
Tuckaseegee	540	605	58	578	636	9%	119 300	41928%
University								
Park	648	726	825	1	826	100%	260 461	72136%
Villa Heights	810	907	902	83	985	92%	265 668	93328%
Westerly								
Hills	405	454	46	539	585	8%	144 332	47630%
.....								
Wilmore	378	423	222	210	432	51%	153 250	40338%
Windsor Park	648	726	1	748	749	0%	272 561	83333%
Winterfield	648	726	48	688	736	7%	261 537	79833%
.....								
Total	40,391		13,010		44,288		12,984	44,370
		45,239		31,278			31,386	

Exhibit K, page 1.

ELEMENTARY SCHOOLS TO BE PAIRED

Present School and Count	1 - 4		5 - 6		Total Pupils
	B	W	B	W	
Albemarle Road	2	338	2	174	516
Allenbrook	0	341	0	156	497
Beverly Woods	1	446	1	249	697
Briarwood	4	477	2	220	703
Bruns Avenue	526	0	246	0	772
Marie Davis	431	59	193	26	709
Devonshire	0	624	0	276	900
Double Oaks	585	2	232	0	819
Druid Hills	310	2	158	1	471
First Ward	533	0	262	0	795
Hickory Grove	54	329	16	208	607
Hidden Valley	0	677	0	302	979
Huntingtowne Farms	0	414	0	195	609

Idlewild	0	410	0	163	573
Lansdowne	2	496	1	291	790
.....					
Lincoln Heights	456	0	239	0	695
Merry Oaks	0	236	0	119	355
Montclair	0	504	0	217	721
Oaklawn	405	0	193	0	598
Olde Providence	2	351	1	146	500
.....					
Park Road	0	300	0	160	460
Paw Creek	16	395	11	214	636
Paw Creek Annex	27	209	3	53	292
Pinewood	0	697	0	346	1043
Rama Road	3	493	0	244	740
.....					
Selwyn	0	284	0	188	472
Sharon	0	245	0	117	362
Starmount	19	441	6	228	694
Tryon Hills	218	110	91	54	473
Tuckasegee	49	300	19	171	539

University Park	550	0	260	0	810
Villa Heights	683	114	264	48	1109
Windsor Park	0	515	1	233	749
Winterfield	0	494	0	199	693
.....					
.....					
Total	4,876	10,303	2,201	4,998	22,378

Exhibit K, page 2

The Charlotte-Mecklenburg Schools

ELEMENTARY SCHOOLS PAIRED

.....									
Grade 1-4				Grade 5-6					
.....									
Schools				Schools					
-----				-----					
	B	W	T	%		B	W	T	%
Huntingtowne Farms									
Sharon					Bruns Avenue	252	540	79232	
Starmount									
	545	1100	164533						

.....
Park Road Marie Davis 193 532 72527
Pinewood
431 1056 148729

.....
Briarwood Double Oaks 234 496 73032
Devonshire
589 1103 169235

.....
Hidden Valley Druid Hills 158 303 46134
310 679 98931

Beverly Woods
Lansdowne First Ward 265 686 95128
Olde Providence
538 1293 183129

.....
Albermarle Road
Idlewild Lincoln Heights 241 456 69735
Merry Oaks
458 984 144232

Allenbrook

Paw Creek

Paw Creek Annex

Oaklawn

226 594 82028

Tuskaseegee

497 1245 174229

.....
Hickory Grove

Tryon Hills

107 262 36929

272 439 71138

Montclair

Rama Road

University Park

260 461 72136

553 997 155036

.....
Selwyn

Windsor Park

Villa Heights

265 668 93328

Winterfield

683 1407 209033

.....
Total

4,876

15,179

2,201

7,199

10,303

4,998

Footnotes

¹ The words 'reassignment to' were inserted in lieu of the former words 'attendance in,' by an amendment to the order filed on March 3, 1970.

1a The following are exhibits to this order:

- A. The Board's map of proposed senior high school attendance zones.
- B. The Board's list of proposed senior high school populations.
- C. The Board's map of proposed junior high school attendance zones.
- D. The Board's list of proposed junior high school populations.
- E. Dr. Finger's map of proposed junior high school attendance zones.
- F. Dr. Finger's list of proposed junior high school populations.
- G. The Board's map of proposed elementary school attendance zones.
- H. The Board's list of proposed elementary school populations.
- I. Dr. Finger's map of proposed elementary school attendance zones.
- J. Dr. Finger's list of proposed elementary school populations.
- K. Dr. Finger's list of pairing and grouping of elementary schools and grades.

* distributed to surrounding school

* Assigned from area to increase desegregation Oakhurst 105B Shamrock Gardens 90B Thomasboro 95 B