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RICHARD E. JONES  
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TELEPHONE  
235-3961

July 8, 1983

Mr. John C. Dubin  
American Civil Liberties Union  
132 W. 43rd Street  
New York, NY 10036

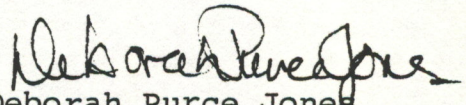
Dear Mr. Dubin:

Enclosed herewith please find the following  
copies:

Plaintiff-Intervenors Interrogatory-  
Nos. 9(1,m,n), 10, 11, 18, 26-28,  
No. 9 (a-e, g, o, s & t), and  
Nos. 19, 20, 24 & 25

If there is anything further that you  
need, please give me a call.

Sincerely,

  
Deborah Purce Jones  
Attorney at Law

pp

Enclosures

JUL 01 1983

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., ) No. T-316  
 )  
 ) Intervening )  
 ) Plaintiffs, )  
 )  
 ) vs. )  
 )  
 ) BOARD OF EDUCATION OF TOPEKA, )  
 ) SHAWNEE COUNTY, KANSAS, )  
 ) et al., )  
 ) Defendants. )  
 )

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ANSWER OF UNIFIED SCHOOL DISTRICT NO. 501  
TO PLAINTIFF-INTERVENORS INTERROGATORY  
NO. 9 [a-e, g, o, s & t] OF THE FIRST SET  
(FOR THE 1940 TO 1950 TIME PERIOD)

9. State separately for each school in existence and for each school year during the school years from 1940-41 to [1949-50], the following:

- a. Name and address of the school
- b. Date of original construction
- c. Date of opening
- d. Description of school by
  1. Size of school building and grounds
  2. Number and sizes of classrooms
  3. Number and type of other facilities in the school including but not limited to science laboratories, libraries, gymnasiums, auditoriums and workshops.

4. Outdoor recreational facilities, such as tennis courts, football fields, etc.
- e. Date of closing
  - g. Student capacity
  - o. Identify for each closed school all documents and memoranda utilized by the Defendant as a basis for justifying such closing. State the location and custodian of each such document or memoranda listed
  - s. Whether since the original construction, any additional classrooms or other facilities have been constructed to the schools. If the answer is in the affirmative, state:
    1. The date of construction
    2. The type and description of the addition
    3. The cost of construction of the addition and the amount of funds from each source used in the construction
    4. The number of students the facility and the addition were designed to accommodate and the increase in student capacity with the facility addition
    5. How much additional space was obtained by construction of the addition, and what was the space utilized for
    6. Whether the additional capacity was needed to accommodate students transferred from other schools
    7. Whether the additional facility was needed to accommodate an increase in enrollment in the school due to increase in student population within the attendance zone for the school
    8. State any other reasons for the construction of the additional facilities
  - t. Whether portable classrooms have been used by the schools. If the answer is affirmative, state:
    1. The total number of portable classrooms that have been used by the school
    2. The date the portable classrooms were installed at the school site

3. The period of time the portable classrooms were in use
4. The number of students accommodated by each portable classroom and the increase in student capacity with the portable classrooms
5. Whether the portable classrooms were utilized to accommodate students which were reassigned from other schools. If the answer is affirmative, state the schools from which the students were reassigned
6. Whether the portable classrooms were utilized to accommodate an increase in enrollment of the school due to an increase in the student population in the attendance area for the school
7. Please state any other reasons for the use of the portable classrooms

ANSWER:

Attached hereto is the response of Unified School District No. 501 to subparts a-d, g, o, s & t of Interrogatory No. 9, which was prepared under the direction and supervision of Michael D. Tribbey, Assistant Superintendent of Program Audit and Planning, with the assistance of Ted Clark, Director of Facilities Planning/Transportation, and Gerald Miller, Director of Demographic Services. Also see the answer of Unified School District No. 501 served originally on plaintiff-intervenors on July 3, 1981, which includes much of the information sought by this interrogatory. There were only two schools operated during the 1940 to 1950 time period which were not operated thereafter by Topeka Public Schools. Information regarding those schools, Branner Elementary School which was closed at the conclusion of the 1944-45 school year, and the Branner Annex Elementary School which was closed subsequent to the completion of the 1941-42 school year, is attached hereto.

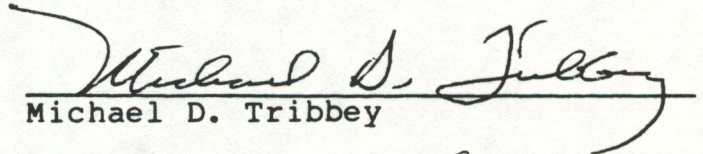
V E R I F I C A T I O N

STATE OF KANSAS     )  
                                  )     ss:  
COUNTY OF SHAWNEE    )

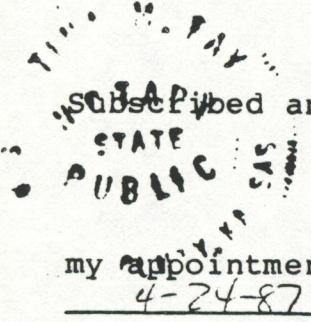
The undersigned, of lawful age, being first duly sworn upon his oath, deposes and states:

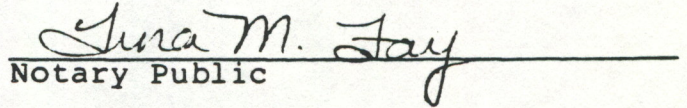
That he is Assistant Superintendent of Program Audit and Planning for Unified School District No. 501, that he has read the answer to Interrogatory No. 9 [a-e, g, o, s & t] of Intervening Plaintiffs' Interrogatories--First Set (for the 1940 to 1950 Time Period) which was prepared under his general direction and supervision and such answer is true and correct to the best of his knowledge and belief.

Further affiant saith not.

  
Michael D. Tribbey

Subscribed and sworn to before me this 29 day of June, 1983.




  
Notary Public

my appointment expires:  
4-24-87

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

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. 9 [a-e, g, o, s & t] OF THE FIRST SET (FOR THE 1940 TO 1950 TIME PERIOD) was served by depositing same in the United States mail, first class postage prepaid, this 29 day of June, 1983, to attorneys for Intervening Plaintiffs by serving 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

INFORMATION REQUESTED BY BROWN INTERROGATORY  
9-a, b, c, d, g, o, s, t FOR THE 1940-1950 PERIOD

<u>a</u> Name and Address	<u>b</u> Date of Original Construction	<u>c</u> Date of Opening	<u>d</u> Description of School	<u>g</u> Student Capacity	<u>o</u> Documents and Memoranda Related to Closing	<u>s</u> Additional Classrooms	<u>t</u> Portable Classrooms
1. Branner Elementary School Third and Branner	1912(est.)	1912(est.)	Unknown. No records could be found.	400*	No documents could be found.	No records of additional classrooms could be found.	No records of portable classrooms could be found.
2. Branner Annex Elementary School, Second and Madison	1924(est.)	1924(est.)	Unknown. No records could be found.	150*	No documents could be found.	No records of additional classrooms could be found.	No records of portable classrooms could be found.

\* Estimated from available enrollment information.