

the counsel for the plaintiffs in the matter to develop a new procedure which would conform to the requirements of the law. That revised procedure is attached hereto as

Exhibit A. The Procedure provides in part:

- 3) Until such time as the racial diversity goals are met, if any of the qualified applicants are black, the immediate supervisor, in making a selection for recommendation, will extend a preference to the black candidates; however, this preference must be balanced against the goal of hiring the most qualified and most competent candidate available.

The Superintendent is empowered to make the final selection for recommendation to the Tangipahoa Parish School Board for hiring. Section 5) of the policy provides:

- 5) In making the individual final selections for recommendation to the Tangipahoa Parish School Board for hiring, the Superintendent will exercise good faith and his best efforts to attain the goals of the Tangipahoa Parish School System of hiring the best qualified and most competent candidates while attaining the racial diversity goals of the Tangipahoa Parish School System.

These provisions expressly provide direction to the Superintendent to attain racial diversity as a priority while also ensuring the quality of education.

The policy also provides for procedure for a semi-annual review of the selections of the Superintendent in the School System to ensure that the Superintendent is following the direction of the Board and the requirements of law. That semi-annual review will be performed by the Court Compliance Officer, the attorneys for the plaintiffs, and the attorneys for the defendants.

It is respectfully submitted that the Proposed Procedure conforms with the direction of the Court and with the requirements of law. It is respectfully submitted that the Procedure should be adopted and incorporated into the Desegregation Plan submitted by the Tangipahoa Parish School Board

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing Memorandum in Support was filed electronically with the Clerk of Court using the CM/ECF system. Notice of this filing will be sent by operation of the court's electronic filing system. A also certify that a copy of the pleading will be sent to all non-CM/ECF participants by U. S. Mail, properly addressed and postage prepaid, on this 25th day of September, 2009.

/s/ Alton B. Lewis

Alton B. Lewis