

JUL 26 1983

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

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

---

ANSWER OF UNIFIED SCHOOL DISTRICT NO. 501  
TO PLAINTIFF-INTERVENOR'S INTERROGATORY NO. 32  
OF THE FIRST SET (FOR THE 1940 TO 1950 TIME PERIOD)

32. State whether your district or its immediate predecessor has ever had any policy or practice with respect to separation, segregation or assignment of teachers or other employees on the basis of race, color or national origin. If so, describe the policy or practice as originally adopted and the basis thereof.

ANSWER:

There is no record of an official Board of Education approved policy on "assignment of teachers or other employees on the basis of race, color or national origin." Minutes of Board



of Education meetings reflect actions referring to "colored" teachers, which implies a past practice of assignment of Black teachers on the basis of race.

Interviews with certain long-time employees of the Topeka Public Schools disclose the belief that while White teachers may have been assigned to any of the school buildings of the District during the 1940 to 1950 time period, no one can specifically recall Black teachers being assigned to non-Black schools prior to the 1957-58 school year.

VERIFICATION

STATE OF KANSAS            )  
  )    ss:  
COUNTY OF SHAWNEE        )

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

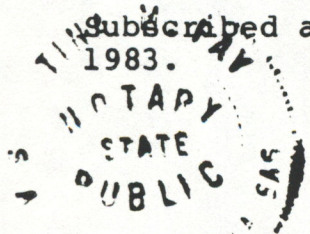
That he is Assistant Superintendent of Administrative Services for Unified School District No. 501, that he has read the answer to Interrogatory No. 32 of Intervening Plaintiffs' Interrogatories--First Set (for the 1940 to 1950 Time Period) which was prepared under his general direction and supervision and such answer is true and correct to the best of his knowledge and belief.

Further affiant saith not.

Ned Nusbaum  
Ned Nusbaum

Subscribed and sworn to before me this 32 day of July, 1983.

Lina M. Gray  
Notary Public

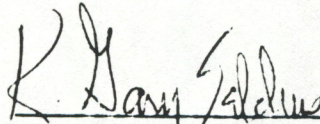


My appointment expires: 7-24-87



CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing ANSWER OF UNIFIED SCHOOL DISTRICT NO. 501 TO PLAINTIFF-INTERVENORS' INTERROGATORY NO. 32 OF THE FIRST SET (FOR THE 1940 TO 1950 TIME PERIOD) was served upon attorneys for Intervening Plaintiffs by depositing same in the United States mail, first class postage prepaid, this 25<sup>th</sup> day of July, 1983, to Richard Jones, 605 S.E. Quincy, Suite 1, Topeka, Kansas 66603.



---

K. Gary Sebelius  
of Eidson, Lewis, Porter & Haynes  
1300 Merchants National Bank Bldg.  
Topeka, Kansas 66612 (913)233-2332

Attorneys for Unified  
School District No. 501