

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

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

PLAINTIFFS' ANSWER TO DEFENDANT'S
INTERROGATORIES 1 (a), (b), (c); 2 (a), (b), (c); and 3.

QUESTION 1. In paragraph 8 of your Motion for an Order commanding Compliance, your claim that the School District "...maintains and operates racially segregated school whereby the intervening plaintiff's and the vast majority of Black students attend schools in which the enrollment of Black students is disproportionately high." Please state separately for each school which you claim has been maintained and operated as a "racially segregated" basis at any time from the 1950-51 school year to the present, the following:

(a) name and address of each racially segregated school and every school year in which you claim such schools were racially segregated;

ANSWER: At all times from the 1950-51 school year to the present defendants have maintained a segregated dual school system. Segregation has therefore permeated the entire school system throughout that period.

(b) your meaning by the phrase "disproportionately high" as it relates to the school enrollment of Black students.

ANSWER: Measure of disproportionate enrollment varies with the percentage of total Black enrollment. On the basis of data provided by defendant in answer to plaintiffs' interrogatory 9h, disproportionate Black enrollment is determined as follows:

Year)	Disproportionate Percentage of Black Enrollment		
	Elementary)	Jr. High (mid sch))	Sr. High)
1955-56)	above 15.4%)		
1956-57)	" 16 *)		
1966-67)	" 17.05)	above 16.3%)	above 15.56%)
1967-68)	" 17.1)	" 15.8)	" 16.4)
1968-69)	" 17.4)	" 16.8)	" 16.15)
1969-70)	" 18.04)	" 17.34)	" 15.35)
1970-71)	" 18.08)	" 17.5)	" 15.65)
1971-72)	" 18.69)	" 18.5)	" 15.6)
1972-73)	" 19.18)	" 17.9)	" 15.65)
1973-74)	" 19.66)	" 18.45)	" 18.3)
1974-75)	" 20)	" 18.4)	" 18.3)
1975-76)	" 21)	" 19.46)	" 18.55)
1976-77)	" 22.2)	" 21)	" 19.04)
1977-78)	" 23)	" 23)	" 19.64)
1978-79)	" 23.6)	" 24)	" 20)
1979-80)	" 25.2)	" 26)	" 22)
1980-81)	" 26.3)	" 26.7)	" 23.9)

*Because total Black enrollment was not provided for 1956-57, this is an estimated figure.

(c) name of each school which you claim the enrollment of Black students was disproportionately high, indicating the school year(s) in which such occurred for each school.

ANSWER: Schools with disproportionately high Black enrollment are identified for years in which data is currently available (as supplied by defendant in answer to plaintiffs' interrogatory 9(h) as follows:

ELEMENTARY SCHOOLS

Avondale East 1968-81
Belvior 1966-81
Buchanan 1955-57
Central Park 1971-72; 1978-80
Grant 1955-57; 1966-71
Highland Park Central 1975-81
Highland Park North 1967-81
Hudson 1971-80
Lafayette 1966-81
Lincoln 1955-57
Lowman Hill 1955-57; 1966-81
Monroe 1955-57; 1966-75
Parkdale 1955-57; 1966-78
Polk 1971-72; 1947-79
Quinton Heights 1966-81
Rice 1975-76; 1977-79; 1980-81
Van Buren 1955-57
Washington 1955-57

JUNIOR HIGH SCHOOLS (MIDDLE SCHOOLS)

Boswell 1971-72; 1975-80
Crane 1966-75
Curtis 1966-71
East Topeka 1966-80
Eisenhower 1979-81
Highland Park 1969-80

HIGH SCHOOLS

Topeka High 1966-77; 1978-79
Highland Park 1975-81

QUESTION 2. In paragraph 8 of your Motion for an Order Commanding Compliance, you claim that the school District "... maintains and operates racially segregated schools whereby... the vast majority of White students attend schools in which the enrollment of white students is disproportionately high." Please state separately for each school which you claim has been maintained and operated on a "racially segregated" basis at any time from the 1950-51 school year to the present, the following:

(a) name and address of each racially segregated school and every school year in which you claim such schools were racially segregated;

ANSWER: At all times from the 1950-51 school year to the present defendants have maintained a segregated dual school system. Segregation has therefore permeated the entire school system throughout that period.

(b) your meaning by the phrase "disproportionately high" as it relates to the school enrollment of White students:

ANSWER: Measure of disproportionate enrollment varies with the percentage of total white enrollment. On the basis of data provided by defendant in answer to plaintiffs' interrogatory 9h, disproportionate White enrollment is as follows:

Year	Disproportionate Percentage of White Enrollment		
	Elementary	Jr High (Mid sch)	Sr. High
1955-56	above 94.6%	above 93.7%	above 94.44%
1956-57	" 93.66	" 94.2	" 93.6
1966-67	" 92.95	" 93.2	" 93.85
1967-68	" 92.9	" 92.66	" 94.65
1968-69	" 92.6	" 92.5	" 94.46
1869-70	" 91.96	" 91.5	" 94.4
1970-71	" 91.92	" 92.1	" 94.35
1971-72	" 91.31	" 91.55	" 91.7
1972-73	" 90.82	" 91.6	" 91.7
1973-74	" 90.34	" 90.54	" 91.45
1974-75	" 90	" 90	" 90.96
1975-76	" 90	" 90	" 90.36
1976-77	" 90	" 90	" 90
1977-78	" 90	" 90	" 90
1978-79	" 90	" 90	" 90
1979-80	" 90	" 90	" 90
1980-81	" 90	" 90	" 90

*Because total Black enrollment was not provided for 1956-57, this is an estimated figure.

(c) name of each school which you claim the enrollment of white students was disproportionately high, indicating the school year(s) in which such occurred for each school.

ANSWER: Schools with disproportionately high white enrollment are identified for years in which data is currently available (as supplied by defendants in answer to plaintiffs interrogatory 9h) as follows:

Elementary Schools

Avondale Southwest 1966-75; 1977-78
Avondale West 1966-80
Bishop 1966-81
Central Park 1955-57
Crestview 1955-57; 1966-81
Gage 1955-57; 1966-81
Highland Park South 1966-70
Linn 1966-68
Lundgren (oakland) 1955-57; 1966-81
Lyman 1966-67
McCarter 1966-67; 1968-81
McClure 1966-81
McEachron 1966-79
Polk 1955-57
Potwin 1955-57; 1966-81
Randolph 1955-57; 1966-82
Rice 1966-67
Sheldon 1955-56; 1966-77
Southwest 1956-57
State 1955-57
Stout 1955-57; 1966-80
Sumner 1955-57
Whitson 1955-56; 1966-81

Junior High School (Middle School)

Capper 1966-76
Eisehower 1966-67
French 1970-81
Jardine 1966-79
Landon 1966-81
Roosevelt 1966-69

Senior High Schools

Topeka West 1966-81

QUESTION 3. Are there any schools currently maintained and operated by Unified School District No. 501 which you do not claim are operated on a racially segregated basis? If so, please identify each such school.

ANSWER: The entire Unified School District No. 501 is maintained and operated as a dual school system; all schools are permeated by segregation and there are no schools which are not operated on a racial segregation basis.

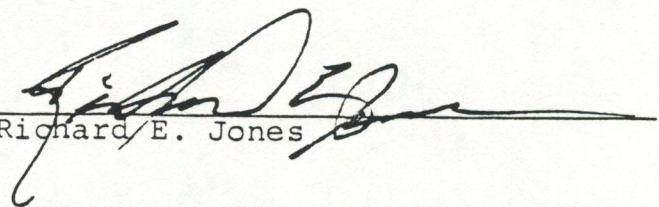
VERIFICATION

STATE OF KANSAS)
)SS:
COUNTY OF SHAWNEE)

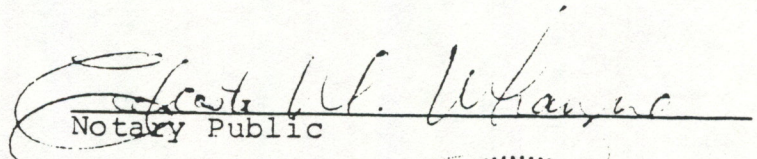
The undersigned, of lawful age, being first duly sworn upon his oath, deposes and states:

That he is one of the Attorneys for Plaintiffs, that he has read the answer to Interrogatories 1(a), (b), (c); 2(a), (b), (c); and 3., of the Defendants' Interrogatories--First Set which was prepared under his general direction and supervision and such answer is true and correct to the best of his knowledge and belief.

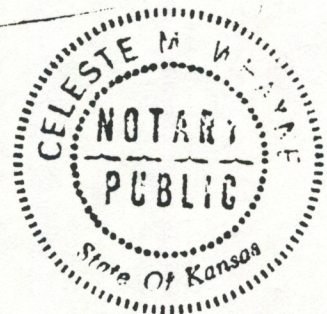
Further affiant saith not.


Richard E. Jones

Subscribed and sworn to before me this 10th day of March, 1982.

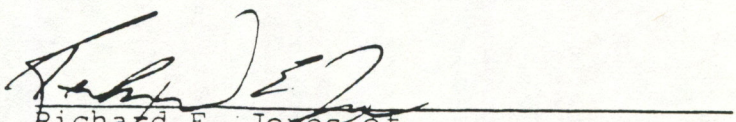

Notary Public

My appointment expires:
11/10/85



CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing ANSWER TO DEFENDANT'S INTERROGATORIES 1(a), (b), (c); 2(a), (b), (c); and 3., served by hand delivering the same this 10th day of March, 1982, to attorneys for Defendants by serving K. Gary Sebelius of Eidson, Lewis, Porter & Haynes, 1300 Merchants National Bank Bldg., Topeka, Kansas 66612.


Richard E. Jones of
JONES AND JONES
605 S.E. Quincy, Suite 1
Topeka, Kansas 66603