

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
OLD WASHINGTON DIVISION
No. 6:69-CV-702-H

RONDA EVERETT, MELISSA GRIMES,)
CAROLINA SUTTON, AND)
CHRISTOPHER W. TAYLOR, next)
friends)
Of minor children attending Pitt)
County Schools, and)
THE PITT COUNTY COALITION FOR)
EDUCATING BLACK CHILDREN,)
Plaintiffs,)
v.)
JUVENILE FEMALE 1 and THE)
GREENVILLE PARENTS ASSOCIATION,)
Plaintiff-Intervenors,)
v.)
THE PITT COUNTY BOARD OF)
EDUCATION, public body corporate,)
Defendant.)

**REPORT OF PLAINTIFF-INTERVENORS
ON BEHALF OF
GREENVILLE PARENTS ASSOCIATION**

This report is being filed on behalf of the Plaintiff-Intervenors, on behalf of the Greenville Parents Association, to fulfill the final obligation required by the court per the Order issued by Judge Howard on November 4, 2009.

The filing of this report also makes known the dissolution of the group known as the Greenville Parents Association, which has been inactive since November 2009

SUMMARY

The Greenville Parents Association was formed after the 2005 redistricting decision by Pitt County Schools. A formal complaint was filed by the Greenville Parents Association on February 14, 2006, with the Office for Civil Rights regarding the "Racial Balancing" plan that was approved by the school board for the 2006-2007 school year. After

a lengthy investigation, the Office for Civil Rights and the school board reached a Resolution Agreement that would a) seek a declaration of the status of the law suits titled *Teel* and *Edwards*, b) seek a declaration of the district's current obligations under those law suits; and c) If necessary, seek an order of the court reconciling the district's current obligations under the court orders, if any, with PCS's obligations to comply with the Public School Choice requirements, etc. The school board filed a motion to reopen the original *Teel* and *Edwards* case on March 18, 2008, seeking approval of its 2006-2007 redistricting plan as well as approval of its subsequent revisions to its school attendance policy 10.107 dated September 2007.

On May 8, 2008, the Court scheduled a hearing on that motion and invited "any interested party to file a motion to intervene." The Greenville Parents Association filed a motion on July 3, 2008, to deny the student assignment plan and school attendance area policy and asked for a declaration of unitary status based on the fact that Pitt County Schools no longer operates a "dual, segregated system" and "consequently Pitt County Schools is no longer subject to those certain Orders entered by this Court on July 7, 1970, July 31, 1970, and January 14, 1972."

On July 9, 2008, the Court reopened the cases from 1970 and consolidated them, naming the Greenville Parents Association as Plaintiffs-Intervenors. The Court entered a scheduling order. In August 2008, Plaintiffs-Intervenors filed a motion for Declaratory Judgment in an attempt to expedite the process and to avoid a lengthy, costly, and drawn out legal process. The Pitt County School Board

and the Coalition opposed the motion contending that the Judge should allow discovery to proceed and full record of evidence be developed before making a ruling regarding unitary status. The motion for Declaratory Judgment was denied.

The parties entered mediation on February 20, 2009. In another attempt not to prolong the process, the Greenville Parents Association recognized that even if the Judge were to rule in its favor that the 2006-2007 redistricting plan indeed violated Plaintiffs-Intervenors rights, the only possible outcome after three years would have been the satisfaction of knowing the GPA was correct in challenging the assignment plan. There was no other possible benefit, except the school board potentially being ordered to pick up the full costs for the Plaintiffs-Intervenors litigation. Therefore, the Greenville Parents Association reached a compromise in order to be able to move forward.

One of the components included in the mediation agreement was that the school board "agreed to involve the plaintiffs and plaintiffs-intervenors in the planning and discussion stages of the next student assignment plan." (Orders, November 4, 2009) The Court further acknowledged that "the world we live in today is far different than what existed at the time this court ordered desegregation of the Greenville City and Pitt County Schools" and that judicial intervention was not intended to be permanent. Finally it was stated: "The court ORDERS the parties to work toward attaining unitary status so that the court may relinquish jurisdiction over this case and restore to the School Board full responsibility for the operation of

its schools. The court further ORDERS the parties to submit, on or before December 31, 2012, a report detailing the School Board's efforts and progress in achieving unitary status and eliminating the vestiges of past discrimination to the extent practicable."

RESPONSE TO THE COURT'S ORDER

Representatives of the Greenville Parents Association have made every attempt to be active participants in the process of the next student assignment plan that has now been approved to go into effect for the 2011-2012 school year. Without further clarification from the Courts, the school board has chosen to approve a plan that arguably moves it further from being declared unitary. Plaintiffs-intevenors simply cannot afford to continue to commit to this costly legal process, not even in the name of justice. It is the opinion of the Greenville Parents Association that its concerns and interpretations of what is required to attain unitary status have largely been ignored and overlooked by the school board. The new reassignment plan does not appear to benefit the J.H. Rose Attendance area and will likely again fail to produce any significant improvements in diversity or academic performance.

The following facts are presented as a report detailing the School's Board efforts during this recent reassignment process:

1. School board established a section on its website dedicated to the reassignment process. Meeting times were publicized in a timely fashion. Emails were sent to all parties informing members of the meetings and asking for participants names. Three members of the Greenville Parents Association, three members of the Coalition, and

upcoming new members of the school board were invited to sit at the table with the Pitt County School Board and participate in discussions on July 1, 2010, and again on October 11, 2010. All participants as well as the general public were invited to attend other Education/Information Session meetings throughout the process.

(<http://www.pitt.k12.nc.us/1987101214143613673/site/default.asp?1987Nav=|&NodeID=239>

2. In the first meeting, July 1, 2010, co-participants were to receive a copy of the meeting materials by June 28, 2010. Instead, a Student Reassignment Workshop notebook was made available to each participant on the morning of the meeting. The information was not available to review prior to the first workshop.

3. Four maps were presented for discussion at the first workshop, an Elementary School 2 (ES 2) and Middle School 2 (MS 2) maps prepared by Operations Research and Education Laboratory (OReD) based on optimal attendance scenario for proximity + capacity. The next two maps, Elementary School 4 (ES 4) and Middle School 3 (MS 3) maps prepared by OReD based on optimal attendance for Proximity + Capacity + Proficiency. Statistics for each map were included detailing the projected 2011-12 enrollment, capacity, proficiency index based on the lowest score of reading proficiency, how many Middle Schools/High Schools would be fed by each elementary school/middle school, and the breakdown of ethnicity. These maps also split neighborhoods sending some subdivisions to two or three schools.

4. A list of detailed requirements to support a proximity recommendation were also included for strategies to be implemented in

low-performing schools.

(http://www.pitt.k12.nc.us/1987101214143613673/lib/1987101214143613673/Proximity_Rec.pdf)

5. The school board indicated its new focus in September 2007, with regards to its school attendance policy in papers filed with the Court and reaffirmed in the November 4, 2009 Order "...the School board revised its school attendance area policy to replace racial diversity goals with non-racial goals, such as student achievement and socio-economic status, because the 2006-2007 student assignment plan had failed to produce the desired effects of improving student diversity and academic performance." Since Judge Howard approved these revisions, it would have appeared that achievement and socio-economic status would have been driving factors in the creation of new maps.

6. On February 26, 2009, the North Carolina Department of Public Instruction received a letter from the United States Department of Agriculture informing them that a school district in the state of North Carolina indicated "that one criterion for student assignments is 'appropriate diversity' based partially on free/reduced lunch eligibility..." The letter further states that local educational agencies "cannot release and/or use individual children's eligibility status or other information related to applications for free and reduced school meals.... The release or use of individual children's eligibility status for the purposes of student assignment or for other unauthorized use must be discontinued." (Appendix A) Surely, Pitt County Schools was aware of this information prior to the ruling in the Orders of November 4, 2009; however, no attempt was made to revise

the goals for assigning students. Presumably, this would leave primarily student achievement as the primary goal for student assignments.

7. The discussion at the July 1, 2010 workshop centered around which set of maps (elementary/middle school) would be the most feasible. There was no discussion by the board as to how the maps would move the system toward unitary status. Since the ultimate goal is to achieve unitary status, it would seem that the driving force of any recommendations would center around how to achieve that goal and what would be necessary to get there.

8. Tom Mitchiner, a representative of the Greenville Parents Association did ask a series of questions which were answered by the board chairwoman, Mary Grace Bright. Specifically, question 5 inquired, "Do you agree with the courts that unitary status does not require each and every school to represent the racial composition of the school system as a whole?" to which Bright replied, "I'm not going to comment on that." Question 6 inquired, "Do you agree that each plan fully complies with the school attendance policy submitted to and approved by Judge Howard?", to which Bright replied, "I'm not going to comment on that." Those responses and discussions/comments during the meeting of July 1, 2010 are so noted in the board minutes of July 1, 2010.

(http://www.pitt.k12.nc.us/19871052784858847/lib/19871052784858847/BOE_Workshop_Notes_7-1-10.pdf)

9. Map ES2 as presented on July 1, 2010 would populate the new Lakeforest Elementary at 48% proficiency and open the new school at

86% minority. Proficiency would also be reduced at South Greenville (35% proficient) while increasing minority population to 100%, Wahl Coates (47% proficient) and 87% minority; and Elmhurst (49% proficient) and 79% minority. With the closing of Sadie Saulter elementary and its conversion to a prekindergarten facility, this map is projected to leave three of the four elementary schools in the JH Rose attendance area at a decreased proficiency and an increased minority ratio and essentially pushing those schools toward the further creation of Greenville's inner city schools. Statistical data can be located on the website at:

(http://www.pitt.k12.nc.us/1987101214143613673/lib/1987101214143613673/Prox_Cap.pdf)

10. Since the School Board and Coalition both maintained in papers filed with the Court that the school system had not yet attained unitary status, then after the mediation phase, it became the assertion of the Greenville Parents Association that in order for the school system to reach unitary status, it would be necessary to follow the 1970 court orders.

11. As quoted in the Greenville Parents Association Summary Statement of July 1, 2010, (Appendix B) "The Teel case of 1971 addresses the desegregation of the Pitt County Schools...The defendant, Pitt County Board of Education, was instructed to 'locate any new school or addition with the objective of eradicating the vestiges of the dual school system and of eliminating the effects of segregation.'"

12. The opening of Lakeforest Elementary School does not appear to have followed the court order to locate a new school in an area that could eliminate segregation. Even though the board is responsible for following the court orders, there does not appear to have been any discussions related to achieving unitary status when the land was originally purchased in 2006.

13. The Greenville Parents Association asserted during the 2005 redistricting that one racially identifiable school that had been created due to demographics was acceptable, however, with the new reassignment, intentionally opening a new elementary school that is racially identifiable does not appear to be in compliance with court orders nor appears to move the board toward achieving unitary status.

14. The Greenville Parents Association emphasized it is the school board's responsibility to ensure that any maps created and put forth before the public should first have passed the scrutiny of compliance with court orders. If a map was not in compliance, it never should have been brought forth.

15. According to the May 17, 2010 minutes,
(<http://www.pitt.k12.nc.us/19871052784858847/lib/19871052784858847/BOE Minutes 5-17-10.pdf>) Pitt County School's legal counsel, Ken Soo, of Tharrington and Associates presented a power point to the board including "background information and the process involved in achieving Unitary Status for a public school system." The minutes also reflect that Soo indicated, "The Pitt County Board of Education by Court Order will work together with the Greenville Parents Association and the Pitt County Coalition for Educating Black Children

to compile an Action Plan to achieve Unitary Status." To date, no such action plan has been created in cooperation with either group. The school system has begun to release data relative to the different criteria associated with unitary status, yet, the data does not come with an action plan.

16. Additionally, those same minutes in response to a question by Jill Camnitz, quote "Attorney Soo stated the orders are that the 'parties will work together' and if problems arose, Judge Howard would be the person to make a necessary interpretation or decision." Furthermore, later in the presentation, "Attorney Soo confirmed that a methodical plan was necessary to determine the issues involved with Unitary Status for Pitt County Schools, addressing the issues and working toward positive results of the issues." Thus far, a "methodical plan" has not materialized or at least not been released to the public. The same minutes indicate Superintendent Reep understands the role of reassignment in achieving unitary status as she reminds "everyone that Pitt County Schools is also very involved in student reassignment which will also be a key factor for unitary status. Achievement is the primary factor for student assignment and in the process, careful guidance is necessary." Nonetheless, on November 1, 2010, Superintendent Reep's final recommendation for a map was a variation of ES5v1 and MS2 based primarily on proximity.

17. The school system has a section on its website entitled Unitary Status, however, there does not appear to be an action plan nor a methodical plan included as of this date. This section

appears:<http://www.pitt.k12.nc.us/1987101012144243403/site/default.asp?1987Nav=1&NodeID=319>

18. After the initial July 1, 2010 meeting, the subsequent meetings attended by the general public offered a great deal of feedback on the desire to keep neighborhoods intact rather than splitting one neighborhood into two or three schools AND the desire for stability, to keep children at the school they currently attend rather than moving children just for the sake of moving. It should also be noted that under current attendance maps, neighborhoods are intact. Additionally, the last reassignment took place in 2006-2007 and a child who entered kindergarten during that year will be entering fifth grade when the new reassignment goes into effect for the 2011-2012 school year—six school years will have passed since the last reassignment.

19. The August 16, 2010 board meeting resulted in a request by some board members to create a map that would populate Lakeforest, the addition at Eastern and reassign the children from the closing of Sadie Saulter. This map would result in keeping current children where they are and allowing those schools to continue to build on their progress while disrupting the least number of children. The request for a new elementary map based on that criteria was not approved.

20. "Superintendent Reep then stated it would not be strong leadership here if she didn't say that she thought we were setting out to correct something that didn't work in 2005. She feels that taking what we have now and only moving those students mentioned above in

order to move less people around, will not be a fix for what has been considered a problem." Somehow, according to the Superintendent, one of the goals all along for the new reassignment was to "correct" what didn't work in 2005? Ironically, if indeed that is the case, Hope Middle School was the impetus for the 2005 redistricting, however, none of the segments from Hope Middle School were included in the maps. Questions as to why Hope Middle School was not included to better balance the achievement proficiencies among Aycock, Eppes, and Cox Middle Schools were largely unanswered. Minutes from August 16, 2010 meeting:

(http://www.pitt.k12.nc.us/19871052784858847/lib/19871052784858847/BOE_Minutes_8-16-10.pdf)

21. A new map set of maps (ES 5) was presented at the August 16, 2010 board meeting. This map was to be a compromise between the first two elementary school maps presented with an emphasis on keeping neighborhoods together. The following comments were shared by the Superintendent from the August 16, 2010 minutes "Superintendent Reep stated that scenario ES 2 was driven by proximity/capacity and had a 43% proficiency gap. Scenario ES 4 was based on proficiency/proximity/capacity with a 13% proficiency gap. Many proficiency numbers were studied but gave similar results to those already noted above, i.e. a 17% proficiency gap resulted in a similar scenario as the proficiency/proximity/capacity scenario already provided with just as many satellites perceived on the map. In Scenario ES 5, the new middle ground scenario which was asked for at the previous redistricting meeting, we tried to keep proximity as

close as possible without creating a low performing school with a proficiency gap of 30%. This scenario provided better diversity than the original proximity scenario revealed."

22. On October 11, 2010, all parties were again seated with the Pitt County School Board to participate in discussion. Several additional variations of the ES5 maps were presented with "tweaks" proposed by various board members and/or staff. Tom Mitchiner, a representative of the Greenville Parents Association stated, "under Judge Howard's Court Order, we need to comply with diversity and academic performance. If we are trying to provide better education to all students, how are we accomplishing that by looking at the present maps. He stated he had sent these questions to the BOE on the website and never received a response. Mr. Mitchner felt if others have sent in questions and received no response, everyone would get discouraged with the process. Superintendent Reep responded that there is no completed research to answer his question, and no map available here will give a magical researched based formula for achievement. In our effort to improve student achievement, there are no boundaries. In assessing each school, deficits are being targeted school by school."

Minutes from the meeting are located at:

(http://www.pitt.k12.nc.us/19871052784858847/lib/19871052784858847/Oct11_2010.pdf)

23. During the October 11, 2010 meeting there was much discussion as reflected in the above minutes regarding what is legally appropriate. Attorney Soo from Tharrington and Associates was asked on several occasions if the maps were indeed in compliance with court

orders. Attorney Soo declined to answer the question directly so as not to violate client/attorney privilege. Attorney Soo "stated if there is a difference among the parties involved in what is submitted to the Court, it will be more difficult to defend this decision if things are more out of whack in terms of measures that count - proficiency or race." This advice sounds like significant differences in proficiency or race could certainly impact achieving unitary status. Follow up questions centered around whether the maps were indeed in compliance and never received a direct answer. Jeanne Watkins, a representative of the Greenville Parents Association "asked would any of the maps move us toward Unitary Status. If not, is this worth the risk of doing it wrong again. Attorney Ken Soo stated no map by itself will show Unitary Status. The bottom line is how are we treating kids - that will bring us to Unitary Status. If there is a reduction in diversity, other things are also carried out. Mr. Hall asked Attorney Soo in looking at all the maps, which map in his opinion would be the best to present to the Court for Unitary Status. Again, Attorney Soo stated you can't rank a map, there is too much in the air. He stated that he could not say more without talking to the Board in Closed Session."

24. The Greenville Parents Association issued a written summary statement at the close of the October 11, 2010 board meeting emphasizing the need to work toward attaining unitary status.

(Appendix C)

25. Throughout this process, the school board has continued to be divided as to which maps are best. Throughout this process, the

Coalition and the Greenville Parents Association have consistently maintained in the joint meetings and in public forums that the ES5 maps and alternate versions thereof do not appear to be in compliance with court orders. Nonetheless, on November 1, 2010, Superintendent Reep recommended an elementary school map based on a variation of ES5 and MS2 which neither of the other parties can support without further clarification from the courts. The maps came with a list of strategies that would be included to address any deficiencies. This list is available at:

(<http://www.pitt.k12.nc.us/pitt/lib/pitt/recommendation for reassignmt 2010.pdf>). Ironically, the school system has not been able to show nor demonstrate where any of these strategies are currently in place within the system and working.

26. In a public hearing at J H Rose High School held on November 7, 2010, Kay Godwin, a representative of the Greenville Parent Association, addressed the board one last time and reiterated, "Before any vote is taken, board members and the public need to be assured and absolutely certain this this map will NOT cause any more harm to the J H Rose district. Otherwise, we will all be left with academically underachieving inner city schools in the city of Greenville." (Appendix D). The overall academic proficiencies have dramatically decreased since the 2005 redistricting and the minority ratios over the last six years have shifted from 60% minority to 75% minority among the combined elementary schools. In addition, Sadie Saulter which was overcrowded prior to the 2005 redistricting is now slated to

be closed and converted to a prekindergarten facility due to the low enrollment.

27. The new elementary school, Lakeforest has been located in an area that does little to solve the diversity issues and by the latest statistics available will only include approximately 50 children from the J H Rose attendance area.

28. On November 15, 2010, the Pitt County School Board voted 7 to 4 to accept the Superintendent's recommended plans that will open a brand new elementary school, Lakeforest, at 48% proficiency and 88% minority. Except for Eastern, the other J H Rose elementary schools are not projected to significantly vary academically nor in diversity. The statistical information for the approved plan can be found at:

(<http://www.pitt.k12.nc.us/1987101214143613673/lib/1987101214143613673/Stats.pdf>)

This report details the inconsistencies that continue to exist with the school board's attempts at reassessments. The court orders are like the proverbial elephant in the room that everyone knows exists but no one is quite sure how to approach or interpret. Everyone can agree that the common goal should be to make education better for ALL students. Pitt County Schools has plenty of issues in dealing with unacceptable proficiency scores that all parents should be outraged over. It is the strong opinion of the Greenville Parents Association that this reassignment could have been better handled to improve the situation as it currently exists among the J H Rose attendance area. If the new plan fails as effectively as the last one

did, there will be no turning back and the entire city of Greenville will be left to bear the consequences and burdens for years to come.

The Greenville Parent Association agrees with the Judge's order of November 4, 2009, that it is time to lift the desegregation orders. Instead of eliminating the vestiges of past discrimination to the extent practicable, it appears that the decisions being made by this board are perpetuating the overall decline of the schools. This concludes the report on the School Board's efforts in achieving unitary status being submitted on behalf of the Greenville Parents Association to fulfill the obligation of the Court.

Respectfully submitted this 19th day of October, 2012.

McLAWHORN & ASSOCIATES, P.A.

By:


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Appendix A follows.



United States
Department of
Agriculture

Food and
Nutrition
Service
~~2109 Penn
Center Drive~~
Alexandria, VA
22302-3500

Lynn Haggard, Section Chief

Child Nutrition Services
Division of School Support
North Carolina Department of Public Instruction
6334 Mill Services Center
Raleigh, North Carolina 27699-6324

FEB 26 2009

Dear Dr. Haggard:

You have requested clarification on whether an individual child's status as eligible for free or reduced price meals from National School Lunch Program (NSLP) may be used for school assignment. A school district in your State indicates that one criterion for student assignments is "appropriate diversity" based partially on free/reduced price lunch eligibility. The goal is that individual schools have a free/reduced price lunch ratio of no more than 40% of their student population. This procedure requires use of individual student's status as eligible for free or reduced price meals.

Release of student eligibility information is governed by the provisions in Section 9(h)(6) of the Richard B. Russell National School Lunch Act, 42 USC 1786(h)(6). These provisions limit disclosure of information, without prior parental notice and consent, obtained from an application for free and reduced price meals to a specified list of recipient agencies and programs as well as require a "need to know" basis for the release. A "need to know" basis means that the information is necessary to carry out an authorized activity. Local education programs are not approved to receive individual information unless there has been prior parental notice and consent.

Student assignment is a local education program and is not authorized under a Federal or State education program. Therefore, local educational agencies (LEAs) cannot release and/or use individual children's eligibility status or other information related to applications for free and reduced price school meals unless there is prior notice and consent from the child's parent or guardian.

The release or use of individual children's eligibility status for the purposes of student assignment or for other unauthorized use must be discontinued. Further, LEAs must implement safeguards to prevent release and/or use of this information for this purpose in the future. Additionally, please note that Section 9(E)(6)(C) of the Richard B. Russell National School Lunch Act specifies penalties for the disclosure of information in violation of the limited uses permitted.


CYNTHIA LONG
Director
Child Nutrition Division

AN EQUAL OPPORTUNITY EMPLOYER

Appendix B

Comments made by Kay Godwin, Greenville Parents Association,
to the Pitt County School Board

The Greenville Parents Association continues to maintain that Pitt County Schools no longer operates a dual system as it did in 1970, and to the extent possible the school system has eliminated vestiges of discrimination that would be linked to a former totally reprehensible system of segregation and therefore should be declared unitary. Unitary status does not require each and every school to represent the diversity of the whole system. The demographics of neighborhoods can cause racial imbalance based on the proximity and the capacity of a school but this is not the concern of the courts nor should it be a reason to gerrymander school attendance areas.

In 1970, the Greenville City Schools operated a dual educational system—one for whites and one for blacks. Judge Larkins, rightfully approved a plan for satellite busing that balanced a majority white school system (64.5% white) with a minority black school system (35.5% black) using a 2:1 ratio. Over the next 34 years, the Greenville City Schools shifted in makeup due to the growth of the outlying community. By 2004, the Greenville City Schools were 45.1% white and 54.9% minority (including blacks, Asians, Hispanics, Other) which closely mirrored the district wide averages.

The 2005 redistricting among the J H Rose attendance area was an attempt to racially balance each school within that district and the years since have only proven that such gerrymandering of school attendance districts not only dismantled academically achieving schools but also resulted in a deviation from the district wide

averages. This past school year, 2009-10, shows that the 2005 redistricting attempt has now resulted in a racial makeup of 69.2% minority and 30.8% white. Ironically, the attempt to racially balance failed and as indicated in *Board of Education v. Dowell*, 1991, the Court established that remedial decrees were not "intended to operate in perpetuity." Thus, applying court decrees from 40 years earlier that successfully disbanded a dual system, does not have the same effect within a system that no longer operates dually. This further establishes the need for Pitt County to be declared unitary as further gerrymandering of school attendance districts creates nothing but havoc at the costs of hundred of thousands of dollars.

The Teel case of 1971 addresses the desegregation of the Pitt County Schools by opening four new high schools and indicated that "The opening of North Pitt School will permit the complete desegregation of all schools within the North Pitt Attendance area." The defendant, Pitt County Board of Education, was instructed to "locate any new school or addition with the objective of eradicating the vestiges of the dual school system and of eliminating the effects of segregation.' It may be debatable whether the board lived up to its charge of locating new schools in the best locations, nonetheless, the priority of this board needs to be focused on providing a quality education at every school regardless of the racial makeup or status of facilities. By releasing the board from the court decrees, the board will be better apt to focus its sole attention on academic achievement.

For reassignment purposes, the Greenville Parents Association continues to support its original mission statement, "We believe that

neighborhood schools best serve the needs of Pitt County by increasing parental involvement in scholastic activities, developing community ownership in the schools, and decreasing students' idle time on buses." The GPA does not support any form of resegregation and because of its social value, welcomes diversity, which comes in many forms, in the school system. However, the greatest need is for all children to be reading at grade level as measured by ABCs End-of-Grade Tests. This is most critical for students at the lower grades so they are better prepared to succeed in the higher grades. Any costs in the name of diversity in the lower grades, such as the costs of busing, would be better utilized in promoting academic success and properly aligned attendance districts will achieve diversity at the middle and high school levels.

Appendix C

Greenville Parents Association Summary Statement
October 11, 2010

Changing student assignment is inevitable as a school system grows. For this reason, Pitt County Schools must 1) develop an overall comprehensive plan that focuses on making education better for **ALL** students and 2) develop a plan for working "toward attaining unitary status so that the court may relinquish jurisdiction...and restore to the School Board full responsibility for the operation of its schools." Without either of these plans in place this process is reminiscent of the 2006-2007 redistricting plan which "failed to produce the desired effects of improving student diversity and academic performance." (Quotes from Court Order filed by Judge Howard, Nov. 04, 2009).

While the opening of Lakeforest Elementary necessitates a plan to populate it, the board does not have the justification for moving 3,000 elementary students at select schools, mostly in Greenville, simply to boost the academic proficiency at those schools. The educational merit of such a plan is sorely lacking because it does not address the needs of the individual student.

If the goal of this redistricting is mainly to populate Lakeforest, then it is an outrage to include the J.H. Rose elementary schools in the massive redistricting when fewer than 50 of those students are projected to be assigned to Lakeforest. With the addition at Eastern, the JH Rose elementary schools have adequate capacity for its current students as well as the resident students from the closing of Sadie Saulter.

Ironically, in 2004, Sadie Saulter had an overcrowding issue. However, as a by-product of the last redistricting decision, Sadie Saulter is now slated to be converted into a Pre-K school and administrative offices. It is a bit unsettling to hear that the school board voted just last week to spend about \$6,000,000 to add more classrooms to Sadie Saulter now that the school is scheduled to be closed. Priority consideration needs to be given to the resident Sadie Saulter students who will be losing their neighborhood school.

The overcrowding at AG Cox was also a by-product of the last redistricting decision. It is time for the board to find a real solution to the problem and not just a band-aid fix of rearranging students.

After forty years of remaining under court orders and the more recent mandate from Judge Howard, it is the responsibility of this School Board to ensure its decisions move the school system toward Unitary Status rather than creating impediments to that process. This means that maps that are presented to the public for review must be in compliance, moving children for the sake of rearranging ratios of any type must be abandoned, and the focus has to shift to improving education for **ALL** students. Martin Luther King, Jr. once stated, "The time is always right to do what is right." Therefore, with a self-imposed deadline looming, what is right at this juncture is for the school board NOT to move forward with a massive redistricting plan. Instead, a comprehensive education plan focusing on low-achieving students using proven strategies and improving education for **all**

students must be developed as well as formulating a plan for attaining unitary status.

Appendix D

Comments of Kay Godwin
November 7, 2010
Public Hearing, PCS

I'm speaking on behalf of GPA. The irony from our standpoint is that we seem to be going in circles. In 2005, we were happy with our JHR elementary schools. As I looked back over the numbers, the proficiency among the five schools was an astonishing 71%-89%, only an 18 point gap among the schools. Even so, there was one school in that district, Sadie Saulter that was racially identifiable. Therefore, the board decided to put a plan in place that literally dismantled the other four schools all in the name of diversity. Yes, at that point, we filed a complaint with OCR alleging that dismantling academically achieving schools for the sake of diversity was wrong. As a school board you countered that your actions were justified because of court orders you were required to follow.

When OCR ordered the school board to go to court for clarification and Judge Howard issued an open invitation, as the GPA we made the claim that PCS should be declared unitary because, simplistically speaking, if unitary status is the opposite of a dual system under which the orders were issued in 1970, then we felt that PCS had done their part. However, PCS claimed you did not feel you had met all the criteria to be declared unitary.

Now, we have before us a map based primarily on proximity. But wait—after our mediation agreement we agreed with you that you're under court orders, and therefore those orders need to be followed to settle this issue of unitary status once and for all. However, now we

hear that the school board position has shifted to state that racially identifiable schools are ok, if they receive extra resources and support. I'm sure you can see why all this is so confusing to the rest of us.

There is no doubt the JHR district has suffered the most from the last round of redistricting. The composite achievement scores for the JHR elementary schools now range from 48.65-73.65%, a gap of 25 points among the schools; Sadie Saulter is closing and converting to a Prek facility; and, the overall diversity has shifted from an average 60% minority ratio in 2005 to where we are today at 75% minority.

Not only does the recommended map on the table appear to not comply with court orders, after moving students around, the map appears to do nothing to dramatically change or alter the current circumstances in the JHR district and that's assuming the projections are more accurate than the last time. Before any vote is taken, board members and the public need to be assured and absolutely certain that this map will NOT cause any more harm to the JHR district. Otherwise, we will all be left with academically underachieving inner city schools in the city of Greenville.

CERTIFICATE OF SERVICE

I hereby certify that the foregoing *Report of Plaintiff-Intervenors on Behalf of Greenville Parents Association* was served via electronic filing of same with the Clerk of Court using the CM/ECFG system.

This the 19th day of October, 2012.

McLAWHORN & ASSOCIATES, P.A.

By:


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