

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
AT LOUISVILLE

MARY BLEDSAW, Parent and Next)
Of Friend of A. B.)
12533 Hedge Apple Way)
Louisville, KY 40272)

And)

MARY BLEDSAW, Parent and Next)
Of Friend of J. B.)
12533 Hedge Apple Way)
Louisville, KY 40272)

And)

TARYN BELL, Parent and Next)
Of Friend of N. T.)
666 S. 43rd Street)
Louisville, KY 40211)

Plaintiffs)

VS.)

COMPLAINT

JEFFERSON COUNTY PUBLIC SCHOOLS)
Serve: Any Board Member)
VanHoose Education Center)
3332 Newburg Rd.)
Louisville, KY 40218)

-and-)

JEFFERSON COUNTY BOARD OF)
EDUCATION)
Serve: Any Board Member)
VanHoose Education Center)
3332 Newburg Rd.)
Louisville, KY 40218)

-and-)

JURISDICTION

5. That jurisdiction is based upon Title VI and Title VII of the Civil Rights Act of 1964, 42 USC 2000 Section 703 (a)(1); the Civil Rights Act of 1991, Title IX of the Educational Amendment Act of 1972; 20 USC Section 1681; KRS 344 et seq.; the First and Fourteenth Amendments to the Constitution of the United States of America; appropriate paragraphs of the Constitution of the Commonwealth of Kentucky, And the previous decided cases of Hampton v JCPS 102 F supp 2nd, 358 (W.D. Ky. 2000), and McFarland v JCPS 330 F. Supp. 834 (W.D.Ky. 2004).

6. That A.B. is entering his junior year at Male High School, a traditional program; and at all times relevant herein, a student within the Jefferson County Public Schools and/or governed by the Jefferson County Board of Education.

7. That J.B. is entering his freshman year at Central High School, a magnet program; and at all times relevant herein, a student within the Jefferson County Public Schools and/or governed by the Jefferson County Board of Education.

8. That N.T. is entering his 5th grade year at Whitney Young Elementary, a Title 1 magnet program; and at all times relevant herein, a student within the Jefferson County Public Schools and/or governed by the Jefferson County Board of Education. N.T. is a special needs student, and his teacher and therapist recommend keeping him in the same environment, same students and same teachers. It is the best learning environment for his educational needs.

9. That the Defendant, Marty Polio, is the salaried Superintendent of the Jefferson County Public Schools/Jefferson County Board of Education.

10. That the Defendant JCPS is governed by the elected Jefferson County Board of

Education; being the school system for approximately 96,000 students of Jefferson County, Kentucky.

11. That A.B. files this civil action by and through his next friend and Mother, Mary Bledsaw to pursue his civil redress, herein.

12. That J.B. files this civil action by and through his next friend and Mother, Mary Bledsaw to pursue his civil redress, herein.

13. That N.T. files this civil action by and through his next friend and Mother, Taryn Bell to pursue his civil redress, herein.

14. That on or about April 10, 2024 the Defendants chose to deny busing to magnet and traditional schools of Jefferson County Public Schools. The meeting was called without timely notice as a special meeting and parents and citizens attending the meeting were denied the right to speak and/or voice their opinions. At the aforesaid meeting the four Caucasian board members voted for the new busing plan; the three African American members of the Board voted against the busing plan.

15. That at least 14,000 African American students are now denied their previous provided school bus to be transported to the better magnet and traditional schools.

16. That A.B., J.B., N.T and the other more than 14,000 African American students were placed in choice zones by the Defendants and encouraged with transportation provided, to enroll and attend the magnet and traditional programs for an improved educational outcome and to

decrease the achievement gaps between African American students and Caucasian students of 15 to 60% which has existed for three generations of students attending JCPS.

17. That the Defendants were also complying with the law established in the cases of Hampton supra, and McFarland supra, that discriminating against African American students by limiting their access to magnet and traditional schools was unconstitutional and violative of their rights Pursuant to the 14th Amendment of the Constitution of the United States of America supra; and after 16 years finally complying with the Supreme Court of the United States decision of Meredith v Jefferson County Public Schools.

18. That A.B. is a student who accepted the offer of the Defendants to attend Male High School, and his civil rights are being eviscerated by Defendants' edict of April 10,2024.

19. That there is no public transportation from Valley Station to Male High School. Uber, taxi and any other ride share entity now in existence is monetarily prohibitive forcing A.B. and many other African American similar situated to now go to their home school; and in this case Valley High School.

20. That J.B. is a student who accepted the offer of the Defendants to attend Central High School, and his Civil Rights are being eviscerated by Defendants' edict of April 10, 2024.

21. That there is no public transportation from Valley Station to Central High School. Uber, taxi and any other ride share entity now in existence is monetarily prohibitive forcing J.B. and many other African American similar situated to now go to their home school; and in this case Valley High School.

22. That N.T. is a student who accepted the offer of Defendant to attend Whitney Young School, and his civil rights are being eviscerated by Defendants' edict of April 10, 2024.

23. That there is no public transportation from 666 S. 43rd Street to 1107 S. 17th Street. Uber, taxi and any other ride share entity now in existence is monetarily prohibitive forcing N.T. and many other African American similar situated to now go to their home school; and in this case Martin Luther King Elementary School.

20. That the actions of the Defendants created disproportionate and disparate treatment of A.B., J.B., N.T. and similarly situated African American students who cannot afford private transportation.

21. That the action of the Defendants will intentionally cause high schools in lower socio-economic neighborhoods to become overcrowded, continued havens for violence, and cause abysmal educational outcomes to become even worse.

22. That the violations of the civil rights of A.B. will force him to attend Valley High School, one of the worst high schools in Kentucky as opposed to being a graduate of Male High School, one of the best high schools in Kentucky.

23. That the violations of the civil rights of J.B. will force him to attend Valley High School, one of the worst high schools in Kentucky as opposed to being a graduate of Central High School, one of the best high schools in Kentucky.

24. That the violations of the civil rights of N.T. will force him to attend Martin Luther King Elementary School, one of the worst schools in Kentucky as opposed to attending Whitney Young Elementary School which is a title 1 magnet school.

25. That the calling of the special meeting of April 10, 2024, violated the open meetings law KRS 61.820,823 et seq.

26. That Male High School offers a special benefit to A.B. and the Defendants have breached their educational contract with Plaintiff and other African American students by intentionally denying them transportation which had been previously provided to comply with prior orders to guarantee equal protection of the 14th Amendment and discriminated against African American students.

27. That Central High School offers a special benefit to J.B. and the Defendants have breached their educational contract with Plaintiff and other African American students by intentionally denying them transportation which had been previously provided to comply with prior orders to guarantee equal protection of the 14th Amendment and discriminated against African American students.

28. That Whitney Young Elementary School offers a special benefit to N.T. and the Defendants have breached their educational contract with Plaintiff and other African American students by intentionally denying them transportation which had been previously provided to comply with prior orders to guarantee equal protection of the 14th Amendment and discriminated against African American students.

27. That Defendants' own taxpayer funded consultant Prismatic, amongst other suggestions for improvement which have been ignored, specifically advised Defendants that the "report authors do not recommend cutting magnet transportation and in fact warn against it" "Doing so would be inequitable."

28. That Defendants be enjoined and restrained from implementing a discriminatory

plan that discriminates against the Plaintiffs by denying them transportation that was previously provided by Defendants. There is no other adequate remedy at law.

WHEREFORE Plaintiffs, Mary Bledsaw, Next Friend and Mother of A.B. and Mary Bledsaw, Next Friend and Mother of J.B. and Taryn Bell, Next Friend and Mother of N.T. demand as follows:

1. A finding of disparate treatment and/or deprivation of the Civil Rights of Plaintiffs pursuant to Civil Rights Act of 1964, Title VI and Title VII, Section 1703, et seq.; 42 USC 2000 Section 703 (a)(1); the Civil Rights Act of 1991, Title IX of the Educational Amendment Act of 1972; 20 USC Section 1681, KRS 344 et seq.; the First and Fourteenth Amendments to the Constitution of the United States of America, appropriate paragraphs of the Constitution of the Commonwealth of Kentucky; And the previous decided cases of Hampton v JCPS, 102 F supp 2nd, 358 (W.D. Ky. 2000) and McFarland v JCPS 330 F. Supp. 834 (W.D.Ky. 2004).

2. Injunctive relief to prevent discrimination of Plaintiff, A.B.'s civil rights to attend Male High School and to continue to provide transportation to students unable to provide transportation to the magnet and/or traditional school they are going to; and to allow seniors to graduate from the school they have been attending for three years.

3. Injunctive relief to prevent discrimination of Plaintiff, J.B.'s civil rights to attend Central High School and to continue to provide transportation to students unable to provide transportation to the magnet and/or traditional school they are already/currently going to; and to allow seniors to graduate from the school they have been attending for three years.

4. Injunctive relief to prevent discrimination of Plaintiff, N.T.'s civil rights to attend

Central High School and to continue to provide transportation to students unable to provide transportation to the magnet and/or traditional school they are already/currently going to.

5. Attorney fees as allowed by law.
6. All costs herein expended.
7. A jury and/or an advisory jury if allowed by law
8. Any and all other relief to which the Plaintiffs may appear entitled.

/S/ TEDDY B. GORDON

Teddy B. Gordon
Attorney at Law
750 Zorn Ave., Unit 37
Louisville, KY 40206
(502) 295-5278
Email: tbearaty@aol.com