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**Re: Annexation of 744 Acres of DeKalb County
by the City of Atlanta**

Dear Stakeholders:

I am writing to you because you hold a leadership role with a Petitioner seeking the referenced annexation, or an affected government, school system or civic association impacted by the annexation at issue. Your organization is an important, even essential, stakeholder with respect to the proposed annexation. I have also taken the liberty of copying the Mayor-elect and City Council President-elect of the City of Atlanta as the outcome of this dispute could well come after they take office. As Superintendent of the DeKalb County School District ("District"), I am urging you to reconsider the eleventh-hour revisions to the ordinance passed by the Atlanta City Council ("Council") approving the annexation on terms that were contrary to those sought by the Petitioners.

The relevant facts are not in dispute. Key stakeholders obtained The District's support through repeated promises by the key stakeholders that the annexation would not result in any encroachment on the District by the Atlanta Public Schools ("APS"). The basis for that promise was a blend of common sense and basic fairness, since there has been a century-long alignment between the affected area and the District. Further, no petitioner ever entertained or even hinted that the annexation was driven by any concerns related to school issues.

Finally, the contemplated change in school districts represents an enormous transfer of wealth from the children of DeKalb to an already-wealthy school system, with no comparable transfer of obligations.

The original ordinance provided to the District was prepared on July 13, 2017. The key provision from the District's perspective read as follows:

“The Atlanta City Council . . . and the Mayor have determined that the annexation of the Properties into . . . the City of Atlanta, **but not the expansion of the boundaries of the Atlanta Independent School System (“APS”) to include the Properties** would be in the best interest of the residents and . . . Properties to be annexed and the citizens of the City of Atlanta . . .” (Emphasis added).

On Thursday of last week, just two business days before the Council was scheduled to vote on the annexation, an amended ordinance was rushed through Committee and onto the floor of the Council for vote. Suddenly, the ordinance explicitly extended the boundaries of APS to incorporate the annexed area. This revision was effected without advance notice to the District or any meaningful debate. It occurred so fast that, when questioned, APS could not articulate a plan for how it would educate the few impacted students, despite receiving a windfall of at least \$2.25 million in school tax revenue generated by the businesses located within the annexed property.

This is unacceptable to the District and the children and families it serves. Annexations should not be wielded like weapons, and children should not be collateral damage in the political machinations of adults. The expansion of APS into DeKalb County was never sought or contemplated by the petitioning property owners. Moreover, this last-minute change threatens the financial stability of the District and impedes its ability to comply with state and federal education mandates, to the direct detriment of children. With all due respect to our neighboring school district, APS should not obtain a windfall of at least \$2.25 million tax dollars at the expense of DeKalb children and their educational needs. This windfall is especially egregious when this annexation does not impose an equivalent obligation.

Time is short, and what time is left for actual dialogue will be shortened still more by the holidays. We call on each of you to sit down with us to discuss ways to meet the needs of every stakeholder rather than simply staying silent while one stakeholder and its children are hurt by another for reasons that cannot be justified by legitimate public policy considerations. We seek a way forward that is founded on common ground and justice that acknowledges and supports the petitioners' plan to bring better public transportation to their respective campuses. In exchange, we need your support to allow the District and its children to retain essential tax revenue essential to meet their educational needs. Perhaps, this involuntary transfer of wealth from the District's children to APS was an unintended consequence of the annexation. However, the eleventh-hour change to a material term, coupled with a rushed and preordained vote that ignored these significant and fundamental consequences, suggests otherwise.

While it is not our preference, we are prepared to enter litigation to protect our children and safeguard their educational resources. We have retained counsel, A. Lee Parks and his law firm Parks, Chesin & Walbert, P.C., to initiate the legal process if the parties cannot find a resolution through either a direct or mediated dialogue. We intend to raise numerous issues regarding the legality of the revised ordinance passed by Council, which will necessarily call into question the propriety of the annexation itself due to the material eleventh hour change to the terms of the deal. I want to make

clear that litigation is not our preferred way to solve the problem. Further, we reiterate that the District has never opposed the municipal component of this annexation. But, when our children are negatively affected, and resources are drained from them and transferred to one of the wealthiest school systems in the State, we must and will take action. There are better ways to solve our differences if the stakeholders can come together and correct the injustice done to the children of our District. I hope to hear from you very soon in that regard.

Very truly yours,



Dr. R. Stephen Green
Superintendent

cc: Board Members (via email)
A. Lee Parks, Esq. (via email)
Keisha Lance Bottoms, Mayor-elect (via email: kbottoms@atlantaga.gov)
Felicia Moore, Atlanta City Council (via email: fmoore@atlantaga.gov)