

Bond Case Briefs

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SCHOOL DISTRICTS - MISSISSIPPI

Butts v. Aultman

United States Court of Appeals, Fifth Circuit - March 19, 2020 - F.3d - 2020 WL 1301048

County residents who lived outside of city filed § 1983 action against county, school board, and state officials alleging that state legislature's decision to administratively consolidate two school districts and restructure school board responsible for governing newly-formed district violated their equal protection right to participate equally in district's decision-making process.

After transfer, the United States District Court denied plaintiffs' motion for temporary restraining order and preliminary injunction, and granted defendants' motion to dismiss. Plaintiffs appealed.

The Court of Appeals held that:

- Fact that new district's interim board would consist entirely of members of one former district's board did not violate equal protection rights of residents in other former district;
- Plaintiffs lacked standing to assert claim that statute administratively consolidating district violated their equal protection rights; and
- New school board did not discriminate against former county school district employees on basis of geographic affiliation.

State law providing that, once two school districts were administratively consolidated, new district's interim board would consist entirely of members of one former district's board, who had been appointed by city board of aldermen, did not violate equal protection rights of residents in other former district, absent allegation that state acted with intent to impinge on fundamental right or to invidiously discriminate against suspect class; it was rational for legislature to conclude that board transition period would best promote efficient and smooth consolidation, and that statute gave state officials additional time to prepare for upcoming elections for permanent board.

County residents who lived outside of city lacked standing to assert claim that state statute administratively consolidating city school district and county school district violated their equal protection right to participate equally in district's decision-making process, even though only two of new school board's five members were to be elected by residents outside of city, despite fact that they accounted for 57% of county's population, where remaining three members were to be appointed by city board of aldermen.

After city school district and county school district were administratively consolidated, new school board did not discriminate against former county school district employees on basis of geographic affiliation, in violation of Equal Protection Clause, when it fired them and retained former city school district employees, where city was higher performing school district than county, and superintendent may have felt that most seamless and efficient way to implement consolidation would be to absorb county district into better-performing city district.

