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UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

MONROE DIVISION

JAMES HENDERSON, ET AL.

VERSUS

IBERIA PARISH SCHOOL BOARD, ET AL.

CIVIL ACTION NO. 65-11126

JUDGE ROBERT G. JAMES

MEMORANDUM RULING

The Court has been in the process of reviewing all of the long-standing desegregation cases in this District. After reviewing the original record in the above-referenced matter, the Court finds that on May 20, 1970, the Iberia Parish School Board ("the School Board") filed a Motion for Further Relief, and a hearing was held on the motion on June 17, 1970. On August 6, 1970, United States District Judge Richard J. Putnam held a conference with counsel to discuss and rule on the pending motion. During the August 6, 1970 conference, Judge Putnam stated the procedural history of the case, finding that "under the plan adopted by the [School Board] for the '69-70 school year, the all-Negro schools which had existed under the old dual system and which had maintained themselves under the 'freedom of choice' system, were closed, and the students in the black community were absorbed into the white schools." [August 6, 1970 Transcript, p. 7]. Judge Putnam recounted the disturbances that resulted, but found that the School Board continued to meet its obligations with 98% attendance from the children in the parish during the '69-70 school year. As a result of the School Board's actions, Judge Putnam found that, under the criteria set forth in *Green v. County Sch. Bd. of New Kent Cty.*, 391 U.S. 430 (1968), and "the end to be achieved" as set forth in *Alexander v. Holmes Cty. Bd. of Educ.*, 396 U.S. 976 (1969),

> that the school system no longer operated as a dual system based on race or color, but as a unitary school system . . . Faculty, transportation, staff, facilities, extracurricular activities, and student body composition have all been completely integrated into the Iberia Parish school district.
>
> I therefore now hold that the Iberia Parish School Board, under its plan for 1969-70, operated a unitary school system. I further find, as a fact, that state action in maintaining a dual school system in Iberia Parish has ceased and no longer exists. . . .
>
> The Iberia Parish School Board has therefore crossed the "Rubicon" in the desegregation of its schools. **It has achieved unitary status.**

[August 6, 1970 Transcript, pp. 8-9 (emphasis added)]. Judge Putnam no longer believed that there remained any basis for "continued recourse to this Court for injunctive relief," but retained "jurisdiction, in equity, . . . for the purpose of seeing that a dual system is not reestablished in this parish." [*Id.* at p. 14].

Since 1976, however, no further action has taken place in this case. Since Judge Putnam found that the School Board had achieved unitary status in 1970, no action has taken place in thirty-six years, and the Court has no evidence to indicate further need for its continued oversight, the Court finds that dismissal is appropriate. Therefore, a separate judgment of dismissal will issue.

MONROE, LOUISIANA, this 15 day of May 2012.

ROBERT G. JAMES, CHIEF JUDGE
WESTERN DISTRICT OF LOUISIANA