

June 14, 2007

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 06-31017
Summary Calendar

JEFFREY NEAL MCKNIGHT,

Plaintiff-Appellant,

versus

STATE OF LOUISIANA BESE BOARD, STATE OF LOUISIANA DEPARTMENT OF
EDUCATION, CECIL PICARD, Superintendent, THE LOUISIANA
LEGISLATURE

Defendants-Appellees.

Appeal from the District Court
for the Middle District Of Louisiana
No. 06-320-C-M2

Before JOLLY, DENNIS, and CLEMENT, Circuit Judges.

PER CURIAM:*

Appellant Jeffrey Neal McKnight is appealing a dismissal under FED. R. CIV. P. 12(b)(6) for failure to state a cognizable claim under Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e, *et seq.*. We review dismissal under FED. R. CIV. P. 12(b)(6) *de novo*. Martin K. Eby Constr. Co. v. Dallas Area Rapid Transit, 369 F.3d 464, 467 (5th Cir. 2004) (citation omitted). We agree with the district court that the complainant fails to state

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

a claim under Title VII, since a student is not considered an employee of a school. See O'Connor v. Davis, 126 F.3d 112, 116 (2nd Cir. 1997). See also McGuinness v. Univ. of New Mexico Sch. of Med., 170 F.3d 974, 979 (10th Cir. 1998). The complaint is vague as to how his claims amount to constitutional violations or violations of other federal laws warranting relief.

The judgment of the district court is AFFIRMED.