

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,)

Case No. T-316

vs.)

BOARD OF EDUCATION OF TOPEKA,
SHAWNEE COUNTY, KANSAS,
JOHN CARLIN, et al.,
Defendants)

*3d Set
to #1501*

PLAINTIFFS' INTERROGATORIES
DIRECTED TO DEFENDANT BOARD OF EDUCATION *USD #501*
(THIRD SET)

The Plaintiffs, pursuant to Rule 33 of the Federal Rules of Civil Procedure requests that Defendant Unified School District No. 501 answer under oath within thirty days the following written interrogatories. These interrogatories shall be answered as of the day in which the interrogatories are filed except where otherwise indicated and shall be deemed continuing up to the date of trial in that supplemental answers shall be supplied if additional or different information becomes known to Defendants. Where the answer to any of the interrogatories set forth below is a reference to any document, Plaintiffs hereby request, pursuant to Rule 34 of the Federal Rules of Civil Procedure that the Defendants make available such document for inspection and copying at Plaintiffs' attorneys offices or some other mutually convenient place within thirty days after service of these interrogatories.

1. For each school within U.S.D. 501, or its predecessor, please provide the following information:

- a) The name and address of the architect firm engaged by the District relative to the design and construction of said school;
- b) Attach hereto any brochures, pamphlets, etc., printed by said architect firm relative to schools planned;
- c) Attach hereto the "needs program" submitted by the District to the architect firms who were anticipated to submit bids or proposals on the design and/or construction of said school;
- d) Attach hereto a copy of the architect's rendering of each building and facts pertaining thereto;
- e) Attach hereto any and all correspondence between any architect firm and the District's Board or Superintendent relative to the design of said school, and/or any modifications, revisions, etc., in the design and/or construction of said school.

ANSWER:

2. Are there any schools within the Unified School District No. 501 which are currently "overcrowded," according to the District's definition of "capacity."

ANSWER:

3. If the answer to Interrogatory No. 2 is affirmative, please indicate:

- a. The name(s) of the school(s)
- b. Total enrollment of each school
- c. Number of students at each school in excess of capacity.

ANSWER:

4. On those occasions where schools within the School District were overcrowded, what guidelines were used to relieve the overcrowding? (For example, were portable classrooms constructed as a first step, or were attendance zones altered, etc.?)

ANSWER:

5. Please identify all occasions on which the School District has rented non-school district facilities for purposes of relieving overcrowding and identify the basis on which students were assigned to attend classes in the rented facility.

ANSWER:

6. Please identify specifically and in detail how students are selected for each of the vocational training programs administered by Unified School District No. 501.

ANSWER:

7. For each school which has been, or now is involved in such vocational training programs, please provide:

- a. Name of school
- b. Year(s) program provided at each school
- c. Racial composition of students enrolled in program at each school
- d. Specific trade(s) for which training offered at each school

ANSWER:

8. Please describe how vocational programs have been and currently are being funded.

ANSWER:

9. With relation to instructors within such vocational programs, are said instructors employees of the Board of Education or employees of another organization? If the latter, please provide names and address of employers.

ANSWERS:

10. Are said instructors' salaries paid in full by the Board of Education or by some other organization? If they are paid by someone other than the Board of Education, please provide name and address of said organization.

ANSWER:

11. Please describe specifically and in detail the faculty recruitment program in existence in Unified School District No. 501.

ANSWER:

12. Please provide an itemized accounting of the amount of money which was spent by U.S.D. 501 on faculty recruitment during school year 1981-82.

ANSWER:

13. List those colleges and universities to which correspondence was sent by U.S.D.501 during school year 1981-82 for purposes of faculty recruitment.

ANSWER:

14. List those colleges and universities which an official representative of U.S.D. 501 visited during school year 1981-82 for purposes of faculty recruitment.

ANSWER:

15. Please explain, specifically and in detail, the requirements, educational and otherwise, relative to each type of teacher contract awarded by U.S.D. 501.

ANSWER:

16. Provide the total number of teachers currently employed by U.S.D. 501 under each type of contract.

ANSWER:

17. Provide the total number of black teachers, white teachers, and other minority teachers currently employed by U.S.D. 501 under each type of contract.

ANSWER:

18. Provide the current pay rate/scale for teachers employed by U.S.D. 501 under each type contract.

ANSWER:

19. What are the rights and privileges of teachers employed by U.S.D. 501 under each type of contract?

ANSWER:

20. What are the requirements, educational and otherwise, and what is the procedure for promotion from one contract type to the next, from the "lowest" category to the "highest" category?

ANSWER:

21. Please explain, specifically and in detail, the requirements, educational and otherwise, relative to each type of teacher certificate which a teacher-employee of U.S.D. 501 could have.

ANSWER:

22. Does U.S.D.501 employ teachers holding all of the above mentioned types of teaching certificates?

ANSWER:

23. If the answer to Interrogatory 22 is affirmative, please give the total number of teachers currently employed by U.S.D. 501 who hold each of the types of teacher certificates.

ANSWER:

24. Please provide the total number of black teachers, white teachers, and other minority teachers currently employed by U.S.D. 501 who hold each of the types of teacher certificates.

ANSWER:

25. For each school in U.S.D. 501, give the total number, the number black, the number white, and the number of other minority teachers currently employed who hold each of the types of teacher certificates.

ANSWER:

26. What are the requirements, educational and otherwise , and what is the procedure for promotion from one level of teaching certificate to another, from the "lowest" level of certification to the "highest" level of certification.

ANSWER:

27. What are the rights and privileges of teachers employed by U.S.D. 501 holding each type of teaching certificate?

ANSWER:

28. Provide the current pay rate/scale for teachers employed by U.S.D. 501 holding each type of teaching certificate.

ANSWER:

29. Is a personal interview a mandatory requirement for applicants for teaching positions in U.S.D. 501 schools?

ANSWER:

30. If the answer to Interrogatory 29 is affirmative, please state the approximate year this requirement was established?

ANSWER:

31. If a personal interview is not mandatory, approximately what percentage of applicants are interviewed?

ANSWER:

32. Upon what basis is it determined whether an applicant will have a personal interview?

ANSWER:

33. Please give the names, races and titles of all persons currently employed by U.S.D. 501 who conduct teacher applicant interviews?

ANSWER:

34. What is the specific purpose of the personal interview?

ANSWER:

35. According to what criteria are applicants evaluated during the personal interview?

ANSWER:

36. Approximately how much weight is assigned to the results of the personal interview in comparison to all other requirements for applicants for teaching positions?

ANSWER:

37. Is a specific form used for personal interviews? if so, please attach a copy of such form hereto.

ANSWER:

38. In addition to the personal interview, what other requirements are there for applicants seeking employment as teachers with U.S.D. 501?

ANSWER:

39. Have applicants seeking employment as teachers within U.S.D. 501 ever been or are they currently required to take the National Teachers' Examination?

ANSWER:

40. If the answer to Interrogatory 39 is affirmative, give the years during which this test was/has been a requirement.

ANSWER:

41. If the National Teachers' Examination is no longer a requirement, give the reason(s) the test is no longer used.

ANSWER:

42. Has U.S.D. 501 ever conducted a formal study or inquiry to determine the validity of the National Teachers' Examination as a reliable measure of an applicant's potential success as a teacher?

ANSWER:

43. If the answer to Interrogatory 42 is affirmative, please indicate:

- a. the date such study or inquiry was conducted
- b. the name and title of each person conducting such study or inquiry
- c. the result or findings of such study or inquiry
- d. If a formal report was made as a result of such study or inquiry, attach a copy hereto.

ANSWER:

44. During those years when the NTE has been used by U.S.D. 501, were scores derived from the test used to rank applicants?

ANSWER:

45. Approximately how much weight is/was assigned to an applicant's score on the National Teachers' Examination in comparison to all other requirements for employment as a teacher with U.S.D. 501?

ANSWER:

46. Have any other standardized tests ever been or are they currently being used by U.S.D. 501 for applicants seeking employment as teachers?

ANSWER:

47. If the answer to Interrogatory 46 is in the affirmative, please state:

- a. The name of each standardized test used by U.S.D. 501
- b. the year such tests were administered to applicants for employment as teachers with U.S.D. 501
- c. If the test is no longer required, the reason(s) the test is

no

longer used.

ANSWER:

48. Have any formal studies and/or inquiries ever been conducted by U.S.D. 501 to determine whether the standardized tests named in Answer to Interrogatory 47 are valid and reliable measures of an individual's potential success as a teacher?

ANSWER:

49. If the answer to Interrogatory 48 is in the affirmative, please give:

- a. the date such study or inquiry was conducted
- b. the name and title of each person conducting such study or inquiry
- c. the result or findings of such study or inquiry
- d. If a formal report was made as a result of such study or inquiry, attach a copy hereto.

ANSWER:

50. Please provide a list of all teachers currently employed by U.S.D. 501, indicating the following:

- a. the school to which each teacher is presently assigned
- b. the year in which each teacher was assigned to such school
- c. the year in which each teacher began his or her employment

with

U.S.D. 501

- d. the race (black, white or other minority) of each teacher

ANSWER:

51. With reference to "optional attendance zones" which have been or are presently used by U.S.D. 501, please provide the following:

- a. Reason(s) for the use of such optional attendance zones;
- b. Method(s) by which optional attendance zones are evaluated to determine whether they have met the objectives set out in a. above
- c. Person(s) making such evaluation and/or determination.
- d. Reason(s) for the termination of the use of an optional attendance zone.

ANSWER:

52. Has there been any occasion where an optional zone was terminated and a new school constructed in the area of the optional zone?

ANSWER:

53. If the answer to Interrogatory 52 was affirmative, please state what the new school(s) was/were and the date such school(s) opened.

ANSWER:

54. What other devices and/or methods are available to the School District which have been used or could be used to achieve the same results as an optional attendance zone?

ANSWER:

55. Have these devices ever been utilized by the School District?

ANSWER:

56. If other such devices have been utilized, please state:

- a. School(s) involved
- b. Date(s) such devices used

ANSWER:

57. If other such devices have not been utilized, according to what criteria was the decision made to use an optional attendance as opposed to other available devices?

ANSWER:

58. Please explain how students living in an optional attendance zone are made aware of the fact that they have the option of attending one of two schools.

ANSWER:

59. Please explain whether a student living in an Elementary optional attendance zone, who chooses to utilize the option, is required to attend the middle school or junior high school in the district where he or she lives or may the student attend the middle school or junior high school within the district of the optional attendance zone?

ANSWER:

60. Please identify all recorded disciplinary decisions made each year since 1951 within the School District by school, race, violation, and degree of discipline.

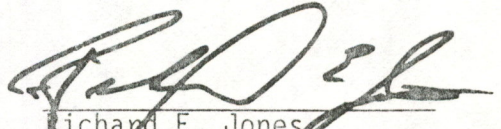
ANSWER:

61. Please identify all policies, practices or procedures used within the School District for the placement of students in "special programs," relating to their abilities or disabilities (including, but not limited to, gifted, handicapped, emotionally disturbed, etc.)

ANSWER:

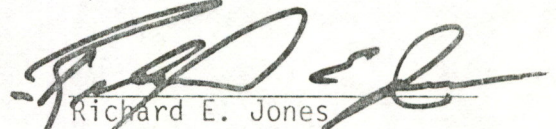
62. Identify by year, race and program all participants in "special programs" described in answer to Interrogatory 61.

ANSWER:


 Richard E. Jones
 One of Plaintiffs' Attorneys
 605 S.E. Quincy
 Topeka, Kansas 66603
 Tel: 913-235-3961

CERTIFICATE OF SERVICE

Richard E. Jones, the undersigned attorney for Plaintiffs, certifies that the above and foregoing Plaintiffs' Interrogatories Directed to Defendant Board of Education was mailed, first class postage prepaid, on this 12th day of June, 1982, addressed to Gary Sebelius, Eidson, Lewis, Porter & Haynes, 1300 Merchants Bank Tower, Topeka, Kansas 66612.


 Richard E. Jones

VERIFICATION

STATE OF KANSAS)
)ss:
 COUNTY OF SHAWNEE)

 , of lawful age, being first duly sworn, deposes and states as follows: He is the duly authorized representative of the Defendant above-named; that he has given answers to said interrogatories and the answers above given are true and correct.

BOARD OF EDUCATION OF TOPEKA
By:

Subscribed and sworn to before me this _____ day of _____, 1982.

Notary Public

My Commission Expires: _____.