

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

SHARON LYNNE GEORGE, ET AL.,

CIVIL ACTION
NO. 65-3253

VERSUS

JUDGE BRADY

G. WALTER DAVIS

PLAINTIFFS' POSITION PAPER ON ISSUES

In compliance with the court's directive that "plaintiff shall submit position paper with issues still outstanding to defendant..." [Record Doc. 230], the plaintiffs, through undersigned counsel, submit the following for consideration:

1. The plaintiffs are concerned that new state laws regarding vouchers and charter schools raise an issue of whether the State of Louisiana is engaged in a new scheme of denying equal protection to black students through a statutory scheme that allows funding to support white students avoiding racial desegregation in public schools. See Brumfield v. Dodd, 405 F. Supp. 338 (E.D. La. 1975) supplemented, 425 F. Supp. 528 (E.D. La. 1976). The State of Louisiana and its Board of Elementary and Secondary Education (BESE) are not innocents in the opposition to desegregation of public schools. The State Legislature has a past history of supporting and seeking ways to

support white flight and avoidance of school desegregation in the public schools.

2. The plaintiffs are also concerned that these new state laws will frustrate and impede efforts of the school board to further desegregate the school system which now has an overwhelmingly black student population. For example, Stillman Institute in East Feliciana Parish was established as a haven for white students avoiding desegregated public schools. Stillman remains as that haven of avoidance. Plaintiffs suggest that any public funding to allow students to attend Stillman or any other white flight institution is unconstitutional in violation of the Fourteenth Amendment.

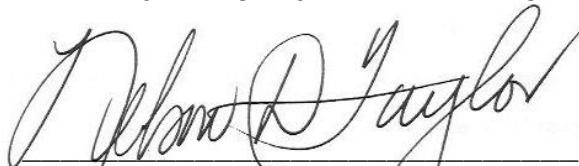
3. Further, the plaintiffs are concerned that the State of Louisiana's scheme of charter schools allows circumvention of elected local boards to administer public schools. In the instance of East Feliciana which now has a majority black member school board, the newly-minted charter school system could result in a complete ouster of control by the local school board. which result the plaintiffs believe would violate the Voting Rights Act of 1975.

4. The plaintiffs believe that the need continues for the court to monitor events affecting the desegregation process and

the rights of the class of black students and their parents in the East Feliciana School System.

5. Plaintiffs are due attorneys' fees and costs.

BY ATTORNEYS FOR PLAINTIFFS



Nelson Dan Taylor, Sr. (#12684)
J. K. HAYNES LEGAL DEFENSE FUND
928 St. Charles Street
Thibodaux, LA 70301
Phone: (504) 214-7109

James Austin Gray, II
1010 Common Street, STE 2560
New Orleans, LA 70112
Phone: (504) 522-0838

CERTIFICATE

I hereby certify that on this day, July 10, 2012, the foregoing pleading was filed electronically using the court's CM/ECF system which gives notice to all counsel of record.

