

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.	)	
		)	

---

ANSWER OF UNIFIED SCHOOL DISTRICT  
NO. 501 TO PLAINTIFF-INTERVENORS'  
INTERROGATORY NO. 19

---

19. State whether since school year 1950-51 there has been any plan proposed for the school district referred to as the "Long Range Facility Plan" or any other systemwide plan involving the closing, construction and consolidation of schools; alterations in school attendance zones. If the answer is in the affirmative, state for each plan:

a. The date the plan was prepared and proposed for consideration by the school board

b. A description of what the plan entails

c. The schools closed under the plan

d. The schools to which students from the closed schools under the plan were transferred and for each school to which the students were transferred, state:

1. Total number of students

2. Number of white students

3. Number of black students

4. Number of other minority students

e. Description of the portion of the attendance zone for the closed school under the plan that was incorporated into the attendance zone for each school to which students from the closed school were transferred. Accompany a map with a demarcation of this description

- f. The name of the schools to operate under the plan
- g. The enrollment of each school to operate under the plan by:
1. Total number of students
  2. Number of white students
  3. Number of black students
  4. Number of other minority students
- h. A description of the attendance zone for each school stated in 19(f). Accompany a map with a demarcation of this description

ANSWER:

If by "plan" Interrogatory No. 19 is referring to a document describing specific events and/or activities to be accomplished in some future timeframe with a schedule for their accomplishment clearly determined and identified; yes, system-wide plans involving the closing, construction and consolidation of schools or alterations in school attendance zones, including a "Long-Range Facilities Plan" have been developed and proposed. Copies of the following plans are submitted with this Answer:

- I. A Study in the Reduction of Optional Areas: Topeka Public Schools, December 12, 1963.
- II. Tentative Plan for a More Perfect Unitary School System for Topeka Unified School District No. 501 for Implementation at the Beginning of the 1974-75 School Year, April 30, 1974.
- III. Short-range Facilities Plan, December 3, 1974. ✓ (2)
- IV. Long-range Facilities Plan, March 17, 1976. ✓

The responses to subparts "a" - "h" of Interrogatory No. 19 for each of the plans listed above are set forth separately hereafter. The response of Unified School District No. 501 to Interrogatory No. 19 was prepared under the direction and supervision of Michael D. Tribbey, General Director of Planning and Evaluation Services, with the assistance of Debi Smith, secretary.

I. A Study in the Reduction of Optional Areas: Topeka Public Schools

19.a. The date the plan was prepared and proposed for consideration by the school board.

ANSWER: January 6, 1964.

19.b. A description of what the plan entails.

ANSWER: The plan recommended a reduction in the number of optional attendance areas in the Topeka Public Schools and the closure of one school. A copy of A Study in the Reduction of Optional Areas: Topeka Public Schools, which includes a detailed description of the proposed plan, is submitted herewith. Minutes of the Board of Education meetings of January 6, 1964; January 20, 1964; February 3, 1964; February 24, 1964; and March 2, 1964, during which the plan was discussed, or action was taken in regard to the plan, are available for inspection and copying and the Administration Offices of Unified School District No. 501, 624 West 24th Street, Topeka, Kansas. All recommendations for optional areas were approved on February 3, 1964, with the exception fo those on which there was controversy -- Nos. 9, 10 and 16 at the junior high school level; and Nos. 16, 19, 20, 26, 27 and 34 at the elementary school level. Final boundary considerations for the 1964-65 school year were adopted by the Board of Education on March 2, 1964. Subsequent Board of Education action since 1964 has resulted in the elimination of all optional attendance areas by the end of the 1975-1976 school year.

19.c. The schools closed under the plan.

ANSWER: The Van Buren School was recommended for closure at the end of the 1963-64 school year by the plan and approved by the Board on March 2, 1964.

19.d. The schools to which students from the closed schools under the plan were transferred and for each school to which the students were transferred, state:

1. Total number of students
2. Number of white students

3. Number of black students
4. Number of other minority students

ANSWER: The schools which received students from the closed Van Buren School were Monroe, Polk and Quinton Heights. No record of the actual numbers of students received by these three schools from the Van Buren School can be found.

19.e. Description of the portion of the attendance zone for the closed school were transferred. Accompany a map with a demarcation of this description.

ANSWER: The attendance area maps provided in response to Interrogatory No. 9i may be used to determine the areas transferred from the closed school attendance area by comparing the attendance area for the closed school for its last year of operation as a school with the attendance areas of surrounding schools the following year. In addition, further information regarding attendance areas may be found in the minutes of Board meetings described above.

19.f. The names of the schools to operate under the plan.

ANSWER: Highland Park High School  
Topeka High School  
Topeka West High School  
Boswell Junior High School  
Capper Junior High School  
Crane Junior High School  
Curtis Junior High School  
East Topeka Junior High School  
Eisenhower Junior High School  
Highland Park Junior High School  
Holliday Junior High School  
Jardine Junior High School  
Landon Junior High School  
Roosevelt Junior High School  
Avondale East Elementary school  
Avondale Southwest Elementary School  
Avondale West Elementary School  
Belvoir Elementary School  
Central Park Elemetnary School  
Clay Elementary School  
Crestview Elementary School  
Dawson Eleemtnary Schol  
Gage Elementary School  
Grant Elementary School  
Highland Park Central Elementary School  
Highland Park North Elementary School  
Highland Park South Elementary School  
Hudson Elementary School  
Lafayette Elementary School  
Linn Elementary School  
Lowman Hill Elementary School  
Lundgren Elementary School  
Lyman Elementary School

McCarter Elementary School  
McClure Elementary School  
McEachron Elementary School  
Monroe Elementary School  
Parkdale Elementary School  
Polk Elementary School  
Potwin Elementary School  
Quincy Elementary School  
Quinton Heights Elementary School  
Randolph Elementary School  
Rice Elementary School  
Sheldon Elementary School  
State Street Elementary School  
Stout Elementary School  
Sumner Elementary School  
Whitson Elementary School

19.g. The enrollment of each school to operate under the plan by:

1. Total number of students
2. Number of white students
3. Number of black students
4. Number of other minority students

ANSWER: Enrollments of schools may be found in the information provided in response to Interrogatory No. 9.h.

19.h. A description of the attendance zone for each school stated in 19(f). Accompany a map with a demarcation of this description.

ANSWER: Maps of the attendance zones for each school have been provided in response to Interrogatory No. 9.i.

II. Tentative Plan for a More Perfect Unitary School System for Topeka Unified School District No. 501 for Implementation at the Beginning of the 1974-1975 School Year.

19.a. The date the plan was prepared and proposed for consideration by the school board.

ANSWER: April 30, 1974.

19.b. A description of what the plan entails.

ANSWER: The plan recommended the closure of certain elementary and junior high schools. A copy of the Tentative Plan for a More Perfect Unitary School System for Topeka Unified School District No. 501 for Implementation at the Beginning of the 1974-1975 School Year is submitted herewith. Minutes of the April 30, 1974, and May 7, 1974, meetings of the Board of Education when the plan was discussed or action was taken are

available for inspection and copying at the Administration Offices of Unified School District No. 501, 624 West 24th Street, Topeka, Kansas.

19.c. Schools closed under the plan.

ANSWER: The plan was not approved.

19.d. Schools to which students from the closed schools under the plan were transferred.

ANSWER: Not applicable.

19.e. Description of the portion of the attendance zone for the closed school under the plan that was incorporated into the attendance zone for each school to which students from the closed school were transferred. Accompany a map with a demarcation of this description.

ANSWER: Not applicable.

19.f. The name of the schools to operate under the plan.

ANSWER: Not applicable.

19.g. The enrollment of each school to operate under the plan by:

1. Total number of students
2. Number of white students
3. Number of black students
4. Number of other minority students

ANSWER: Not applicable.

19.h. A description of the attendance zone for each school stated in 19(f). Accompany a map with a demarcation of this description.

ANSWER: Not applicable.

### III. Short-range Facilities Plan.

19.a. The date the plan was prepared and proposed for consideration by the school board.

ANSWER: December 3, 1974.

19.b. A description of what the plan entails.

ANSWER: The plan recommended the closure of certain elementary and junior high schools and the transfer of an area of the school district north of the Kansas River to the Seaman School District. A copy of the Proposed Short-range Facilities Plan, which includes a detailed description of the proposed plan, is submitted herewith. The minutes for the Board of Education meetings of December 3, 1974; January 7, 1975; January

21, 1975; February 4, 1975; and February 18, 1975, when the plan was discussed or action regarding the plan was taken, are available for inspection and copying at the Administration Offices of Unified School District No. 501, 624 West 24th Street, Topeka, Kansas.

19.c. The schools closed under the plan.

ANSWER: The following schools were proposed to be closed by the plan:

Clay Elementary School  
Grant Elementary School  
Monroe Elementary School  
Parkdale Elementary School  
Rice Elementary School  
Sheldon Elementary School  
Crane Junior High School  
Curtis Junior High School

Only four (4) schools proposed by the Short-range Facilities Plan to be closed at the end of the 1974-75 school year were closed by Board of Education action on January 7, 1975. Those four (4) schools were: (1) Clay Elementary School, (2) Grant Elementary School, (3) Crane Junior High School, and (4) Curtis Junior High School.

19.d. The schools to which students from the closed schools under the plan were transferred and for each school to which the students were transferred, state:

1. Total number of students
2. Number of white students
3. Number of black students
4. Number of other minority students

ANSWER: Listed below by closed school are the schools to which students from the closed school were transferred. Since student enrollments change during the intervening months between school years, no attempt was made the following school year to determine the actual numbers of students from a closed school who were enrolled in the schools serving the former attendance area of the closed school.

<u>School Year Closure in Effect</u>	<u>Closed School</u>	<u>Receiving School(s)</u>
1975-76	Clay Elementary School	Sumner Elementary School; Potwin Elementary School; Lowman Hill Elementary School; Polk Elementary School
1975-76	Monroe Elementary School	Central Park Elementary School; Polk Elementary School; Quinton Heights Elementary School
1975-76	Crane Junior High School	Roosevelt Junior High School; Jardine Junior High School; Boswell Junior High School
1975-76	Curtis Junior High School	Holliday Junior High School; Roosevelt Junior High School

19.e. Description of the portion of the attendance zone for the closed school under the plan that was incorporated into the attendance zone for each school to which students from the closed school were transferred. Accompany a map with a demarcation for this description.

ANSWER: Recommended attendance area boundaries for the 1975-76 school year for the schools affected by the closure of the four (4) schools were presented to the Board for consideration on January 21, 1975, with action requested for February 4, 1975. Final action on boundaries for the 1975-76 school year was taken on February 18, 1975. A description of the boundaries of schools receiving students from the closed schools may be found in the minutes for those meetings (which are available for inspection and copying).

The attendance area maps provided in response to Interrogatory No. 9.i. may also be used to determine the areas transferred from each closed school attendance area by comparing the attendance area for the closed school for its last year of operation as a school with the attendance areas of surrounding schools the following year.



19.f. The name of the schools to operate under the plan.

ANSWER: Highland Park High School  
Topeka High School  
Topeka West High School  
Boswell Junior High School  
Capper Junior High School  
East Topeka Junior High School  
Eisenhower Junior High School  
French Junion High School  
Highland Park Junior High School  
Holliday Junior High School  
Jardine Junior High School  
Landon Junior High School  
Roosevelt Junior High School  
Avondale East Elementary School  
Avondale Southwest Elementary School  
Avondale West Elementary School  
Belvoir Elementary School  
Bishop Elementary School  
Central Park Elementary School

Crestview Elementary School  
Gage Elementary School  
Highland Park Central Elementary School  
Highland Park North Elementary School  
Highland Park South Elementary School  
Hudson Elementary School  
Lafayette Elementary School  
Linn Elementary School  
Lowman Hill Elementary School  
Lundgren Elementary School  
McCarter Elementary School  
McClure Elementary School  
McEachron Elementary School  
Monroe Elementary School  
Parkdale Elementary School  
Polk Elementary School  
Potwin Elementary Schoool  
Quincy Elementary School  
Quinton Heights Elementary School  
Randolph Elementary School  
Rice Elementary School  
Sheldon Elementary School  
State Street Elementary School  
Stout Elementary School  
Sumner Elementary School  
Whitson Elementary School

19.g. The enrollment of each school to operate under the plan by:

1. Total number of students
2. Number of white students
3. Number of black students
4. Number of other minority students

ANSWER: Enrollments of schools may be found in the information provided in response to Interrogatory No. 9.h.

19.h. A description of the attendance zone for each school stated in 19(f). Accompany a map with a demarcation of this description.

ANSWER: Maps of the attendance zones for each school have been provided in response to Interrogatory No. 9.i.

IV. Long-range Facilities Plan.

19.a. The date the plan was prepared and proposed for consideration by the school board.

ANSWER: January 20, 1976.

19.b. A description of what the plan entails.

ANSWER: Submitted herewith are: (a) a copy of the Proposed USD 501 Long-range Facilities Plan presented to the Board on January 20, 1976; (b) a copy of the Long-range Facilities Plan adopted by the Board on March 2, 1976; (c) a copy of the Long-range Facilities Plan: 1976-77 Revision; and (d) a copy of the Long-range Facilities Plan: 1977-78 Revision, which include detailed descriptions of the proposed plan. No revisions have been made in the plan since the 1977-78 school year. The minutes of the January 20, 1976; March 2, 1976; March 16, 1976; December 1, 1976; January 18, 1978; April 4, 1979; April 18, 1979; December 19, 1979; January 2, 1980; November 5, 1980 and November 19, 1980 reflect meetings of the Board of Education when the plan was discussed or action regarding the plan was taken.

19.c. The schools closed under the plan.

ANSWER: Capper Junior High School  
Grant Elementary School  
Sheldon Elementary School  
Parkdale Elementary School  
Polk Elementary School  
Central Park Elementary School  
Boswell Junior High School  
East Topeka Junior High School  
Highland Park Junior High School  
Roosevelt Junior High School  
Rice Elementary School

19.d. The schools to which students from the closed schools under the plan were transferred and for each school to which the students were transferred, state:

1. Total number of students
2. Number of white students
3. Number of black students
4. Number of other minority students

ANSWER: Listed below by closed school are the schools to which students from the closed school were transferred. Since student enrollments change during the intervening months between school years, no attempt was made the following school year to determine the actual numbers of students from the closed school who were enrolled in the schools serving the former attendance areas of the closed school.

<u>School Year Closure in Effect</u>	<u>Closed School</u>	<u>Receiving School(s)</u>
1976-77	Capper Junior High School	Boswell Junior High School; French Junior High School; Jardine Junior High School; Landon Junior High School
1977-78	Grant Elementary School	Quincy Elementary School
1977-78	Sheldon Elementary School	Gage Elementary School; McCarter Elementary School; Whitson Elementary School
* 1978-79	Parkdale Elementary School	Highland Park North Elementary School; Lafayette Elementary School
1979-80	Polk Elementary School	Lowman Hill Elementary School; Quinton Heights Elementary School; Sumner Elementary School
1980-81	Central Park Elementary School	Lowman Hill Elementary School; Randolph Elementary School; Stout Elementary School
1980-81	Boswell Junior High School	Robinson Middle School (old Central Park Elementary School Facility)
1980-81	East Topeka Junior High School	Chase Middle School (New Facility)
1980-81	Highland Park Junior High School	Eisenhower Middle School
1980-81	Roosevelt Junior High School	Chase Middle School (New Facility); Robinson Middle School (Old Central Park Elementary School Facility)

1981-82

Rice Elementary School

Belvoir Elementary School; Lafayette Elementary School; State Street Elementary School

19.e. Description of the portion of the attendance zone for the closed school under the plan that was incorporated into the attendance zone for each school to which students from the closed school were transferred. Accompany a map with a demarcation of this description.

ANSWER: The minutes of the Board of Education meetings when school attendance boundary revisions were approved are set forth above in answer to Interrogatory No. 19.b. Those minutes include legal descriptions for the new attendance boundaries. In addition, the attendance area maps provided in response to Interrogatory No. 9.i. may be used to determine the areas transferred from the closed school attendance area by comparing the attendance area for the closed school for its last year of operation as a school with the attendance areas of surrounding schools the following year. (1981-82 attendance areas for the schools affected by the closure of Rice Elementary School at the end of the 1980-81 school year may be found in the minutes of the November 5, 1980, and November 19, 1980, Board meetings (which are available for inspection and copying).

19.f. The name of the schools to operate under the plan.

ANSWER: Highland Park High School  
Topeka High School  
Topeka West High School  
New Middle School (Chase)  
Eisenhower Middle School  
French Middle School  
Landon Middle School  
Jardine Middle School  
New Middle School (Old Central Park Elementary School -- Named Robinson)  
Avondale East Elementary School  
Avondale West Elementary School  
Belvoir Elementary School  
Bishop Elementary School  
Crestview Elementary School  
Gage Elementary School  
Highland Park Central Elementary School  
Highland Park North Elementary School  
Highland Park South Elementary School  
Hudson Elementary School  
Lafayette Elementary School  
Linn Elementary School  
Lowman Hill Elementary School  
Lundgren Elementary School  
McCarter Elementary School

McClure Elementary School  
McEachron Elementary School  
Potwin Elementary School  
Quincy Elementary School  
Quinton Heights Elementary School  
Randolph Elementary School  
Shaner Elementary School  
State Street Elementary School  
Stout Elementary School  
Sumner Elementary School  
Whitson Elementary School

19.g. The enrollment of each school to operate under the plan by:

1. The total number of students
2. Number of white students
3. Number of black students
4. Number of other minority students

ANSWER: Enrollments of schools may be found in the information provided in response to Interrogatory No. 9.h. Estimated enrollments of receiving schools were included in the original Long-range Facilities Plan and subsequent 1976-77 and 1977-78 revisions. (Estimated 1981-82 enrollments of the schools affected by the closure of Rice Elementary School at the end of the 1980-81 school year may be found in the minutes of the November 5, 1980, and November 19, 1980, Board meetings).

19.h. A description of the attendance zone for each school stated in 19(f). Accompany a map with a demarcation of this description.

ANSWER: Maps of the attendance zones for each school have been provided in response to Interrogatory No. 9.i., except for the schools to be in operation for the 1981-82 school year. At the present time those boundaries are scheduled to be the same as those for the 1980-81 school year with the exception of the schools affected by the closure of Rice Elementary School at the end of the 1980-81 (current) school year. Boundaries for these schools may be found in the minutes of the November 5, 1980, and November 19, 1980, meetings of the Board.

VERIFICATION

STATE OF KANSAS       )  
                                  )    ss:  
COUNTY OF SHAWNEE    )

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

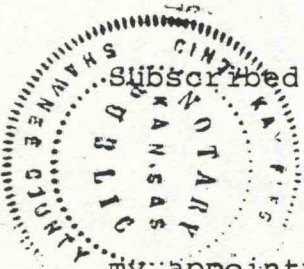
That he is General Director of Planning & Evaluation Services for Unified School District No. 501, that he has read the answer to Interrogatory No. 19 of Intervening Plaintiffs' Interrogatories--First Set which was prepared under his general direction and supervision and such answer is true and correct to the best of his knowledge and belief.

Further affiant saith not.

Michael D. Tribbey  
Michael D. Tribbey

Subscribed and sworn to before me this 3rd day of April, 1981.

Cindy Kay Fegerbaum  
Notary Public



my appointment expires:  
July 15, 1984.

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. 19 was served by hand delivering the same this 3d day of April, 1981, to attorneys for Intervening Plaintiffs by serving Richard Jones, Jones & Jones, 724 1/2 Kansas Avenue, Topeka, Kansas 66603.

K. Gary Sebelius  
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

\* found in Board's answer to questions 10, 11, 18, etc. (folder 13)

# A Study in the Reduction of Opt. Attendance Areas ?

## FOREWORD

### I. Purpose

The purpose of the study is to reduce the number of optional areas in the Topeka elementary schools. Reasons for reducing the number of optional areas include:

- A. Some optional areas are apparently obsolete.
- B. Rising enrollment makes it imperative that the number of variables (one variable being students living in optional areas) should be reduced so as to make estimated enrollment figures more concrete for more efficient use of building facilities.

### II. Basic Assumptions

The following basic assumptions were used in making recommendations for the reduction of optional areas:

- A. That the Topeka Public Schools will adhere to the neighborhood school concept.
- B. That pupils will be assigned to school without regard to race.

### III. Criteria

The following criteria were used to determine what optional areas should remain and what optional areas should be changed:

- A. Access to the school building (streets and walks).
- B. Travel distance from home to school (this distance is always estimated from the center of the optional area).
- C. Most efficient use of school building (a deliberate effort to not overcrowd any given building and at the same time to effectively use every available classroom).
- D. Capacity (in every instance the maximum capacity of a building was determined to make sure that this maximum capacity would not be exceeded).
- E. Pupil safety.
- F. Directional pattern of public transportation facilities.

### IV. Pupil Transfers

The committee assumes that where an optional area is eliminated or reduced in size, the students affected in the area will be required to attend the elementary school to which their optional area has been attached, with the following exception:

The Board of Education in 1963 readopted a policy (6220) which permits students attending grade five during the 1963-64 school year to attend the sixth grade at the school in which he was enrolled in grade five.

In other words, students who are enrolled in grade five as of January, 1964, in any given school, may complete grade six in that school. Any student new to grade five, commencing the 1964-65 school year, must attend the school that is in the prescribed attendance area for 1964-65.

The total number of students who would be assigned other schools to attend as a result of these recommendations is 141. (This figure does not take into consideration provisions of Board Policy #6220 cited above.)

### V. Additional Information

- A. Since the definite purpose of this study was to reduce optional areas, this study should not be considered as the final decision on boundary lines for the 1964-65 school year.
- B. Of all the children attending elementary school in Topeka during the 1963-64 school year, approximately 7.6% live in the thirty-six optional areas.
- C. The term "current enrollment" used throughout the report refers specifically to the date September 13, 1963, and corresponds to the pin map showing pupil location as of that date.
- D. During the 1963-64 school year there were fifteen public elementary schools assigned to the city of Topeka.