

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

CRATON LIDDELL, et al., )  
 )  
 Plaintiffs, )  
 )  
 vs. ) No. 72-100C (4)  
 )  
 THE BOARD OF EDUCATION OF )  
 THE CITY OF ST. LOUIS, )  
 STATE OF MISSOURI, et al., )  
 )  
 Defendants. )

REQUEST FOR LEAVE OF COURT TO FILE  
COMMENTS ON AGREEMENT IN PRINCIPLE  
AND ON THE DETAILED PLAN SUBMITTED  
PURSUANT THERETO OR IN THE ALTERNATIVE  
FOR LEAVE OF COURT TO FILE COMMENTS ON  
FEASIBILITY STUDIES OR PLANS  
FOLLOWING A FINDING OF LIABILITY

Comes now American Federation of School Administrators,  
Local 44, AFL-CIO (hereinafter "Local 44") and hereby requests  
leave of court to file comments on those areas of the Agreement  
in Principle and the detailed plans submitted pursuant thereto,  
which have a direct impact on tenure, hours and other terms and  
conditions of employment of administrative personnel. In the  
alternative, in the event this matter goes to a hearing on lia-  
bility, and feasibility studies and plans are ordered by this  
Court following a finding of liability, Local 44 hereby requests  
leave of court to comment on those areas of the proposed feasi-  
bility studies and plans which have the same direct impact on  
working conditions of administrative personnel.

As grounds for this request, Local 44 states to the Court that it is an unincorporated association, recognized by the Board of Education of the City of St. Louis as the majority representative of administrative personnel of the City of St. Louis Public Schools, within the meaning of the Missouri Public Employee Bargaining Law, Section 105.510, R. S. Mo. 1969. Local 44 has held this position continuously since 1977.

The most cursory review of the Agreement in Principle indicates that it is presently expected that 15,000 students will be transferring from the City of St. Louis Public Schools to suburban school districts. It appears unlikely that a similar number of suburban students will be transferring into the City of St. Louis Public Schools. A transfer of this magnitude can obviously have a significant impact on the employment environment of administrative personnel. The administrators in the City of St. Louis face perhaps the most drastic change in employment circumstances.

The transfer will apparently result in fewer students in the City of St. Louis. Local 44 feels very strongly that the employees of the City of St. Louis Public Schools should not be caused to suffer because of this. If work opportunities in the City of St. Louis decrease to the point of a further reduction in force, Local 44 submits that the detailed plan should provide for transfer. The relative rights of City personnel vis-a-vis suburban administrators then comes into play. These groups presently have different statutory rights (tenure, retirement, reduction protection, etc.). The method which is finally chosen to protect the

rights of these groups will have to be forged by the Court. Local 44 feels that its experience and expertise in these matters can be a significant help for the Court and those drafting the detailed plan.

Likewise, there can be no question but that the creation of a "Unified District", as outlined by this Court's "Interim Order for Mandatory Interdistrict Desegregation", H(1183)82, entered August 6, 1982, would entail a substantial reconstruction of terms and conditions of employment. What is now over 20 separate school districts, with lack of uniformity in nearly all employment conditions, will potentially become one uniform district. This fact alone presages a massive overhaul of all terms and conditions of employment. In the event liability hearings are held and liability is found, the same considerations will be necessary in the preparation and implementation of the unified district.

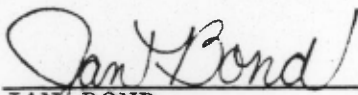
Local 44 believes that its background in the employment conditions of administrative personnel of the City of St. Louis Public Schools would be helpful to the Court in the process of establishing the rights, duties and obligations of administrative employees either in the course of the transfers described in the Agreement in Principle or within the unified district. Local 44 is aware of no organization in the other school districts involved in this litigation which can bring the same or equivalent expertise to the task.

It is recognized that the decrease in students would not necessarily result in loss of work opportunities. Other avenues exist for improving the quality of education in the City of St. Louis Public Schools. Lowering of teacher/pupil ratio, and creation of a preschool system are two areas which come to mind. Again, this organization feels that it is in a position to be of assistance to the Court in these areas.

Local 44 understands that this litigation is extremely complex, and for that reason its request is limited. Local 44 requests leave only to file as amicus curiae comments with respect to those areas of the Agreement in Principle (and detailed plans submitted pursuant thereto), or, if applicable, to those areas of the Plans filed following a finding of liability, which have a direct impact on the working conditions of administrative personnel.

DIEKEMPER, HAMMOND AND SHINNERS  
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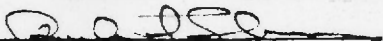
  
RICHARD SHINNERS

  
JAN BOND

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing was served upon the attorneys of record of all parties to the above cause by enclosing the same in an envelope addressed to such attorneys at their office address as disclosed by the pleadings of record herein with postage duly prepaid and by depositing said envelope in a U.S. Post Office mail box in St. Louis, Missouri.

on the 2nd day of March 19 83

  
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Attorneys for American Federation  
of School Administrators Local 44

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

**FILED**

MAR 2 - 1983

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EYVON MENDENHALL, CLERK  
U. S. DISTRICT COURT  
E. DISTRICT OF MO.

No. 72-100C(4)

ORDER

This matter is before the Court on the motion for leave to comment submitted by the American Federation of School Administrators, Local 44, AFL-CIO ("Local 44").

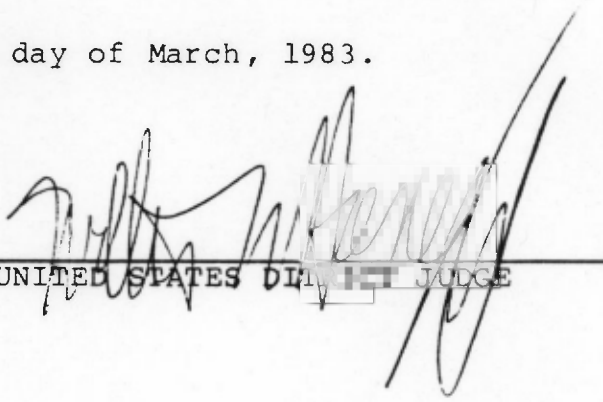
When a court grants a non-party leave to file a pleading, the court is simply providing an opportunity for consideration of the pleading. The court is not ruling on the merits of the pleading, nor is the court granting or denying the relief requested.

Having considered this matter,

IT IS HEREBY ORDERED that Local 44's request is denied in part and granted in part so that, pursuant to the order of this date permitting public comment, Local 44 may file, on or before March 16, 1983, its comments to the "agreement in

principle." Local 44's request for amicus curiae status or to comment on pleadings not yet filed is denied.

Dated this 2nd day of March, 1983.

  
UNITED STATES DISTRICT JUDGE