

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

JOYCE MARIE MOORE, *et al.*

CIVIL ACTION

NO: 65-15556

VERSUS

Section "B" (1)

TANGIPAHOA PARISH SCHOOL BOARD, *et al.*

**ORDER**

Based on prior hearings and conferences with counsel for all parties and the Court regarding the increase of the threshold amount for capital expenditures by the Tangipohoa Parish Schools System,

**IT IS ORDERED** that the August 9, 1977 court order Section 11 be amended in the following respects:

(1) "For the purposes of this section, it shall be presumed, subject to rebuttal, that any proposed capital expenditure in excess of \$125,000.00 is for other than routine maintenance."

(2) "The Tangipahoa School System may spend \$125,000.00 without court approval but with a letter to plaintiff's counsel and/or Compliance Officer advising of the specific expenditure for general maintenance of existing buildings which would include:

- A. Upkeep of existing building;
- B. Replacing outdated appliances and fixtures; and
- C. Ensuring compliance with state and local building codes."


(3) "Any expenditure over \$125,000.00 must go through the analysis procedure outlined in the court order and must be presented to the plaintiff and the compliance officer at least 120 days prior to the expenditure of the funds. If a public vote is required, the analysis must be presented at least 180 days prior to the election. The plaintiffs have 90 days to respond to the proposal submitted by the school system. The parties will be required to meet within 60 days of the receiving the request for expenditure to determine if the matter can be resolved. If the matter cannot be resolved, the plaintiffs are to submit its response, and the parties shall submit the matter to the Court for consideration. If the matter can be resolved, the parties shall notify the Court by letter or pleading signed by both parties and no court action shall be required. However, the Court will reserve its right to intervene and review all proposals.

Regardless of the amount to be spent, if the expenditure will have a significant impact on the continued enforcement of the court order and the desegregation of the school system, the school system will be obligated to notify the plaintiffs, the compliance officer, and the Court.

All other provisions of Section 11 of the August 9, 1977 order regarding capital improvements and bond elections will remain in force and effect.”

This order is issued to assist parties’ efforts and ongoing affirmative duty to ensure that proposed capital expenditures bring about a unitary system and to prevent reoccurrence of a dual school system.

New Orleans, Louisiana, this 24<sup>th</sup> day of October, 2007.

A handwritten signature in black ink, appearing to read 'Ivan L. R. Lemelle', written over a horizontal line.

IVAN L. R. LEMELLE  
UNITED STATES DISTRICT JUDGE