

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

filed 2/1/82

Copy w/ notes re  
subseq. interrogatory  
changes

EDDIE MITCHELL TASBY, ET AL.  
Plaintiffs

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CIVIL ACTION NO. 81-4211-H

DR. LINUS WRIGHT, GENERAL  
SUPERINTENDENT, DALLAS  
INDEPENDENT SCHOOL DISTRICT,  
ET AL.

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Defendants

J U D G M E N T

This Judgment constitutes the Desegregation Plan for the Dallas Independent School District ("DISD" or "the District") and is rendered pursuant to, and is to be construed in the light of and consistent with, (1) the Court's Memorandum Opinion dated August 3, 1981; (2) the Stipulation dated December 1, 1981, and approved by the Court on December 2, 1981; and (3) the Court's Memorandum Opinions and Orders

dated December 7, 1981; December 21, 1981; January 4, 1982; and February 1,

1982. This Judgment supersedes the final judgment rendered by this

I.

SUBDISTRICTS

A. Present Subdistricts. The DISD shall be divided for administrative

Northeast, Southwest, East Oak Cliff, and Southeast Subdistricts. The subdistricts shall consist of the attendance zones of the following high schools:

- |                                      |  |
|--------------------------------------|--|
| 1. <u>Northwest Subdistrict</u>      | Hillcrest<br>L. G. Pinkston<br>North Dallas<br>Thomas Jefferson<br>W. T. White   |
| 2. <u>Northeast Subdistrict</u>      | Bryan Adams<br>James Madison<br>Skyline<br>Woodrow Wilson  |
| 3. <u>Southwest Subdistrict</u>      | David W. Carter<br>Justin F. Kimball<br>Sunset<br>W. H. Adamson<br>(excluding the attendance zone of the Harrell Budd Elementary School) |
| 4. <u>East Oak Cliff Subdistrict</u> | A. Maceo Smith<br>Franklin D. Roosevelt<br>South Oak Cliff<br>W. H. Adamson<br>(Harrell Budd Elementary School attendance zone only)     |

B. Subdistrict Changes. No later than the start of the 1984-85 school year, the DISD shall be realigned into three subdistricts, which shall consist of the attendance zones of the following high schools:

1. Subdistrict I

Hillcrest  
L.G. Pinkston  
North Dallas  
Thomas Jefferson  
W.H. Adamson  
(excluding the attendance zone of the Harrell Budd Elementary School)  
W.T. White  
Woodrow Wilson

2. Subdistrict II

A. Maceo Smith  
David W. Carter  
Justin F. Kimball  
Franklin D. Roosevelt  
South Oak Cliff  
Sunset  
W. H. Adamson  
(Harrell Budd Elementary school attendance zone only)

3. Subdistrict III

Bryan Adams  
H.G. Spruce  
James Madison  
Lincoln  
Seagoville  
Skyline  
W. W. Samuel

The Harrell Budd Elementary School is currently assigned for administrative purposes to the East Oak Cliff subdistrict, and to Subdistrict II under the realignment plan. Some students in the Budd attendance zone, however, are assigned to the W.H. Adamson High School in the Southwest Subdistrict and the proposed Subdistrict I, in order to continue the attendance patterns in place since 1976.

II.

STUDENT ASSIGNMENTS AND ATTENDANCE ZONES

schools and the feeder patterns for 4-6, 7-8, and 9-12 schools shall be as set forth respectively in Appendices A and B to this Judgment,

~~unless otherwise specified herein. Attendance zones and student assignments~~

level configurations will be standard throughout the District with K-3.

4-6, 7-8 and 9-12 schools.

B. K-3 Attendance Zone Changes. The following changes shall be made to the attendance zones for K-3 schools:

1. The areas bounded by Morris Avenue, Chihuahua Avenue, Singleton

Santa Fe Railroad, and Hampton Road, shall be rezoned from the Lorenzo DeZavala attendance zone to the C. F. Carr attendance zone.

2. The portion of the San Jacinto attendance zone north of Sevens

Road shall be rezoned to the Urban Park attendance zone.

3. The area bounded by Central Expressway, Haskell Avenue, Ross Avenue, and Carroll Avenue shall be rezoned from the James W. Fannin attendance zone to the Ben Milam attendance zone.

4. The area bounded by R. L. Thornton Freeway, Fitzhugh Avenue, Grand Avenue, and Bank Street shall be rezoned from the O.M. Roberts attendance zone to the F. C. Harris attendance zone.

5. The area bounded by Fitzhugh Avenue, Sycamore Street, Munger Boulevard, Live Oak Street, Beacon Street, and Swiss Avenue shall be

place under the 1976 court order shall be changed as follows:

1. Students living in the portion of the former T. C. Hassell K-3 attendance zone north of Route 352 shall attend the N. Hawthorne and A. W. Blanton Schools in grades 4-6 and the Fred Florence School in grades 7-8. Students living in the portion of the former T. C. Hassell K-3 attendance zone south of Route 352 shall attend the Alex Sanger School in grades 4-6 and the Robert T. Hill School in grades 7-8.

2. Students living in the former Nathan Adams K-3 attendance zone

3. Students living in the former Harry Withers K-3 attendance

D. 7-8 Feeder Pattern Changes. The feeder patterns for grades 7-8 under the 1976 Order shall be changed as follows:

1. Students in the Henry W. Longfellow, K. B. Polk, and Sudie Williams K-3 attendance zones shall attend T. C. Marsh 7-8 school.

2. Students in the former DeGolyer K-3 attendance zone shall attend E. H. Cary 7-8 school.

3. Students in the portions of the W. Lipscomb and Mt. Auburn K-3 attendance areas south of Grand Avenue and all students in the Sanger

Sanger K-3 attendance zone, shall attend W. H. Gaston 7-8 school.

4. Students whose K-3 school assignment is altered in Section II(B) hereof shall attend the 7-8 school to which they are assigned.

1. The changes specified in paragraphs 10, 11 and 12 of Section II(C) hereof shall be implemented for the fourth grade beginning in the school year 1982-83, for the fifth grade beginning in the school year 1983-84, and for the sixth grade beginning in the school year 1984-85.

2. The changes specified in paragraphs 1, 2 and 3 of Section

II(D) hereof shall be implemented for the seventh grade beginning in the school year 1982-83 and for the eighth grade beginning in the school year 1983-84.

3. The changes specified in paragraphs 3, 4, and 5 of Section



III.

MAJORITY-TO-MINORITY TRANSFER

The DISD shall continue the Majority-to-Minority (M-M) transfer option in accordance with the following guidelines:

Eligibility Criteria

students is greater than fifty percent (50%) may transfer to any school in the District in which the percentage of anglo students is less than fifty percent (50%). Any ethnic minority student in a school in which

school is not toward predominantly one race through the operation of the option. A summary of the results of this review and any recommendations for amendment of the criteria shall be included in the annual April 15.

8 University Interscholastic League eligibility will go with

students to their new school, and can be transferred back to their

original school area

C. Majority-to-Minority Transportation. Free transportation will be provided for all M-M students. The following guidelines will govern transportation plans:

1. School to school transportation by school bus will be provided

1. The preparation and distribution of brochures, posters, flyers, and other printed materials to all eligible students, parents, and community groups. A supplement shall be prepared for each 7-8 and 9-12 school which lists the schools to which a student may transfer into or out of under M-M.

2. Presentations at meetings and other gatherings of parents and community groups.

3. Recruiting presentations to students.

4. Publicity through all media sources including minority and community outlets. The DISD shall consider the suggestions for M-M publicity contained in Section I of the desegregation plan of the Black Coalition to Maximize Education.

5. Direct mail to parents of eligible students at least once each year containing the brochure and, where appropriate, the supplement for 7-8 and 9-12 students mentioned in paragraph 1 above.

The Court will hold DISD and its staff responsible for ensuring that the M-M program is effectively publicized and administered. The principal test of the program's effectiveness will be, of course, the number of students who utilize it. (The Court notes that DISD anticipates

Transfers pursuant to this section should be carefully reviewed by DISD for the impact which they will have on desegregation at the relevant school, particularly in the areas of highly gifted and career education courses.

V.

MAGNET SCHOOLS

~~The Court has determined that magnet schools (A. C. ...)~~

7-8 academies, and 9-12 schools) are a useful desegregative tool. The Court reconfirms the centrality concept for the location of magnet high schools.

A. New Magnet Programs.

1. The DISD shall implement one or two Science/Engineering clusters at the Nolan Estes Plaza in the fall of 1982 on a temporary basis. These clusters will be moved to and incorporated in the Science/Engineering and Technology Magnet High School when it opens on its permanent site. The cluster programs will be one-half day in length with students taking academic courses not included in the cluster at either their home school

or at A. Maceo Smith High School. The program will be open to ninth and tenth grade students from throughout the District in 1982-83 and to eleventh and twelfth grade students in 1983-84.

2. A program designed for the education of identified academically talented and gifted (TAG) high school students shall be incorporated

into the District's instructional plan. The program will be housed at

B. Magnet School Relocations. The District shall:

1. Conduct a feasibility study to determine if it is realistic for the DISD to sell central business district property for the purpose

of constructing and improving magnet school facilities. This study shall be completed and a report filed with the Court no later than

2. ~~Construct a new magnet facility and career development center~~

for grades 9-12 along the lines of Skyline High School as a first priority at a site to be determined if funds become available from the sale of central business district property.

3. Subject to Court approval, centralize the magnet high school programs the DISD deems appropriate, with the exception of the Multiple

Court approval, to ensure that all magnet schools are effective as educational programs and as desegregation tools. These changes may include the development of new magnet options, closing of ineffective or irrelevant magnet programs, improvement of existing magnet programs and

2. The District is authorized to reinstate the part-time magnet option for high school students, whereby students attend magnet school programs for half of each school day while taking academic subjects and participating in extra-curricular activities at their home comprehensive

high schools. In small magnet schools that are not large enough to justify an academic program, the enrollment may be declared part-time only.

3. The DISD shall reduce the competitiveness between the programs

has taken to attract students into these specific programs in order to redress the imbalanced enrollments.

6. The equivalent salary of one personnel unit will be provided sending schools for each 100 students who transfer as magnet school students. Such funds must be used for personnel, materials, or other areas designed to improve instruction.

7. Staff salaries based upon enrollment size will in no way be affected by the numbers of students transferring out of a school under the magnet school program.

8. In order to implement this Court's order regarding 9-12 magnet high schools, 7-8 academies, and 4-6 vanguards, these centers shall not be used in reporting or computing the comparability report which is required by ESEA, Title I, of the United States Department of Education, Office of Education.

9. The District shall provide free transportation for students



2. The DISD shall report to the Court in the annual April 15

~~report on the Talented and Gifted and all other similar programs identified~~

in paragraph 1, indicating:

(a) the number and percentage of students by race and

VI.

REGULAR ELEMENTARY, INTERMEDIATE, MIDDLE, AND HIGH SCHOOLS

A. K-3 Early Childhood Education Centers The DCPS will

needs of young children and the District's Baseline Curriculum Program.

The K-3 approach shall be primarily diagnostic-associative. The approach

D. Bilingual Education.

1. The DISD shall continue to provide a special instructional program for all limited-English-proficient (LEP) students in the District. In grades K-6, this program will consist of bilingual education and English-as-a-Second-Language (ESL) programs tailored to the needs of individual students and schools. In grades 7-12, this program will include ESL instruction, the High Intensity Learning Center (HILC) at Skyline High School, and the HILC now being set up at Spence Middle School. Curriculum transfers will be available to permit students in need of such programs to take advantage of them.

VII.

PROGRAMMATIC REMEDIES FOR PREDOMINANTLY MINORITY SCHOOLS

The goals and concepts for programmatic remedies in predominantly minority schools outlined in DISD's October 13, 1981 (Proposed) Desegregation Plan appear to be an acceptable means for redressing the vestiges of school segregation remaining in the District. The Court has determined that improvement of student achievement, especially minority student achievement, must be the priority effort for the District. The programmatic remedies outlined in the DISD October 13, 1981, proposal; the December 1, 1981, [redacted] shall be effective commencing with [redacted]

the 1982-83 school year and shall continue thereafter unless otherwise ordered by the Court.

*language added here 2/7/84*

§ [redacted] Scope of Programmatic Remedies. In its efforts to reduce and [redacted]

eliminate the achievement disparity between minority and Anglo students, the DISD shall:

1. Develop District-level improvement plans designed to assure

Revised  
2/17/88

whose duties include the supervision of the implementation of programmatic remedies as provided for in this Judgment. This employee shall be an individual whose experience and background reflects in-depth concentration on and sensitivity to the unique problems associated with the education

~~Implementation of Programmatic Remedies~~

goals will follow the general guidelines set forth in Appendix C to this Judgment. The District shall also carefully consider the proposals for

a. These additional personnel allocations/equivalents or resources may be used for additional classroom units and/or alternative instructional improvements to assist school personnel in overcoming the educational deficits of their students. When 50% of the students reach the 40th percentile in reading on nationally-normed tests, and maintain that level for at least one academic year, their school will no longer be included in the computation formula.

b. The District shall provide incentives for schools and teachers to implement programs which will help students in grades 4-6 meet the exit criteria as rapidly as possible. These incentives shall

be determined by the District's administrators in conjunction with the Board of Education.

3. In order to implement the programs in predominantly minority schools, the R.L. Thornton and T.L. Marsalis Centers shall not be used in reporting or computing the comparability report which is required by ESEA, Title I, of the United States Department of Education, Office of Education.

It is anticipated that more than \$6 million per year will be spent each year under the programs described in Section VII

IX.

PERSONNEL

A. Recruiting and Employment.

1. The DISD shall develop and use recruitment and employment policies as appropriate to ensure that competent personnel are employed

~~and that blacks and hispanics represent at a minimum 13%~~

and 12%, respectively, of all teacher positions by the 1986-87 school

~~The District's recruiting and employment efforts should continue~~

continually be assessed in accordance with policies and procedures established by the DISD.

C. Teacher and Principal Assignments. Assignments for teachers and principals shall be made in accordance with Singleton v. Jackson Municipal Separate School District, 419 F.2d 1211 (5th Cir. 1970), by plus or



X.

FACILITIES

The DISD shall not construct, make any additions or major renovations, purchase, lease, sell, close, open acquire or dispose of

Any such plans will be evaluated in light of the impact which these

*changed 9/8/88*

REPORTING AND MONITORING

A. DISD Reports. The DISD shall file a report with the Court on December 15 and April 15 of each year which contains the following information:

1. The number and percentage of students by race and ethnicity and by grade for each school and campus including nonpublic academies

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

and separate. The data should be presented by the standard grade levels

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

b. total participation by race, ethnicity and grade

level for each subdistrict and for DISD as a whole;

- c. report on results of annual review of eligibility criteria pursuant to Section III(A)(6) herein and

10. A report on the implementation of the programmatic remedies which includes:

- a. the longitudinal achievement trends in DISD including both quasi and cohort longitudinal trends. (December 15 report)
- b. a listing of schools which are receiving the allocation pursuant to Section VII(B)(1) and the total amount received by each school and subdistrict;

to implement the provisions of this Judgment, subdivided by specific category and by year.

B. External Audit. The Court shall appoint an external auditor who

*change*

7. the DISD actions to meet the affirmative action goals set for recruitment and employment of teachers, principals, certificated personnel

8. the condition of facilities;

9. resource allocation in terms of textbooks, libraries, supplies, etc.

The external auditor should utilize the information supplied in the DISD April 15 and December 15 reports to the Court in the preparation

XII.

OTHER PROVISIONS

A. Retention of Jurisdiction. The Court will retain jurisdiction of this case to assure the implementation of the required desegregative actions and to enforce the provisions of this Judgment.

B. Final Judgment. This Judgment shall be considered final for purposes of appeal.

ENTERED this 1st day of February, 1982.

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BAREFOOT SANDERS  
UNITED STATES DISTRICT JUDGE