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BY *[Signature]* 1981

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES

MARY ELLEN CRAWFORD, a minor )  
etc., et al., )

Petitioners, )

vs. )

BOARD OF EDUCATION OF THE CITY )  
OF LOS ANGELES, )

Respondent, )

BETTER EDUCATION FOR STUDENTS )  
TODAY; BUSTOP, a corporation; )  
CHARLES DREEBIN, et al.; )  
ROBERT M. LOVELAND and MARY )  
KEIPP; UNITED TEACHERS/LOS ANGELES, )

Intervenors. )

No. 822 854

ORDER RE FINAL APPROVAL  
OF SCHOOL BOARD DESEGREGATION  
PLAN AND DISCHARGE  
OF WRIT OF MANDATE

More than 18 years have passed since this class action was filed seeking desegregation of the schools of the Los Angeles Unified School District. All facts material to the case have changed since the case was filed in 1963. Even the nomenclature employed has become outdated, misleading and harmful to innocent children. Educational quality has been displaced as the prime focus of public attention. There must be a commitment to

1 excellence in education to fulfill the expectations of all  
2 children in the District.

3 A case that involves the education of children must be re-  
4 solved. There must be finality in the law so that the people  
5 may plan their everyday lives to conform to the requirements of  
6 the law.

7 The time has come for common sense to return to the treat-  
8 ment of desegregation in the public schools. The framework of  
9 law is provided by the guidelines given this court in the deci-  
10 sions in this matter rendered by the Supreme Court and the Court  
11 of Appeal and each of them.[1]

12 These decisions place a duty upon the trial court to over-  
13 see a process of desegregation planning wherein the Board of  
14 Education elected by the people is the primary planner.[2] The  
15 law precludes judicial intervention in the planning and/or imple-  
16 mentation process "even if [the Court] believes that alternative  
17 desegregation techniques may produce more rapid desegregation"  
18 (Crawford I at p. 306), so long as a plan developed by the  
19 elected Board of Education utilizes reasonably feasible steps to

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24 [1] Crawford v. Board of Education, 17 C.3d 280 (June, 1976),  
25 hereinafter referred to as Crawford I, and 113 Cal.App.3d 633  
(Dec. 1980), hereinafter referred to as Crawford II.

26 [2] Crawford I, supra, at p. 305. The Supreme Court said: "Under  
27 these circumstances, local school boards should clearly have  
28 the initial and primary responsibility for choosing between  
these alternative methods."

1 produce "meaningful progress in light of present conditions." [3]  
2 The Board is under a constitutional duty to undertake reasonably  
3 feasible steps to alleviate school segregation, regardless of  
4 cause. [4]

5 The respondent Board has submitted to the court a "Plan for  
6 Desegregation," dated July 2, 1981. After review and considera-  
7 tion of the plan submitted and the entire record, and each of  
8 them, the Court has determined that certain principles should  
9 govern the operation of the plan as set out below. The function  
10 of a trial court is to apply the law. This court will follow the  
11 law, recognizing its responsibility to protect all the children  
12 in the District. The law imposes on the trial court "a duty to  
13 supervise the preparation and implementation of a reasonably  
14 feasible desegregation plan." [5]

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18 [3] Crawford II, supra, at p. 649. The Court of Appeal quoted  
19 the Supreme Court as follows: "...so long as a local school  
20 board initiates and implements reasonably feasible steps to alle-  
21 viate school segregation in its district, and so long as such  
22 steps produce meaningful progress [4] ...we do not believe the  
23 judiciary should intervene in the ... process .... Reliance on  
24 the judgment of local school boards in choosing between alterna-  
25 tive desegregation strategies holds society's best hope for the  
26 formulation and implementation of desegregation plans which will  
actually achieve the ultimate constitutional objective of pro-  
viding minority students with the equal opportunities potentially  
available from an integrated education." (Crawford I, supra, at  
pp. 305-306.)" The Court of Appeal stated, "We interpret that  
phrase to mean meaningful progress in light of present conditions.  
A genuine opportunity to show such progress under a plan of its  
own has not yet been afforded the Board." (fn. 4) (Emphasis  
supplied)

27 [4] Crawford I, supra, pp. 301-302, Crawford II, p. 651.

28 [5] Crawford II, supra, p. 651.

1 The Court, having reviewed and considered the entire record  
2 in this matter, and having considered the various memoranda, evi-  
3 dentiary, and informational matters submitted by the parties, and  
4 further having considered argument of all counsel and all of the  
5 above, and each of them, makes the following order:

6 1. The District may proceed to construct new schools  
7 and to build additions to existing schools as over-  
8 crowding and other needs require.

9 2. The definition of groups used in the plan is ordered  
10 changed forthwith to end the use of terminology  
11 classifying Black, Hispanic, and Asian children, as  
12 well as those of other non-Anglo ancestries, as  
13 "Minority" students.

14 This usage is factually incorrect. These students  
15 in fact comprise the vast majority of the school  
16 population.[6]

17 To label a group a minority when it is a majority  
18 is harmful to those children. Facts, as opposed to  
19 labels, are not harmful to children. Society

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23 [6] Crawford II, supra, p. 642, fn. 2: "In October 1980 the  
24 composition of the student population was White 23.7 percent,  
25 Black 23.3 percent, Hispanic 45.3 percent, Oriental and other  
26 7.7 percent. The number of white pupils in grades K-3 had fallen  
27 to 16.1 percent." Compare the above with the outdated statistical  
28 composition upon which the case was first argued: "In 1968 the  
racial and ethnic composition of the students was 53.6 percent  
white, 22.6 percent Negro, 20 percent Hispanic, and 3.8 percent  
Oriental and other." Crawford II, supra, p. 642 (fn. 2).

1 expects and demands factual representations by  
2 educators and elected School Boards.

3 It is the duty of the Board and the District, and  
4 each of them, to use factual descriptions. They  
5 must reflect the current composition of the student  
6 population for the applicable school year. The Board  
7 and the District, and each of them, are ordered  
8 forthwith to use words that honestly reflect the  
9 facts as they exist in the current school year.  
10 The Court will refer to the facts as they are in  
11 the real world.

12 The facts are that students previously called the  
13 "minority" are actually the "majority." Therefore,  
14 these students will hereinafter be referred to as  
15 "Black", "Hispanic", or "Asian and Other", as appro-  
16 priate. History does change, and when it does it  
17 must be reported accurately.

18 } The use of the term RIMS (Racially Isolated Minority  
19 Schools) shall cease forthwith. Use of this label  
20 is deceptive, demeaning and inaccurate. The Dis-  
21 trict is ordered to use a neutral term in its place.  
22 The neutral term shall not utilize the word "minor-  
23 ity."

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1 The old labels are harmful to the self esteem of the  
2 very children this action purports to protect.[7]

3 ✓ 3. All new elementary and junior high school Magnet  
4 schools and programs established under this plan  
5 will be located in the areas of predominantly  
6 Hispanic, Black, or Asian and Other enrollment.

7 ✓ 4. The pupil-teacher ratio in predominantly Hispanic,  
8 Black, or Asian and Other schools operated under  
9 this plan must be maintained at 27:1 or less in  
10 order to enrich the opportunities for students.

11 5. All Hispanic, Black, Asian and Other pupils who  
12 volunteer are entitled to access to all programs  
13 involving the voluntary transfer of students.  
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16 [7] Crawford II, p. 648. The Court of Appeal quoted the Supreme  
17 Court as follows: "In a school district in which "minority"  
18 students significantly outnumber "majority" students, a school  
19 whose racial composition might in some other district make it a  
20 "segregated school" may not warrant that legal characterization.  
21 (fn. 1) (Crawford, p. 304, fn. 16)." The Court of Appeal went on  
22 to say: "That of course is the existing situation in the District  
23 where white students are now a minority in that they comprise 23.7  
24 percent of the total student population and 16.1 percent of grades  
25 K-3. Yet for the purpose of applying the legal principles related  
26 to school segregation, whites are still designated as the "majority  
27 and segregation is viewed in terms of the minorities, or any one  
28 of them, being isolated from whites.(fn. 3)" The court said further  
in footnote 3, "That approach appears to be a handover from the  
historic situation in some areas in the country which produced  
the background against which the decision in Brown v. Board of  
Education, supra, was rendered. The wisdom of, or the need to,  
perpetuate that approach here is questionable since, when con-  
sidered in terms of the ethnic composition of the Los Angeles  
Unified School District, it appears to denigrate the dignity and  
capability of the minority students. In effect, it implies that  
ethnic "minority" children, even when they constitute a numerical  
majority and thus do not suffer the psychological trauma of delib-  
erate isolation, cannot achieve best results except in the presence  
of a token number of white students."

- 1           6. The Board of Education is ordered to publicize the  
2           transfer options open to pupils in areas where most  
3           Hispanic, Black, or Asian and Other families reside.  
4           7. The District must issue annual reports on educational  
5           conditions and achievement in predominantly Hispanic,  
6           Black, or Asian schools and distribute these reports  
7           to parents and students and each of them.  
8           8. The share of desegregation expenditures allocated  
9           to payment of administrative expenses shall not  
10          exceed the administrative expense ratio character-  
11          istic of the District's overall budget.  
12          9. The District shall prepare, and make public on or  
13          before July 15, 1983, a full report of the measures  
14          taken and results achieved under its Plan. The  
15          report shall focus on whether the Plan has achieved  
16          meaningful progress toward the goals set forth in  
17          Crawford I and II, and each of them, within the  
18          constraints exerted by present conditions.

19           A genuine opportunity must be given to the Board to show  
20          progress under present conditions. The Court finds that the Board  
21          has embarked on a course of action that under present conditions  
22          seeks to realize the hope of society and alleviate the various  
23          harms to the children in the District. After the balancing and  
24          reconciliation of many competing values, the Court finds that the  
25          Plan, as ordered changed by the Court, will protect the rights of  
26          all students and meet Constitutional standards.

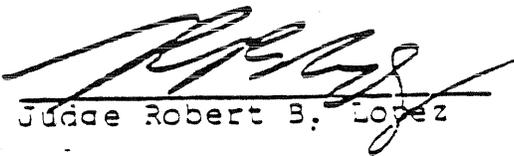
27           The time has come to end these proceedings. There must be  
28          finality in the law. The mandate to take reasonably feasible

1 steps to desegregate the District is clear. The Board remains  
2 subject to its constitutional duty under State law to undertake  
3 reasonably feasible steps to alleviate school segregation re-  
4 gardless of cause. There are matters which deeply concern the  
5 Court in respect to the instant litigation. However these con-  
6 cerns should not be made the springboard for examination of pro-  
7 cedures which implement the new Plan. The underlying issues  
8 have been resolved. Judicial intervention is no longer appro-  
9 priate. The people, who are the ultimate authority, must look  
10 to the School Board, as their elected representatives, to con-  
11 tinue to discharge its duty under the law.

12 The Court finds that respondent Board of Education has  
13 satisfied the mandate of the Court issued May 19, 1970, inter-  
14 preted in light of the opinions expressed by the Supreme Court  
15 in Crawford v. Board of Education (Crawford I), supra, and the  
16 Court of Appeal in Crawford v. Board of Education (Crawford II),  
17 supra, and each of them, and, so finding, orders the writ dis-  
18 charged.

19 All outstanding Orders of the Superior Court in this matter,  
20 save the Minute Orders re Court Monitors, are vacated, effective  
21 this date. The Court retains jurisdiction for the sole purpose  
22 of determining the matter of attorneys' fees.

23  
24 September 10, 1981

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LOS ANGELES UNIFIED SCHOOL DISTRICT  
Student Integration Services

**HISTORY OF DESEGREGATION IN LAUSD – CHRONOLOGY OF THE INTEGRATION PROGRAM**

**CRAWFORD V. BOARD OF EDUCATION OF CITY OF LOS ANGELES**

August 1, 1963	Original complaint filed by parents of Mary Ellen Crawford and several others under co-sponsorship of the American Civil Liberties Union (ACLU). The suit, brought to Los Angeles County Superior Court, was filled against the Los Angeles City Board of Education as a class action on behalf of all "Negro and Mexican American pupils."
October 28, 1967	Trial begins.
May 2, 1969	Trial ends.
February 11, 1970	LA Superior Court (Judge Alfred Gitelson) rules that school district operates segregated schools and gives initial order to integrate.
May 12, 1970	Court issues findings, conclusions and judgment.
May 18, 1970	LAUSD Board files notice of appeal.
March 6, 1974	Oral arguments presented to State Court of Appeal.
March 10, 1975	Court of Appeal rules in school district's favor.
March 25, 1975	ACLU petition for rehearing is denied.
April 7, 1975	Court of Appeal denies the ACLU request for a rehearing.
April 18, 1975	ACLU petitions for a hearing before the California Supreme Court.
July 1, 1975	State Supreme Court agrees to hear the case.
January 8, 1976	Oral arguments presented to State Supreme Court.
June 28, 1976	State Supreme Court upholds Judge Gitelson's decision but reverses a portion of the initial judgment which defined desegregation in terms of specific racial/ethnic percentages. The school district is required by the latest ruling to take reasonable and feasible steps to alleviate the harms of segregation regardless of the cause – and demonstrate meaningful progress in that task. State Supreme Court shifts jurisdiction of the case back to L A Superior Court.
July 19, 1976	Board of Education declines to seek further legal review by California Supreme Court or U S Supreme Court.
February 22, 1977	Judge Paul Egly is appointed to hear the remedial part of the case.
March 18, 1977	Proposed Integration Plan submitted to Superior Court.
March 23, 1977	Court hearings begin on Integration Plan.
April 1977	Four intervenors accepted as parties to the suit: Bustop (April 18), BEST-Better Education for Students Today (April 19), Integration Project (April 19) Diane E. Watson (April 25). Board member Watson, representing the interests of the Citizen's Advisory Committee on Student Integration (CACSI), later stepped down as an intervenor, to be replaced by CACSI members Dr. Robert M. Loveland and Mary Keipp.
July 6, 1977	Superior Court Judge Paul Egly issues minute order rejecting the plan submitted by the Board of Education and requiring the board to fully examine alternate plans and return to court in 90 days with a plan which promises to meaningfully desegregate the district beginning with the