

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

OLIVER BROWN, et al.,)
Plaintiff,)
)
and)
)
CHARLES and KIMBERLY SMITH,)
minor children, by their mother)
and next friend, LINDA BROWN)
SMITH, et al.,)
Intervening)
Plaintiffs,)
)
vs.) No. T-316
)
BOARD OF EDUCATION OF TOPEKA,)
SHAWNEE COUNTY, KANSAS,)
et al.,)
Defendants.)
)

RESPONSE OF UNIFIED SCHOOL DISTRICT NO. 501
TO PLAINTIFF-INTERVENORS' INTERROGATORY
NOS. 30, 31, 32, 44, 45 OF THE FOURTH SET
AND THIRD REQUEST TO PRODUCE

30. Does U.S.D. 501 have any documents containing the racial or ethnic composition, attendance boundaries (external or internal), or attendance policies of schools or school districts that were annexed into or unified into U.S.D. 501?

ANSWER: Yes.

31. Does U.S.D. 501 have any documents containing the racial or ethnic composition, attendance boundaries (external or internal), or attendance policies of any of the following schools or school districts:

Auburn
Six Mile
Wakarusa
Pleasant Valley
Mowers
Read
Tecumseh
Rice
Twinville
Shawnee Center
Sunnyside
Deer Creek
Sunbeam
Pierce
Dover
Williams
Waveland
Pleasant Hill
Pleasant Ridge
Indian Creek
Wallace
College Hill
City of Topeka
Pleasant Hill
Berry Creek
Oak Grove
Disney
Matney
Willard
Seabrook
Washburn
Clover Hill
Avondale
Century
Kiene

Mission Center
Menoken
Lone Tree
Blacksmith
Wanamaker
Rossville
Highland Park
Oakland
County Line
Benham
Berryton
Tice
Decker
East Indianola
Rochester
North Fairview
Independence
Silver Lake
Union
Elmont
Ayers
Seal
Howard
Cedar Bluff
Gage Park
Golden Rule
Elevation
Lone Rock
Science Hill
Walnut Hill
Dawson
Highland
Mud Valley
Victor

Pleasant Valley
West Union
Lyman
Richland
Belvoir
Lyons
Milliken
Highland
James
Priddy
Valencia
Forest Bluff
Golden Rod
Vidette
Haskell Creek
Pauline
Kingsville
Twin Rose
Rock
Lux
Parr
Prairie Vale
Lipp
Capitol View
Bolz
(South) Fairview
Nickle Plate
Glenwood
Kaw Valley
Liberty
West Indianola
Harrison
Kelsey
State Street

ANSWER: Yes.

32. If the answer to any of the preceding three questions is yes, provide copies of each such document.

ANSWER:

A. Attached hereto is a copy of an excerpt from the 1958-59 Superintendent's Annual Report regarding the Pierce School District Annexation.

B. Submitted herewith as the only records available concerning the racial/ethnic population census or enrollment of the outlying schools/school districts prior to their annexation or unification with Unified School District No. 501 or Topeka Public Schools, Shawnee County No. 23, which consist of the following documents:

- B.1 SCHOOL DISTRICT 61 - BELVOIR SCHOOL - Annual Reports - 1945-1959, with the exception of 1955-56, which cannot be located - Census List - 1945-1959, with the exceptions of 1948-50 and 1955-56, which cannot be located.
- B.2 SCHOOL DISTRICT 92 - DAWSON SCHOOL - Annual Reports - 1935-1949 - Census List - 1935-1949.
- B.3 SCHOOL DISTRICT 97 - EAST WEST and SOUTHWEST AVONDALE SCHOOLS - Annual Reports - 1949-1959, with the exception of 1955-56, which is missing. Census Lists - 1954-1955 and 1958.

44. Was there ever a time when U.S.D. 501 had responsibility for a geographic area but not for every level of school (i.e., high school, junior high/middle school, elementary) in that area?

ANSWER: No.

45. If the answer to the above question is yes, provide:

- a. A list of each such school and its level;
- b. A map or description of the geographic area;
- c. An explanation for the lack of responsibility for other levels;
- d. The district responsible for the other levels.

ANSWER: Not applicable.

V E R I F I C A T I O N

STATE OF KANSAS)
) ss:
COUNTY OF SHAWNEE)

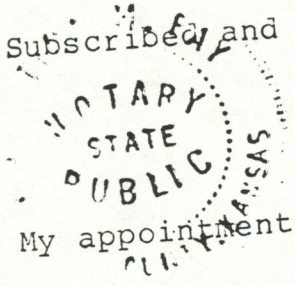
The undersigned, of lawful age, being first duly sworn upon his oath, deposes and states:

That he is Director of Demographic Services for Unified School District No. 501, that he has read the foregoing Response Interrogatory Nos. 30, 31, 32, 44, 45 of Intervening Plaintiff's response was prepared under his general direction and supervision and such response is true and correct to the best of his knowledge and belief.

Further affiant saith not.

Gerald A. Miller
GERALD A. MILLER

Subscribed and sworn to before me this 31st day of October, 1984.



Tina M. Fay
Tina M. Fay, Notary Public

My appointment expires: 4/24/84

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing RESPONSE OF UNIFIED SCHOOL DISTRICT NO. 501 TO PLAINTIFF-INTERVENORS' INTERROGATORY NOS. 30-31, 32, 44, 45 of the FOURTH SET AND THIRD REQUEST TO PRODUCE was served by hand delivering same this 31st day of October, 1984, to attorneys for Intervening Plaintiffs by serving: Christopher A. Hansen at the law offices of Eidson, Lewis, Porter & Haynes, 1300 Merchants National Bank Bldg., Topeka, KS 66612.

K. Gary Sebelius
K. Gary Sebelius
EIDSON, LEWIS, PORTER & HAYNES
1300 Merchants National Bank Bldg.
Topeka, KS 66612 (913)233-2332

Attorneys for Unified
School District No. 501

action is most willing to assume and has assumed the additional responsibilities of educating some 5,000 more students this year, and in subsequent years, than we did last year.

We are confident the citizens of Topeka will support us in our efforts to give the children of Topeka the very best educational opportunities our community can afford.

No One Sorry To See Old Pierce Closed

By MRS. ETHEL BARBOUR, Pierce-Buchanan Principal

After 67 years of service, the doors of the old Pierce School building were closed for the last time this spring.

The dilapidated structure will be razed, and the last vestige of the 104-year-old Pierce Common School District will disappear.



Mrs. Ethel M. Barbour

Probably no one will feel nostalgic about Pierce, even though the district was formed in 1855, before Topeka was founded. The tarpaper-covered school building, located at 2235 Jefferson, dated back to 1892. Patrons of the district are principally low-income families, and most of the school's troubles stem from financial conditions. Before annexation, when Topeka was averaging around \$8,000 of valuation per pupil, and Highland Park High \$24,420, the Pierce district showed a valuation of \$1,575 per pupil.

AS BAD AS conditions were in the past year, after Superintendent's Annual Report 3-4-5

Teachers new to the system are recruited from colleges and universities and other school districts.

Out of hundreds of applicants only those who appear to be the best qualified in academic training and experience are selected. Such applicants are screened through a careful examination of their transcripts and

Pre-school workshops are conducted by The Public Schools of Topeka in August. New teachers are given a careful orientation at a get-acquainted meeting. Later, all new teachers meet in their assigned school with their building principal.

New teachers participate in other special sessions, then attend the general workshop meetings for all teachers.

The Pierce District was unified with the Topeka School System, things were much worse before the school annexation, which followed automatically in December, 1957, a step in municipal annexation by the city.

Before unification, the old school's walls needed painting, floors needed repair, and dirt was everywhere. The children's desks were very old and broken, and of improper size. Teachers had no facilities. Toilets were inadequate. There was poor lighting and ventilation, and no indoor play space. The old building was infested by rodents and wracked by termites.

ACADEMIC arrangements before unification were almost equally hopeless. Grades 1-8 were in three rooms. This arrangement made discipline an almost insurmountable problem. There was no kindergarten, no provision for severely retarded children, and no enrichment materials. The curriculum was seriously limited. There was little guidance effort, and test scores were available only on grades 3-4-5.

Attendance by the children was the one bright spot, and there was a Gray-X Club for the girls.

Immediately after unification, Topeka school officials began to improve conditions at Pierce.

The building was reconditioned, floors repaired, and the interior decorated, though the structure remained inadequate. New desks were provided for the primary room, and some new facilities were provided teachers.

ACADEMIC standards were improved, with one teacher for grades 1-2, one for 3-4, and one for 5-6. Five-year-olds in the district were admitted to kindergarten classes at Quinton Heights or Monroe Elementary Schools, nearby. Special services for retarded children were made available. The program was broadened to fit the needs of the children, with addition of special enrichment material.

Trips were taken by classes to the Topeka Public Library; the Nelson Art Gallery, Swope Park, and Museum in Kansas City.

A Gray-X was set up for both girls and boys, and

the coming year. These new texts have been carefully selected from all available volumes studied by committees of teachers and administrators.

The Topeka Board of Education has provided the positions of consultants and supervisors for elementary education, art, music, physical education, social studies, language arts, home economics, industrial arts and

tem's appointed examining board. These policies and procedures are designed to help guarantee the welfare of the children in our schools, as well as the welfare of the teachers and employees of the school system.

This transitional period of school unification will bring forth many problems, but all of them should have reasonable and fair solutions if we "make haste slowly."

FOR MORE THAN a half century Pierce School served the Pierce Addition as many other county schools have, with varying pupil achievements below average, average and superior, as attested by one pupil whose scores in county examinations exceeded the range listed.

Unification has brought many needed advantages to children in the Pierce district. New diversity provides greater stimulation to intellectual achievement, richer and more meaningful experiences, and the co-operation of parents who desire education for their children superior to that which they themselves enjoyed.

THROUGH UNIFICATION we have the machinery—equipment, educational supplies, and the competent professional services necessary to bring the desired program into actual fulfillment.

In unification there is strength and proof of the transforming power of the extended educational services—strength to reach the goal of The Public Schools of Topeka: "Worthy Citizenship."

WHERE THEY'LL GO—
 —Hall Directory Co. Map
 Students from the old Pierce School (1) will go to Quinton Heights (4), Highland Park North (2), or Highland Park Central (3). Also shown are East Avondale (5) and Highland Park South (6).



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Oak Grove
Disney
Matney
Willard
Seabrook
Washburn
Clover Hill
Avondale
Century
Kiene

Mission Center
Menoken
Lone Tree
Blacksmith
Wanamaker
Rossville
Highland Park
Oakland
County Line
Benham
Berryton
Tice
Decker
East Indianola
Rochester
North Fairview
Independence
Silver Lake
Union
Elmont
Ayers
Seal
Howard
Cedar Bluff
Gage Park
Golden Rule
Elevation
Lone Rock
Science Hill
Walnut Hill
Dawson
Highland
Mud Valley
Victor

Pleasant Valley
West Union
Lyman
Richland
Belvoir
Lyons
Milliken
Highland
James
Priddy
Valencia
Forest Bluff
Golden Rod
Vidette
Haskell Creek
Pauline
Kingsville
Twin Rose
Rock
Lux
Parr
Prairie Vale
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some limited social activity was established. The community became more aware of the school. Pupils, always eager to learn, were staying after school to do additional studies. Test scores showed an average normal rating.

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