

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

JOYCE MARIE MOORE, ET AL.,  
Plaintiffs,

CIVIL ACTION NO.: 65-15556

VERSUS

SECTION "B" (1)

TANGIPAHOA PARISH SCHOOL BOARD,  
Defendant.

JUDGE: IVAN L. R. LEMELLE

**MEMORANDUM IN SUPPORT OF  
MOTION FOR COURT APPROVAL OF RENEWAL TAX ELECTION LIMITED TO  
ONE YEAR LEVY OF THE TAX FOR CONTINUATION AND EXPANSION OF  
HAMMOND ACCELERATED MAGNET PROGRAM**

MAY IT PLEASE THE COURT:

Defendant Tangipahoa Parish School Board presently operates an accelerated magnet program pursuant to a prior court order at Hammond Eastside Primary and Upper and Hammond Westside Primary and Upper elementary schools. Special funding was necessary for the establishment of the magnet program and such funding was acquired through passage of a tax proposition within the city of Hammond. The tax has expired and its renewal prior to commencement of next school year is needed if the magnet program is to continue.

The accelerated magnet program tax funds salaries and other costs associated with program enhancements. The enhancements consist of art, music, drama, and dance. These enhancements are not only made available to students enrolled in the accelerated magnet program but, also, are made available to all students enrolled in elementary schools situated within the city of Hammond.

The accelerated magnet program currently enrolls 323 students. Fifty-two percent of the current enrollment is comprised of black students. Because of the success of the accelerated

magnet program, defendant proposes to expand the program for next school year to include a seventh grade. In order to do so, renewal of the tax is necessary with additional millage to fund the addition of a seventh grade.

Prior to the filing of the instant motion, defendant filed a motion for court approval of a renewal tax election for continuation and expansion of the accelerated magnet program into the seventh and eighth grades over a two year period. (See Doc. No. 857.) The renewal tax envisioned in the prior motion sought to levy the tax over a three year period. That motion was denied by the court in an Order dated January 19, 2010 based upon the court's "concern over approving said election prior to approving a desegregation order concerning the magnet programs."

The instant motion, seeking approval of a renewal tax election with a limitation that the levy of the tax be for only a one year period, will not pose the problem of obvious concern to the court in the prior motion. The earliest practicable date for an election for funding of the proposed new school desegregation plan and its magnet programs is April 2011.

In the event of court approval of the proposed new school desegregation plan, as amended by prior court orders in Doc. Nos. 759, 770, 804, 805 and the portion of 866 setting forth the procedure for hiring principals, assistant principals, administrative assistants, supervisors, and administrators (and such other modifications as the court deems necessary), and voter approval of the taxes required for its funding, the magnet programs contained in the proposed new school desegregation plan would not become operational until the commencement of School Year 2012-2013. Under the proposed new school desegregation plan, the initial year (School Year 2011-2012) would be devoted to teacher training and the procurement of equipment and materials of instruction. With court approval, funds from the taxes required to

fund the proposed new school desegregation plan could be utilized to continue funding of the accelerated magnet program into eighth grade during School Year 2011-2012 in order to permit an orderly transition into the Primary Years International Baccalaureate Program at Hammond Eastside Elementary School and the Montessori Program at Hammond Westside Elementary School.

Accordingly, for all the above stated reasons, defendant prays that the Motion for Court Approval of Renewal Tax Election Limited to One Year Levy of the Tax for Continuation and Expansion of Hammond Accelerated Magnet Program be granted.

By Attorneys,

s/ Charles L. Patin, Jr.

Charles L. Patin, Jr. (La. Bar # 10338)  
KEAN, MILLER, HAWTHORNE, D'ARMOND,  
McCOWAN & JARMAN, L.L.P.  
One American Place, 18<sup>th</sup> Floor  
Post Office Box 3513 (70621)  
Baton Rouge, LA 70825  
Telephone: 225-387-0999

s/ Ashley E. Sandage

Ashley E. Sandage (La. Bar # 24364)  
CASHE, COUDRAIN & SANDAGE  
106 South Magnolia Street  
Post Office Drawer 1509  
Hammond, LA 70404-1509  
Telephone: 985-542-6848

*Attorneys for Tangipahoa Parish School Board*

**CERTIFICATE OF SERVICE**

I hereby certify that on February 10, 2010, I electronically filed the foregoing document with the Clerk of Court by using CM/ECF system which will send a notice of electronic filing to all counsel of record.

s/ Charles L. Patin, Jr.  
Charles L. Patin, Jr.