

APPENDIX II – 39

Expert Witness Qualifications for School Desegregation

Background:

Michael Charles Hefner serves as the Expert Witness in Demography. He is the owner and manager of Geographic Planning and Demographic Services, LLC. The company uses Geographic Information Systems (GIS) to display and analyze any kind of data that has a geographic reference. The primary work of GPDS has been in the field of demographics including census data, redistricting, marketing, and public school student assignment demographics. Hefner has extensive experience working with the Census Bureau's TIGER line files, dating back to 1990.

Expert Witness Work:

Hefner has been certified as an expert witness in demographics in the United States District Court, Western District of Louisiana in the case *Barney Deshotels v. Evangeline Parish School Board* (unpublished opinion) on or about May, 1995. The Evangeline Parish School Board hired Hefner to defend the Board against a suit brought by Mr. Deshotels under Section 2 of the Voting Rights Act. The suit was successfully defended.

For the 2000 Census, Hefner was retained by the Attorney General of the State of Louisiana and the Department of Elections to develop alternative plans and provide expert testimony in the case of *City of Baker School Board v. State of Louisiana*, (unpublished) on or about March 2003. The case was heard in the 19th Judicial Circuit Court and Hefner was accepted by the Court as a demographic expert and served as the sole witness presented by the State. That case was ruled in favor of the State at both the district court and the Appellate Court.

Hefner is currently certified as an Expert Witness in reapportionment and demography for the U.S. District Court Western District of Louisiana, the Middle District of Louisiana, and the 15th and 19th Circuit Courts in Louisiana.

Hefner has served in the capacity as an expert witness for the following school systems in their school desegregation cases:

Evangeline Parish School Board – Completed. Unitary

St. Landry Parish School Board – Completed. Unitary

Bossier Parish School Board - Current

Vermilion Parish School Board –Student Assignment Plans 2006, 2009, 2016. Unitary

Ouachita Parish School Board – Completed 2012. Unitary

Monroe City School Board – Completed Student Assignment Plan 2012

Jackson Parish School Board – Current

DeSoto Parish School Board – Current

Pointe Coupee Parish School Board - Current

Richland Parish School Board – Current

St. Martin Parish School Board – Plan recently adopted by the Court

Lincoln Parish School Board – Completed Student Assignment Plan 2012

Union Parish School Board – Completed Student Assignment Plan 2012

For the majority of the cases, no testimony was presented to the Court. Instead Hefner worked to develop desegregation plans on resulted in a joint motion being filed with the Court with his plans being the centerpiece of the filing.

Hefner served as an expert witness for the United States Department of Justice on two school desegregation cases. Hefner assisted the Department of Justice with the Avoyelles Parish School Board and Morehouse Parish School Board desegregation cases, the latter recently being granted Unitary Status..

Education

Hefner is a 1978 graduate of the University of Southwestern Louisiana having earned a Bachelor's Degree in Business Administration. Hefner completed his legal education and received his Juris Doctorate in law in January 2008. He was admitted to the California Bar in October 2008 and is a member in good standing. Hefner's California Bar Number is 257492.

A full CV is provided *infra*.

Vitae of Michael Charles Hefner

Vitae of Reapportionment, Economic, & Demographic Work Experience

1.0 Qualifications

1.1 Demographic, Reapportionment and Economic Development Experience

Mike Hefner is the Chief Demographer and owner of Geographic Planning and Demographic Services, LLC. He has extensive experience working with the Census Bureau and use of the Bureau's TIGER Line Files, dating back to 1990. These computer-generated map files are used to enumerate the Census as well as serving as the base map for reapportionments and other demographic uses.

Hefner served as the Economic Development Manager and later became the Assistant Director of the Evangeline Economic and Planning District from 1990-1995. Among other things, EEPD was the Census Data Center Affiliate for District 4. During that time, he served as the Census Bureau's liaison for the 8 Parish Acadiana area. He and staff from the Imperial Calcasieu Planning District were the first in the State to use the Census Bureau's TIGER Line Files and related census data on PC-based computers. He was also among the first in the State to fully computerize the functions of reapportioning based on PCs. During this time he also provided extensive assistance to other Planning and Development Districts statewide in use of the TIGER Line Files, the 1990 Census data, and reapportionment through the use of PC computers.

Hefner also provides demographic services under contract to the newly renamed Acadiana Regional Development District. His experience, combined with his familiarity of the service area of the District, provides the district with a comprehensive source of demographic and economic data.

From 1995 to 1999, Hefner served as the Executive Director of the Enterprise Center of Louisiana. In that capacity, he provided hundreds of hours of assistance to entrepreneurs starting or expanding a business. In addition, he provided economic development assistance to municipalities and parish entities throughout the eight parish Acadiana Area. He also served as President of the Louisiana Business Incubator Association.

Hefner also served on the Lafayette Parish School Board, having first been appointed to the Board in 1986 to fill the unexpired term of his father-in-law, E. Lloyd Faulk. He was elected to the Board in 1990 and re-elected in the elections of 1994, 1998, 2002 and 2006. He has served in the capacity of President and Vice President of the Board. Hefner chose not to run for re-election in 2010 due to anticipated schedule conflicts arising from 2010 redistricting projects.

1.2 Legal Qualifications

In connection with the 1990 Census, Hefner was certified as an expert witness in the United States District Court Western District of Louisiana and testified when the Evangeline Parish School Board defended a Section 2 suit brought against their reapportionment plan by a citizen of the parish. The citizen filed suit against a Parish School Board on the plan after they had adopted and received Justice Department Section 5 approval. The plan was successfully defended.

For the 2000 Census, Hefner was retained by the Attorney General of the State of Louisiana and the Department of Elections to develop alternative plans and provide expert testimony in the case of City of Baker School Board vs. State of Louisiana. The case was heard in the 19th Judicial Circuit Court and

Hefner was the sole witness presented by the State. That case was ruled in favor of the State at both the district court and the Appellate Court.

After the 2000 census redistricting the redistricting plan for St. Landry Parish School Board was challenged under Section 2 of the Voting Rights Act. Hefner served as the expert witness for the defendants. The case was resolved among the parties based on some suggested modifications by Hefner.

Hefner is currently certified as an Expert Witness in reapportionment and demography for the U.S. District Court Western District of Louisiana and the 15th and 19th District Courts in Louisiana.

Hefner completed his legal education and received his Juris Doctorate in law in January, 2008. He successfully passed the California Bar exam and is a member in good standing with the California Bar.

2.0 Past Reapportionment, Economic Development, Demographic & Mediation/Facilitation Work

2.1 Reapportionment, Demography & Economic Development

After the 1990 Census, Hefner provided Technical Assistance Services to some 22 governmental entities for reapportionment. In addition some half dozen were performed directly whereby the full scope of the reapportionment process was conducted. Much of the Technical Assistance comprised of drawing up a number of possible plans with the associated data for consultants and governmental staff working on reapportionment or providing detailed demographic data at the precinct and/or census block level.

With the release of the 2000 Census, Hefner had been primarily involved in performing analyzing population trends in connection with the reapportionment services to over 41 jurisdictions throughout Louisiana.

For the 2010 Census, Hefner successfully completed redistricting plans for over 78 jurisdictions. Hefner has also performed a number of market analyses for private companies and site location analysts.

Hefner is currently serving on a legislative committee charged with reviewing redistricting statutes. He was appointed by the Louisiana Secretary of State to represent demographers.

In addition, population census counts, updates, and projections have been conducted for several municipal governments, water, fire, and wastewater districts. The projections have withstood state reviews and court scrutiny as well as U.S. Department of Justice review where applicable.

During his tenure at the Evangeline Economic and Planning District, Hefner provided numerous economic and site location analyses for major corporations looking to locate or expand in south central Louisiana. Nearly every municipality, water district, wastewater district, and Parish government in the 8 parish Acadiana area was the recipient of one or more demographic studies performed at their request.

In addition, Hefner performed Economic Needs Assessments for each of the 8 Parishes in the District annually and developed reports of the findings to the U.S. Department of Commerce. Many of these assessments were used to help secure millions of dollars in infrastructure grants.

2.2 *School Demographic Work*

In the highly specialized area of school demographics, Hefner has provided demographic services to the Lafayette Parish School Board, the St. Landry Parish School Board, the Pointe Coupee Parish School Board, the St. John the Baptist School Board, the Vermilion Parish School Board, the Bossier Parish School Board, the E. Feliciana Parish School Board, the Evangeline Parish School Board, the Union Parish School Board, the Ouachita Parish School Board, Monroe City School Board, the W. Baton Rouge Parish School Board, the DeSoto Parish School Board, the St. Martin Parish School Board, the Lincoln Parish School Board, and the U.S. Department of Justice. For the Lafayette, Bossier, E. Feliciana, Vermilion, Evangeline, Union, Ouachita, Lincoln, Monroe City, DeSoto, W. Baton Rouge Parish School Boards as well as for the U.S. Department of Justice, much of the demographic work has concentrated on general population trends, student demographics, analyzing, and/or constructing school attendance zones in connection with their respective desegregation cases.

Recent efforts in St. Landry, Evangeline, Monroe City, Union, Lincoln, DeSoto, Ouachita, St. Martin, and Bossier have centered on modification of their school attendance zones as they relate to their school facilities in order to meet the mandates of their respective desegregation litigation. Pointe Coupee was a combined project of consolidating schools, redrawing attendance zones, and a complete redesign of their bus transportation system and more recently a complete audit of their contract bus routes. The U.S. Department of Justice project involved the student assignment plan for the Avoyelles Parish School Board and Morehouse Parish School Board.

To date the school districts in Ouachita, Evangeline, St. Landry, and Morehouse Parishes have received Unitary Status based on the student assignment work conducted by Hefner. Union has received partial unitary. St. Martin received Unitary Status on their final *Green* factor of Student Assignment in January 2016.

The use of computer GIS software has been extensively used to help with these efforts and provides the maximum opportunity to rapidly assess a number of different school district configurations or to analyze existing zones. Hefner is one of the few, if not the only one in the State currently using GIS software for these educational-related activities.

2.3 *Mediation/Facilitation*

Hefner has extensive mediation and facilitation experience. For the Federal courts, he was one of the representatives from the School Board chosen to facilitate an agreement regarding the District's dress code and the exercise of religious customs of students attending Lafayette Parish Public Schools. A successful agreement was reached thereby avoiding a costly court hearing and trial.

Hefner also facilitated the Consent Decree response in the Alfreda Trahan v. Lafayette Parish School Board desegregation case. After the court ruling of May 19, 2002, Judge Haik ordered the Board to develop a new desegregation plan within 6 weeks. Hefner was chosen by the Board President to facilitate the development of that plan. Street wisdom at that time said it would take over a year for the Board to develop a plan and one could never be developed that all parties would agree to. By bringing all parties together from the beginning, a plan was developed within 5 weeks that all parties to the desegregation suit signed off on and the plan was later accepted by Judge Haik.

Hefner also exercised mediation and facilitation skills during many of the reapportionment projects undertaken during the past two censuses. Competing interests often came to the surface during many of the reapportionment discussions, which had to be successfully mediated in order to come reach agreement on a plan that would meet community and legal criteria. Many reapportionment projects conducted after

the 2000 and 2010 censuses required mediation among elected officials as well as among some community leadership. All reapportionment projects conducted by Hefner received Section 5 approval from the U.S. Department of Justice on the first submission.

2.4 Government Demographic, GIS & Reapportionment Projects (not inclusive):

Acadia Parish Police Jury (reapportionment 2000, 2010, precinct mergers)
 Acadia Parish School Board (reapportionment 2000, 2010)
 Acadia Parish Police Jury (parish wide GIS project)
 Bossier Parish School Board (new school zones, student pop projections, site planning)
 Bossier Parish School Board (grade realignments/school zone modification project)
 DeSoto Parish Police Jury (Precinct mergers)
 DeSoto Parish School Board (desegregation plan review, plan modification, USDoJ plan review)
 Evangeline Parish Police Jury (reapportionment 2000, 2010, Census update, precinct mergers)
 Evangeline Parish School Board (reapportionment 1990, 2000, 2010 proposed)
 Evangeline Parish School Board (School Consolidations and student assignment plans)
 E. Feliciana Parish Police Jury (Precinct realignments)
 E. Feliciana Parish School Board (change in board composition, student population projections)
 Lafayette Parish School Board/Consolidated Council (TA) (reapportionment 2000, 2010)
 Lafayette Parish School Board (30 year study of Parish demographic shifts by race)
 Livingston Parish Police Jury (precinct realignments)
 Iberia Parish Council (reapportionment 1990, 2000, 2010, precinct mergers)
 Iberia Parish School Board (reapportionment 2000, 2010)
 Iberia Parish Council (precinct realignment, precinct mergers)
 Iberville Parish Police Jury (precinct realignments)
 Jackson Parish School Board (student assignment plans)
 Madison Parish (Precinct realignments)
 Monroe City School Board (Student projections and Zone Alignments)
 Plaquemine Parish Police Jury (precinct realignments)
 Pointe Coupee Parish School Board (reapportionment 2000, 2010, precinct mergers)
 Pointe Coupee Parish School Board (transportation routing/school consolidation/zone boundary changes, bus audits)
 Richland Parish School Board (student assignment plans)
 St. John the Baptist School Board (5/10 year student census projections)
 St. Landry Parish Police Jury (reapportionment 2000, 2010)
 St. Landry Parish Council (precinct realignments, Census LUCA updates, precinct mergers)
 St. Landry Parish School Board (reapportionment 2000, 2010)
 St. Landry Parish School Board (student assignment plans, bus transportation plan)
 St. Martin Parish Council (reapportionment 2000 and 2010)
 St. Martin Parish School Board (reapportionment 2000, 2010, student assignment deseg case)
 St. Martin Parish Government (parish wide GIS project, Census LUCA updates)
 St. Martin Parish Government (precinct realignments)
 St. Mary Parish Council (reapportionment 2000 and 2010)
 St. Mary Parish Council (precinct realignments)
 St. Mary Parish School Board (district realignments, 2010 reapportionment)
 State of Louisiana-Secretary of State/AG office (alternative reapportionment plans, demographic expert witness)
 W. Feliciana Parish (Precinct mergers)
 W. Feliciana Parish (redistricting plan for Home Rule Charter compliance)
 City of Scott (reapportionment 1990, 2000, 2010, Census LUCA update)
 City of Eunice (reapportionment 1990, 2000, 2010)

City of Broussard (reapportionment 2000, 2010)
City of Broussard (50 year population study)
City of Crowley (reapportionment 1990, 2000, 2010)
City of Rayne (reapportionment 2000, 2010)
City of Church Point (reapportionment 2000, 2010)
City of Ville Platte (reapportionment 2010)
City of Zachary (reapportionment)
Town of Sunset (reapportionment 2000, 2010)
Town of Mamou (reapportionment 2000, 2010)
Town of Washington (reapportionment 2000, 2010)
Town of Bunkie (reapportionment 2000, 2010)
Town of Cottonport (reapportionment 2000, 2010)
Town of Kinder (reapportionment 2000, 2010)
Town of Tallulah (reapportionment 2000)
Town of Springhill (reapportionment 2010)
Town of Youngsville (census update 2004, 2014, reclassification as a City)
Ouachita Parish School Board (Student Desegregation Plan *Green* factor full review-Unitary Status)
Union Parish School Board (student assignment plan for Union Parish Deseg case)
U.S. Department of Justice (student assignment plan for Avoyelles Parish Schools)
U.S. Department of Justice (student assignment plan review for Morehouse Parish)
Vermilion Parish (school rezoning, parish-wide street and address updates)
Vermilion Parish School Board (student assignment plan, reapportionment 2000, 2010, 2016)
W. Baton Rouge Parish School Board (5 year student projection/facility capacities)

1990 Census Reapportionments:

City of Crowley
City of Scott
City of Eunice
Evangeline Parish School Board
Iberia Parish Council (TA)
Several Private Consultants (*primarily city engineers doing redistricting plans*)
Vermilion Parish Police Jury (TA)
Lafayette Parish School Board (TA)
Town of Ville Platte (TA)
City of Breaux Bridge (TA)
Town of St. Martinville (TA)

3.0 Educational Background

- Earned Louisiana Public Notary License in 2015.
- Graduated from Concord Law School earning a Juris Doctorate in law 2008. Member of the California Bar, # 257492. Member in good standing.
- Completed Public Service course sessions at the Leadership Institute, Greensboro, NC March, 1993.
- Graduated from the Basic Economic Development Course, University of Kansas, 1992.
- Completed Leadership Lafayette, Class II, 1987.
- Graduated from University of Southwestern Louisiana 1978, Degree in Business Administration, Marketing.
- Graduated from Our Lady of Fatima High School, 1974

4.0 Community Leadership

- Member of the Lafayette Parish School Board, District 5, 1986, 1990 to 2010. Did not seek reelection due to meeting conflicts anticipated with redistricting.
- Past Chairman and director on the Board of Directors for Goodwill Industries.
- Director CADENCE non-profit board.
- Past Chairman of the Lafayette Parish Industrial Development Board.
- Past Chairman of the Louisiana Business Incubation Association.
- Past Chairman Citizens for Public Education.
- One of the founders and recently reappointed Board member of the Lafayette Education Foundation.

5.0 Contact Information:

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**COORDINATED STUDENT ASSIGNMENT-INTEGRATION INITIATIVES
 SCHOOL COMMUNITY OF SERVICES
 TUCSON UNIFIED SCHOOL DISTRICT
 March 4, 2016**

Objective: Review District-proposed initiatives to increase the number of students enrolled at integrated schools; develop a report assessing the likelihood of success for each initiative and (where appropriate) recommending additional initiatives for the District to pursue and/or implement.

Note: The District is operating under a desegregation consent decree that defines an “integrated school” according to specific criteria. A Special Master has been assigned by the Court to oversee implementation of the consent decree.

Scope of Work	Intended Audience	Dates
<p>1. Review background documentation to develop a working understanding of the consent decree, related court orders, the current District-proposed initiatives (3), and previous efforts to improve integration.</p> <p>A. Analyze feedback from the Special Master and Plaintiffs.</p> <p>B. Analyze enrollment data, maps, and demographic information related to the proposed initiatives.</p> <p>C. Meet with District stakeholders as needed throughout timeframe of work.</p>	<p>Legal Services Outside Counsel Desegregation Department Planning & Operations Directors of Student Assignment and Placement Coordinated Student Assignment Committee</p>	<p>Mid-March, prior to March 28, 2016</p> <p>Initial Meeting by March 28, 2016</p>
<p>2. Provide expert review of proposed initiatives and, where appropriate, share ideas and make recommendations for other initiatives that might prove successful.</p> <p>A. Direct Placements Assess current school sites for direct placement of specialized programs and/or services. Evaluate continuums of placement sites. Analyze geographic proximity of students’ school of residency and placement sites. Gauge cost effectiveness of transportation for current direct placement sites. Evaluate integrative impact of recommended changes and/or modifications from Direct Placement subcommittee. Gauge cost effectiveness.</p> <p>B. Incentive Transportation Assess viability to successfully attract a more integrated student population to participate in enhanced option with cross-district travel. Evaluate feasibility to attract more integrated student population to higher rated schools and/or specialized programs. Gauge cost effectiveness.</p> <p>C. Grade Reconfiguration Evaluate potential integrative impact for Cavett elementary school and Catalina high school.</p>	<p>Central Leadership Coordinated Student Assignment Committee</p>	<p>Mid-March to April 21, 2016</p>

Evaluate impact of student enrollment at all schools. Evaluate integrative impact for all affected schools. Evaluate impact of student enrollment at all schools. Evaluate integrative impact for all affected schools.		
3. Provide evaluation of each proposed Integration Initiative for effectiveness to increase student enrollment at integrated schools.	Central Leadership Coordinated Student Assignment Committee	April 28, 2016
Total Fees		
Total for services all inclusive of costs and all reimbursable expenses. (mid-March-April 28, 2016)		