

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION**

**MITCHELL WILLIAM, et al.,
Plaintiffs**

**UNITED STATES OF AMERICA
Plaintiff-Intervenor**

versus

**SABINE PARISH SCHOOL BOARD,
Defendant**

*
*
*
*
*
*
*
*
*
*
*

CIVIL ACTION NO. 69:14516

MOTION TO CHANGE STUDENT ATTENDANCE ZONES

NOW INTO COURT, through undersigned counsel, comes the defendant, Sabine Parish School Board (hereinafter “School Board”), which respectfully moves the Court for an order approving changes in its existing student attendance zones, effective with the 2008-2009 school year, and who, in support of such Motion, would show as follows:

1. The existing school attendance zones in Sabine Parish were established by this Court prior to the Toledo Bend Dam and Reservoir project.

2. As a result of the Toledo Bend Dam and Reservoir project, certain parts of the land mass constituting the Sabine Parish School District (“the District”) was subsumed into the waterbody that now forms the Toledo Bend Reservoir and certain parts of the original attendance zones in the District have become separated by water, causing transportation burdens upon the students and the District.

3. The School Board has developed an attendance zone plan which will alleviate the burdens imposed by these and other circumstances without interposing a negative effect on the

desegregation achieved in the District.

4. The United States, by and through the Department of Justice, has specifically concluded that the student attendance zone plan proposed by the District would not re-establish a dual system of education or have a negative cumulative effect on desegregation of public schools in the parish; therefore, the United States does not object to the proposed student attendance zone plan.

5. In support of this Motion, the District attaches the following documents:

Exhibit A - Map depicting the new student attendance zones.

Exhibit B - Letter of United States Department of Justice dated May 29, 2008
indicating no objection to such plan.

6. A memorandum in support of this Motion is attached hereto and is incorporated into this Motion as if fully set forth herein.

WHEREFORE, defendant, Sabine Parish School Board, respectfully prays that this Motion be granted and that, effective with the 2008-2009 school year, it be authorized to implement the new student attendance zone plan reflected in Exhibit A to the Motion.

Respectfully submitted,

HAMMONDS & SILLS

Physical Address:

1111 S. Foster Drive, Suite C
Baton Rouge, LA 70806

Mailing Address:

P.O. Box 65236
Baton Rouge, LA 70896
Telephone (225) 923-3462
Facsimile (225) 923-0315

S/ROBERT L. HAMMONDS

ROBERT L. HAMMONDS

Bar Roll No. 6484

CERTIFICATE OF SERVICE

I hereby certify that this is a true and correct copy of the above and foregoing *Motion to Change Student Attendance Zones* has this day has been served on all counsel of record, as listed below, by e-mail, and/or by U.S. mail, postage prepaid:

Emily McCarthy, Esq.
Civil Rights Division
United States Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

BATON ROUGE, LOUISIANA, this 15TH day of July, 2008.

S/ROBERT L. HAMMONDS
ROBERT L. HAMMONDS

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION**

**MITCHELL WILLIAM, et al.,
Plaintiffs**

**UNITED STATES OF AMERICA
Plaintiff-Intervenor**

versus

**SABINE PARISH SCHOOL BOARD,
Defendant**

*
*
*
*
*
*
*
*
*
*

CIVIL ACTION NO. 69:14516

**MEMORANDUM IN SUPPORT OF
MOTION TO CHANGE STUDENT ATTENDANCE ZONES**

MAY IT PLEASE THE COURT:

The defendant, Sabine Parish School Board (hereinafter “School Board”), respectfully submits the following Memorandum in Support of its Motion to Change Student Attendance Zones effective with the 2008-2009 school year.

By order of this Court (Judge Tom Stagg, presiding) dated August 1, 1969, attendance zones for all students enrolled in the Sabine Parish School District (hereinafter “District”) were established. Subsequently, and, as a result of the Toledo Bend Dam and Reservoir project, certain parts of the land mass constituting the Sabine Parish School District (“the District”) were subsumed into the waterbody that now forms the Toledo Bend Reservoir. When this occurred, certain parts of the original attendance zones in the District became separated by water, causing transportation burdens upon the students and the District.

In addition, the previous court order split some small communities like Fisher and Noble. This caused students living in those communities to attend different schools and imposed additional transportation costs on the District.

The School Board has developed an attendance zone plan which will alleviate the burdens imposed by these circumstances without interposing a negative effect on the desegregation achieved in the District. (Attendance Zone Map, Exhibit A to Motion). In summary fashion, the major changes in the attendance zones may be described as follows:¹

(1) The attendance zone line separating the Converse and Zwolle School Districts would be moved slightly so that all of the students living in the community of Noble would attend Converse High School. In the past, some of the students residing in the community of Noble were zoned into Converse High School while others were zoned into the schools in Zwolle.

(2) The line separating the Zwolle schools from Negreet High School would be moved further south to the edge of the water. Before the filing of Toledo Bend Reservoir, these students had been assigned to school in Negreet. As a result of the establishment of the reservoir, these students are now separated by water from that school and are being reassigned to the schools in Zwolle.

(3) The line separating the Many schools from Florien High School would be moved further north so that all students living in the community of Fisher would be assigned to Florien High School. Previously, the students in such community were split by an

¹This is not intended to be a complete listing of the changes but only the major changes contained in the plan.

attendance district line which caused some of them to attend Florien High School and others to attend the schools in Many.

(4) The attendance zone line separating Pleasant Hill and the schools in Many would be moved slightly to the south, so that a small number of children who had previously been zoned into the Many schools would now be zoned into the school of Pleasant Hill.

(5) The line separating the Negreet High School zone and the Florien High School zone would be moved slightly so as to assign students residing in the easternmost portion of the Negreet High School district to Florien High School and reassigning children in the southernmost part of the Florien district to Negreet High School.

In almost all of the described situations, transportation times and distances for students would be reduced. The changes also do not negatively affect the desegregation of the schools in question.

The proposed attendance zone changes have been discussed in detail with Ms. Emily McCarthy, attorney for the Department of Justice and legal counsel for the United States of America in this matter. Upon review of the plan, and, after personally touring some of the areas to be re-zoned, Ms. McCarthy specifically concluded that the proposed plan would not re-establish a dual system of education or have a negative cumulative effect on desegregation. Thus, Ms. McCarthy has authorized undersigned counsel to indicate to the Court that her client has no objection to the Court's approval of this Motion. (Letter of United States Department of Justice dated May 29, 2008, Exhibit B to Motion).

WHEREFORE, defendant, Sabine Parish School Board, respectfully submits that its Motion to Change Attendance Zones should be granted and that, effective with the 2008-2009 school year,

the School Board should be authorized to implement the new student attendance zone plan as reflected in Exhibit A to the Motion.

Respectfully submitted,

HAMMONDS & SILLS

Physical Address:

1111 S. Foster Drive, Suite C

Baton Rouge, LA 70806

Mailing Address:

P.O. Box 65236

Baton Rouge, LA 70896

Telephone (225) 923-3462

Facsimile (225) 923-0315

S/ROBERT L. HAMMONDS

ROBERT L. HAMMONDS

Bar Roll No. 6484

CERTIFICATE OF SERVICE

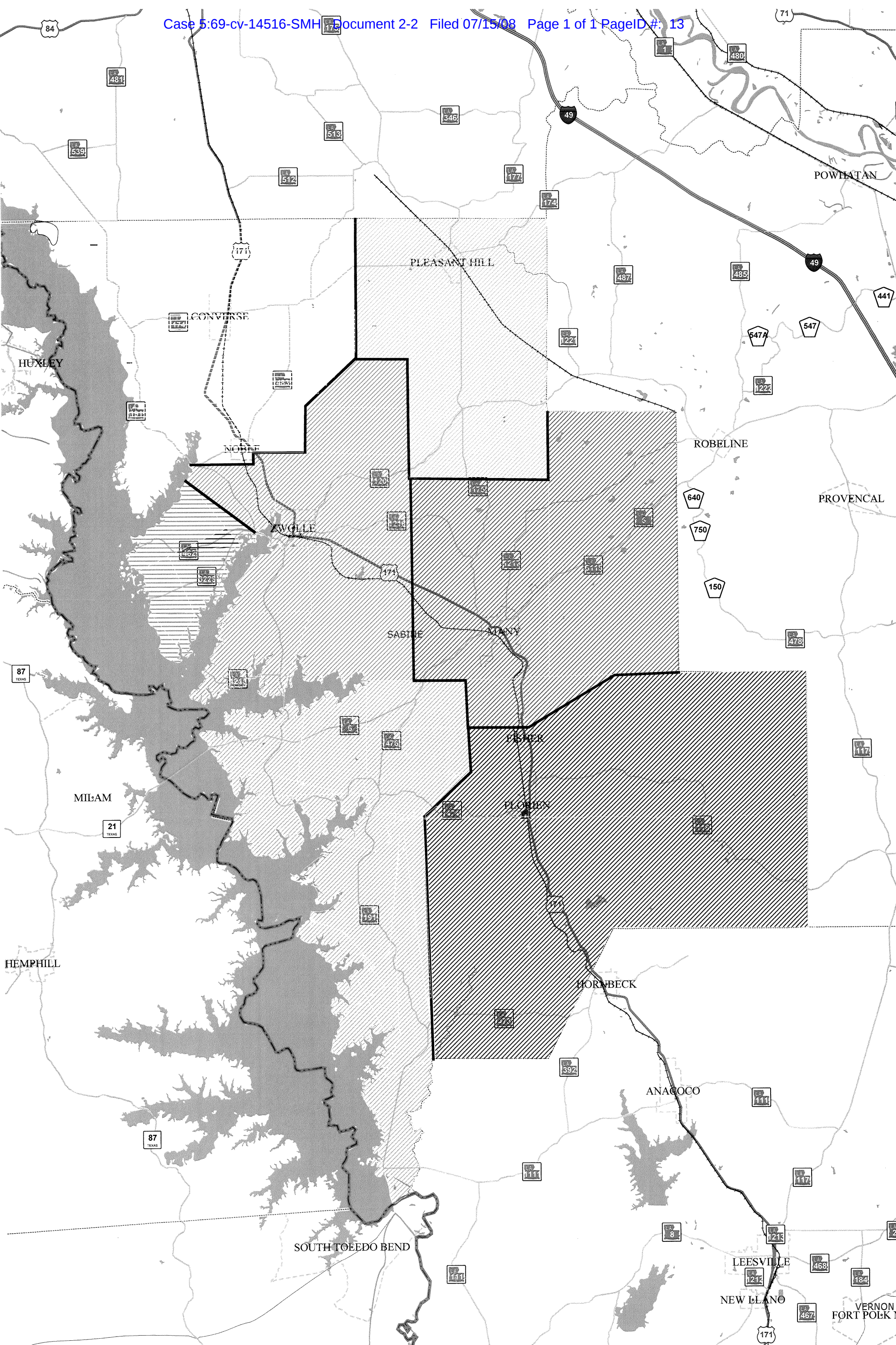
I hereby certify that this is a true and correct copy of the above and foregoing *Memorandum in Support of Motion to Change Student Attendance Zones* has this day has been served on all known counsel of record, as listed below, by e-mail, and/or by U.S. mail, postage prepaid:

Emily McCarthy, Esq.
Civil Rights Division
United States Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

BATON ROUGE, LOUISIANA, this 15TH day of July, 2008.

S/ROBERT L. HAMMONDS

ROBERT L. HAMMONDS





**U.S. Department of Justice
Civil Rights Division
Educational Opportunities Section**

JG:EM
DJ 169-33-44

U.S. Mail: 950 Pennsylvania Ave., N.W.
Washington, D.C. 20530
Overnight: 601 D Street, N.W., Suite 4300
Washington, D.C. 20004
Tele: (202) 514-4092 Fax: (202) 514-8337

May 29, 2008

By Facsimile and First Class Mail

Robert L. Hammonds, Esq.
Hammonds & Sills
Quad One, Suite C
1111 South Foster Drive
Baton Rouge, LA 70806

Re: Williams v. Sabine Parish School District, Case No. 14,516 (W.D. La.)

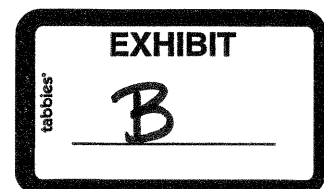
Dear Mr. Hammonds:

The Sabine Parish School District has expressed its desire to modify the zones set forth in the 1969 desegregation order to address transportation burdens for many students, many of which were created by the movement of water that has since separated certain parts of the zones from the rest of those zones. The information provided by the District regarding each of the proposed zone changes establishes that the changes would not re-establish the dual system or have a negative cumulative effect on desegregation in the affected schools. In light of this, the United States does not object to the District moving unilaterally to modify the zones in the 1969 desegregation order pursuant to the changes set forth in our recent correspondence. The District may state in its motion that the United States does not object to it, and if the Court nonetheless requires us to file a response to this effect, we will do so. Please note that the District will need to serve any motion to modify the 1969 Order on counsel for the private plaintiffs in this case.

Sincerely,

A handwritten signature in black ink that reads "Emily McCarthy".

Emily McCarthy
Special Litigation Counsel



**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION**

**MITCHELL WILLIAM, et al.,
Plaintiffs**

**UNITED STATES OF AMERICA
Plaintiff-Intervenor**

versus

**SABINE PARISH SCHOOL BOARD,
Defendant**

*
*
*
*
*
*
*
*
*
*

CIVIL ACTION NO. 69:14516

ORDER

Considering the foregoing Motion to Change Student Attendance Zones filed by defendant, Sabine Parish School Board, the lack of opposition thereto by plaintiff-intervenor United States of America, and the Court finding it in the interest of justice to so do;

IT IS ORDERED that said motion be, and it is hereby, GRANTED and, effective with the 2008-09 school year, defendant School Board shall be authorized to implement the new student attendance zone plan reflected in Exhibit A to its motion.

SHREVEPORT, LOUISIANA this ____ day of _____, 2008.

JUDGE