

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 95-30627

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ROOSEVELT EFFERSON, Individually and  
on behalf of Roosevelt Efferson III,  
ANITA EFFERSON, Individually and on  
behalf of Roosevelt Efferson III,  
DIANE FARRIS, Individually and on  
behalf of Ramsey Farris, JOANN  
RICHMOND, Individually and on behalf  
of Antonio Richmond,

Plaintiffs-Appellants,

versus

SCHOOL BOARD OF CADDO PARISH, TERRY L.  
TERRIL, ROSALIE EWING, MAXINE YOUNG,  
AL LINDSEY, SOPHIA JONES, GLADYS K.  
RHINEHART, CHARLES BURLISON,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Western District of Louisiana  
(94-CV-1787)

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January 4, 1996

Before HIGGINBOTHAM and DUHE', Circuit Judges, and SCHWARZER\*,  
District Judge.

PER CURIAM:\*\*

Plaintiffs seek to bypass the administrative process provided

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\*District Judge of the Northern District of California,  
sitting by designation.

\*\*Pursuant to Local Rule 47.5, the court has determined that  
this opinion should not be published and is not precedent except  
under the limited circumstances set forth in Local Rule 47.5.4.

by the Individuals with Disabilities Education Act, urging that the relief they seek is not available within the meaning of 20 U.S.C. Sec. 1415(b) (1) (E). The district court granted the school board's Rule 12 motion to dismiss. We affirm.

Plaintiffs sued on behalf of themselves and a class of other students. The complaint was filed under 42 U.S.C. Sec. 1983 and other federal statutes seeking money damages and other equitable relief, together with counsel fees. Some of the plaintiffs are presently enrolled in the special education program. Attorney fees are recoverable only under IDEA.

We find nothing in this record to fault the decision of the district court to dismiss the claims for failure to exhaust.

AFFIRMED.