

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA,
EASTERN DIVISION

FILED

AUG 1 - 1969

R. C. DOBSON, CLERK

BY JES DEPUTY CLERK

ANTHONY T. LEE, et al)

Plaintiffs,)

UNITED STATES OF AMERICA,)

Plaintiff-Intervenor)
and Amicus Curiae,)

CIVIL ACTION NO. 604-E

VS)

MACON COUNTY BOARD OF EDUCATION, et al)

Defendants.)
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MOTION FOR ORDER TO SHOW CAUSE

The Alabama State Teachers Association, Inc.,
Plaintiff-Intervenor, hereinafter referred to as A.S.T.A.,
hereby moves the court for an Order Ex Parte adding as
parties defendant those school officials listed on
attachment A, who have not been previously made parties
defendant, and requiring them to show cause, if any, why
they should not be enjoined from discriminating in the
hiring, firing, assigning, reassigning, promoting, demot-
ing and paying of teachers, principals, administrators
and other staff personnel solely on the basis of race or
color, and take affirmative steps to redress past inequities,
and as grounds for this Motion states as follows:

1. Heretofore this Court entered an Order which
provided:

111. "Race or color will henceforth,
not be a factor in the hiring,
assignment, reassignment, promotion,
demotion, or dismissal of teachers
or other professional staff, with
the exception that assignments may
be made to further the process of
desegregation. Affirmative steps
will be taken to eliminate racial
assignments heretofore made."

2. In a like Order, this Court provided:

B. Dismissals. "Teachers and other professional staff members will not be discriminatorily assigned, dismissed, demoted or passed over for retention, promotion or rehiring on the grounds of race or color. In any instance where one or more teachers or other professional staff members are to be displaced as a result of desegregation, no staff vacancy in the school system will be filled from outside the system unless no such displaced staff member is qualified to fill the vacancy. If, as a result of desegregation, there is to be a reduction in the total professional staff of the school system, the qualification of all staff members in selecting the staff member to be released without consideration of race or color."

3. Defendants listed on attachment A have continually violated the rights guaranteed their principals, teachers, administrators and other staff personnel by the Constitution of the United States, and have enforced and pursued and are enforcing and pursuing a policy, practice, custom and usage of discriminating against black principals, teachers, administrators, and staff personnel in the following particulars:

A. Hiring, firing, assigning, reassigning, promoting, demoting and paying black teachers, principals, administrators and other staff personnel solely on the basis of race or color.

B. Denying black persons positions as supervisors and administrators.

C. Maintaining disproportionate pay Scales between black and white principals.

D. Requiring black athletic directors and coaches to work as full time classroom teachers and paying them a smaller athletic supplement than white athletic directors and coaches.

E. Transferring to the traditionally white school black teachers who are superior in training and experience to the white teachers who are transferred to traditionally black schools.

F. Reassigning black principals to classroom positions with loss in salaries.

G. Transferring black continuing service teachers to Title I Programs, thereby depriving them of continuing service status.

H. Terminating black teachers on Title I Programs and replacing them with white teachers.

I. Reassigning black principals whose schools are closed or consolidated to white schools in teaching positions under white principals who have less training and experience.

J. Replacing reassigned or retired black principals at traditionally black schools with white principals, while at the same time refusing to consider black principals for vacant principalship at traditionally white schools.

GRAY, SEAY & LANGFORD

BY: 
Attorneys for Plaintiff-
Intervenor, A.S.T.A.
352 Dexter Avenue
Montgomery, Alabama 36104

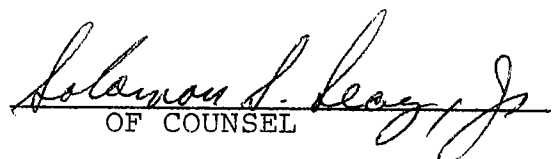
CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing Motion for Order to Show Cause upon each of the following Attorneys of Records by placing a copy of the same in the United States Mail, postage prepaid, properly addressed, this 1st day of August, 1969:

Hon. Frank Allen
Department of Justice
Civil Rights Division
Washington, D. C. 20530

Goodwyn, Smith & Bowman
Attorneys at Law
325 Bell Building
Montgomery, Alabama 36104

Hon. Ira DeMent
United States Attorney
Post Office Building
Montgomery, Alabama 36102


OF COUNSEL

ATTACHMENT A

COUNTY SYSTEMS

1. Autauga
2. Cherokee
3. Chambers
4. Chilton
5. Colbert
6. Coosa
7. Dale
8. DeKalb
9. Elmore
10. Fayette
11. Geneva
12. Houston
13. Jackson
14. Louderdale
15. Randolph
16. St. Clair
17. Cleburne
18. Shelby
19. Baldwin
20. Clay
21. Covington
22. Henry
23. Marion
24. Monroe
25. Talladega
26. Tallapoosa
27. Tuscaloosa

SUPERINTENDENT

John R. Hargis
J. B. Bishop
Morse Haynes
Borden Conway
David C. Brown
L. M. McClenny
Joe H. Payne
Leon Roberts
Ross McQueen
R. W. Hollingsworth
Herbert Hughes
J. T. Willoughby
A. A. Clemons
R. A. Thornton
R. D. Simpson
Hugh H. Williamson
Joseph N. Hand
Elvin Hill
W. C. McBowen
L. D. Brooks
T. W. Carroll
James E. Reeves
Estes Hudson
R. H. Vickery
R. J. Pittard
V. N. Price
L. C. Sprayberry

CITY SYSTEMS

1. Tarrant City
2. Tuscumbia
3. Oreonta
4. Thomasville
5. Scottsboro
6. Sheffield

R. J. Morgan
Jack H. Vardaman
Hubert L. Street
R. T. Short
Thurston T. Nelson
C. M. Brewster