

TPSB DESEGREGATION PLAN DRAFT IN LAYMEN'S ENGLISH

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The following is intended to be a comprehensive, but accurate summary of the TPSB Draft Desegregation Plan. Differences between this summary and the original, if any, are not intentional. *Italicised* text is an explanation or an incorporation of the attachments. Please consult the TPSB Draft Desegregation Plan for the exact language of the proposed court order.

The plan is intended to identify how the school system is in compliance with the Constitution, how it is not, and how judicial supervision should or should not continue.	Pg. 1
The plan asks the Court to declare that the plan is legal according to federal law, reasonable, equitable, constitutional, and consistent with public policy. The plan also asks the Court to declare the areas of transportation and extra-curricular activities as "unitary," and outside of future court supervision although the Court would still maintain jurisdiction over transportation needed to implement the student assignment portion of the Plan.	Pg.1
The Exhibit 1 transportation and extracurricular "unitary status policies" have already been adopted by the Board.	Pg.2
STUDENT ASSIGNMENTS 1(A) A new tax to fund the three new elementary schools in Attachment "A" must be approved before the new student assignment plan can go into effect.	Pg.2
A new tax to fund the Attachment "B" magnet "programs" in "the Hammond, Kentwood, Independence, and Amite areas" must be approved before these new magnet "programs" would go into effect. The tax would fund educational programming and site improvements.	Pg.2

The new manget "programs" would "enhance educational opportunities and further the desegregation of the school system."	Pg.2
A new tax will also be required to funding other new school construction, the replacement of a school, and for expansions, renovations, and repairs to other school facilities. <i>(The Comprehensive Assessment is contained in Attachment "I".)</i>	Pg.3
"Tax avails" will also be used to pay for raises for existing personnel and to fund the hiring of art and music teachers for each elementary school. (how many per?) Higher salaries, along with activities of the Teacher Recruitment Assistance Committee are expected to "recruit qualified teachers" and also to "recruit qualified black teachers."	Pg.3
Implementation of the remainder of the order does not require passage of a tax.	Pg.3
1(B) The order requires the school board to create a separate parish-wide governmental body whose sole purposes are to call for an additional parish-wide one-cent sales tax and to then assume all the existing debt from the various school taxing districts within the parish. The new tax of this new governmental body would be a uniform sales tax across the parish which, together with the existing one cent sales tax and the existing tax districts would pay for the physical improvements in Attachment "I."	Pg.3
The new governmental body would work hand in hand with the school board, and taxes approved by the voters for this new governmental body would be dedicated to the school improvements in Attachment "I" and for the operation and maintenance of these new schools. <i>State law prevents the School Board from calling for an additional one cent sales tax, but allows the creation of a special taxing district to improve educational facilities. La. R.S. 33:2740.37.</i> The new governmental body would have the authority to issue bonds to pay for the improvements all at once.	Pg.3-4
If these taxes were passed, the state would be required to provide additional funding through the Minimum Foundation Formula to help pay for operational, maintenance, and payroll expenses.	Pg.4
Attachment "I" shows the funding source and expenditures used with the existing one cent sales tax and through the new governmental body (i.e. the Educational Facilities Improvement District).	Pg.5
All three propositions must pass before the school board funds any of the new spending.	Pg.5
1(C). Attachment "A" lists the new schools that would be constructed from "tax avails" and the general area where each new school will be built. Each of these schools has its own attendance zone. Assuming all the students in the attendance zone attend the newly constructed public school, the new schools would have a "desegregated student body." The term "desegregated student body" means the white/black ratio would be within a fifteen percent plus or minus "deviation factor" over or under the	Pg.5

<p>parish-wide white/black student enrollment. The new High Tech/Central Education Center (a district-wide, dedicated magnet school) would not have a “desegregated student body.”</p>	
<p>1(D). Attachment “B” lists each of the new magnet programs to be funded from the “tax avails,” the school where each will be located, a timeline for implementation of each program, criteria for “transfer admissions” to each magnet program, projected first-year budgets, and a sample parental/guardian agreement. <i>This does not bind the school board or parents to sign an agreement for children to enter a magnet program.</i></p> <p>The school board is allowed to apply for U.S. Education Department Magnet School grants to fund the new magnet programs in Attachment “B.” The School Board must seek court approval to set up any other magnet programs whether funded with grant money or not. If any magnet school grant is received, student enrollment for that school or schools would then be governed by the grant requirements.</p>	Pg.5
<p>1(E). Attachment “C” lists the new school district lines and “feeder patterns” from the three new elementary schools. One school each would be built in the Hammond/Pumpkin Center areas, the Hammond/Loranger/Natalbany/Champ Cooper areas, and the Amite/Loranger areas. The new school district lines would be phased-in using the schedule in Attachment “C”.</p>	Pg.6
<p>1(F). The white/black ratio of all public school students in the parish as used in computing whether a school has a “desegregated student body” would be based on the most recent October 1 student count.</p>	Pg.6
<p>1(G). Court approval must be obtained for any change in the “mission” of a school not otherwise expressly provided for in this Order.</p>	Pg.6
<p>1(H). Administrators, teachers, faculty, non-instructional support personnel and other personnel can enroll their children in the school where they work, whether they live in parish or not, and can enroll their children in any school within the “feeder pattern” of that school. Transportation must be provided by the employee or student at no cost to the school district.</p>	Pg.6
<p>1(I). Homeless students must be enrolled in a school, but within 15 days of enrollment, a parent, custodial relative, or “custodial friend” must sign an affidavit on a school board form swearing under threat of perjury that the student is homeless. If the affidavit is not submitted in 15 days, the child is removed from school. A copy of each of the affidavit must be copied to the attorneys for the school board and Plaintiff’s attorneys within 10 days of receipt by the principal. Either party for good cause shown to the court may challenge a student’s homeless status.</p>	Pg.6
<p>2(A). The student rosters for each magnet elementary and middle school programs would be filled by the students in the attendance zone, students “approved” for transfer, and children of employees as in Paragraph 1 (H).</p>	Pg.7

<p>2(B). The student rosters for each magnet high school would be filled with students in the attendance zone, students from a “majority-to-minority” or an “academic transfer,” and children of that school’s employees as in Paragraph 1 (H). These students “may elect to participate in the magnet program” or to “take specific magnet courses” at that magnet high school. 11th and 12th grade students seeking an International Baccalaureate Diploma would be subject to additional IB admissions requirements. High school students at each magnet high school must participate in one or more of the magnet programs offered at that magnet high school.</p>	Pg.7
<p>2(C). All magnet school teachers except for special education and foreign language teachers must be certified for the grade level or for the course(s) they will be assigned to teach.</p> <p>All existing administrative and faculty positions at all magnet schools shall be declared vacated and the school’s administration and faculty shall be reconstituted. Existing administrators and teachers may apply to be placed back at the magnet school. Displaced certified personnel shall be reassigned to other schools within the school system.</p> <p>The superintendent will have sole authority to assign administrators and faculty to a “magnet school.” Any administrator or faculty assigned to a “magnet school” would be required to “be willing” to adopt to any special instructional approaches and training required for the particular magnet school’s theme. Any administrator or faculty assigned to a “magnet school” would be required to “agree” to be trained. <i>The specific training required, if any, is not defined.</i> Any administrator or faculty assigned to a “magnet school” would be required to “agree” to stay at the magnet school for three school years. An administrator or faculty member could move under “extraordinary circumstance or occurrence,” or could be moved in the discretion of the superintendent for “the best interest of the magnet school.” <i>What constitutes an “extraordinary circumstance or occurrence” is not defined.</i></p> <p>The School District will pay for transportation for students in the attendance zone and for students who transfer in. Transfers into and out of magnet programs must occur at “the commencement of a school year.”</p>	Pg.8
<p>If a student who transferred into a “magnet school” wants to transfer back to a school in his/her “home attendance zone,” this must be done at the beginning of each semester. Prospective transfer students outside a magnet attendance zone have until forty-five days before the start of the school year to decide to transfer into the magnet school. Existing magnet transfer students have until 45 days before the start of each semester to choose to go back. If this deadline is missed, the students must stay where they are until the next semester.</p>	Pg.8
<p>If the parent/guardian of an in-zone magnet student wants their child in a different school, they may request a majority-to-minority transfer if the request is “eligible” and timely submitted. If not eligible or if untimely submitted, the student would be sent to a non-magnet school “in proximity” to the parent/guardian’s “domicile,” as long as the assignment would not make a desegregated school “racially</p>	Pg.8

<p>identifiable” or increase the majority race at an otherwise “racially identifiable” school. The parent/guardian is responsible for transportation to the school assigned and at no cost to the school board.</p>	
<p>The school board is required to work “in consultation” with the court compliance officer to “promote” the magnet programs and must “monitor” courses taught at “regular and comprehensive schools” so that “magnet courses are not duplicated.”</p>	Pg.9
<p>2(D). Any high school junior or senior in the parish may attend the “High Tech/Career Education Center.” Students will “have the opportunity” to earn “industry and technical certifications” and “diploma endorsements.” Students would attend the Center for part of the school day and their home school for core and elective subjects and extracurricular activities, and would graduate from their home school. A proposed list of endorsements and certifications are listed in Attachment “B”. Transportation to and from the Center would be provided by the school board.</p>	Pg.9
<p>3. The school system will use majority-to-minority transfers in all grade levels to try to desegregate the school system. The policy is attached as Attachment “D”. This policy would not apply to students in magnet elementary and middle schools, and the High Tech/Central Education Center,</p>	Pg.10
<p>4. High school students may be approved to transfer to another high school each year to take a TOPS course or courses, a JROTC program, and/or an Advanced Placement course or courses not offered at the home school, but only if the transfer would not make a desegregated school “racially identifiable” or increase the majority race at an otherwise “racially identifiable” school. Prospective transfer students have until forty-five days before the start of the school year to decide to transfer into the high school. If approved, the parent/guardian must provide transportation at no cost to the school board.</p>	Pg.10
<p>5. Where parents are divorced, the child is assigned to the zone of the domiciliary parent. If a domiciliary parent is not designated by the court, the parents can pick a school in the zone of either parent no later than 45 days before school starts, and the choice lasts for a full school year; if they can’t decide, the child would be enrolled in the in the zone of the parent having custody on the first day of school, and the child stays in that school for the full school year.</p>	Pg.11
<p>6. Beginning 11th or 12th grade students the year the new Attachment “C” assignment plan is first implemented can request to stay where they are, or can request to transfer to the new school then or in following years. The choice must be made and “timely submitted” to the Chief Desegregation Plan Implementation Officer before the end of the prior school year. If so many students choose to stay that the maximum capacity of the school is exceeded, students would be transferred to the new school in reverse order of receipt of request forms. “Transportation for junior and senior students electing this option shall be the responsibility of the transferring student or his/her</p>	Pg.11

parent or legal guardian at no cost to the school district.”	
7. Other than the above, no other transfers are allowed except by parent/guardian request in extraordinary circumstances with approval of the court compliance officer. “Extraordinary circumstances” cannot be used to transfer a child into a magnet program school. The extraordinary circumstance transfer policy is contained in Attachment “E”.	Pg.12
8(A). Transfers in from another school district in a desegregation suit can only occur if authorized by the federal judge over that school system. In there is such an order, the transfer must follow state law, the transferring school system or the parents must provide transportation, and the transfer cannot make a desegregated school here “racially identifiable” or increase the majority race at an otherwise “racially identifiable” school here.	Pg.12
8(B). Transfers in from a unitary school district or one in a “dormant, inactive desegregation lawsuit” must follow state law, the transferring school system or the parents must provide transportation, and the transfer cannot make a desegregated school here “racially identifiable” or increase the majority race at an otherwise “racially identifiable” school here.	Pg.12
9. The school board must tell each principal in writing what this order says about transfers, and each principal must sign something saying they understand, agree and will follow those provisions under penalty of contempt of court.	Pg.13
10. Louisiana High School Athletic Association rules govern high school interscholastic athletic eligibility except that (A) majority to minority transfers, magnet transfers, academic transfers, enrollment in the zone of a custodial parent and the first year implementation election are eligible to play sports unless the sports season has already begun, and (B) students returning back to their home school after such a transfer are eligible to play for their home school whether the sports season has begun or not.	Pg.13
11. The school board must take steps to increase levels of participation of black students in gifted programs. An “emphasis” will be placed on teacher and parental referrals of black children for gifted testing. Once a black child is so identified, the child’s teacher will tell the school’s principal and the principal will give “prompt notice” to the Chief Desegregation Plan Implementation Officer and central office gifted person. A meeting with the parent, teacher, the Chief Desegregation Plan Implementation Officer or central office staff person will be scheduled, and, if requested, the gifted testing will be offered at no cost. The school board must district also shall annually provide a written notice to all students and parents which shall include information concerning the program’s referral and screening procedures and eligibility requirements.	Pg.14
12. Advanced Placement courses may be offered in high schools as long as	Pg.14

<p>teachers are assigned to the school that can teach the courses, but they will not teach the same thing as “magnet courses” at Hammond High School or Kentwood High School. The school board must tell the Joyce Moor plaintiffs in writing 45 days ahead of time if they want to change an “education program and/or course offering at a “regular and comprehensive school.”</p>	
<p>13. Enrollment criteria for Advanced Courses, Honors Courses, and Advanced Placement classes, and any such programs modified or added in the future must be racially non-discriminatory in nature. Beginning in 2009-2010, the school board will:</p> <p>(A) Find out which middle, middle, junior high, and high schools courses have black students plus or minus 15 percent from the school’s black/white ratio. their enrollment in each such school. For those found, the school board must “review” the selection process and criteria and come up with a way to increase the percentage of black students;</p> <p>(B) Train teachers to encourage and identify advanced students from all cultures;</p> <p>(C) Set up procedures and practices 90 days after the Order is signed specifically to inform, attract, and recruit black students to advanced courses, including requiring administrators and faculty to “affirmatively counsel, guide and review” student course selection and make class schedules designed to “develop and enhance student skills and interests and challenge students’ abilities.” The school board must also give parents of black students information to help choose Advanced and Honors courses, and Advanced Placement classes. Guidance counselors will also be trained to work with minority families to encourage minority students to take magnet programs, Advanced and Honors courses, and Advanced Placement classes. Everything in (C) above must be given in writing to the Joyce Moore plaintiffs 20 days before implementation. Any reasonable comments or suggestions by Plaintiffs must be included if they are educationally sound or will attract black students to Advanced and Honors courses, and Advanced Placement classes. If they can’t agree, they can ask the federal judge;</p> <p>(D) Conduct parent pre-registration meetings that explain course offerings at middle and junior high, and high schools.</p>	Pg.15
<p>14. Student discipline must be non-discriminatory. Within 90 days after the order is signed, the school board must:</p> <p>(A) implement a computer database to track referrals and discipline. The database will have the race of the teacher, student, disciplinarian, and will describe the infraction and the discipline and any law enforcement referrals. If “disciplinary figures” of white or black students are greater than 5% of the school’s percentage of that race enrolled, a central office administrator will make a site visit to the school to meet with the principal to find out why;</p> <p>(B) Someone at the central office must be designated to monitor the database and design a standard discipline reporting form. Whoever does this will be identified to the Plaintiff’s attorneys and the court compliance officer;</p> <p>(C) Each principal will be responsible for database collection, and will draft a</p>	Pg.16

<p>written report every year to the school board, Plaintiff’s attorneys and the court compliance officer;</p> <p>(D) All school system employees who deal with students must undergo cultural sensitivity discipline training, the content of which must be given to Plaintiff’s attorneys and the court compliance officer 20 days in advance.</p>	
<p>ADMINISTRATION AND FACULTY ASSIGNMENTS</p> <p>15. Hiring of school system administrative personnel, and principals and assistant principals of schools shall be recommended by the superintendent and approved by the school board according to criteria approved by the court and without regard to the racial makeup of the student body of that school.</p>	Pg.17
<p>16. Hiring of guidance counselors, teachers, coaches, and non-instructional support staff personnel shall be recommended by the superintendent and approved by the school board. Their appointment or transfer to a particular school shall be made by the superintendent without the approval of the school board.</p>	Pg.18
<p>17. School-site administrators and faculty for the Paragraph 1(B) magnet schools will be “reconstituted and in place” beginning the first school year following the passage of all taxes called for in the Order. Faculty will be assigned according to Paragraphs 18(A) through 18(C), inclusive, and Paragraph 22.</p>	Pg.18
<p>18. Hiring of coaches, guidance counselors, librarians, band and choir teachers, and agricultural instructors will be by court-approved objective criteria.</p>	Pg.18
<p>19(A). At the beginning of the first school year all the Paragraph 1(C) new schools are “operational,” “minimally” the white/black ratio of certified pre-k and kindergarten teachers at each school will equal the system-wide certified pre-k and k white/black teachers, plus or minus five “points.” This requirement excludes special education and foreign language teachers, and JROTC instructors.</p>	Pg.19
<p>19(B). At the beginning of the first school year all the Paragraph 1(C) new schools are “operational,” “minimally” the white/black ratio of certified teachers at each school in grades one through five, and “six through eight/seven through eight” will approximate the system-wide racial composition of teachers in these categories, plus or minus five “points.” This requirement excludes special education and foreign language teachers, and JROTC instructors.</p>	Pg.19
<p>19(C). At the beginning of the first school year all the Paragraph 1(C) new schools are “operational,” “minimally” the white/black ratio of certified teachers at each high school will approximate the system-wide racial composition of certified high school teachers, plus or minus five “points.” This requirement excludes special education and foreign language teachers, and JROTC instructors.</p>	Pg.20
<p>20. After all principals and assistant principals are assigned according to this order, the school board may request that the court declare these assignments “unitary.” <i>A declaration of “unitary” status means the hiring, assignments and termination of</i></p>	Pg20

<i>principals and assistant principals would not be subject to continuing court supervision.</i>	
21. The school board must only take “good faith measures” to follow the Attachment “F” guidelines for increasing the number and percentage of black certified teachers at each magnet program, at each regular and comprehensive, and at each special school to that of the system-wide black student ratio in order to be deemed in compliance with Attachment “F.”	Pg.20
QUALITY OF EDUCATIONAL EXPERIENCE 22. By 2011-2012, the percentage of certified teachers at each “regular and comprehensive school” should equal the same percentage systemwide “to the extent practicable.” <i>i.e. uncertified teachers should be spread equally throughout the system.</i> This requirement is only to address the “quality of the educational experience.” “Magnet program schools” are not included. Thereafter every other year shall be reviewed every other year to assure continuing compliance to the extent practicable. This requirement exclusively addresses the quality of the educational experience of students in the school system.	Pg.20
23. By 2011-2012, the percentage of teachers holding post-graduate degrees and specialist certificates will be the same in both magnet programs and regular and comprehensive school as the percentage systemwide. This requirement is only to address the “quality of the educational experience.” “Thereafter every other year shall be reviewed every other year to assure continuing compliance to the extent practicable. This requirement exclusively addresses the quality of the educational experience of students in the school system.	Pg.21
24. Once a teacher is assigned to a school, the teacher will stay at that school for at least six school semesters unless removed for cause, reassigned according to this Order, or in the event of “unforeseen events.”	Pg.21
25. The school board shall provide remedial enhancements at any school which does not house a magnet program that is in school improvement or has been determined to be academically unacceptable.	Pg.21
26. The school board shall adopt and implement the parental and community involvement policy attached as Attachment “G” to this Order.	Pg.21
27. The school board will write and implement a “district-wide comprehensive program” to “address” and “prevent” if possible student complaints of racial harassment and/or discrimination. The comprehensive program will include, among other things, a) designation of a district-wide program coordinator (who may be the Chief Desegregation Plan Implementation Officer), and selection and training of coordinators at each school; b) developing new policy; c) publishing age-appropriate policy in each school’s student handbook; d) classroom teaching on harassment/discrimination as part of the regular curriculum; and e) an annual review of the above. A copy of the “program” will be given to Plaintiffs within 90 days of the	Pg.22

<p>signing of this Order, and Plaintiff’s “reasonable comments or suggestions” submitted 20 days thereafter must be incorporated. If the Plaintiffs and the school board cannot agree on the content and implementation of the program, they can ask the judge to intervene.</p>	
<p>28. To reduce student dropouts, the school board will: (A). Provide preventive counseling and other “feasible and appropriate” intervention for appear at-risk students; (B). To the extent feasible in terms of the school district’s human and financial resources, provide for follow-up services for non-returning students suspected of dropping-out (e.g., students withdrawing from a school where no request is received from another school for student transcripts) aimed at assisting them to satisfy alternative high school diploma requirements; (C). Review special education course offerings to determine whether they make special education students employable or eligible for further post-high school training or education; (D). Collect statistics on dropouts from each school by race, grade, pre and post dropout services provided by the school, if any, and present these annually to the school board. If the school board itself provides post dropout services, a separate report shall be provided to the school board listing the name and race of the child and a description of the services provided.</p> <p>29. Art and music classes will be offered at each elementary school as “enhancement and enrichment.”</p>	Pg.23
<p>RESOURCE ALLOCATION</p> <p>30. The school district shall adopt and implement the resource allocation policy attached as Attachment “H” to this Order.</p>	Pg.23
<p>FACILITIES</p> <p>31(A). The school district shall take affirmative steps to eliminate any remaining vestiges segregation-by-law at its historically and/or “racially identifiable” black schools, particularly Kentwood High School, O. W. Dillon Elementary School, Woodland Park Early Learning Center, Roseland Elementary School, Amite Elementary School, Amite High School, and West Side Middle School, Hammond High School, Hammond Junior High School, Hammond Eastside Upper and Lower Elementary School, Hammond Westside Upper and Lower Elementary School, and Woodland Park Elementary School. <i>8 of the 14 are in Hammond.</i></p>	Pg.23
<p>31(B). The school district has conducted an evaluation and review of the facilities needs at the abovementioned schools and all other school facilities and developed a “Comprehensive Assessment” in the areas of school replacement, roofs, heating and air conditioning systems, plumbing and restroom facilities, window treatments, equipment, and other needs, attached as Attachment “I” to this Order.</p>	Pg.24
<p>32(A). Court approval is required for (i) the construction of a new school not otherwise in the Order, (ii) improvements to a school resulting in an addition to its physical plant, and (iii) expansions to the capacity of a school not otherwise provided for in the Comprehensive Assessment.</p>	Pg.24

<p>32(B). Court approval is required for repairs over \$125,000 to existing school facilities not otherwise in the Comprehensive Assessment. Plaintiffs can object within fifteen days after the School Board requests court approval.</p>	Pg.24
<p>33. The Chief Desegregation Plan Implementation Officer shall coordinate and oversee all aspects of this Order, including all aspects regarding implementation of the magnet programs provided for herein, and review and approve/disapprove all transfer requests except for “exception circumstances transfer requests. The Chief Desegregation Plan Implementation Officer position shall be a full-time position until modified by the court upon request of the school district, and shall be under the direct supervision of, and report directly to, the superintendent of schools. An description of the duties and responsibilities of the Chief Desegregation Plan Implementation Officer is attached as Attachment “J” to this Order.</p>	Pg.25
<p>REPORTING/MONITORING</p> <p>34. The Court Compliance Officer shall review and assure that the school board implements the provisions of this Order, among other duties, and report the progress of the school district’s implementation of each of the provisions of this Order on an annual basis. The first annual report is due July 1, 2010, and every July 1 thereafter as long as this Order is in effect in whole or in part. The Court Compliance Officer shall be paid by the school district in an amount not less than \$36,000.00 per year. The duties and responsibilities of the Court Compliance Officer are attached as Attachment “K” to this Order.</p>	Pg.26
<p>35. The Teacher Recruitment Assistance Committee shall assist the school district in its efforts to hire highly qualified and qualified teachers. The composition, method of selection, and the duties and responsibilities of the Teacher Recruitment Assistance Committee are attached as Attachment “L” to this Order.</p>	Pg.26
<p>36. The school district shall continue to submit to the court, the Court Compliance Officer, and the plaintiffs all reports currently required under existing orders of the court in this case.</p>	Pg.27
<p>37. Within 90 days of receipt of the Court Compliance Officer’s annual report, counsel for plaintiffs shall submit a written report to the school district identifying any area or areas of material non-compliance by the school district with any of the provisions of this Order, if any and concurrently filed with the court. The school board must contest the alleged non-compliance in writing, filing the response with the court, or else fix the non-compliance the next school year.</p> <p>Where the school board takes corrective action, they must tell this to the Plaintiffs in writing along with an implementation schedule, filing each with the court. At the end of that school year, another report must be written and delivered to the plaintiffs, the Court Compliance Officer, and filed with the court by July 1. Plaintiffs shall, within 90 days thereafter, respond in writing whether the corrective action has brought the school district into compliance with this Order. In the event of</p>	Pg.27

<p>disagreement, the school board may resort to the court for a declaration as to whether the corrective action taken was sufficient to effect compliance with this Order.</p> <p>Where the school board submits a response report denying its non-compliance, either plaintiffs or the school board may resort to the court a declaratory judgment.</p> <p>If Plaintiffs do not issue a non-compliance report within 90 days of the Compliance Officer’s annual report, they lose the right to claim that anything wrong occurred that entire previous year.</p>	
<p>RETENTION OF PRIOR COURT ORDERS</p> <p>38. With the exception of prior court orders expressly referenced or retained herein, all prior orders of the court are hereby vacated.</p>	Pg.28
<p>TERMINATION OF ORDER</p> <p>39. With respect to teacher and student assignments, this Order shall expire at the conclusion of the third school year following the date of initial operational status of the three new elementary schools in Attachment “A” that are listed as essential to implementation of the student assignment plan. At such time, the school board shall file a motion to end this lawsuit with respect to the same and demonstrate therein its substantial compliance with the provisions of this Order related to teacher and student assignments. Plaintiffs may either join in the motion, object, or do nothing. If the court determines that the school board is in substantial compliance with the Order relating to teacher and student assignments, it shall enter judgment declaring these areas “unitary” and return control to the Tangipahoa Parish School Board in those areas. If the event the court determines the school board is not in substantial compliance, it may either extend a portion or portions of said order where compliance has not been met, formulate remedies sufficient to bring the school system into compliance with the Constitution, or take such other action as it deems necessary.</p>	Pg.28
<p>The School Board can still request that the court declare other areas “unitary” except for teacher and student assignments at such times as the school board deems itself in compliance. Plaintiffs may either join in such motions, oppose, or do nothing. If the court determines that the school board is in substantial compliance with the Order relating to teacher and student assignments, it shall enter judgment declaring these areas “unitary” and return control to the Tangipahoa Parish School Board in those areas. If the event the court determines the school board is not in substantial compliance, it may either extend a portion or portions of said order where compliance has not been met, formulate remedies sufficient to bring the school system into compliance with the Constitution, or take such other action as it deems necessary.</p>	Pg.28
<p>Signature of Plaintiffs, Defendants, and Court</p>	Pg.29