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# **Desegregation of Public School Districts in Georgia:**

**35 Public School Districts Have Unitary Status  
74 Districts Remain Under Court Jurisdiction**

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**Georgia Advisory Committee to the  
United States Commission on Civil Rights**

**December 2007**

This is the work of the Georgia Advisory Committee to the United States Commission on Civil Rights. The views expressed in this report and the findings contained herein are those of the members of the State Advisory Committee and do not necessarily represent the views of the Commission, its individual members, or the policies of the United States Government.

## Letter of Transmittal

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U.S. Commission on Civil Rights

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The Georgia Advisory Committee submits this report, *Desegregation of Public School Districts in Georgia: 35 Public School Districts Have Unitary Status, 74 Remain Under Court Jurisdiction*, as part of its responsibility to study important civil rights issues in the state and report on its findings to the Commission and the public. The Georgia Advisory Committee is a bipartisan federal advisory committee that operates under the Federal Advisory Committee Act, and this report was unanimously adopted by all members of the Committee by a vote of 11 yes, 0 no, and no abstentions.

In support of a national Commission study on school desegregation, this report provides to both the Commission and the public a complete assessment of the school desegregation status of the 180 public school districts in Georgia. It identifies all school districts in the state ever subject to a school desegregation court order and those school districts that have been declared by the court to have “unitary status.”

To that purpose, we report that of the 180 public school districts in Georgia, 109 have been subjected to litigation in the federal courts to desegregate the public schools in their districts. Thirty-five (35) of those districts have received a formal declaration of “unitary status” from the court and have been released from further court jurisdiction. Seventy-four (74) school districts remain under a school desegregation court order.

In addition to the reporting on the desegregation status of districts, as part of this study we include an analysis of the impact that “unitary status” has on school integration

patterns. In recent years there has been speculation by some researchers that without judicial constraint and independent from court oversight, formerly *de jure* segregated school districts may revert to *de facto* segregated school systems. To the Committee, this seminal compilation of the desegregation status of all public school districts in the state provided a unique opportunity to examine the issue.

To that purpose, we conducted statistical analyses of current integration patterns among the three different groups of school districts, i.e., (1) districts with unitary status, (2) districts still under a court order, and (3) districts never involved in desegregation litigation. Our analysis of integration patterns simply on the basis of whether a school district does or does not have “unitary status” shows that those school districts that have been released from court oversight do exhibit a greater degree of racial separation in their schools than that found in the other school districts. However that finding is too simplistic, for school districts with “unitary status” also have larger student enrollments and higher percentages of minority students. When these factors are taken into consideration we find that there are no substantial differences among school districts regarding patterns of integration on the basis of the district having been granted “unitary status” by the court.

We are not suggesting by these findings that *de facto* re-segregation in the schools may not be occurring. Our report is silent on that topic. Further, we endorse and support school integration as a desirable social goal, and we support the pursuit of all legal efforts to allow for full integration of the schools. So although the findings in this study suggest that court jurisdiction over school districts appears to be neutral in its effect on patterns of school integration, given the long and sad history of racial segregation in this state readers of this report should not necessarily conclude that it is time to quickly eliminate all remaining vestiges of court jurisdiction in this matter without careful and prudent deliberation.

Respectfully,

Charles B. Tanksley, *Chairman*  
Georgia State Advisory Committee

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All 11 members of the Georgia State Advisory Committee voted, and all 11 members approved the report. It is a unanimous reporting by the Georgia State Advisory Committee, all members participating.

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## Introduction

Few today deny there were vast inequities during segregation, and these resulted in large costs for this Nation—both monetary and social. Great disparities in educational spending existed in Georgia during the period of segregation. In the 1920s, Georgia spent almost eight times as much per white student compared to black students.<sup>1</sup> Formal segregation was declared illegal in the 1950s, and though today the need for equality in education seems apparent, the path to school integration in the state of Georgia was a long one, sometimes smooth and sometimes grueling.

In response to the Supreme Court's decision in 1954 in *Brown v Board of Education of Topeka*<sup>2</sup>, state leaders in Georgia adopted a position of massive resistance to desegregation. The Georgia General Assembly went as far as amending the state constitution to force the governor to interrupt state funds going to any public school that became integrated. In the year following *Brown*, the state of Georgia gave African-American teachers a choice: leave the NAACP or lose their teaching licenses.<sup>3</sup>

In his 1958 campaign Georgia Governor Ernest Vandiver promised to maintain segregation in the state's public schools. However, Vandiver found himself faced with a grave problem when a U.S. District Court judge ordered Atlanta's segregated public school system to integrate immediately. The Governor looked to John Sibley, head of the Georgia General Assembly's Committee on Schools, to stall for time rather than cut off state funds to the schools.<sup>4</sup> The result was a revised approach of "minimal compliance" with desegregation, as opposed to "massive resistance," and won the Atlanta Board of Education a one year delay from the district court in implementing an integration plan.<sup>5</sup>

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<sup>1</sup> Carson, Clayborne, et al. *Civil Rights Chronicle: The African-American Struggle for Freedom*. Lincolnwood, IL: Legacy, 2003.

<sup>2</sup> *Brown v. Board of Education*, 347 U.S. 483 (1954).

<sup>3</sup> Carson, Clayborne, et al. *Civil Rights Chronicle: The African-American Struggle for Freedom*. Lincolnwood, IL: Legacy, 2003.

<sup>4</sup> Huff, Christopher Allen. "Sibley Commission." *The New Georgia Encyclopedia*. 6/26/2006. Georgia Humanities Council. 09 December 2006 <<http://www.georgiaencyclopedia.org/nge/Article.jsp?id=h-2617>>.

<sup>5</sup> Myrick-Harris, Clarissa and Norman Harris. "Direct Action and Desegregation (1960-1965)." *Atlanta in the Civil Rights Movement*. Atlanta Regional Council for Higher Education. 10 January 2007 <[http://www.atlantahighered.org/civilrights/essay\\_detail.asp?phase=3](http://www.atlantahighered.org/civilrights/essay_detail.asp?phase=3)>.

Just a few years later, Vandiver severed state funds to the University of Georgia after the school admitted two black students, Hamilton Holmes and Charlayne Hunter.<sup>6</sup> Holmes and Hunter's admission had already been delayed a full year by the Governor, until a court order allowed them to register. Two days after their enrollment a mob of whites formed outside Hunter's dormitory and had to be dispersed using tear gas.<sup>7</sup> The integration of the University of Georgia in early 1961 led the Georgia General Assembly to strike down its school segregation amendment and laid the foundation for desegregation efforts in the Atlanta Public Schools.<sup>8</sup> In the fall of 1961, nine African American students transferred to previously all-white schools.

Over a half a century of de jure racial segregation in education came to an end on May 17, 1954, when the U.S. Supreme Court decided *Brown v. Board of Education*.<sup>9</sup> The Court concluded that in the sphere of public education, "the doctrine of 'separate but equal' has no place. Separate educational facilities are inherently unequal."<sup>10</sup> In *Brown* the Court found that, contrary to the ruling in *Plessy v. Ferguson* (163 U.S. 537), separate facilities did violate the Equal Protection Clause of the Fourteenth Amendment of the Constitution. Previous to the *Brown* decision school districts throughout the country used the "separate but equal" principle established in *Plessy* to maintain de jure segregated school districts.

Missing from the *Brown* decision were a timeframe for how quickly desegregation was to be achieved, the methods by which a school system might integrate, and the practical question of measuring when and to what extent a school system was desegregated. Almost one year after the original *Brown* decision came *Brown II*, in which the Court essentially returned the issue to the lower courts, only specifying that desegregation efforts were to proceed with "all deliberate speed."<sup>11</sup> However, a decade

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<sup>6</sup> Henderson, Harold Paulk. "Ernest Vandiver Jr. (1918-2005)." *The New Georgia Encyclopedia*. 5/9/2005. Georgia Humanities Council. 09 December 2006

<<http://www.georgiaencyclopedia.org/nge/Article.jsp?id=h-598&hl=y>>.

<sup>7</sup> Carson, Clayborne, et al. *Civil Rights Chronicle: The African-American Struggle for Freedom*. Lincolnwood, IL: Legacy, 2003.

<sup>8</sup> Myrick-Harris, Clarissa and Norman Harris. "Direct Action and Desegregation (1960-1965)." *Atlanta in the Civil Rights Movement*. Atlanta Regional Council for Higher Education. 10 January 2007

<[http://www.atlantahighered.org/civilrights/essay\\_detail.asp?phase=3](http://www.atlantahighered.org/civilrights/essay_detail.asp?phase=3)>.

<sup>9</sup> *Brown v. Board of Education*, 347 U.S. 483 (1954).

<sup>10</sup> *Brown*, 347 U.S. 495.

<sup>11</sup> *Brown*, 349 U.S. at 301.

after the first *Brown* decision, and just one year after Hamilton Holmes graduated from the University of Georgia, less than two percent of formerly segregated school districts experienced any desegregation.<sup>12</sup>

## U.S. Supreme Court Establishes Concept of Unitary Status

### In 1969 *Green* Decision

While the question of how quickly to desegregate was deflected, the issues of how desegregation was to take place and how to assess a school district's progress were answered slowly over the next several decades. As segregated school districts defied and delayed desegregation, the proactive efforts of the federal government and conscientious citizens forced the judiciary to oversee many of the administrative functions of local school districts. In the battle for integrated education, the first response by many segregated school districts was the formation of "freedom of choice" plans, which in theory allowed families to choose which public school to attend. However, a number of practical considerations kept this theory from becoming reality and many districts remained partially or completely segregated.<sup>13</sup> As a result, in 1965 Dr. Calvin Green sued the New Kent County School Board for a more effective remedy to segregation.

The result came in 1968 as the U.S. Supreme Court's decision in *Green v. School Board of New Kent County*.<sup>14</sup> In this critical ruling, the Court declared "freedom of choice" plans largely ineffective for producing integration and outright unacceptable when other more efficient and effective options were available. The Justices asserted that in order to assess a school district's plans to eliminate de jure segregation, federal courts must examine how that plan applies to all aspects of school operations. These examined areas of school operation are known as the *Green* factors, and include: (1) student assignment, (2) faculty assignment, (3) staff assignment, (4) transportation, (5) extracurricular activities, and (6) facilities.<sup>15</sup> It is in the *Green* decision that a court first used the term "unitary status" to describe a school system that made the transition from a

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<sup>12</sup> See Hutchinson, Dennis J., "Brown v. Board of Education," in the *Oxford Companion to the Supreme Court of the United States*: (Kermit L. Hall ed., Oxford University Press 1992).

<sup>13</sup> Southern School Desegregation, 1966-1967, at 88 (1967). See *id.* at 45-69; Survey of School Desegregation in the Southern and Border States 1965-1966, at 30-44, 51-52 (U.S. Commission on Civil Rights 1966).

<sup>14</sup> *Green v. School Board of New Kent County*, 391 U.S. 430 (1968).

<sup>15</sup> Florida Advisory Committee Report on School Desegregation (2006).

segregated, or “racially dual,” system to a desegregated, or “unitary,” system.<sup>16</sup> Writing for the Court, Justice William J. Brennan explained: “The burden on a school board today is to come forward with a plan that promises realistically to work, and promises realistically to work now.”<sup>17</sup> As a result of the Court’s newfound candor, the percentage of southern black students attending integrated schools jumped from 32 percent in 1969 to 79 percent in 1971.<sup>18</sup>

In the 1980’s desegregation litigation shifted as school districts began to seek relief from court supervision. A consequence of the *Green* decision was that a school district could theoretically remain under court supervision years after it had begun operating a unitary school system.<sup>19</sup> In response, the Supreme Court began to address the question of when to relieve school districts from federal oversight. In *Board of Education of Oklahoma City Public Schools v. Dowell*,<sup>20</sup> the Court applied the *Green* factors to the question at hand: a school district seeking a grant of unitary status, and thus relief from federal oversight, must present to a court, for every facet of school operations, compelling evidence which indicates all remnants of segregation are eliminated and are unlikely to return.<sup>21</sup> This ability to gain unitary status allowed a school district that had demonstrated its good faith to the meaning of the *Brown* decision to avoid “judicial tutelage for the indefinite future.”<sup>22</sup> In addition, the Court stated that the parties involved in desegregation litigation deserved a clear and concise declaration of unitary status and of the dismissal of a court order.

In *Freeman v. Pitts*<sup>23</sup> the Court supported its direction in *Dowell*, that the district courts must distinguish between the remnants of de jure segregation and the presence of fresh de facto segregation. The Court concluded that once a school system ended de jure segregation, neither the courts nor the school districts were required to remedy the de facto segregation resulting from demographic shifts.

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<sup>16</sup> Ibid.

<sup>17</sup> *Green* 391 U.S. at 440.

<sup>18</sup> “The *Green* Decision of 1968.” *The Civil Rights Movement in Virginia*. The Virginia Historical Society. 09 December 2006 < <http://www.vahistorical.org/civilrights/green.htm#images>>.

<sup>19</sup> Monika Moore, “Unclear Standards Create an Unclear Future: Developing a Better Definition of Unitary Status,” *The Yale Law Journal*, New Haven, CT, November 2002.

<sup>20</sup> 498 U.S. 237 (1991).

<sup>21</sup> *Dowell*, 498 U.S. at 251.

<sup>22</sup> Id. at 250.

<sup>23</sup> 503 U.S. 467 (1992).

In addition, in *Pitts* the Court noted that district courts were not required to retain control over all aspects of school administration when the school district could demonstrate that they had achieved partial unitary status. Full compliance with a desegregation decree was no longer necessary. Instead, school districts were able to incrementally regain control of each of the six areas of school operation detailed in *Green* by demonstrating, for each area one at a time, that all vestiges of de jure segregation were eliminated.

While many school districts in the Nation have been subject to federal court jurisdiction, some districts have never been involved in desegregation litigation. In Georgia, about two-fifths of the school districts have not come under the jurisdiction of the federal courts. This is because these districts filed 441(b) desegregation plans with the Office for Civil Rights (OCR), U.S. Department of Education. In these agreements, districts assured their full compliance with Title VI of the Civil Rights Act of 1964<sup>24</sup> and their commitment to a plan to achieve and maintain desegregation status. Regional Offices of the OCR monitor these formerly segregated school districts and ensure district compliance with the Civil Rights Act of 1964 and applicable decisions of the courts.<sup>25</sup>

#### 109 of Georgia's 180 Public School Districts Have Been Involved in Litigation over School Desegregation

Although as many as 400 school districts may still operate under federal court jurisdiction nationwide,<sup>26</sup> there is no definitive source of information on the exact number and status of school districts still under federal court jurisdiction with respect to school desegregation. There are 180 public school districts in Georgia, many of which are county wide systems with the remaining districts being city systems. At the time of the *Brown* decision every school district in the State operated a racially segregated school system. One-hundred-and-nine (109) school districts have been sued in federal court to eliminate racial segregation, the other 71 districts have not been involved in school

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<sup>24</sup> Pub.L.No. 88-352, 78 Stat. 241 (codified as amended in scattered section of 41 U.S.C.).

<sup>25</sup> For a compilation of significant U.S. Supreme Court decisions regarding school desegregation see: Report of the Florida Advisory Committee to the U.S. Commission on Civil Rights, *Desegregation of Public School Districts in Florida: 18 School Districts Have Unitary Status, 16 Districts Remain Under Court Jurisdiction*, December 2006, p. 6.

<sup>26</sup> Monika L. Moore, "Unclear Standards Create an Unclear Future: Developing a Better Definition of Unitary Status," 112 Yale L. J. 311 (November 2002).

desegregation litigation and most of these school districts have voluntary compliance agreements (441-b) with the U.S. Department of Education.<sup>27</sup>

As of 2007, the courts have declared 35 of these school districts to have unitary status. Table 1 lists the school districts in Georgia and the desegregation status of each district. We further report that, of the 74 school districts still under court order, only 16 are actively pursuing “unitary status.”

**Table 1: The Desegregation Status of Georgia Public School Districts**

	<b>School District</b>	<b>Status</b>
1	Appling County	CO
2	Atkinson County	CO
3	Atlanta City	US
4	Bacon County	N-L
5	Baker County	US
6	Baldwin County	CO
7	Banks County	N-L
8	Barrow County	CO
9	Bartow County	N-L
10	Ben Hill County	CO
11	Berrien County	N-L
12	Bibb County	US
13	Bleckley County	US
14	Brantley County	N-L
15	Bremen City	N-L
16	Brooks County	US
17	Bryan County	CO
18	Buford County	N-L
19	Bulloch County	US
20	Burke County	N-L
21	Butts County	US
22	Calhoun City	N-L
23	Calhoun County	CO
24	Camden County	CO
25	Candler County	CO
26	Carroll County	N-L
27	Carrollton City	N-L
28	Cartersville City	N-L

<sup>27</sup> To determine the desegregation status of public school districts in Georgia, a variety of sources were consulted and compared. This included legal research of segregation cases involving Georgia school districts; an examination of records from the Office for Civil Rights, U.S. Department of Education and the Civil Rights Division, U.S. Department of Justice; and information in the public domain such as The Civil Rights Project (Harvard University), The American Communities Project (Brown University), and the Legal Defense Fund of the NAACP. Finally, there were confirmation and consultation discussions with the affected school districts, and for those districts still under court jurisdiction, school officials were also asked about the intent of the district with respect to seeking unitary status from the Court.

29	Catoosa County	N-L
30	Charlton County	CO
31	Chatham County	US
32	Chattahoochee County	US
33	Chattooga County	N-L
34	Cherokee County	N-L
35	Chickamauga County	N-L
36	Clarke County	N-L
37	Clay County	US
38	Clayton County	US
39	Clinch County	CO
40	Cobb County	N-L
41	Coffee County	US
42	Colquitt County	CO
43	Columbia County	CO
44	Commerce City	N-L
45	Cook County	CO
46	Coweta County	CO
47	Crawford County	CO
48	Crisp County	CO
49	Dade County	N-L
50	Dalton County	N-L
51	Dawson County	N-L
52	Decatur City	CO
53	Decatur County	CO
54	DeKalb County	US
55	Dodge County	CO
56	Dooly County	CO
57	Dougherty County	CO
58	Douglas County	N-L
59	Dublin City	CO
60	Early County	CO
61	Echols County	US
62	Effingham County	N-L
62	Elbert County	CO
64	Emanuel County	CO
65	Evans County	N-L
66	Fannin County	N-L
67	Fayette County	N-L
68	Floyd County	N-L
69	Forsyth County	N-L
70	Franklin County	N-L
71	Fulton County	US
72	Gainesville City	N-L
73	Gilmer County	N-L
74	GlascocK County	CO
75	Glynn County	CO
76	Gordon County	N-L
77	Grady County	CO
78	Greene County	N-L
79	Gwinnett County	N-L
80	Habersham County	N-L

81	Hall County	N-L
82	Hancock County	US
83	Haralson County	N-L
84	Harris County	CO
85	Hart County	CO
86	Heard County	N-L
87	Henry County	N-L
88	Houston County	N-L
89	Irwin County	CO
90	Jackson County	US
91	Jasper County	US
92	Jeff Davis County	CO
93	Jefferson City	US
94	Jefferson County	CO
95	Jenkins County	CO
96	Johnson County	CO
97	Jones County	CO
98	Lamar County	US
99	Lanier County	N-L
100	Laurens County	CO
101	Lee County	CO
102	Liberty County	N-L
103	Lincoln County	CO
104	Long County	US
105	Lowndes County	US
106	Lumpkin County	N-L
107	Macon County	CO
108	Madison County	N-L
109	Marietta City	N-L
110	Marion County	CO
111	McDuffie County	CO
112	McIntosh County	US
113	Meriwether County	CO
114	Miller County	CO
115	Mitchell County	CO
116	Monroe County	CO
117	Montgomery County	CO
118	Morgan County	US
119	Murray County	N-L
120	Muscogee County	US
121	Newton County	CO
122	Oconee County	N-L
123	Oglethorpe County	N-L
124	Paulding County	N-L
125	Peach County	CO
126	Pelham City	US
127	Pickens County	N-L
128	Pierce County	N-L
129	Pike County	N-L
130	Polk County	N-L
131	Pulaski County	CO
132	Putnam County	US

133	Quitman County	US
134	Rabun County	N-L
135	Randolph County	CO
136	Richmond County	CO
137	Rockdale County	N-L
138	Rome City	CO
139	Schley County	US
140	Screven County	CO
141	Seminole County	US
142	Social Circle City	N-L
143	Spalding County	N-L
144	Stephens County	N-L
145	Stewart County	N-L
146	Sumter County	CO
147	Talbot County	N-L
148	Taliaferro County	N-L
149	Tattnall County	CO
150	Taylor County	CO
151	Telfair County	CO
152	Terrell County	CO
153	Thomas County	US
154	Thomaston-Upson County	N-L
155	Thomasville City	N-L
156	Tift County	N-L
157	Toombs County	CO
158	Towns County	N-L
159	Treutlen County	US
160	Trion City	N-L
161	Troup County	US
162	Turner County	CO
163	Twiggs County	CO
164	Union County	N-L
165	Valdosta City	CO
166	Vidalia City	CO
167	Walker County	CO
168	Walton County	CO
169	Ware County	N-L
170	Warren County	CO
171	Washington County	CO
172	Wayne County	CO
173	Webster County	US
174	Wheeler County	CO
175	White County	N-L
176	Whitfield County	N-L
177	Wilcox County	CO
178	Wilkes County	US
179	Wilkinson County	CO
180	Worth County	CO

Status Notes: CO--Under Court Jurisdiction; US--Unitary Status; N-L--Non Litigant, never subject to court jurisdiction.

Source: Georgia Advisory Committee.

The Department of Education classifies school districts into eight location types. These are: (1) large central city, (2) mid-size central city, (3) urban fringe of large city, (4) urban fringe of mid-size city, (5) large town, (6) small town, (7) rural-outside metropolitan area, and (8) rural-inside a metropolitan area.<sup>28</sup> Essentially these categories translate into four demographic types of school districts: large urban, suburban, town, and rural school districts.

There are seven urban school districts in Georgia. The Atlanta City School System is the only district in the state classified as large central city school district. Six others are classified as mid-size central city school districts, and include districts such as Bibb County and Muscogee County. Thirty-two school districts in the state are suburban school districts. This includes 24 districts classified as category “3”, such as Buford City and Fulton County, and eight districts designated as category “4” or urban fringe of a mid-size city, which include Chickamauga City and Peach County.

**Table 2: Desegregation Litigation and School District Demographic Type**

<b>Demographic Type</b>	<b>Number</b>	<b>Number Litigated</b>	<b>Percent</b>
<b>Urban</b>	7	6	85.7
<b>Suburban</b>	32	13	40.6
<b>Town</b>	81	57	70.3
<b>Rural</b>	60	33	55.0

Source: Georgia Advisory Committee.

Eighty-one school districts are town districts. Five are large town school districts, such as Valdosta City, and 76 are small town districts and include Calhoun City and Macon County. About one-third of the districts are rural districts and include Fannin County and Union County.

Except for the large urban districts, the demographic type of school district does not seem necessarily related to the district being subjected to a court order to integrate its school system. Nearly every urban district in the state, six of the seven, was subjected to court litigation regarding school desegregation. In contrast, only about two-fifths of the

<sup>28</sup> General Accountability Office, *Title I Funding—Poor Children Benefit Though Funding Per Poor Child Differ*, GAO-02-242, January 2002, p. 17.

suburban school districts, 13 of 32, were subjected to a court order. Among town school districts, nearly three-fourths of such school districts, 59 of 81, were sued, and about half of the rural school districts, 33 of 60. (See Table 2.)

Regarding school districts with a declaration of “unitary status” from the court, in general those districts are larger school districts in the state and have higher enrollments than school districts still under court order or never litigated. The median enrollment among “unitary status” schools districts is about 6,000 students, and almost one-fifth have enrollments over 30,000 students. Additionally, these school districts tend to have larger percentages of minority students. The median percentage of minority students for these districts is about 54 percent, and for most of the districts with “unitary status” minorities comprise over 40 percent of total enrollment.

**Table 3: Median & Average Enrollment, and Median & Average Percent Minority Students for School Districts with Unitary Status (US), under Court Order (CO), and Non-Litigant Districts (NL)**

	<b>Median Enrollment</b>	<b>Average Enrollment</b>	<b>Median Minority Percentage</b>	<b>Average Minority Percentage</b>
<b>Unitary Status Districts</b>	6,066	20,839	53.9	54.2
<b>Court Order Districts</b>	2,942	4,670	45.8	49.9
<b>Non-Litigant Districts</b>	4,088	10,373	21.2	30.0

Source: Georgia Advisory Committee.

In contrast, school districts still under court order and those school districts never subject to school desegregation litigation generally have lower total enrollments and lower percentages of minority students. The median percentage of minority students in the districts still under a court order is about 45 percent and almost all have total enrollments less than 10,000 students. Among the 71 “non-litigant” school districts, 52 have an enrollment of less than 10,000 students and the median percentage of minority students at these districts is 21 percent.<sup>29</sup> (See Table 3.)

<sup>29</sup> Source, Common Core of Data, 2004-05 school year.

### 35 Georgia School Districts Have Unitary Status

The Court of Appeals for the Fifth Circuit set forth the procedure for the dismissal of school desegregation cases in *Youngblood v. Board of Public Instruction of Bay County*.<sup>30</sup> Absent from the Supreme Court’s opinions concerning desegregation orders is any clarification concerning how many years a school district must comply with a desegregation order before a court will release the school district from its supervision. In *Board of Education v. Dowell*, the Court explained that courts should release school districts from desegregation orders after the districts have complied with the orders for a “reasonable period of time.”<sup>31</sup>

There are 180 school districts in Georgia, and of these 109 have been subject to desegregation-related litigation. Thirty-five of these 109 districts have obtained a declaration of unitary status from the federal district court and released from court jurisdiction. For the most part, unitary status has been granted to school districts only in recent years. Thirty of the 35 school districts in Georgia with unitary status, 85 percent, received it after the Supreme Court’s 1991 *Dowell* decision. Table 4 lists the 35 Georgia school districts with unitary status and the year of that declaration.

In this section, listed separately for each of the 35 school districts with unitary status, the following information is presented in this section: (1) the name of the school district, (2) the initiating school desegregation case, (3) the year of the case was initiated, and (4) the year unitary status was granted. Recent racial and ethnic composition of the district is also presented.

**Table 4: Georgia School Districts with Unitary Status**

	<b>District</b>	<b>Year of Case Initiation</b>	<b>Year of Unitary Status</b>
1.	Atlanta	1958	1972
2.	Baker	1969	2007
3.	Bibb	1965	2007
4.	Bleckley	1969	2007
5.	Brooks	1969	2005
6.	Bulloch	1971	2001
7.	Butts	1969	2005
8.	Chatham-Savannah	1963	1994

<sup>30</sup> *Youngblood v. Board of Public Instruction of Bay County*, 448 F.2d. 770 (1971).

<sup>31</sup> 498 U.S. 237, 248 (1991).

9.	Chattahoochee	1969	2005
10.	Clay	1969	2006
11.	Clayton	1971	1977
12.	Coffee	1969	1995
13.	DeKalb	1968	1996
14.	Echols	1969	2005
15.	Fulton	1964	2003
16.	Hancock	1969	2007
17.	Jackson	1969	1985
18.	Jasper	1969	2006
19.	Jefferson City	1969	1985
20.	Lamar	1969	2007
21.	Long	1969	2003
22.	Lowndes	1968	2006
23.	McIntosh	1969	2006
24.	Morgan	1969	2006
25.	Muscogee	1971	1997
26.	Pelham City	1969	2006
27.	Putnam	1969	2007
28.	Quitman	1969	2006
29.	Schley	1969	2005
30.	Seminole	1969	2006
31.	Thomas	1969	2006
32.	Treutlen	1969	2007
33.	Troup	1969	2003
34.	Webster	1967	2006
35.	Wilkes	1969	2005

Source: Georgia Advisory Committee.

Atlanta Public School District

The City of Atlanta is the largest city in the state, and is part of Fulton County. The county is divided into two school districts, Fulton County School District and the Atlanta Public Schools District. Within the Atlanta Public School District there are 98 schools, seven of which are charter schools. The district is mixed racially and has a total enrollment of about 51,000 students. Blacks are the largest racial group, comprising 87.4 percent of total enrollment, while whites comprise 7.5 percent. The district obtained unitary status from the courts in 1972.

Initiating Case Name: Vivian Calhoun v. Ed S. Cook No. 6298  
Year of Initiating Case: 1958  
Issue: School Desegregation  
Current Status: Unitary Status  
Year of Final Decision: 1972

### Baker County School District

Baker County is located in the southwestern part of the state. The county comprises one school district, and there are three schools in the district. The district is mixed racially and has a total enrollment of 391 students. Blacks are the largest racial group, comprising three-fourths of total enrollment, while whites are about 20 percent. The district was under court jurisdiction beginning in 1969 and the Department of Justice was the plaintiff. Justice initiated a review of the case and petitioned the court to dismiss the case and the court granted unitary status to the district in 2007.

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Unitary Status
Year of Final Decision:	2007

### Bibb County School District

Bibb County is located in the central part of the state. The county comprises one school district, and there are 47 schools in the district. The district is mixed racially and has a total enrollment of 25,148 students. Blacks are the largest racial group comprising 72 percent of total enrollment, while whites are about 24 percent. The district was first placed under court jurisdiction in 1965 when private parties sued the school district to end the dual school system in the county. After a series of hearings, the court granted unitary status to the district in 2007.

Initiating Case Name:	Bivins v. Bibb County Board of Education
Year of Initiating Case:	1965
Issue:	School Desegregation
Current Status:	Unitary Status
Year of Final Decision:	2007

### Bleckley County School District

Bleckley County is located in the central part of the state. The county comprises one school district with five schools in the district. The district is mixed racially, and has a total enrollment of about 2,500 students. Whites are the largest racial group, comprising almost 70 percent of total enrollment, while blacks make-up almost 30 percent. The district was first placed under court jurisdiction in 1969 when the Department of Justice sued the district to end its dual school system. After review, Justice initiated action to dismiss the case and the district was granted unitary status in 2007.

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Unitary Status
Year of Final Decision:	2007

### Brooks County School District

Brooks County is located in the south-central part of the state. The county comprises one school district, and there are 5 schools in the district. The district is mixed racially and has a total enrollment of about 2,500 students. Blacks are the largest racial group, comprising 60 percent of total enrollment, while whites are about 35 percent. In 1969 the Department of Justice filed a school desegregation action against the State of Georgia and other defendants. Later that year a detailed desegregation decree was issued by the court that brought 81 school districts, including the Brooks County School District, into the suit. The district obtained unitary status from the courts in 2005.

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Unitary Status
Year of Final Decision:	2005

### Bulloch County School District

Bulloch County is located in the east-central part of the state. The county comprises one school district with 19 schools, one of which is a state special charter school. The district is mixed racially, and has a total enrollment of almost 9,000 students. Whites are the largest racial group, comprising 57 percent of total enrollment, while blacks are 38 percent. The district obtained unitary status from the courts in 2001.

Initiating Case Name:	U.S. v. Bd. of Education of Bulloch County
Year of Initiating Case:	1971
Issue:	School Desegregation
Current Status:	Unitary Status
Year of Final Decision:	2001

### Butts County School District

Butts County is located in the central part of the state. The county comprises one school district, and there are six schools in the district. The district is mixed racially, and has a total enrollment of about 3,500 students. Whites are the largest racial group, comprising almost two-thirds of total enrollment, while blacks are about 33 percent. The district obtained unitary status from the courts in 2005. In 1969 the Department of Justice filed a school desegregation action against the State of Georgia and other defendants. Later that year a detailed desegregation decree was issued by the court that brought 81 school districts, including the Butts County School District, into the suit. The district obtained unitary status from the courts in 2005.

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Unitary Status
Year of Final Decision:	2005

### Chatham County-Savannah School District

Chatham County is located in the southeastern part of the State. The county comprises one school district with 55 schools, four of which are charter schools. The district is mixed racially, and has a total enrollment of nearly 35,000 students. Blacks are the largest racial group and are two-thirds of total enrollment, while whites are about 30 percent. The initiating case was filed by the Legal Defense Fund of the NAACP in 1963, and the district court originally sided with the school district to allow a segregated school system. The Fifth Circuit Court of Appeals overturned the decision and remanded the case back to the District Court. The Savannah-Chatham school district ultimately obtained unitary status from the court in 1994.

Initiating Case Name:	Stell v. Savannah-Chatham Cty Bd. of Education
Year of Initiating Case:	1963
Issue:	School Desegregation
Current Status:	Unitary Status
Year of Final Decision:	1994

### Chattahoochee County School District

Chattahoochee County is located in the west-central part of the State. The county comprises one school district, and there are three schools in the district. The district is mixed racially, and has a total enrollment of about 600 students. Whites are the largest racial group, comprising 60 percent of total enrollment, while blacks are 35 percent. The district obtained unitary status from the courts in 2005. In 1969, the Department of Justice filed a school desegregation action against the State of Georgia and other defendants. Later that year a detailed desegregation decree was issued by the court that brought 81 school districts, including the Chattahoochee County School District, into the suit. The district obtained unitary status from the courts in 2005.

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Unitary Status
Year of Final Decision:	2005

### Clay County School District

Clay County is located in the southwestern part of the State. The county comprises one school district, and there are just two schools in the district. The district is mixed racially, and has a total enrollment of about 400 students. Blacks comprise almost the entire student population at 96 percent of total enrollment, while whites are about 2 percent. The district obtained unitary status from the courts in 2006. In 1969 the Department of Justice filed a school desegregation action against the State of Georgia and other defendants. Later that year a detailed desegregation decree was issued by the court that brought 81 school districts, including the Clay County School District, into the suit. The district obtained unitary status from the courts in 2006.

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Unitary Status
Year of Final Decision:	2006

### Clayton County School District

Clayton County is located in the west-central part of the state. The county comprises one school district, and there are 62 schools in the district. The district is mixed racially, and has a total enrollment of 51,405 students. Blacks are the largest racial group, comprising nearly 75 percent of total enrollment, while whites are about 10 percent and today Latino students comprise 15 percent of total enrollment. The case against Clayton County was initiated in 1971 by the Department of Justice. In 1975 the court dismissed its original action, but in 1976 re-opened the action. In 1977, the court entered its final order in the matter and granted unitary status to the district.

Initiating Case Name:	U.S. v. Bd. of Education of Clayton County
Year of Initiating Case:	1971
Issue:	School Desegregation
Current Status:	Unitary Status
Year of Final Decision:	1977

### Coffee County School District

Coffee County is located in the south-central part of the State. The county comprises one school district, and there are 15 schools in the district. The district is mixed racially, and has a total enrollment of approximately 8,000 students. Whites are the largest racial group, comprising just over half of total enrollment. Blacks are about one-third of total enrollment, while today Latino students comprise about 10 percent of total enrollment. The district obtained unitary status from the courts in 1995.

Initiating Case Name:	U.S. v. Coffee County, C.A. No. 679
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Unitary Status
Year of Final Decision:	1995

### DeKalb County School District

DeKalb County is located in the northwestern part of the State. The county comprises two school districts, DeKalb County School District and Decatur City School District. Within the DeKalb County School District there are 146 schools, 8 of which are charter schools. The district is mixed racially and has a total enrollment of about 100,000 students. Blacks are the largest racial group, comprising about 76 percent of total enrollment. The initiating case was a class action suit brought in 1968 by certain African American families on behalf of all African American children in the county. After 30 years of court jurisdiction, the district obtained unitary status in 1996.

Initiating Case Name:	Pitts v. Cherry
Year of Initiating Case:	1968
Issue:	School Desegregation
Current Status:	Unitary Status
Year of Final Decision:	1996

### Echols County School District

Echols County is located in the south central part of the state. The county comprises one school district, and there is one school in the district. The district is mixed racially and has a total enrollment of 734 students. Whites are the largest racial group, comprising about 67 percent of total enrollment, while blacks are just 6 percent. Today, Latinos are the largest minority group in the district, comprising about 25 percent of total enrollment. In 1969, the Department of Justice filed a school desegregation action against the State of Georgia and other defendants. Later that year a detailed desegregation decree was issued by the court that brought 81 school districts, including the Echols County School District, into the suit. The district obtained unitary status from the courts in 2005.

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Unitary Status
Year of Final Decision:	2005

### Fulton County School District

Fulton County is located in the northwestern part of the state. The county comprises two school districts, Fulton County School District and the Atlanta Public Schools District. Within the Fulton County School District there are 95 schools, 6 of which are charter schools. The district is mixed racially and has a total enrollment of approximately 75,000 students. Whites and blacks comprise equal proportions of enrollment, both at about 40 percent, while Latinos are most of the remaining student body. The initial court action was filed against the district in 1964, and the district was first placed under a court order in 1970. The district remained under the court order for 35 years, obtaining unitary status from the court in 2003.

Initiating Case Name:	Calhoun v. Latimer, C.A. 623
Year of Initiating Case:	1964
Issue:	School Desegregation
Current Status:	Unitary Status
Year of Final Decision:	2003

### Hancock County School District

Hancock County is located in the east-central part of the state. The county comprises one school district and operates four schools. The district is almost entirely a minority school district. Total enrollment in the district is approximately 1,500 students of which blacks are 98 percent while whites comprise less than 2 percent of the district's enrollment. The district was first placed under court jurisdiction in 1969 when the Department of Justice sued the district to end its dual school system. After a review of the case file, Justice petitioned for a dismissal of the case and the district was granted unitary status in 2007.

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Unitary Status
Year of Final Decision:	2007

### Jackson County School District

Jackson County is located in the northeastern part of the state. The county is divided into three school districts: Commerce City School District, Jefferson City School District, and Jackson County School District. Within the Jackson County School District there are 14 schools. The district is mixed racially, and has a total enrollment of about 6,000 students. Whites are the largest racial group, comprising 86 percent of total enrollment, while blacks are a small minority at about 5 percent. In 1969, the Jackson County School District and the Jefferson City School District were litigated as part of the same court action. Jackson County sought an early dismissal, but was opposed by the Jefferson City district. In 1985, the court sided with Jackson County School District and granted the district unitary status.

Initiating Case Name:	U.S. v. Jackson County, C.A. 1287
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Unitary Status
Year of Final Decision:	1985

### Jasper County School District

Jasper County is located near the center of the state. The county comprises one school district, and there are six schools in the district. The district is mixed racially, and has a total enrollment of just more than 2,000 students. Whites are the largest racial group, comprising 60 percent of total enrollment, while blacks are about one-third of total enrollment. The district was first placed under court jurisdiction in 1969, and was granted unitary status in 2006.

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Unitary Status
Year of Final Decision:	2006

### Jefferson City School District

Jefferson City is located within Jackson County in the northwestern part of the state. Jackson County contains the Jefferson City School District, Commerce City School District, and Jackson County School District, and is in the northeast part of the state. Within the Jefferson City School District there are three schools. The district is mixed racially and has a total enrollment of about 1,870 students. Whites are the largest racial group, comprising 80 percent of total enrollment, while blacks are about 12 percent. In 1970, the Jackson County and Jefferson City School Districts were placed under a 20-year court order. Jackson County successfully obtained an early dismissal to the order in 1985, and the Jefferson City School District was forced to accept a final dismissal of the matter.

Initiating Case Name:	U.S. v. Jackson County, C.A. 1287
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Unitary Status
Year of Final Decision:	1985

Lamar County School District

Lamar County is located in the central part of the state. The entire county is one school district and there are four schools in the district. The district has an enrollment of about 2,500 students and is racially mixed. Whites are the largest racial group and comprise about 58 percent of total enrollment, while blacks are about 40 percent. The district had been under court jurisdiction since 1969, and in 2007 the court ruled that the district has complied with the mandated desegregation orders for a reasonable period of time and has eliminated the vestiges of past *de jure* discrimination to the extent practicable and has met the legal obligations for a declaration of unitary status and dismissed the action against the school district.

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Unitary Status
Year of Final Decision:	2007

Long County School District

Long County is located in the east-central part of the state. The entire county is one school district, and all children attend the elementary school, middle school, and high school. Total enrollment in the district is about 2,200 students and is mixed racially. Whites are the largest racial group comprising about 60 percent of total enrollment. Blacks are about 24 percent of total enrollment and today Latinos are about 16 percent of all students. The district was under court jurisdiction since 1969 and was granted unitary status in 2003.

Initiating Case Name:	U.S. v. Long County, No. 967
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Unitary Status
Year of Final Decision:	2003

### Lowndes County School District

Lowndes County is located in the south-central part of the state. The county comprises two school districts, Lowndes County School District and Valdosta City School District. There are 12 schools in the Lowndes County School District, and the district has a total enrollment of about 10,000 students. The district is predominantly white, about 70 percent of total enrollment of 9,299 students, while blacks comprise about 25 percent of the student body. The district has been under court jurisdiction since 1968, when the Department of Justice sued the district over its segregated school system. Justice initiated a review of the case and petitioned the court to dismiss the case and in 2006 the court granted unitary status to the Lowndes School District.

Initiating Case Name:	U.S. v. Board of Education of Lowndes County
Year of Initiating Case:	1968
Issue:	School Desegregation
Current Status:	Unitary Status
Year of Final Decision:	2006

### McIntosh County School District

McIntosh County is located in the east-central part of the state. The entire county comprises one school district, and the district operates four schools with total enrollment less than 2,000 students. The district is even divided racially. Blacks are the largest racial group comprising approximately 52 percent of total enrollment, while whites are about 46 percent of total enrollment. The district was first subjected to desegregation litigation in 1969 when the Department of Justice sued the district. Justice initiated a review of the case and requested a dismissal of the case by the court, and in 2006 the McIntosh School District was granted unitary status.

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Unitary Status
Year of Final Decision:	2006

### Morgan County School District

Morgan County is located in the north-central part of the state. The entire county is one school district, and there are six schools in the district. The total enrollment in the district is about 3,200 students. Whites are the largest racial group and make-up approximately two-thirds of the student body, while blacks are about one-third of total enrollment. The district was under court jurisdiction since 1969. The Department of Justice initiated a review of the case in the early 2000s and recommended to the court that the action be dismissed, which was granted and the district was declared to have “unitary status” in 2006.

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Unitary Status
Year of Final Decision:	2006

### Muscogee County School District

Muscogee County is located in the west-central part of the state. The county comprises one school district, and there are 62 schools in the district. The district is mixed racially, and has a total enrollment of approximately 33,000 students. Blacks are the largest racial group, comprising 60 percent of total enrollment, while whites are about one-third of all students. The district was under court jurisdiction for 25 years and obtained unitary status from the courts in 1997.

Initiating Case Name:	Lockett v. Board of Education of Muscogee County, C.A. No. 991
Year of Initiating Case:	1971
Issue:	School Desegregation
Current Status:	Unitary Status
Year of Final Decision:	1997

### Pelham City School District

Pelham City is located in Mitchell County in the southwestern part of the state. The city comprises one school district, and there are three schools in the district. The district is mixed racially and has a total enrollment of about 1,500 students. Blacks are the largest racial group, comprising almost 55 percent of total enrollment, while whites are about 40 percent. In 1969 the Department of Justice filed a school desegregation action against the State of Georgia and other defendants. Later that year a detailed desegregation decree was issued by the Court that brought 81 school districts, including the Pelham City County School District, into the suit. The district obtained unitary status from the courts in 2006.

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Unitary Status
Year of Final Decision:	2006

### Putnam County School District

Putnam County is located in the north-central part of the state. The county is one school district, and there are 4 schools in the district. The district has a total enrollment of 2,650 students and is mixed racially. Blacks are the largest racial group, though not a majority, comprising about 48 percent of total enrollment, while whites are 44 percent. The district was first under court jurisdiction in 1969 when the Department of Justice sued the district to end its dual school system. In 2007 the case was dismissed and the district was granted unitary status.

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Unitary Status
Year of Final Decision:	2007

### Quitman County School District

Quitman County is located in the west-central part of the state. The district is a very small district; there is only one K-12 school that is attended by all students and the total enrollment for the entire district is less than 350 students. The district is a majority-minority district and predominantly African American. Blacks comprise almost 80 percent of total enrollment, while whites are about 20 percent of the student population. The district was part of the Ridley suit initiated by the Department of Justice in 1969 against a number of school districts in the state. Justice initiated a review of the case and sought a dismissal of the case, which was granted by the court and the Quitman County School District was declared to have unitary status in 2006.

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Unitary Status
Year of Final Decision:	2006

### Schley County School District

Schley County is located in the west-central part of the state. The entire county is one school district. There are only two schools in the district and total enrollment is less than 1,500 students. Racially, whites are the predominant racial group comprising three-fourths of total enrollment, while blacks are about 22 percent. The district had been under court jurisdiction since 1969, and the case against the district was dismissed and the district granted unitary in 2005.

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Unitary Status
Year of Final Decision:	2005

### Seminole County School District

Seminole County is located in the southwestern part of the state. The entire county is one school district and there are just three schools in the district, an elementary school, a middle school, and a high school. Total enrollment is about 1,700 students and blacks are a majority of the student population at about 52 percent. Whites comprise about 44 percent of the student population. The district was first subject to school desegregation litigation in 1969 when the Department of Justice sued the district. The district worked actively with Justice in the ensuing decades to obtain a dismissal of the case, and in 2006 the court dismissed the case and granted the district unitary status.

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Unitary Status
Year of Final Decision:	2006

### Thomas County School District

Thomas County is located in the southwestern part of the state. The entire county comprises one school district, and it operates 10 schools one of which is a charter school. The district is mixed racially, and has a total enrollment of about 5,600 students. Whites are the largest racial group, comprising about 62 percent of total enrollment, while blacks are about 34 percent. The district had been under court jurisdiction since 1969 when the Department of Justice initiated litigation to end the district's dual school system. In 2006, the case was dismissed and the district granted unitary status.

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Unitary Status
Year of Final Decision:	2006

### Treutlen County School District

Treutlen County is located in the east-central part of the state. The entire county is one school district, and there are just two schools. Total enrollment is about 1,200 students and the district is mixed racially. Whites are the largest racial group, comprising almost 60 percent of total enrollment, while blacks are 40 percent. The district had been under court jurisdiction since 1969 when the Department of Justice initiated school desegregation litigation against the district. After a case review, Justice initiated action to have the case dismissed and accordingly the court dismissed the case and granted unitary status to the district in 2007.

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Unitary Status
Year of Final Decision:	2007

### Troup County School District

Troup County is located in the west-central part of the state. The county comprises one school district, and there are 22 schools in the district. The district is mixed racially, and has a total enrollment of 12,099 students. Whites are the largest racial group, comprising about 55 percent of total enrollment, while blacks are about 40 percent. In 1969 the Department of Justice filed a school desegregation action against the State of Georgia and other defendants. Later that year, a detailed desegregation decree was issued by the court that brought 81 school districts, including the Troup County School District, into the suit. The district obtained unitary status from the courts in 2003.

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Unitary Status
Year of Final Decision:	2003

### Webster County School District

Webster County is located in the west-central part of the state. The entire county comprises one school district and there is only one school. Total enrollment in the district is very small, less than 500 students. Blacks are the both the largest racial group and a majority, comprising about 55 percent of total enrollment, while whites are about 42 percent of the student population. The district was first placed under court jurisdiction in 1967. Justice reviewed the case and as the district only operated one school that all students in the county attended, initiated action to dismiss the case. In 2006 the court granted unitary status to the Webster district.

Initiating Case Name:	U.S. v Board of Ed. of Webster County, No. 645
Year of Initiating Case:	1967
Issue:	School Desegregation
Current Status:	Unitary Status
Year of Final Decision:	2006

### Wilkes County School District

Wilkes County is located in the northeastern part of the state. The county comprises one school district, and there are seven schools in the district. The district is mixed racially, and has a total enrollment of 1,823 students. Blacks are the largest racial group, comprising about half of total enrollment, while whites are about 45 percent. In 1969 the Department of Justice filed a school desegregation action against the State of Georgia and other defendants. Later that year a detailed desegregation decree was issued by the court that brought 81 school districts, including the Wilkes County School District, into the suit. The district obtained unitary status from the courts in 2005.

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Unitary Status
Year of Final Decision:	2005

## **74 Georgia School Districts Remain Under Court Jurisdiction**

Of the 109 school districts in Georgia ever subject to litigation with respect to school segregation, 74 school districts remain under court jurisdiction. The plaintiff for 66 of these 74 remaining school desegregation cases is the Department of Justice. Of these 74 school districts, only 16 districts: Baldwin, Calhoun, Colquitt, Cook, Coweta, Crisp, Decatur City, Dougherty, Dublin City, Irwin, Meriwether, Telfair, Turner, Valdosta City, Walker, and Walton, indicated to the Committee that they are actively seeking unitary status. Six other school districts indicated that they may consider pursuing unitary status in the future.

### The “Ridley Decision”

On August 1, 1969, the United States initiated a statewide suit against the State of Georgia and 81 school districts for their failure to desegregate their public schools. The United States District Court for the Northern District of Georgia issued a regulatory injunction, which set out the defendants’ duties as a result of *Brown v. Board of Education*.<sup>32</sup> The case acquired the moniker “Ridley” from the involvement of Charles Ridley, who intervened in 1970 on behalf of black school children in the districts.

In 1972 the Northern District Court added each school district as defendants and transferred the cases to the appropriate district courts throughout the state.<sup>33</sup> Forty-seven (47) public school districts were transferred to the United States District Court for the Middle District of Georgia in Macon. Twenty-one public school districts were transferred to the United States District Court for the Southern District of Georgia in Savannah. The eleven remaining public school districts were retained in the Northern District Court.<sup>34</sup>

On June 7, 1973, the Northern District Court ordered the United States to present evidence of why school districts within the court’s jurisdiction should not be dismissed from the suit. In addition, on June 28, 1973, the State of Georgia moved to have the case dismissed as well.<sup>35</sup> The United States replied, acknowledging that while the school districts were “unitary” in the sense required, but arguing that the districts should be

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<sup>32</sup> US v. State of Georgia, Meriwether Co., No 97-9199 US Court of Appeals for 11<sup>th</sup> Circuit, April 8, 1999.

<sup>33</sup> US and Ridley v. State of Georgia, et al., C.A. No. 12972 Northern District of Georgia, September 5, 1972.

<sup>34</sup> The total number of districts dropped from 81 to 79 due to the consolidation of two city districts with their corresponding county districts.

<sup>35</sup> U.S. v. State of Georgia, et al., C.A. No. 12972 Northern District of Georgia, July 23, 1973.

placed on the inactive docket under a more general permanent injunction, rather than dismissed from the case and released from court supervision. In addition, the United States also recommended that this new injunction expire after seven years of substantial compliance on the part of the districts.

On July 23, 1973, an order was entered in the Northern District Court that dissolved the detailed regulatory injunction of 1969 and placed the districts in that court's jurisdiction under a new permanent injunction. This new injunction imposed upon the districts general obligations prohibiting discriminatory actions. However, a key difference between this order and the one proposed by the United States on July 11, 1973, is that the order placed the case on the inactive docket for an indefinite period of time, subject to reactivation upon application of any party. The Northern District Court specifically omitted the seven-year expiration date proposed by the United States.

On December 27, 1973, the State defendants moved the Middle District Court and the Southern District Court to either dismiss the case or enter an order similar to that of the Northern District that placed school districts found to be "unitary" under a permanent injunction on the inactive docket of the court. All parties agreed that the permanent injunction option was appropriate. The Middle District Court placed the school districts in its jurisdiction under a permanent injunction on January 24, 1974.<sup>36</sup> The Southern District Court did the same for school districts in its jurisdiction on February 14, 1974.<sup>37</sup>

This use of the word "unitary" in the 1973 order from the Northern District and the 1974 order of the Middle and Southern Districts resulted in much confusion on the part of Georgia school districts and others. Many were under the impression that these orders granted these districts unitary status. However, after examining these and other court documents,<sup>38</sup> files maintained by the Department of Justice and the Department of Education, and consulting the legal counsel for numerous school districts, the Committee does not interpret these orders as granting unitary status to these districts. Rather, these decisions place the districts firmly under the effect of a permanent injunction.

In the legal sense, a permanent injunction is a court order commanding or preventing an action until after a final hearing on the merits, and despite its name, does

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<sup>36</sup> US v. State of Georgia, C.A. No. 2771 (M.D.Ga. 1974).

<sup>37</sup> US v. State of Georgia, C.A. No. 3009 (S.D.Ga. 1974).

<sup>38</sup> See US v. Georgia, 171 F.3d 1344 (11<sup>th</sup> Cir. 1999) reh'g denied 1999 U.S. App. LEXIS 32421 1999).

not necessarily last forever. In a general sense, every order of a court which commands or forbids is an injunction. However, in its accepted legal sense, an injunction is a judicial process or mandate operating under established principles of equity, and a party is refrained from doing a particular thing. An injunction has also been defined as a writ framed according to the circumstances of the case, commanding an act which the court regards as essential to justice, or restraining an act which it esteems contrary to equity and good conscience.

**Table 5: Georgia School Districts Under Court Jurisdiction**

	<b>District</b>	<b>Year of Case Initiation</b>
1	Appling County	1969
2	Atkinson County	1969
3	Baldwin County	1968 ♦
4	Barrow County	1969
5	Ben Hill County	1967
6	Bryan County	1969
7	Calhoun County	1969 ♦
8	Camden County	1969
9	Candler County	1969
10	Charlton County	1969
11	Clinch County	1969
12	Colquitt County	1971 ♦
13	Columbia County	1969
14	Cook County	1969 ♦
15	Coweta County	1969 ♦
16	Crawford County	1969
17	Crisp County	1968 ♦
18	Decatur City	1969 ♦
19	Decatur County	1967
20	Dodge County	1969
21	Dooly County	1969
22	Dougherty County	1979 ♦
23	Dublin City	1969 ♦
24	Early County	1969
25	Elbert County	1969
26	Emanuel County	1969
27	Glascock County	1969
28	Glynn County	1963
29	Grady County	1969
30	Harris County	1969
31	Hart County	1969
32	Irwin County	1969 ♦
33	Jeff Davis County	1969

34	Jefferson County	1969
35	Jenkins County	1969
36	Johnson County	1967
37	Jones County	1969
38	Laurens County	1969
39	Lee County	1969
40	Lincoln County	1970
41	Macon County	1969
42	Marion County	1969
43	McDuffie County	1969
44	Meriwether County	1969 ♦
45	Miller County	1969
46	Mitchell County	1969
47	Monroe County	1969
48	Montgomery County	1969
49	Newton County	1969
50	Peach County	1969
51	Pulaski County	1969
52	Randolph County	1969
53	Richmond County	1972
54	Rome City	1969
55	Screven County	1968
56	Sumter County	1969
57	Tattnall County	1969
58	Taylor County	1969
59	Telfair County	1969 ♦
60	Terrell County	1969
61	Toombs County	1969
62	Turner County	1969 ♦
63	Twiggs County	1969
64	Valdosta City	1970 ♦
65	Vidalia City	1969
66	Walker County	1969 ♦
67	Walton County	1968 ♦
68	Warren County	1969
69	Washington County	1970
70	Wayne County	1969
71	Wheeler County	1969
72	Wilcox County	1969
73	Wilkinson County	1969
74	Worth County	1969

Note: ♦ Indicates district is actively pursuing “unitary status.”  
Source: Georgia Advisory Committee.

### Appling County School District

Appling County is located in the southeastern part of the state. The county comprises one school district and there are eight schools in the district. The district is mixed racially and has a total enrollment of about 3,500 students. Whites are the largest racial group, comprising about two-thirds of total enrollment. Blacks are about 25 percent of total enrollment, and Latino students comprise most of the remaining student body. The district has been under court jurisdiction since 1969, and according to a representative for the district, “The Appling County School System does not plan to pursue unitary status at this time and therefore will remain under court jurisdiction without seeking a change in status regarding school desegregation.”<sup>39</sup>

Initiating Case Name:	U.S. v. Appling County, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Under Court Order

### Atkinson County School District

Atkinson County is located in the south-central part of the state. The county comprises one school district, and there are three schools in the district. The district is mixed racially, and has a total enrollment of about 1,700 students. Whites are the largest racial group and comprise half of total enrollment. Blacks are about 20 percent of total enrollment and Latinos about 30 percent of total enrollment. The district has been under court jurisdiction since 1969, and according to a representative for the district, the district does not plan to pursue unitary status at this time due to the prohibitive costs and the fact that the district is running a completely desegregated school system.<sup>40</sup>

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Under Court Order

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<sup>39</sup> Janice R. Sellers, interim superintendent, Appling County School District, letter to Peter Minarik, March 3, 2006, Southern Regional Office, USCCR, files.

<sup>40</sup> Dr. Paul L. Jones, superintendent, Atkinson County School District, telephone interview, Jan. 5, 2007, Southern Regional Office, USCCR, files.

### Baldwin County School District

Baldwin County is located in the center part of the state. The county comprises one school district, and there are 11 schools in the district. The district is mixed racially, and has a total enrollment of about 6,000 students. Blacks are the largest racial group, comprising about two-thirds of total enrollment, while whites are about one-third of all students. The district has been under court jurisdiction since 1968, and according to a representative for the district, the district is currently working with the Department of Justice and expects to receive a grant of unitary status in 2007.<sup>41</sup>

Initiating Case Name:	U.S. v. Baldwin County
Year of Initiating Case:	1968
Issue:	School Desegregation
Current Status:	Under Court Order

### Barrow County School District

Barrow County is located in the north-central part of the state. The county comprises one school district, and there are 17 schools in the district. The district is mixed racially and has a total enrollment of approximately 10,000 students. Whites are the largest racial group, comprising almost 75 percent of total enrollment, while blacks and Latinos are about 12 percent respectively. The district has been under court jurisdiction since 1969, and according to a representative for the school district, the district will not be pursuing a grant of unitary status from the courts at this time.<sup>42</sup>

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Under Court Order

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<sup>41</sup> Gene Trammel, superintendent, Baldwin County School District, telephone interview, Jan. 5, 2007, Southern Regional Office, USCCR, files.

<sup>42</sup> Wayne D. McLockin, attorney, Barrow County School District, telephone interview, Jan. 12, 2007, Southern Regional Office, USCCR, files.

### Ben Hill County School District

Ben Hill County is located in the south-central part of the state. The county comprises one school district, and there are six schools in the district. The district is mixed racially, and has a total enrollment of about 3,300 students. Whites are the largest racial group and almost of total enrollment, while blacks comprise about 45 percent. The district has been under court jurisdiction since 1967, and according to a representative for the district, the district will not be pursuing a grant of unitary status from the courts.<sup>43</sup>

Initiating Case Name:	U.S. v. Ben Hill County School District
Year of Initiating Case:	1967
Issue:	School Desegregation
Current Status:	Under Court Order

### Bryan County School District

Bryan County is located in the southeastern part of the state. The county comprises one school district, and there are 12 schools in the district. The district is mixed racially, and has a total enrollment of approximately 6,000 students. Whites are the largest racial group and are about three-fourths of total enrollment, while blacks are about 15 percent. The district has been under court jurisdiction since 1969, and according to a representative for the district, the district does not plan to pursue unitary status.<sup>44</sup>

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Under Court Order

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<sup>43</sup> John T. Croley, Jr., attorney for Ben Hill County School District, letter to Peter Minarik, Nov. 29, 2005, Southern Regional Office, USCCR, files.

<sup>44</sup> Sallie Brewer, superintendent, Bryan County School District, telephone interview, Jan. 10, 2007, Southern Regional Office, USCCR, files.

### Calhoun County School District

Calhoun County is located in the southwestern part of the state. The county comprises one school district, and there are 2 schools in the district. The district is mixed racially, and has a total enrollment of less than 1,000 students. Blacks are the largest racial group, comprising more than 90 percent of total enrollment, while Whites are less than 5 percent. The district has been under court jurisdiction since 1969, and according to a representative for the district, the district “does not wish to continue under court jurisdiction in respect to desegregation.”<sup>45</sup>

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Under Court Order

### Camden County School District

Camden County is located in the southeastern part of the state. The county comprises one school district, and there are 14 schools in the district. The district is mixed racially, and has a total enrollment of about 10,000. Whites are the largest racial group and are about two-thirds of total enrollment, while blacks are about 25 percent. The district has been under court jurisdiction since 1969, and according to a representative for the district, “The intent of Camden County is not to pursue unitary status and let matters stand as they are now.”<sup>46</sup>

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Under Court Order

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<sup>45</sup> Alvetta Butler, superintendent, Calhoun County School District, letter to Peter Minarik, March 17, 2006, Southern Regional Office, USCCR, files.

<sup>46</sup> Will Hardin, assistant superintendent, Camden County School District, telephone interview, March 7, 2006, Southern Regional Office, USCCR, files.

### Candler County School District

Candler County is located in the east central part of the state. The county comprises one school district, and there are five schools in the district. The district is mixed racially, and has a total enrollment of about 1,900 students. Whites are the largest racial group, comprising just over half of total enrollment, while blacks are about one-third of all students and Latinos about 15 percent. The district has been under court jurisdiction since 1969, and according to a representative for the district, the district will not be seeking unitary status.<sup>47</sup>

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Under Court Order

### Charlton County School District

Charlton County is located in the southeastern part of the state. The county comprises one school district, and there are 5 schools in the district. The district is mixed racially, and has a total enrollment of about 2,000 students. Whites are the largest racial group and two-thirds of total enrollment, while blacks comprise one-third of the district's student population. The district has been under court jurisdiction since 1969, and the Georgia Advisory Committee did not receive a response from the district as to its intent with respect to unitary status.<sup>48</sup>

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Under Court Order

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<sup>47</sup> Melissa Williams, Director of Technology, Vocation, and Personnel, Candler County School District, letter to Peter Minarik, March 6, 2006, Southern Regional Office, USCCR, files.

<sup>48</sup> Letter from Peter Minarik, Regional Director, Southern Regional Office, to Alexander S. McQueen, superintendent, Charlton County School District, Feb. 24, 2006.

### Clinch County School District

Clinch County is located in the southeastern part of the state. The county comprises one school district, and there are four schools in the district: one K-3, one Grade 4-7, one high school, and one charter school. The district is mixed racially with a total enrollment of less than 1,500 students. Whites are the largest racial group in the district at almost 60 percent of total enrollment, and blacks make-up almost all other students. The district has been under court jurisdiction since 1969, and it is the opinion of a representative for the district that the Clinch County School District “has created a ‘unitary system’ under which unequal schooling for minorities and whites has been eliminated” and is pursuing a formal declaration of unitary status from the court.<sup>49</sup>

Initiating Case Name:	U.S. v. Board of Ed. of Clinch County, No. 821
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Under Court Order

### Colquitt County School District

Colquitt County is located in the southwestern part of the state. The county comprises one school district, and there are 14 schools in the district. The district is mixed racially, and has a total enrollment of about 8,500 students. Whites are the largest racial group comprising about 55 percent of total enrollment, while blacks are about 30 percent. The district has been under court jurisdiction since 1971, and the superintendent stated that it is the intention of the Colquitt County School District to pursue “unitary status” sometime in the near future.<sup>50</sup>

Initiating Case Name:	Harrington v. Colquitt County Board of Education
Year of Initiating Case:	1971
Issue:	School Desegregation
Current Status:	Under Court Order

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<sup>49</sup> Chad R. Corlee, attorney, Clinch County School District, letter to Peter Minarik, Dec. 14, 2005, Southern Regional Office, USCCR, files.

<sup>50</sup> Leonard McCoy, superintendent, Colquitt County School District, letter to Peter Minarik, March 2, 2006, Southern Regional Office, USCCR, files.

### Columbia County School District

Columbia County is located in the northeastern part of the state. The county comprises one school district, and there are 29 schools in the district. The district is mixed racially, and has a total enrollment of about 20,000 students. Whites are the largest racial group, comprising about 75 percent of total enrollment, while blacks account for just about 15 percent of enrollment. The district has been under court jurisdiction since 1969, and according to a representative for the district, the district may consider pursuing a declaration of unitary status in the future.<sup>51</sup>

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Under Court Order

### Cook County School District

Cook County is located in the south-central part of the state. The county comprises one school district, and there are five schools in the district. The district is mixed racially with a total enrollment of about 3,250 students. Whites are the largest racial group comprising about 55 percent of total enrollment, while blacks are about 40 percent. The district has been under court jurisdiction since 1969. The superintendent reported to the Georgia Advisory Committee that “based on the results of a recent visit and review (by Justice) a joint motion by the U.S. Department of Justice and the Cook County School District has been filed asking the court to grant a consent order declaring that the Cook County School District has met all legal standards for unitary status.”<sup>52</sup>

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Under Court Order

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<sup>51</sup> Thomas A. Price, superintendent, Columbia County School District, letter to Peter Minarik, Dec. 6, 2005, Southern Regional Office, USCCR, files.

<sup>52</sup> Fred H. Rayfield, superintendent, Cook County School District, letter to Peter Minarik, June 25, 2007, Southern Regional Office, USCCR, files.

### Coweta County School District

Coweta County is located in the northwestern part of the state. The county comprises one school district, and there are 29 schools in the district, one of which is a charter school. The district is mixed racially, and has a total enrollment of almost 20,000 students. Whites are the largest racial group, comprising 70 percent of total enrollment, while blacks are about 20 percent. The district has been under court jurisdiction since 1969, and according to a representative for the district, the district is currently working with the Department of Justice and anticipates receiving a grant of unitary status.<sup>53</sup>

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Under Court Order

### Crawford County School District

Crawford County is located in the west-central part of the state. The county comprises one school district, and there are five schools in the district. The district is mixed racially, and has a total enrollment of approximately 2,000 students. Whites are the largest racial group in the district comprising almost 70 percent of total enrollment, with blacks making-up the almost all the rest of the district's enrollment. The district has been under court jurisdiction since 1969, and according to a representative for the district, the school board is undecided about pursuing a grant of unitary status from the courts.<sup>54</sup>

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Under Court Order

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<sup>53</sup> Joseph P. MacNabb, attorney for Coweta County School District, letter to Peter Minarik, Dec. 7, 2005, Southern Regional Office, USCCR, files.

<sup>54</sup> John Douglas, assistant superintendent, Crawford County School District, telephone interview, Jan. 10, 2007, Southern Regional Office, USCCR, files.

### Crisp County School District

Crisp County is located in the southwestern part of the state. The county comprises one school district, and there are eight schools in the district. The district is mixed racially, and has a total enrollment of about 4,400 students. Blacks are the majority racial group in the district with about 60 percent of total enrollment, while whites are about 40 percent. The district has been under court jurisdiction since 1968, and according to a representative for the district, the district is currently working with the Department of Justice towards a grant of unitary status.<sup>55</sup>

Initiating Case Name:	U.S. v. Board of Ed of Crisp County School District
Year of Initiating Case:	1968
Issue:	School Desegregation
Current Status:	Under Court Order

### Decatur City School District

Decatur City is located within DeKalb County, which contains the Decatur City School District and the DeKalb County School District, and is in the northwestern part of the State. There are six schools in the Decatur City School District with an enrollment of approximately 2,500 students. The proportions of whites and blacks in the district are essentially equal at about 47 percent, but neither group is a majority. The district has been under court jurisdiction since 1969, and according to a representative for the district, the district is currently working with the Department of Justice towards a granting of unitary status for the district.<sup>56</sup>

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Under Court Order

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<sup>55</sup> Judy J. Bean, superintendent, Crisp County School District, letter to Peter Minarik, Nov. 29, 2005, Southern Regional Office, USCCR, files.

<sup>56</sup> Robert E. Wilson, attorney for City Schools of Decatur, letter to Peter Minarik, Dec. 15, 2005, Southern Regional Office, USCCR, files.

### Decatur County School District

Decatur County is located in the southwestern part of the state. The county comprises one school district, and there are 11 schools in the district. The district is mixed racially with a total enrollment of just under 6,000 students. Blacks are a majority in the district comprising about 52 percent of total enrollment, while whites are about 40 percent. The district has been under court jurisdiction since 1967, and according to a representative for the district the district does not plan to pursue unitary status at this time.<sup>57</sup>

Initiating Case Name:	U.S. v. Board of Education of Decatur County
Year of Initiating Case:	1967
Issue:	School Desegregation
Current Status:	Under Court Order

### Dodge County School District

Dodge County is located in the central part of the state. The county comprises one school district, and there are six schools in the district. The district is mixed racially and has a total enrollment of approximately 3,555 students. Whites are the largest racial group in the district at about 60 percent of total enrollment, while blacks are about 40 percent. The district has been under court jurisdiction since 1969, and according to a representative for the district the district does not plan to pursue unitary status at this time.<sup>58</sup>

Initiating Case Name:	U.S. v. Board of Education of Dodge County
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Under Court Order

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<sup>57</sup> Ralph D. Jones, superintendent, Decatur County School District, letter to Peter Minarik, March 9, 2006, Southern Regional Office, USCCR, files.

<sup>58</sup> Rita J. Llop, attorney for Dodge County School District, telephone interview, Jan. 6, 2007, Southern Regional Office, USCCR, files.

### Dooly County School District

Dooly County is located in the southwestern part of the state. The entire county comprises one school district with three schools. The district has a total enrollment of only about 1,500 students and blacks are the largest racial group at almost 80 percent of total enrollment. Whites and Latinos are about 10 percent of enrollment. The district has been under court jurisdiction since 1969, and according to a representative for the district, the district does not plan to pursue unitary status.<sup>59</sup>

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Under Court Order

### Dougherty County School District

Dougherty County is located in the southwestern part of the state. The entire county comprises one school district and there are 33 schools in the district. The district is a predominantly African American district and has a total enrollment of almost 17,000 students. Blacks comprise approximately 85 percent of total enrollment, while whites are only about 14 percent. The district has been under court jurisdiction since 1979, and according to a representative for the district, the district filed a motion seeking unitary status in 2000 and is continuing to seek a grant of unitary status.<sup>60</sup>

Initiating Case Name:	Shirley Gaines, et al. v. Dougherty County Board of Education, et al.
Year of Initiating Case:	1979
Issue:	School Desegregation
Current Status:	Under Court Order

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<sup>59</sup> John Schere, superintendent, Dooly County School District, telephone interview, Jan. 9, 2007, Southern Regional Office, USCCR, files.

<sup>60</sup> William A. Erwin, attorney for Dougherty County School District, letter to Peter Minarik, Dec. 15, 2005, Southern Regional Office, USCCR, files.

### Dublin City School District

Dublin City is located within Laurens County, which is located in the central part of the state, and the county contains both the Dublin City School District and the Laurens County School District. There are eight schools in the Dublin City School District and the district has an enrollment of about 3,000 students. Blacks are the majority racial group in the district, comprising about 75 percent of total enrollment. Whites are about 22 percent of total enrollment. The district has been under court jurisdiction since 1969, and according to a representative for the district the district filed a motion seeking unitary status in 2004 and expects to receive a grant of unitary status in 2008.<sup>61</sup>

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Under Court Order

### Early County School District

Early County is located in the southeastern part of the state. The county comprises one school district, and there are four schools in the district. The district is mixed racially with a total enrollment of approximately 2,600 students. Blacks are a majority of total enrollment at about 62 percent, while whites comprise about one-third of all students. The district has been under court jurisdiction since 1969, and according to a representative for the district, the district does not plan to seek unitary status at this time.<sup>62</sup>

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Under Court Order

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<sup>61</sup> Jerry A. Lumley, attorney for Dublin City School District, letter to Peter Minarik, Dec. 8, 2005, Southern Regional Office, USCCR, files.

<sup>62</sup> Dan Murphy, attorney for Camden County School District, telephone interview, Nov. 29, 2005, Southern Regional Office, USCCR, files.

### Elbert County School District

Elbert County is located in the northeastern part of the state. The county comprises one school district and there are eight schools in the district. The district is mixed racially with a total enrollment of about 3,700 students. Whites are the largest racial group in the district comprising about 55 percent of total enrollment, while blacks make-up about 40 percent. The district has been under court jurisdiction since 1969, and the Georgia Advisory Committee did not receive a response from the district as to its intent with respect to unitary status.<sup>63</sup>

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Under Court Order

### Emanuel County School District

Emanuel County is located in the east-central part of the state. The county comprises one school district and there are 11 schools in the district. The district is mixed racially with a total enrollment of approximately 4,500 students. Whites are the largest racial group, comprising a little more than one-half of total enrollment, while blacks are about 44 percent of all students. The district has been under court jurisdiction since 1969, and according to a representative for the district the district does not plan to seek a grant of unitary status from the courts.<sup>64</sup>

Initiating Case Name:	U.S. v. Board of Education of Emanuel County
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Under Court Order

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<sup>63</sup> Letter from Peter Minarik, Regional Director, Southern Regional Office, to Samuel Light, superintendent, Elbert County School District, Feb. 24, 2006.

<sup>64</sup> Lacy Frye, superintendent, Emanuel County School District, telephone interview, Jan. 9, 2007, Southern Regional Office, USCCR, files.

Glascok County School District

Glascok County is located in the east-central part of the state. The county comprises one school district, and there is only one school in the entire school district and total enrollment is only about 600 students. The district is predominantly white at almost 90 percent of total enrollment, while blacks comprise about 10 percent of the student body. The district has been under court jurisdiction since 1969, and according to a representative for the district the district is unwilling to pursue unitary status at this time due to the associated costs.<sup>65</sup>

Initiating Case Name:	U.S. v. Glascok County
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Under Court Order

Glynn County School District

Glynn County is located in the southeastern part of the state. The county comprises one school district, and there are 19 schools in the district. The district is mixed racially and has a total enrollment of approximately 12,000 students. Whites are the largest racial group at about 56 percent of total enrollment, while blacks make-up approximately 38 percent. The district was originally placed under court jurisdiction in 1963, and that order was modified in 1970. According to a representative for the district, the district does not plan to pursue unitary status at this time.<sup>66</sup>

Initiating Case Name:	Harris v. Glynn County, No. 717
Year of Initiating Case:	1963
Issue:	School Desegregation
Current Status:	Under Court Order

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<sup>65</sup> James N. Holton, Jr., superintendent, Glascok County School District, letter to Peter Minarik, May 2, 2006, Southern Regional Office, USCCR, files.

<sup>66</sup> Andrew H. Lakin, attorney for Glynn County School District, letter to Peter Minarik, Dec. 16, 2005, Southern Regional Office, USCCR, files.

### Grady County School District

Grady County is located in the southwestern part of the state. The county comprises one school district, and there are eight schools in the district. The district is mixed racially with a total enrollment of about 4,500 students. Whites are the largest racial group in the district, comprising a little more than half of total enrollment while blacks make-up about 40 percent of the student body. The district has been under court jurisdiction since 1969, and according to a representative for the district the district is “inclined to pursue unitary status” but is weighing the benefits against the associated costs.<sup>67</sup>

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Under Court Order

### Harris County School District

Harris County is located in the west-central part of the state. The county comprises one school district, and the district operates seven schools. The district, with a total enrollment of about 4,500 students, is predominantly white racially. Whites comprise about three-fourths of the student body, while blacks account for almost all the rest of the student body. The district has been under court jurisdiction since 1969, and according to a representative for the district “the Harris County Board of Education currently has no intent to file a Motion for Unitary status for relief from the Court Order.”<sup>68</sup>

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Under Court Order

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<sup>67</sup> Thomas L. Lehman, attorney for Grady County School District, letter to Peter Minarik, March 14, 2006, Southern Regional Office, USCCR, files.

<sup>68</sup> John M. Taylor, attorney for Harris County School District, letter to Peter Minarik, March 15, 2006, Southern Regional Office, USCCR, files.

### Hart County School District

Hart County is located in the northeastern part of the state. The county comprises one school district and there are six schools in the district. The district is somewhat mixed racially, and has a total enrollment of approximately 3,500 students. Whites are the largest racial group in the district comprising almost 70 percent of total enrollment, while blacks are about 26 percent. The district has been under court jurisdiction since 1969, and according to the former superintendent the district does not have plans to seek unitary status at the present time.<sup>69</sup>

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School District
Current Status:	Under Court Order

### Irwin County School District

Irwin County is located in the south-central part of the state. The county makes-up one school district, which operates four schools. The district has a total enrollment of about 1,800 students. Whites are the largest racial group, comprising almost 62 percent of total enrollment, while blacks are about 34 percent of all students. The district has been under court jurisdiction since 1969, and according to the superintendent the Irwin County School District is actively working with the Department of Justice to obtain a declaration of unitary status and a dismissal of the court order.<sup>70</sup>

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Under Court Order

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<sup>69</sup> Nancy T. Clark, superintendent, Hart County School District, letter to Peter Minarik, March 2, 2006, Southern Regional Office, USCCR, files. Nancy Clark retired as superintendent on June 30, 2007, and Dr. David Hicks is the new superintendent of Hart County School District.

<sup>70</sup> Betty Stripling, superintendent, Irwin County School District, telephone interview, Jan. 9, 2006, Southern Regional Office, USCCR, files.

### Jeff Davis County School District

Jeff Davis County is located in the south-central part of the state. The entire county is one school district, and there are five schools in the district. The district, which has an enrollment of approximately 2,700 students, is a mostly white district racially. Whites are about 75 percent of total enrollment, while blacks are about 15 percent and Latinos are about 10 percent of total enrollment. The district has been under court jurisdiction since 1969, and according to a representative for the district the district has been considering the option of pursuing unitary status but has yet to make a decision.<sup>71</sup>

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Under Court Order

### Jefferson County School District

Jefferson County is located in the east-central part of the state. The county is one school district, which operates six schools, two elementary schools, one Pre-K to grade 5 academy, two middle schools, and one high school. The district has an enrollment of 2,887 students, of whom 2,129 are African American, 713 are white, and 45 are Latinos or another racial/ethnic group. The district has been under court jurisdiction since 1969, and the Georgia Advisory Committee did not receive a response from the district as to its intent with respect to unitary status.<sup>72</sup>

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Under Court Order

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<sup>71</sup> Lula Mae Perry, superintendent, Jeff Davis County School District, letter to Peter Minarik, Dec. 15, 2005, Southern Regional Office, USCCR, files.

<sup>72</sup> Letter from Peter Minarik, Regional Director, Southern Regional Office, to Carl Bethune, superintendent, Jefferson County School District, Nov. 23, 2005.

### Jenkins County School District

Jenkins County is located in the east-central part of the state. The entire county is one school district and there are three schools in the district. The district has a total enrollment of less than 2,000 students and is mixed racially. Blacks are the largest racial group in the district and are just over half of all students, while whites comprise about 44 percent. The district has been under court jurisdiction since 1969, and according to a representative for the district, the district does not plan to seek unitary status at this time due to the associated financial burdens that would place on the district.<sup>73</sup>

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Under Court Order

### Johnson County School District

Johnson County is located in the central part of the state. The entire county is one school district and there are four schools in the district. The district is mixed racially, and has a total enrollment of 1,260 students. Blacks are the largest racial group, comprising 52 percent of total enrollment, while whites are 48 percent. The district has been under court jurisdiction since 1967, and according to the superintendent “the Board has not made a decision (regarding unitary status), but will continue to study the options available, with the assistance of its legal counsel, the costs associated and potential consequences of seeking unitary status.”<sup>74</sup>

Initiating Case Name:	U.S. v. Board of Education of Johnson County
Year of Initiating Case:	1967
Issue:	School Desegregation
Current Status:	Under Court Order

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<sup>73</sup> Vanderver R. Pool, attorney for Jenkins County School District, letter to Peter Minarik, Dec. 16, 2005, Southern Regional Office, USCCR, files.

<sup>74</sup> Gary R. Price, superintendent, Johnson County School District, letter to Peter Minarik, Mar. 13, 2006, Southern Regional Office, USCCR, files.

### Jones County School District

Jones County is located in the central part of the state. The entire county encompasses one school district, and there are 10 schools in the district. The district has a total enrollment of about 5,500 students and is a predominantly white district racially. Whites comprise almost three-fourths of total enrollment, while blacks are approximately 25 percent. The district has been under court jurisdiction since 1969, and according to a school official the district may consider pursuing unitary status some time in the future status after all implications and options have been examined by the school board.<sup>75</sup>

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Under Court Order

### Laurens County School District

Laurens County is located in the central part of the state. There are two school districts in the county, the Dublin City School District and the Laurens County School District, both of which are under court orders. The Laurens County School District operates nine schools and has an enrollment of approximately 6,300 students. The district is mixed racially with whites the largest racial group at about 65 percent of total enrollment and blacks about 30 percent. The district has been under court jurisdiction since 1969, and according to a representative for the district “as the Lauren County School District submitted a desegregation plan that was approved prior to the initiation of [the] litigation that brought the school district under the court’s jurisdiction, ...the Laurens County School District does not need to take any further action.”<sup>76</sup>

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Under Court Order

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<sup>75</sup> Wayne Garrett, Jones County School District, telephone interview, Dec. 5, 2005, Southern Regional Office, USCCR, files.

<sup>76</sup> Donald W. Gillis, attorney for Laurens County School District, letter to Peter Minarik, March 24, 2006, Southern Regional Office, USCCR, files.

### Lee County School District

Lee County is located in the southwestern part of the state. The entire county is one school district and there are seven schools in the district. The district has a total enrollment of about 5,500 students and is predominantly white. Whites comprise about 80 percent of total enrollment, while blacks are less than 15 percent. The district has been under court jurisdiction since 1969, and according to a representative for the district the district does not plan to pursue unitary status at this time.<sup>77</sup>

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Under Court Order

### Lincoln County School District

Lincoln County is located in the northeastern part of the state. The entire county is one school district, and there are just 3 schools and less than 1,400 students in the district. The district is mixed racially, and whites are the largest racial group comprising approximately 57 percent of total enrollment while blacks are about 42 percent. The district has been under court jurisdiction since 1970, and according to a representative for the district the district does not plan to pursue unitary status at this time due to the financial and other burdens this would place on the district.<sup>78</sup>

Initiating Case Name:	U.S. v. Lincoln County, No. 1400
Year of Initiating Case:	1970
Issue:	School Desegregation
Current Status:	Under Court Order

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<sup>77</sup> Mike Davis, assistant superintendent, Lee County School District, telephone interview, Nov. 29, 2005, Southern Regional Office, USCCR, files.

<sup>78</sup> Robert F. Leverett, attorney for Lincoln County School District, letter to Peter Minarik, March 10, 2006, Southern Regional Office, USCCR, files

### Macon County School District

Macon County is located in the central part of the state. The entire county comprises the school district and includes the City of Macon. The district has a total enrollment of about 2,200 students and is predominantly African American. Blacks are about 85 percent of total enrollment, while whites comprise only about 10 percent. The district has been under court jurisdiction since 1969, and the Georgia Advisory Committee did not receive a response from the district as to its intent with respect to unitary status.<sup>79</sup>

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Under Court Order

### Marion County School District

Marion County is located in the west-central part of the state. The entire county is one school district, and it operates three. The district has a total enrollment of approximately 1,700 students and is fairly evenly divided racially. Whites are the largest racial group comprising about 53 percent of total enrollment, while blacks are about 42 percent. The district has been under court jurisdiction since 1969, and according to the superintendent the district is hesitant at the present time to pursue unitary status because of the financial burdens the initiative would place on the district.<sup>80</sup>

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Under Court Order

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<sup>79</sup> Letter from Peter Minarik, Regional Director, Southern Regional Office, to Carolyn W. Medlock, superintendent, Macon County School District, Feb. 24, 2006.

<sup>80</sup> Richard R. McCorkle, superintendent, Marion County School District, letter to Peter Minarik, Apr. 11, 2006, Southern Regional Office, USCCR, files.

### McDuffie County School District

McDuffie County is located in the east-central part of the state. The entire county is one school district, and there are eight schools in the district. The district is nearly evenly divided racially, and has a total enrollment of 4,223 students. Blacks are the largest racial group and comprise about 49 percent of total enrollment, while white enrollment in the district is about 47 percent. The district has been under court jurisdiction since 1969, and according to a representative for the district the school board has not made a decision whether to independently pursue a declaration of unitary status from the court.<sup>81</sup>

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Under Court Order

### Meriwether County School District

Meriwether County is located in the west-central part of the state. The entire county is one school district, and the district operates seven schools. The district has a total enrollment of about 3,400 students and is a majority-minority district. Blacks are the largest racial group, comprising 60 percent of total enrollment, while whites are about 38 percent of all students. The district has been under court jurisdiction since 1969, and according to a representative for the district the district is actively pursuing unitary status.<sup>82</sup>

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Under Court Order

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<sup>81</sup> Bob Knox, Jr., attorney, McDuffie County School District, telephone interview, June 30, 2007, Southern Regional Office, USCCR, files.

<sup>82</sup> Martha M. Pearson, attorney for Meriwether County School District, letter to Peter Minarik, Nov. 30, 2005, Southern Regional Office, USCCR, files

### Miller County School District

Miller County is located in the southwestern part of the state. The entire county comprises one school district and there are four schools in the district. The district has a total enrollment of less than 1,200 students. Whites are the largest racial group, comprising approximately 60 percent of total enrollment, and blacks are about 50 percent. The district has been under court jurisdiction since 1969, and according to a representative for the district the district does not plan to pursue unitary status at this time.<sup>83</sup>

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Under Court Order

### Mitchell County School District

Mitchell County is located in the southwestern part of the state. There are two school districts in the county, Mitchell County School District and Pelham City School District. The Mitchell County School District operates seven schools, one of which is a charter school, and has a total enrollment of about 2,900 students. The district is a majority-minority district with blacks being the largest racial group at about 68 percent of total enrollment. The district has been under court jurisdiction since 1969, and a representative of the district states that in the past the “board [has] not pursued a grant of unitary status because the cost thereof was prohibitive.”<sup>84</sup>

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Under Court Order

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<sup>83</sup> Robert Phillips, superintendent, Miller County School District, telephone interview, Jan. 10, 2007, Southern Regional Office, USCCR, files.

<sup>84</sup> Frank C. Vann, attorney for Mitchell County School District, letter to Peter Minarik, Dec. 2, 2005, Southern Regional Office, USCCR, files.

### Monroe County School District

Monroe County is located in the central part of the state. The entire county is one school district, and it operates six schools. Total enrollment in the district is approximately 3,800 students. Whites are the largest racial group and comprise about 63 percent of total enrollment, while blacks comprise about 34 percent. The district has been under court jurisdiction since 1969, and according to a representative for the district the district does not plan to pursue unitary status at this time.<sup>85</sup>

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Under Court Order

### Montgomery County School District

Montgomery County is located in the west-central part of the state. The entire county is one school district, and it operates four schools. Total enrollment in the district is only about 1,300 students. Whites are the largest racial group and comprise about 56 percent of total enrollment, while blacks are about 35 percent. The district has been under court jurisdiction since 1969 and according to a representative prior to the Committee's examination of the matter and informing the district of its findings "the issue was not on the minds of the school administration, [but] the correspondence from the Committee prompts the district to review the issue."<sup>86</sup>

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Under Court Order

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<sup>85</sup> Tommy Walker, assistant superintendent, Monroe County School District, telephone interview, March 7, 2006, Southern Regional Office, USCCR, files

<sup>86</sup> Tom W. Everett, attorney for Montgomery County School District, letter to Peter Minarik, March 24, 2006, Southern Regional Office, USCCR, files.

### Newton County School District

Newton County is located in the central part of the state. The entire county is one school district. The district operates 20 schools and total enrollment is about 16,000 students. The district is mixed racially. Whites are the largest racial group, comprising almost 53 percent of total enrollment, while blacks are about 40 percent. The district has been under court jurisdiction since 1969, and unlike many other districts involved in desegregation litigation never placed on the ‘inactive’ docket. According to a representative for the district, “recently the Board of Education has been considering its options regarding pursuing a declaration of unitary status and a petition to dismiss the existing court order.”<sup>87</sup>

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Under Court Order

### Peach County School District

Peach County is located in the central part of the state. The entire county is one school district, and it operates seven schools. The district is mixed racially, and has a total enrollment of approximately 4,000 students. Blacks are the largest racial group, comprising about 50 percent of total enrollment, while whites are about 40 percent. The district has been under court jurisdiction since 1969, and according to a representative for the district the district does not plan to pursue unitary status at this time.<sup>88</sup>

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Under Court Order

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<sup>87</sup> E. Wendell Clamp, superintendent, Newton County School District, letter to Peter Minarik, Dec. 15, 2005, Southern Regional Office, USCCR, files.

<sup>88</sup> W. Warren Plowden, Jr., attorney for Peach County School District, letter to Peter Minarik, March 8, 2006, Southern Regional Office, USCCR, files.

### Pulaski County School District

Pulaski County is located in the central part of the state. The entire county is one school district, and there are five schools in the district. The district has a total enrollment of about 1,700 students and is racially mixed. Whites are the largest racial group in the district, comprising almost 55 percent of total enrollment while blacks are about 40 percent of the student body. The district has been under court jurisdiction since 1969, and according to a representative for the district the district does not plan to pursue unitary status at this time.<sup>89</sup>

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Under Court Order

### Randolph County School District

Randolph County is located in the west central part of the state. The entire county is one school district, and there are only four schools in the district. The district is a small district with a total enrollment of about 1,600 students and predominantly African American. Blacks are almost 90 percent of total enrollment, while whites comprise just 10 percent of the student population. The district has been under court jurisdiction since 1969, and according to a representative the “Randolph County School District plans to remain under the court jurisdiction without seeking a change in status. A great deal of racial tensions still exists in [the] community.”<sup>90</sup>

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Under Court Order

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<sup>89</sup> W. Warren Plowden, Jr., attorney for Pulaski County School District, letter to Peter Minarik, March 8, 2006, Southern Regional Office, USCCR, files.

<sup>90</sup> Bobby Jenkins, superintendent, Randolph County School District, letter to Peter Minarik, March 6, 2006, Southern Regional Office, USCCR, files.

### Richmond County School District

Richmond County is located in the east-central part of the state. The entire county is one school district and operates about 60 schools. Total enrollment in the district is almost 35,000 students, and the district is majority-minority. Blacks are the largest racial group comprising about 70 percent of total enrollment, while whites are about 25 percent. The district has been under court jurisdiction since 1972, and the Georgia Advisory Committee did not receive a response from the district as to its intent with respect to unitary status.<sup>91</sup>

Initiating Case Name:	Acre v. Board of Ed. of Richmond Co., No. 1179
Year of Initiating Case:	1972
Issue:	School Desegregation
Current Status:	Under Court Order

### Rome City School District

Rome City is located in Floyd County in the northeastern part of the state. There are two school districts in the county, Floyd County School District and Rome City School District. The Rome City School District operates schools and the district is mixed racially. Total enrollment in the district is approximately 5,400 students. Blacks are the largest racial group at about 40 percent of total enrollment, while whites and Latinos comprise about 35 percent and 20 percent respectively. The district has been under court jurisdiction since 1969, and according to a representative for the district the district does not plan to pursue unitary status at this time.<sup>92</sup>

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Under Court Order

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<sup>91</sup> Letter from Peter Minarik, Regional Director, Southern Regional Office, to Richmond County School District, Feb. 24, 2006.

<sup>92</sup> William W. Byington, Jr., attorney for Rome City School District, letter to Peter Minarik, March 7, 2006, Southern Regional Office, USCCR, files.

Screven County School District

Screven County is located in the east-central part of the state. The entire county comprises one school district, and it operates four schools. The district is mixed racially with a total enrollment of approximately 3,000 students. Blacks are a majority in the district at about 55 percent of total enrollment, while whites are 44 percent. The district has been under court jurisdiction since 1968, and according to a representative for the district the district does not plan to pursue unitary status at this time due to the financial burdens that would place on the district.<sup>93</sup>

Initiating Case Name: U.S. v. Screven County Board of Ed, No. 2293  
Year of Initiating Case: 1968  
Issue: School Desegregation  
Current Status: Under Court Order

Sumter County School District

Sumter County is located in the west-central part of the state. The entire county comprises one school district, and there are 10 schools in the district. Total enrollment of the district is approximately 5,600 students, and the district is majority-minority with blacks comprising about 75 percent of total enrollment. The district has been under court jurisdiction since 1969, and according to a representative for the district the matter with respect to seeking unitary status “has simply not come to the attention of school district officials before now. [If] the United States Department of Justice would like to propose a Consent Order terminating the litigation, the School District would, in all likelihood, look favorably upon such a proposal.”<sup>94</sup>

Initiating Case Name: U.S. v. State of Georgia, et al., C.A. No. 12972  
Year of Initiating Case: 1969  
Issue: School Desegregation  
Current Status: Under Court Order

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<sup>93</sup> Vanderver R. Pool, attorney for Screven County School District, letter to Peter Minarik, Dec. 15, 2005, Southern Regional Office, USCCR, files.

<sup>94</sup> James M. Skipper, Jr., attorney for Sumter County School District, letter to Peter Minarik, Dec. 16, 2005, Southern Regional Office, USCCR, files.

### Tattnall County School District

Tattnall County is located in the south-east part of the state and the entire county comprises one school district. The district operates eight schools with a total enrollment of about 3,400 students and is mixed racially. Whites are the largest racial group, comprising 55 percent of total enrollment, while blacks make-up about 30 percent of the student population and Latinos about 15 percent. The district was first placed under court jurisdiction in 1969, and a court order issued in 1974 that the Tattnall County School District and others have become unitary, and the case was placed on the inactive docket with a permanent injunction against the district. The Tattnall District maintains that it is not under a court order and that the declaration made by the court that the district is operating a “unitary system” was a granting of unitary status by the court.<sup>95</sup>

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Under Court Order

### Taylor County School District

Taylor County is located in the central part of the state. The entire county comprises one school district. The district operates four schools and has a total enrollment of approximately 1,600 students. Blacks and white students are fairly equal in the district with both groups comprising about 49 percent of total enrollment. The district has been under court jurisdiction since 1969, and according to a representative for the district the district is still considering whether or not to pursue unitary status.<sup>96</sup>

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Under Court Order

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<sup>95</sup> B. Daniel Dubberly, Jr., attorney for the Tattnall County School District, letter to Peter Minarik, Mar. 7, 2006, Southern Regional Office, USCCR, files. The complete position by the Tattnall County School District is included in the Appendix-Affected Agency Comments.

<sup>96</sup> Jennifer Albritton, fiscal officer, Taylor County School District, telephone interview, Jan. 10, 2007, Southern Regional Office, USCCR, files.

### Telfair County School District

Telfair County is located in the central part of the state. The entire county is one school district. Total enrollment in the district is about 1,700 students, and the district operates four schools. The district is fairly evenly mixed racially; whites comprise about 50 percent of total enrollment and blacks about 45 percent. The district has been under court jurisdiction since 1969, and according to a representative for the district the district is currently working with the Department of Justice towards a grant of unitary status from the courts.<sup>97</sup>

Initiating Case Name:	U.S. v. Board of Ed of Telfair County, No. 726
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Under Court Order

### Terrell County School District

Terrell County is located in the southwestern part of the state. The entire county comprises one school district. Total enrollment in the district is about 1,660 students and there are four schools. The district is majority-minority and almost entirely African American. Blacks comprise approximately 96 percent of total enrollment, while the white population is less than 3 percent. The district has been under court jurisdiction since 1969, and the board is considering the merits as to whether the district should pursue unitary status.<sup>98</sup>

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Under Court Order

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<sup>97</sup> Cary Clark, superintendent, Telfair County School District, telephone interview, Jan. 11, 2007, Southern Regional Office, USCCR, files.

<sup>98</sup> Robert Aaron, superintendent, Terrell County School District, telephone interview, June 30, 2007, Southern Regional Office, USCCR, files.

### Toombs County School District

Toombs County is located in the east-central part of the state. There are two school districts in Toombs County, Toombs County School District and Vidalia City School District. The Toombs County School District operates five schools with a total enrollment of approximately 2,800 students. The district is majority white at 60 percent, while blacks and Latinos each comprise about 20 percent of total district enrollment. The district has been under court jurisdiction since 1969, and according to a representative for the district the district does not plan to pursue unitary status at this time due to the prohibitive costs that would be placed on the district for pursuing this goal.<sup>99</sup>

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Under Court Order

### Turner County School District

Turner County is located in the south-central part of the state. The entire county comprises one school district, and there are six schools in the district. The district is mixed racially with a total enrollment of approximately 1,900 students. Blacks are the largest racial group, comprising about 56 percent of total enrollment, while whites are about 42 percent of the student population. The district has been under court jurisdiction since 1969, and according to a representative for the school district the district is working with the Department of Justice towards a grant of unitary status from the courts.<sup>100</sup>

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Under Court Order

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<sup>99</sup> Malcolm F. Bryant, Jr., attorney for Toombs County School District, letter to Peter Minarik, Mar. 6, 2006, Southern Regional Office, USCCR, files.

<sup>100</sup> Ray D. Jordan, superintendent, Turner County School District, telephone interview, Jan. 11, 2006, Southern Regional Office, USCCR, files.

### Twiggs County School District

Twiggs County is located in the central part of the state. The entire county is one school district. Total enrollment in the district is about 1,400 students and there are five schools. The district is a majority-minority district, although there is a substantial percentage of white students. Blacks are the largest racial group and comprise almost two-thirds of the total enrollment, while whites make-up one-third of the student population. The district has been under court jurisdiction since 1969, and the Georgia Advisory Committee did not receive a response from the district as to its intent with respect to unitary status.<sup>101</sup>

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Under Court Order

### Valdosta City School District

Valdosta is in Lowndes County, which is located in the southernmost part of the state. The district is an independent municipal district in the county. The city school system has a total enrollment of about 7,300 students and operates 11 schools. The district is a majority-minority district. Blacks comprise about three-fourths of the total student population, while whites comprise only about 20 percent. The district has been under court jurisdiction since 1970, and according to a representative for the district the district has plans to pursue unitary status. “At this time, the Valdosta City School system is undergoing an evaluation by the U.S. department of Justice concerning some minority personnel staffing adjustments.... Once this issue has been resolved, the Valdosta city School system will request unitary status.”<sup>102</sup>

Initiating Case Name:	U.S. v. Board of Education of Valdosta City
Year of Initiating Case:	1970
Issue:	School Desegregation
Current Status:	Under Court Order

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<sup>101</sup> Letter from Peter Minarik, Regional Director, Southern Regional Office, to Twiggs County School District, Feb. 24, 2006.

<sup>102</sup> Miranda W. Cox, attorney for Valdosta City School District, letter to Peter Minarik, March 8, 2006, Southern Regional Office, USCCR, files.

### Vidalia City School District

Toombs County is located in the east-central part of the state. There are two school districts in the county, Toombs County School District and Vidalia City School District. The Vidalia School District has a total enrollment of about 2,600 students and operates four schools. The district is fairly evenly mixed racially, as blacks comprise about 50 percent of total enrollment and whites about 46 percent. The district has been under court jurisdiction since 1969, and according to a representative for the district the district does not plan to pursue unitary status at this time due to the financial burdens that would place on the district.<sup>103</sup>

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Under Court Order

### Walker County School District

Walker County is located in the northwestern part of the state. The county comprises one school district with 17 schools. Total enrollment is almost 9,000 students and is almost exclusively white. Whites comprise more than 90 percent of total enrollment, while blacks are less than 5 percent. The district has been under court jurisdiction since 1969, and according to the superintendent “the district has continued to operate as a unitary system for at least 35 years. To the extent the District is still under court jurisdiction with respect to school desegregation and does not have unitary status, the District intends to pursue unitary status.”<sup>104</sup>

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Under Court Order

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<sup>103</sup> Malcolm F. Bryant, attorney, Vidalia County School District, telephone interview, Jan. 11, 2007, Southern Regional Office, USCCR, files.

<sup>104</sup> Roy S. Sapough, superintendent, Walker County School District, letter to Peter Minarik, March 8, 2006, Southern Regional Office, USCCR, files.

### Walton County School District

Walton County is located in the northeastern part of the state. The entire county comprises one school district, and there are 17 schools. Total enrollment in the district is about 11,300 students. Whites are the largest racial group and comprise about three-fourths of total enrollment, while blacks are about 20 percent. The district has been under court jurisdiction since 1968, and according to a representative for the district the district is currently pursuing a grant of unitary status and filed a petition to that effect with the courts in 2006 and the district expects to be granted unitary status by the court in the Fall of 2007.<sup>105</sup>

Initiating Case Name:	Graves v. Walton County Board of Ed, C.A. No. 681
Year of Initiating Case:	1968
Issue:	School Desegregation
Current Status:	Under Court Order

### Warren County School District

Warren County is located in the east-central part of the state. The entire county comprises one school district, and there are just three schools in the district. Total enrollment in the district is less than 1,000 students and almost entirely African American. Blacks comprise approximately 95 percent of total enrollment, while whites and others are just 5 percent. The district has been under court jurisdiction since 1969, and a representative of the district said there was an action by the Department of Justice in the late 1980s to pursue unitary status, but the Warren District was not invited into those discussions and has not independently pursued unitary status.<sup>106</sup>

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Under Court Order

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<sup>105</sup> Tim Lull, superintendent, Walton County School District, letters to Peter Minarik, March 10, 2006, and June 28, 2007, Southern Regional Office, USCCR, files.

<sup>106</sup> Gary Dishman, attorney, Warren County School District, telephone interview, Dec. 1, 2005, Southern Regional Office, USCCR, files.

Washington County School District

Washington County is located in the east-central part of the state. The entire county comprises one school district with seven schools. Total enrollment is about 3,700 students. The district is majority-minority with blacks comprising almost 70 percent of total enrollment and whites about 30 percent. The district has been under court jurisdiction since 1970, and it is the position of the district that “because the Board understands that the costs of seeking unitary status can be substantial, it is unwilling to do so at least for the immediate future.”<sup>107</sup>

Initiating Case Name: Hilson v. Ouzts and Washington County Bd. of Ed.  
Year of Initiating Case: 1970  
Issue: School Desegregation  
Current Status: Under Court Order

Wayne County School District

Wayne County is located in the southeastern part of the state. The entire county comprises one school district. The district has an enrollment of about 5,400 students and it operates 10 schools. Racially, whites are the largest racial group comprising approximately 72 percent of the student population, while blacks are about 22 percent. The district has been under court jurisdiction since 1969, and the Georgia Advisory Committee did not receive a response from the district as to its intent with respect to unitary status.<sup>108</sup>

Initiating Case Name: U.S. v. State of Georgia, et al., C.A. No. 12972  
Year of Initiating Case: 1969  
Issue: School Desegregation  
Current Status: Under Court Order

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<sup>107</sup> Letter from Donna Hinton, superintendent, Washington County School District, to Peter Minarik, Regional Director, Southern Regional Office, Jan. 29, 2007, Southern Regional Office, USCCR, files.

<sup>108</sup> Letter from Peter Minarik, Regional Director, Southern Regional Office, to Kendall Keith, superintendent, Wayne County School District, Feb. 24, 2006.

### Wheeler County School District

Wheeler County is located in the central part of the state. The entire county is one school district with three schools. Total enrollment in the district is about 1,200 students. Whites are the largest racial group and comprise about 60 percent of total enrollment, while blacks are about one-third of the student population. The district has been under court jurisdiction since 1969, and according to a representative for the district the district is still deciding whether or not to pursue a grant of unitary status from the courts. The superintendent said the district is hesitant to undertake the pursuit of unitary status because insofar as the district operates only one elementary school, one middle school, and one high school, the structure of the school district in and of itself appears to prohibit racial segregation and so the matter is a moot issue.<sup>109</sup>

Initiating Case Name:	U.S. v Wheeler County, No. 729
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Under Court Order

### Wilcox County School District

Wilcox County is located in the central part of the state. The entire county comprises one school district with three schools. The district has a total enrollment of 1,452 students and is mixed racially. Whites are the largest racial group comprising about 55 percent of total enrollment, while blacks are about 45 percent. The district has been under court jurisdiction since 1969, and the Georgia Advisory Committee did not receive a response from the district as to its intent with respect to unitary status.<sup>110</sup>

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Under Court Order

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<sup>109</sup> Ronny Clark, superintendent Wheeler County School District, telephone interview, Jan. 11, 2006, Southern Regional Office, USCCR files.

<sup>110</sup> Letter from Peter Minarik, Regional Director, Southern Regional Office, to Wilcox County School District, Feb. 24, 2006

### Wilkinson County School District

Wilkinson County is located in the central part of the state. The entire county comprises one school district, and it operates four schools district. Total enrollment in the district is almost 1, 700 students, and blacks are the largest racial group comprising approximately 60 percent of total enrollment. The district has been under court jurisdiction since 1969, and according to the superintendent “the Board of Education has been considering options available regarding the pursuit of unitary status. The Board has not made a decision, but will continue to study the options available.... Currently, the potential costs are prohibitive for the School District to seek unitary status.”<sup>111</sup>

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Under Court Order

### Worth County School District

Worth County is located in the southwestern part of the state. The entire county comprises one school district. The district operates six schools and has a total enrollment of approximately 4,000 students. Whites are the largest racial group comprising about 60 percent of total enrollment. The district has been under court jurisdiction since 1969 and a court order issued in 1974 stated that the Worth County School District and others had become unitary. The case was then placed on the inactive docket with a permanent injunction against the district. The Worth School District maintains that it understood that the 1974 order settled the matter; as a result the district is not certain of its future plans regarding its intent with respect to seeking unitary status.<sup>112</sup>

Initiating Case Name:	U.S. v. State of Georgia, et al., C.A. No. 12972
Year of Initiating Case:	1969
Issue:	School Desegregation
Current Status:	Under Court Order

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<sup>111</sup> Terry Sark, superintendent, Wilkinson County School District, letter to Peter Minarik, March 13, 2006, Southern Regional Office, USCCR, files.

<sup>112</sup> Clarence Miller, attorney, Worth County School District, telephone interview, Jan. 13, 2006, Southern Regional Office, USCCR files.

## **School Integration Patterns Are Similar for School Districts with Unitary Status and Other School Districts**

There has been some research that suggests that previously segregated school districts which have gained “unitary status” may be experiencing *de facto* segregation as a result of the loss of federal oversight. In particular, some researchers argue that as a result of the Supreme Court’s 1991 *Dowell* decision, districts can more easily obtain “unitary status” and thus evade federal oversight. Without federal oversight, there has been a process of gradual *de facto* segregation.<sup>113</sup>

This research, however, has generally been lacking in one important respect. Previous research on this topic did not have access to the exact desegregation status of the various school districts, and as a result the universe of all school districts could not be considered in previous research in large part to the fact that no authoritative accounting of the desegregation status of all school districts was available. With this study, the Georgia Advisory Committee has established what it believes to be an authoritative accounting of the desegregation status of each of Georgia’s 180 school districts.

Using this information, we offer an initial analysis on the impact of “unitary status” as a corollary to our reporting on the desegregation status of Georgia public school districts. In this analysis we attempt to determine whether discrepancies in integration patterns within a school district may be related to the desegregation status of the school district, i.e., unitary, court jurisdiction, or non-litigant. That is, we specifically examine whether public school districts in Georgia with unitary status—and hence no longer subject to direct supervision by either the courts or the Department of Education (Education)—tend to be different in terms of racial integration than the other categories of school districts, i.e., districts still subject to court jurisdiction and districts still monitored by Education.

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<sup>113</sup> See for example, Gary Orfield, “Federal Oversight, Local Control, and the Specter of Resegregation in Southern Schools,” September, 2004, [www.pubpol.duke.edu](http://www.pubpol.duke.edu).

### Index of Dissimilarity Measures Racial Integration

In this part we set out to examine whether there are differences in school-level integration between school districts with unitary status and other school districts.<sup>114</sup> We use the Index of Dissimilarity as our basic unit of measure for integration. An Index of Dissimilarity (Index) measures whether one particular racial/ethnic group is distributed across schools in an area proportional to its representation in the entire population in the same way as another group, i.e., the segregation of one group from another.

With respect to patterns of racial integration, the Index measures whether the pattern of the proportion of African American children the schools in a school district tend toward the same proportion of African Americans in the entire district. The Index can range in value from 0 to 100, with a value of 60 would be considered very high. An Index of 60 would mean that 60 percent of the group would need to switch schools in order for the two groups to be proportionally distributed according to their percent of the overall population. The computation of the Index of Dissimilarity is:<sup>115</sup>

$(1/2) \sum [(b_i / B_i) - (w_i / W_i)]$ , where

$b_i$  is the number of African American children at the particular school,

$B_i$  is the total number of African American children among the included particular schools from the school district,

$w_i$  is the number of white children at a the particular school, and

$W_i$  is the total number of white children among the included particular schools from the school district.

Our general methodology was to compute an Index for each school district. We limited our computation of a district's Index to regular elementary schools. Middle schools and high schools are not included in the analysis since middle and high schools are often "feeder" schools from several elementary schools, and their inclusion would

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<sup>114</sup> We initially intended to also test whether integration trends over time differed among the types of school districts. However, the wide range in time periods over which school districts in the state achieved "unitary status" precluded a straightforward analysis.

<sup>115</sup> Racial Residential Segregation Measurement Project, Population Studies Center, University of Michigan, *Calculation Formula for Segregation Measures, The Index of Dissimilarity*, <http://enceladus.isr.umich.edu/race/calculate.html>.

tend to dilute the true Index of the district, particularly in smaller districts. We also eliminated special schools, vocational schools, and pre-Kindergarten-Kindergarten schools from the computation of school district Indices as their inclusion would likely unduly weight the estimates and bias the parameters. School districts with less than three regular elementary schools were also eliminated, as districts with one or two elementary schools would likely generate Indices that would upwardly bias the mean Index of the group.

Eliminating school districts operating two or less regular elementary schools resulted in 96 of the state's 180 school districts being included in the study. Included in the analysis are 13 of the 34 school districts in Georgia with "unitary status," 38 of the 75 school districts still under court order, and 45 of 71 districts that were never engaged in litigation over school desegregation. For each included school district, we computed an Index for the 2004-05 school year of all regular elementary schools in the district. Table 6 lists the 13 Georgia school districts with "unitary status" and their computed Index; Table 7 lists the 38 Georgia school districts still subject to a court order included in the study with their computed Index; Table 8 lists the 45 Georgia non-litigant school districts and their computed Index.

Finally, for consistency across the state, our computation of an Index of Dissimilarity for any particular district and our analysis was limited to white students and African American students. Though there may be districts with high percentages of Latino students, for internal consistency we focus on school integration in this analysis in terms of a black-white issue. Finally, we employed the 2004-05 school year to construct our Index because that was the most recent year data is available from the Common Core of Data.

**Table 6: Index of Dissimilarity for Georgia School Districts with Unitary Status Included in Analysis**

<b>District</b>	<b>Index of Dissimilarity for SY05</b>
Atlanta City	92.8
Bibb	65.3
Bulloch	37.6
Butts	6.6
Chatham	53.7
Clayton	34.8
Coffee	11.3
DeKalb	82.4
Fulton	76.7
Jackson	34.3
Lowndes	15.6
Muscogee	64.0
Troup	22.3

Source: Georgia Advisory Committee.

**Table 7: Index of Dissimilarity for Georgia School Districts Still Subject to Court Jurisdiction Included in Analysis**

<b>District</b>	<b>Index of Dissimilarity for SY05</b>
Appling	35.2
Baldwin	14.0
Barrow	21.7
Bryan	19.4
Camden	15.8
Charlton	26.1
Colquitt	40.3
Columbia	20.1
Coweta	37.8
Crisp	4.4
Decatur City	25.5
Decatur County	29.8
Dougherty	57.4
Laurens	18.8
Elbert	21.4
Emanuel	12.6
Glynn	48.2
Grady	43.5
Harris	23.1
Hart	34.1
Jefferson	28.4
Jones	18.3
Lee	2.3
McDuffie	27.5
Meriwether	22.5
Newton	27.00
Peach	75.50
Richmond	53.51
Rome	48.46
Sumter	36.24
Tattnall	7.22
Toombs	23.88
Valdosta	55.60
Walker	17.27
Walton	51.11
Washington	5.45
Wayne	24.77
Worth	4.17

Source: Georgia Advisory Committee.

**Table 8: Index of Dissimilarity for Georgia School Districts Not Litigated for School Desegregation Included in Analysis**

<b>District</b>	<b>Index of Dissimilarity for SY05</b>
Bartow	23.4
Brantley	18.4
Burke	3.1
Carroll	17.6
Catoosa	21.5
Chattooga	38.7
Cherokee	34.2
Clarke	41.3
Cobb	56.1
Dalton	28.4
Dawson	45.1
Douglas	33.0
Effingham	35.5
Fannin	45.0
Fayette	46.2
Floyd	25.7
Forsyth	28.7
Franklin	20.8
Gainesville	47.9
Gilmer	72.2
Gordon	33.0
Gwinnett	45.1
Habersham	49.6
Hall	40.6
Haralson	16.5
Heard	23.3
Henry	41.3
Houston	36.4
Liberty	11.6
Lumpkin	24.9
Madison	41.5
Marietta	36.0
Murray	15.2
Oconee	21.8
Paulding	28.7
Pickens	25.2
Polk	16.1
Rockdale	34.9
Spalding	50.1
Stephens	20.8
Thomasville City	74.4
Tift	14.1
Ware	17.9
White	12.6
Whitfield	22.3

Source: Georgia Advisory Committee.

## Integration Patterns Similar Among School Districts When District Size and Racial Composition of District Considered

Our study of the data shows that school districts in Georgia with “unitary status” tend to have higher Indices. School districts under court jurisdiction and schools districts never involved in desegregation litigation in Georgia tend to have lower Indices, and there is no essential difference in Indices between these two groups of school districts.<sup>116</sup>

On average, the Index for the included school districts with “unitary status” is 46 and the median Index is 36. The range in Index scores is from a low of 6.6 in the Butts County School District to a high of 93 in the Atlanta City School District. As previously stated, an Index over 60 is considered very high, and only five school districts with “unitary status” have an Index over 60.

In contrast, the average Indices for both included school districts under court jurisdiction and those included districts never involved in school desegregation litigation are much lower, 28 and 32 respectively. The median Index for included school districts under court order is 25 and for non-litigant districts it is 29. One included school district under court order and two included school districts that were non-litigant school districts have Indexes over 60.

We followed with analysis of variance (ANOVA) to formally test whether these differences in Index scores were statistically different. In general the purpose of ANOVA procedures is to test for significant differences between means when there are more than two groups being compared,<sup>117</sup> and our null hypothesis asserted no difference in integration patterns among the three groups of school districts.<sup>118</sup>

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<sup>116</sup> This finding is similar to that found by the Florida Advisory Committee in its recent study on the subject. *See* report of the Florida Advisory Committee to the U.S. Commission on Civil Rights, *Desegregation of Public School Districts in Florida—18 School Districts Have Unitary Status, 16 Districts Remain Under Court Jurisdiction*, December 2006 (hereinafter referred to as Florida Report).

<sup>117</sup> If there are only two groups being compared, ANOVA will give results that are the same as the t-test or results similar to other related tests of the differences between the means of two groups.

<sup>118</sup> Formally,  $H_0: I_{US} = I_{CJ} = I_{NL}$   
 $H_A: I_{US} \neq I_{CJ} \neq I_{NL}$

where, (i)  $I$  denotes the group mean Index, and (ii) the subscript “US” denotes the group of school districts with “unitary status,” the subscript “CJ” denotes the group of school districts under court order, and the subscript “NL” denotes the school districts that were never parties to desegregation litigation.

The ANOVA shows that the group of school districts with “unitary status” had a significantly higher Index than the other two groups of school districts ( $p = 0.05$ ).<sup>119</sup> That is, absent the consideration of other explanatory factors, there is a significantly lower level of racial integration between whites and blacks at elementary schools in school districts released from court jurisdiction than school districts still subject to a court order and school districts never a party to desegregation litigation. The results of the ANOVA are in Table 9.

**Table 9: ANOVA Results for Differences in Indices for 2004-05 School Year and Differences in Integration Trends**

	<b>MS Effect</b>	<b>Df Error</b>	<b>MS Error</b>	<b>p-level</b>
<b>SY05</b>	1038.89	93	337.74	0.05*

\* Indicates significance at the 0.05 level.  
Source: Georgia Advisory Committee.

In Georgia, school districts with “unitary status” tend to have, on average, larger enrollments, operate more schools, and have higher percentages of minority students. Because there are differences among the selected school districts with respect to enrollment, number of schools, and the percentage of total enrollment that is minority, regression analysis was employed to provide a more complete model to examine differences in integration patterns among the three groups of school districts.

The general purpose of multiple regression is to analyze the relationship between several independent or predictor variables and a dependent variable. The major conceptual limitation of all regression techniques is that the analysis allows for identification of relationships, but does not necessarily prove the existence of underlying causal mechanisms. Our model analyzed the relationship of the Index on three predictor variables: (1) number of elementary schools,<sup>120</sup> (2) percentage of white students, and (3) district desegregation status.<sup>121</sup>

<sup>119</sup> A similar finding was found by the Florida Advisory Committee to the U.S. Commission on Civil Rights. See Florida Report, p. 45.

<sup>120</sup> Total enrollment in a district was not considered in the analysis as it was found to be highly correlated with number of schools. Substituting schools for total enrollment in the analysis yielded similar results.

<sup>121</sup> The regression model is:

When percent white enrollment and district size are considered as factors in the analysis, in contrast to the ANOVA results school districts with “unitary status” are not different from other districts with respect to integration patterns. That is, the regression analysis finds that, controlling for total district enrollment and the percentage of a school district that is white, integration patterns in schools are not related to the desegregation status of the school district.<sup>122</sup> In other words, this particular regression model suggests that the higher Indices found at school districts with “unitary status” is not the result of the district being removed from court jurisdiction.

The size of the school district and the percentage of the enrollment that is white, however, were found to be related to a district’s integration pattern. The total number of schools in the district was positively and significantly related to a higher Index (p-level =0.00). Similarly, the percentage of a district that is white was also found to be negatively and significantly related to the district’s integration pattern (p-level = 0.03). The regression results are set out in Table 10.

This is consistent with an examination of school district demographics. School districts with “unitary status” operate more schools than other school districts. On average these districts operate about 25 regular elementary schools. In contrast, on average, districts under court order operate about five regular elementary schools and non-litigant school districts operate about ten regular elementary schools.

With respect to the racial composition of the school districts, districts with “unitary status” have larger populations of African American students and one half of these districts are majority-minority, that is African American students are the majority of total student enrollment in the district. In contrast, the school districts that are under a court order or never a party to school desegregation litigation have much higher

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$$[\tilde{Y}_{I04j}] = \alpha_j + \beta_{1j}X_{1j} + \beta_{2j}X_{2j} + \beta_{3j}D_{3j} + \beta_{4j}D_{4j} + \epsilon_j$$

where,

$\tilde{Y}_{I04j}$  is the Index of Dissimilarity for selected schools in the “j” district for the 2003-04 school year;

$X_{1j}$  is total elementary schools in school district “j”;

$X_{2j}$  is the percentage of white students in school district “j”;

$D_{3j}$  is a dummy variable to control for district “j” being under court order; and

$D_{4j}$  is a dummy variable to control for district “j” having “unitary status”.

<sup>122</sup> Significance level is 0.05.

percentages of white children. On average, only one-third of the school districts still under court order and about one-sixth of non-litigant school districts have minority populations that are similar to the percentage of white students.

**Table 10: Regression Results for Analysis of School Year 2004-05 Index of Dissimilarity With Number of Schools, % White, and District Desegregation Status**

Dependent Variable: 2004-05 Index of Dissimilarity					
N=61      R <sup>2</sup> = 0.368      adj. R <sup>2</sup> = 0.340					
F (4,91)      p < .00000					
	<b>Beta</b>	<b>Standard Error</b>	<b>B</b>	<b>t(91)</b>	<b>p-level</b>
<b>Intercept</b>			36.850	5.910	0.000
<b>Total Schools</b>	.502	0.099	0.630	5.047	0.000*
<b>% White</b>	-0.218	0.097	-0.169	-2.242	0.027
<b>Court Jurisdiction</b>	-0.079	0.095	-3.067	-.837	0.404
<b>Unitary Status</b>	0.067	0.098	-3.561	0.684	0.495

Note: Non-litigant School Districts are the basis.

\* Indicates significance at  $\alpha = 0.05$  level.

Source: Georgia Advisory Committee.

These findings suggest that across all types of school districts, from large urban districts to small rural districts, a declaration of “unitary status” by the court does not in and of itself necessarily result or cause a pattern of re-segregation to occur within a school district. Rather, these findings suggest that where patterns of re-segregation are occurring within a school district, it seems to be more likely the result of other factors likely embedded in the size of the district and/or the proportion of minority children enrolled.

#### Private Schools in Georgia Enroll Large Numbers of White Students

It should be noted that apart from the legal desegregation status of a school district, the percentage of white students in a district, and district size, a number of other factors may also contribute to integration patterns in Georgia school districts that were not considered. For example, in addition to private school enrollment, residential

segregation, the unusually large number of school districts in the state, and rapidly changing demographics are factors that may play a role in the integration patterns of the public schools in the state.

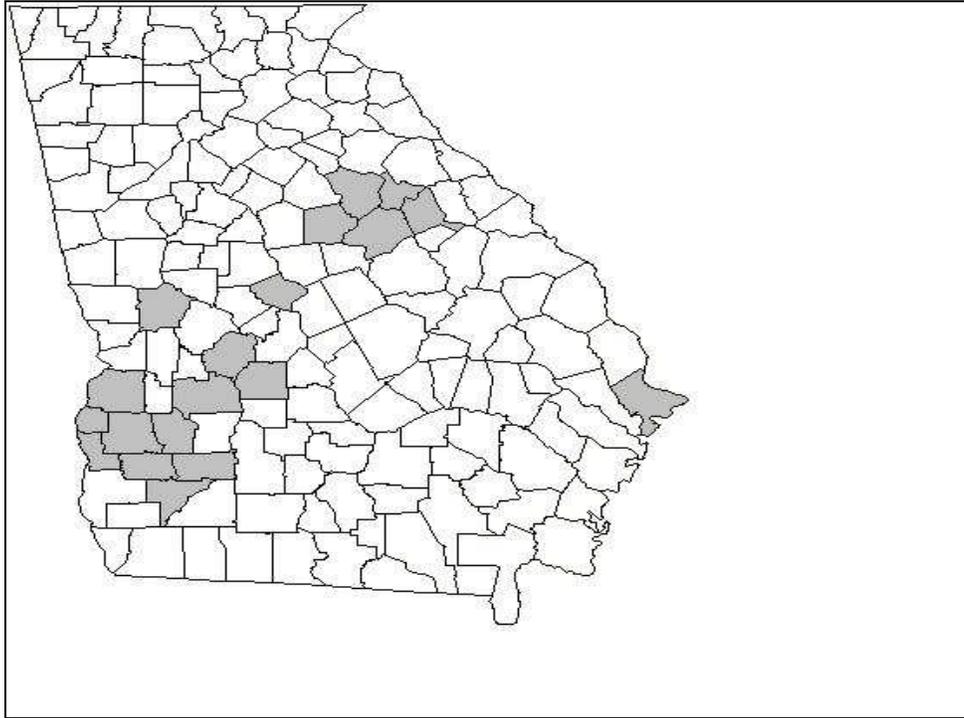
Integration patterns within a school district are affected when large numbers of white students do not attend public schools. In Georgia about 10 percent of all school age children attend private schools, and whites comprise more than 80 percent of all private school enrollment in the state. In 12 counties in Georgia over one-half of the white school age population attends private schools. Moreover, as public school districts in Georgia become more and more nonwhite, whites in that district increasingly attend private schools.

In Georgia, 12 counties have over one half of their white school age population attending private schools. These counties are: (1) Baker, (2) Calhoun, (3) Clay, (4) Dooly, (5) Hancock, (6) Macon, (7) Randolph, (8) Stewart, (9) Talbot, (10) Taliaferro, (11) Terrell, and (12) Warren. (Figure 1 shows the location of the 12 counties.) Three of these 12 county school districts—Baker, Clay, and Hancock—have “unitary status” while six remain under a court order and three were never subject to school desegregation litigation. In seven other counties in the state, over one-third of the white school age population attends private schools.<sup>123</sup> These counties include: (1) Bibb, (2) Chatham, (3) Dougherty, (4) Greene, (5) Putnam, (6) Quitman, and (7) Sumter. Four of these school districts—Bibb, Chatham, Putnam, and Quitman—have received a declaration of “unitary status” while two remain under a court order and one is a non-litigant. The trend in these 19 counties exceeds the general trend for the state for children attending private schools. That is, these counties have disproportionately larger private school enrollments for white children than most Georgia counties.

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<sup>123</sup> National Center of Education Statistics, Common Core of Data 2000 school year and 2000 census.

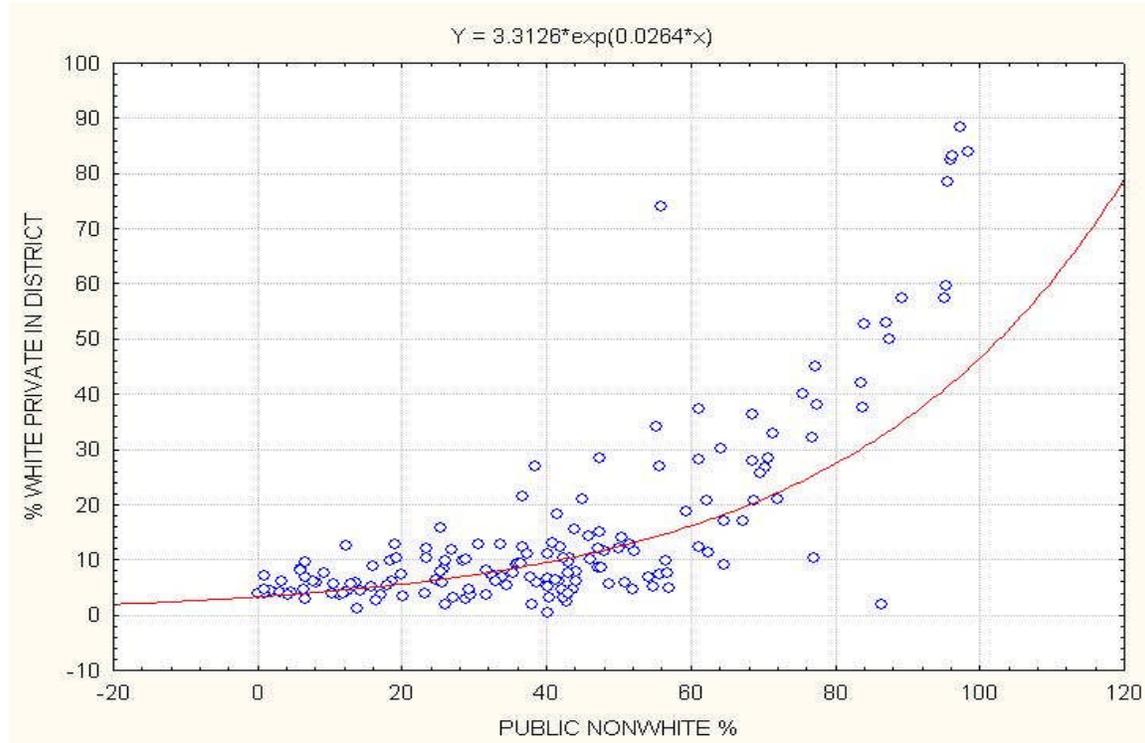
**Figure 1: Location of 19 Georgia Counties Where Over One-Third of White School Age Children Attend Private Schools**



Source: Georgia Advisory Committee.

The percentage of whites enrolled in private schools with the percentage of non-white enrollment in public schools exhibits an exponential relationship. As the percentage of public school enrollment is increasingly minority there is an even greater percentage increase in white enrollment in private schools in the district. In contrast, when the public school enrollment is majority white, the percentage of whites enrolled in private schools is similar to their proportion of total enrollment. As a result, public school districts that have higher nonwhite enrollments tend to have disproportionately lower white enrollments compared to the actual demographics of the district. That is, whites in a county increasingly attend private schools when the public schools in the county become majority nonwhite. The above data suggests that public school districts in the state represent a higher non-white population and a lower white population in their schools than the actual demographics of the district. Figure 2 shows these trends graphically.

**Figure 2: Scatterplot of Georgia's 159 Counties Showing % White Enrollment in the County Attending Private School and % Nonwhite Enrollment in Public School in the Same District for the 2000 School Year**



Source: Georgia Advisory Committee to the U.S. Commission on Civil Rights from 2000 census and Common Core of Data 2000-01 School Year.

In determining racial enrollment, three grade level parameters from the 2000 census (Kindergarten, Grades 1-8, and Grades 9-12), were combined. The 2000 census was used to obtain the private school enrollment data and was organized by counties rather than individual school districts. The Committee considered the county level sufficient for the calculation because the county level was the most accurate among available resources to represent the interracial contact of school age children. Data for public school enrollment by race was collected from the Common Core of Data for the 2000 school year in order to compare the data concisely with the census data on private school enrollment by race. The data was used to determine total K-12 enrollment for all schools in each county (public and private) and to compare the percentages by race for the public and private schools separately.

Besides private school enrollment, residential segregation is another important issue with respect to school integration because to the extent schools are integrated along residential patterns school integration is similarly affected. Though not explicitly examined in this study, clearly if children attend neighborhood schools and residential neighborhoods are segregated then the public schools will similarly be segregated regardless of the desegregation status of the district.

Another factor affecting the analysis is the presence of multiple minority groups. In the 1950s and 60s when school desegregation emerged as an issue in Georgia, African Americans were the only substantial minority group. Now some 50 years later large numbers of Latinos attend public schools in the state. Their presence in the schools as a second large minority group complicates the analysis. In addition, in recent decades Georgia has become wealthier and more urbanized resulting in a large shift in population from central urban school districts to suburban districts. That dynamic has also affected school integration patterns.

Consequently, the Georgia Advisory Committee does not represent this study to be an all-encompassing examination of the matter of integration and unitary status. Rather it is a first study of the impact of unitary status on integration patterns that employs the school district desegregation status of all school districts in the state and accordingly there are limitations to the analysis. First and most importantly, the reader is reminded that regression analysis reflects statistical relationships, and relationships do not necessarily indicate causation. The existence of a relationship between two variables is a necessary condition for causation, but not a sufficient condition. An observed and asserted relationship between an explanatory variable (in this study: district size, percentage white, and desegregation status) and the dependent variable (in this study the Index) could be a relationship that is spurious and non-causal. Further, there is the possibility that two variables could be coincidentally and causally moved by a distinct and unaccounted underlying third variable. For example, a higher percent of whites in a district might be observed to be related to higher integration patterns, but a third and unaccounted factor could be the true causal agent for the observed increases in the two variables and thus the two variables would not be causally related.

Second, there are technical limitations to relying on regression analysis for exactitude in social science research. Regression analysis only provides valid results to the extent a model is correctly specified. That is, for complete validity with regression analysis each and every contributing variable must be included and all extraneous variables omitted for a regression to be correctly specified. For example, if a contributing predictor variable is omitted from the model, regression analysis will yield estimates that are to some degree biased from the true estimate. Since other factors may play a role in the integration pattern of a school district and these are not deliberately constructed into the model, the regression results reported above likely have some degree of internal misspecification. Also, if there is any correlation between any of the predictor variables, an extremely likely occurrence and one that holds for this regression analysis, there will be some bias with the resulting estimates.

Another technical problem with regression lies in understanding that the results in regression analysis are based upon both the reported values of predictor and dependent variables. To the extent there are errors in these data, i.e., the values of the particular variables vary from their true values in the real world, the results from the regression become less reliable. In our study we relied upon data reported in the Common Core of Data for our estimates of school and district student demographic information. It is generally accepted that the Common Core of Data has errors. Moreover, that data is collected at one point in time during the school year and the collection of similar data at another point of time in the same school year would likely yield different data.

## **Findings**

Finding 1. At the time of the *Brown* decision, every school district in the State of Georgia operated a racially segregated school system. One-hundred nine school districts have been sued in federal court to eliminate racial segregation; 71 districts have not been involved in school desegregation litigation.

Finding 2. As of 2007, the courts have declared 34 of these 109 school districts to have achieved “unitary status” with respect to school desegregation; 75 remain under a court order.

Finding 3. Of the 74 school districts under a court order, 16 are actively pursuing unitary status or intend to pursue “unitary status” from the court. Forty (40) of the school districts under a court order do not intend to pursue “unitary status.” Six school districts are undecided about their plans regarding pursuing “unitary status.” Twelve school districts did not provide the Committee with a response as to their intent regarding “unitary status.”

Finding 4. Though school districts with “unitary status” in the state do display lower levels of black-white integration than school districts still under a court order or non-litigant districts monitored by the Department of Education, our analysis suggests that the lower levels of racial integration in these districts do not appear to be the specific result of school districts being removed from court jurisdiction. This is not, however, to be interpreted as though a pattern of *de facto* segregation may not be occurring in Georgia public schools, and this study does not attempt to address that issue.