

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION

UNITED STATES OF AMERICA

Plaintiff,

Civil Action No.: 66-12071

v.

JUDGE ROBERT G. JAMES
MAGISTRATE JUDGE KAREN HAYES

LINCOLN PARISH SCHOOL BOARD, *et al.*

Defendants

**GRAMBLING STATE UNIVERSITY'S LAB SCHOOLS'
RESPONSE TO THE UNITED STATES' STATUS REPORT [25]**

The Grambling State University Laboratory Schools (elementary, middle and high school) hereby appear and file their response to the United States' Status Report [25] filed with the Court on May 24, 2011. It was anticipated by the parties, the Lincoln Parish School Board, the A. E. Phillips Laboratory School at Louisiana Tech and the Grambling State University Laboratory Schools, that a joint report would be filed. Grambling State University officials met with the Lincoln Parish School Board in an attempt to establish common or agreed upon responses. However, that single meeting proved very unsuccessful, and no joint report was ever prepared or agreed to in any form. Thus, the Grambling State University Laboratory Schools file this response to the Justice Department's Report.

RECOMMENDATION OF THE JUSTICE DEPARTMENT

Grambling State University, on behalf of its Lab Schools, agrees with the recommendation and position of the United States Justice Department that "the desegregation issues in the Board's schools and at the lab schools must be addressed jointly in order to achieve

effective remedies to finally eliminate the vestiges of lawful segregation from each of these institutions.”¹ However, Grambling State University has no objection to the dismissal of the A. E. Phillips School at Louisiana Tech. Because of the size of the school, its grade configuration and operations, it has no effect on the issues presented by Grambling or its desegregation.

Grambling State University also takes the position that, because of the passage of time since the 1984 decree and the decree’s failure to correct the deficiencies identified, additional or different remedies are required and such remedies can only be attained by the participation of all parties.

LEGAL STATUS OF THE LAB SCHOOLS

Grambling State University readily admits that the Laboratory School as a legal entity is a State facility as opposed to a local or parish facility. However, the school, as an integral part of the Lincoln Parish education system, particularly as a facility established under the segregation laws of the State of Louisiana, was established and primarily served as an integral part of the system of public education for Lincoln Parish. As such, in fact, it functioned as a public school for the Grambling area, thus, allowing the local school board to neglect or avoid providing public education to the children of the Grambling area for more than sixty years and arguably for one hundred and eleven years, since the school was first established in 1901. It is a lasting vestige of the de jure segregation declared to be illegal by *Brown v. Board of Education of Topeka*, 347 U.S. 483 (1954).

MEMORANDUM OF UNDERSTANDING

In recent years, the Lincoln Parish School Board and Grambling State University have entered into a Memorandum of Understanding, which attempted to lay out the responsibilities of

¹Document 25, page 12: United State’s Report

the local school board and the Laboratory School. The agreement addresses students, facilities and financing, mainly the use or reimbursement of monies by the school board to Grambling State University, provided by the State through the State's Minimum Foundation Program² for the education of all students in the State of Louisiana.

Under the law, the State of Louisiana established a Minimum Foundation Program whereby the local school board is paid a per student amount each year for the education of students in its district or parish, including the Laboratory Schools. Under the law, the local school board was to pay or reimburse the Laboratory School for expenses associated with that education, including teachers' salaries, transportation, libraries, facilities, maintenance, etc.

Although it is argued by some that the MOU demonstrated compliance with the 1984 Consent Decree, it is simply a mechanism by which the Laboratory School and School Board agreed on a repayment or reimbursement formula for State mandated expenditures. It had little or nothing to do with the 1984 Consent Decree.

An interview with Dr. Burnett Joiner (Dean of the Grambling State University College of Education at the time of the Consent Decree) revealed that the University and the School Board had been operating under a similar Memorandum of Understanding for years prior to the decree.

HISTORY AND PURPOSE

The Laboratory School System (Alma J. Brown Elementary, Grambling Middle and Grambling High) are operated under the administration of Grambling State University, and its existence originates in the early 1900s. Grambling High School was founded in 1901 as part of the North Louisiana Agricultural and Industrial Institute. The name of the institution was

²LA Constitution, Art. 8, §13

changed to Grambling College in 1944. Grambling High School continued on as an integral part of Grambling College, with the registrar serving as college registrar and principal. When the Louisiana State Department of Education granted the college permission to prepare high school teachers in 1948, A. D. Smith was appointed the first principal of Grambling High School. The school was moved from the College Administration Building in 1952 into a temporary structure. The present facility was completed in 1954. In 1958, Grambling High School became a member of the Southern Association of Colleges and Schools (SACS). A new senior high wing was constructed in 1965.

From 1965 until 1985, Grambling Laboratory Schools operated under a comprehensive program (K-6 and 7-12). At that time, the name of the school was changed to Alma J. Brown. Under the reorganization of the Division of Education at Grambling State University, the elementary and high school were unified as one school with a director and a principal. During the 1985-1986 school year, the Laboratory Schools became Grambling Magnet Schools, embracing curricula for K-12. In the 1986-87 school year, the school plan was redesigned for Grambling Middle Magnet School.

The primary role of the Laboratory Schools is to provide an environment conducive to learning. The mission, goals and objectives of the Laboratory Schools align with the original mission of the University to improve the quality of life for students and surrounding communities. The Laboratory Schools are rooted in the principle that all students can learn, and the educational community works collaboratively to prepare students to achieve academic success.

The purpose of Grambling State University's Laboratory Schools (Alma J. Brown

Elementary, Grambling Middle and Grambling High School) is to provide and maintain a high quality educational program for all students regardless of ethnicity, language, socioeconomic status, ability levels, religion or sexual orientation. This purpose of the Laboratory Schools is realized in multiple ways, including (a) educational research and experimentation and (b) the training of pre-service teachers and other school personnel to educate a K-12 student population with increasingly diverse stratifications. Educational research and experimentation fosters the purpose of the Laboratory Schools through the identification of innovative and state-of-the-art instructional strategies that effectively promote student learning at all grades in the K-12 educational system. The pre-service teacher and other school personnel training identifies 21st century students' learning processes and how those processes could best align with effective student-centered instructional strategies. Educational and administrative decisions relative to all aspects of student life at the Laboratory Schools take into consideration the effect of such decisions on each student's cognitive growth and on the delivery of a quality educational experience. Instruction, school records, and extracurricular activities of students are subject to review and evaluation by Grambling State University teacher candidates, student and faculty researchers, and other approved observers. Various projects are conducted at the Laboratory Schools throughout the year for the purpose of educational improvement. The research data involved in these projects may be published and disseminated to parents and other entities, with individual names to remain anonymous to protect students' identities. The Laboratory Schools welcome parents to visit the schools at anytime and they are encouraged to take an active role in the schools' training programs to help their child improve academically, as well as to participate in school and classroom activities.

RELATIONSHIP BETWEEN THE LINCOLN PARISH SCHOOL BOARD AND THE GRAMBLING SCHOOL

The relationship between the Lincoln Parish School Board and the Grambling School dates back to the early 1900s. At parish School Board meetings on July 28, 1914 and October 1, 1914, the School Board suggested that the Robinson School in the Allen Greene community be consolidated with Grambling and called the "Grambling-Allen Greene Consolidated School". This consolidation proved unsuccessful and, in 1915, the Lincoln Parish School Board adopted the following resolution:

Whereas, the need of an efficient colored school for the parish is very great, and Whereas, Grambling is the center of a very large colored population, where the Negroes largely own their own homes and cultivate their own land, and Whereas, by centralizing the efforts of the board and the Negroes, money from other sources might be available to erect and equip an adequate schoolhouse and help maintain an efficient school, and Whereas, nearly one-third of the population and land owners are within reach of the Grambling School.

Therefore, be it resolved that, if adequate buildings can be provided and equipment installed, that this board will support the school with a maintenance fund to one-third the amount now appropriated to the parish colored schools; said appropriations to come from the colored children prorata of the school fund.³

In 1916 the General Education Board issued a report on the status of the school as follows:

The plant and equipment are crude. The management has not been effective. The school was founded by the principal and turned over to the parish in 1915. There are 110 students, all elementary. A few of the pupils board at the school. The industrial training consists of a little cooking, sewing and woodwork. Some of the pupils assist in the cultivation of the land.

³*Grambling State University, A History: 1901-1977*, A dissertation by Mildred B. Gallot, Submitted to the Graduate Faculty of the Louisiana State University and Agricultural and Mechanical College, May 1982

There are six teachers, two males and four females. No books were kept for the year 1912-13. The source of income: Donations, \$1,000; tuition, \$450; Lincoln Parish, \$100; board department \$950; farm \$536. Items of expenditure: salaries, \$2,700; other expenses, \$336.

The school owns 200 acres of land, of which about 100 acres are cultivated and four acres are used for the campus. The estimated value, \$3,000.

The main building is a poorly built two-story frame structure. There are two very small buildings, used for a shop and boys' dormitory. The buildings are poorly kept. The estimated value, \$1,500. The estimated value of movable equipment, \$1,187, of this \$687 was in farm equipment, and \$300 in furniture.

Recommendation—that the administration be made more effective and the institution be developed into a parish training school.⁴

The issue of the relationship between the Lincoln Parish education system and the Lab Schools at Grambling State University can be traced for more than one hundred and ten years. Under its various names, it provided minimal basic education for “Negroes” in the Grambling area. A review of the schools located in the Lincoln Parish School District indicates that there are 9 schools located throughout the parish in various communities. Despite the fact that the City of Grambling is the second-largest incorporated area in Lincoln Parish, the School Board has never chosen to locate a school in that area, but, rather, has relied on Grambling State University operating under that name and its predecessor names to provide the public education for the students of the Grambling area (black students). Despite locating schools in much smaller communities and maintaining schools with lesser populations, the Lincoln Parish School Board has simply neglected to provide local education for that area served by the Grambling Lab Schools.

⁴*Ibid.*

VESTIGE OF SEGREGATION

The absence of a public school to serve the Grambling area is a lasting vestige of the segregation era. The residents of the Grambling area were property owners and paid taxes, were consumers and paid sales taxes and sought an education, just as all other citizens of the Parish of Lincoln. However, the School Board was relieved of a substantial financial burden by relying on the Lab Schools at Grambling to provide education to the students of the area. This allowed the School Board to divert money which would have been spent for the education of the black students of the Grambling area for use in other areas of Lincoln Parish. The residents of the Grambling area (mainly black) are surely entitled to a community school paid for with parish tax money. Given the current status of the Parish School System, should a resident of the Grambling area choose to go to a parish school, he is required to be bussed out of his community for all phases of his education. No other community of this size suffers such a fate.

OPTIONAL REMEDIES

The 1984 Consent Decree reflected the optimism and hope of the parties. However, the decree did not translate to any meaningful desegregation nor improvements to the Grambling State University Laboratory School, which would prove attractive to white students. In fact, with the addition of tuition in the 1990s and the failure of the School Board to provide adequate transportation, along with the continued decline of the physical facilities, particularly at the high school and middle school, the attractiveness of the school and its population has declined.

Other remedies which can be implemented through agreement of the parties or imposition by this court to achieve equality and desegregation are:

- (1) The construction of new facilities at Grambling State University by the Lincoln Parish School Board for operation as a Laboratory School;
- (2) An increase in funding to the Grambling Lab Schools by the Lincoln Parish School Board to cover tuition costs for students who are unable to pay; and
- (3) Proactive cooperation by the Lincoln Parish School Board in the recruitment of white students and teachers.

ATTACHMENTS

Attached to this response is:

- (1) **Exhibit 1:** A response to the United States' report as prepared by the staff at Grambling State University addressing specific items in the report; and
- (2) **Exhibit 2:** A table detailing the implementation progress of the 1984 Consent Decree.

Dated: October 17, 2011

Respectfully submitted:
DECUIR, CLARK & ADAMS, L.L.P.

BY: s/ Winston G. DeCuir, Sr.
WINSTON G. DECUIR, SR.
LA. BAR ROLL # 04795
732 North Blvd.
Baton Rouge, LA 70802
Telephone: (225) 346-8716
Telecopier: (225) 336-1950

CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the above and foregoing Report was filed electronically with the Clerk of Court by use of the CM/ECF system, which will send a notice of electronic filing to all counsel registered with the Court for receipt of pleadings by email.

Thus done this 17th day of October, 2011.

s/ Winston G. DeCuir, Sr.
WINSTON G. DECUIR, SR.