

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

DIANE PETRELLA and NICK PETRELLA and N. P. and C. P. by their next friends and guardians, Diane and Nick Petrella; MICHELLE TROUVÉ and MARC TROUVÉ and J. T., Z. T., and N. T. by their next friends and guardians Michelle Trouvé and Marc Trouvé; MEREDITH and CHRIS BIHUNIAK and S. B., O. B., A. B. and E. B. by their next friends and guardians Meredith and Chris Bihuniak; MIKE WASHBURN and LAURENCE FLORENS and A. W. and R. W. by and through their next friends and guardians Mike Washburn and Laurence Florens; PAUL ERDNER and JULIE ERDNER and M. E. and A. E. by and through their next friends and guardians Paul Erdner and Julie Erdner; CHRISTOPHE SAILLY and CATALINA SAILLY and E. S. and N. S. by and through their next friends and guardians Christophe Sailly and Catalina Sailly, JOHN WEBB ROBERTS and M. C. R., M. R. and W. C. R. by and through their next friend and guardian John Webb Roberts; TERRE MANNE and C. J. M. by and through his next friend and guardian Terre Manne, ALISON BARNES MARTIN and C. O. M. and C. E. M. by and through their next friend and guardian Alison Barnes Martin; KURT KUHNKE AND LISA KUHNKE and A. K. by and through her next friends and guardians Kurt Kuhnke and Lisa Kuhnke,

Plaintiffs.

vs.

MARK PARKINSON, Governor of Kansas, in his official capacity; STEVE SIX, Kansas Attorney General, in his official capacity; DENNIS MCKINNEY, Kansas State Treasurer, in his official capacity; DR. DIANE DeBACKER in her official capacity as Kansas Commissioner of Education; JANET WAUGH in her official capacity as Chair of the Kansas State Board of Education; KATHY MARTIN in her official capacity as a member of the State Board of Education; SUE STORM in her official capacity

CASE NO. 10-CV-2661-JWL-KGG

as a member of the Kansas State Board of Education; KENNETH WILLARD in his official capacity as a member of the Kansas State Board of Education; JOHN W. BACON in his official capacity as a member of the Kansas State Board of Education; DR. WALT CHAPPELL in his official capacity as a member of the Kansas State Board of Education; CAROLYN L. WIMS-CAMPBELL in her official capacity as a member of the Kansas State Board of Education; JANA SHAVER in her official capacity as Vice-Chair of the Kansas State Board of Education; SALLY CAUBLE in her official capacity as a member of the Kansas State Board of Education; DAVID T. DENNIS in his official capacity as a member of the Kansas State Board of Education,

Defendants and Cross-claim Defendants,
vs.

L.G., A.G., and G.G., by their next friends and guardians, Jeff and Meredith Gannon; J.B. and J.B., by their next friend and guardian, Andrea Burgess; O.K., by next friend and guardian, Jennifer Kennedy; C.O., by next friend and guardian, Schelena Oakman; C.P., by next friend and guardian, Martha Pint; A.S. and B.S., by their next friends and guardians, David and Misty Seeber; L.C., by next friends and guardians, John and Becky Cain; J.C., by next friends and guardians, Darrin and Lois Cox; A.E., by next friends and guardians, Danie and Josh Eldredge; J.H., by next friends and guardians, Jim and Joy Holmes; L.N., by next friends and guardians, Matt and Ivy Newton; A.O., by next friend and guardian, Glenn Owen; M.R., by next friend and guardian, Ryan Rank; Q.W., by next friend and guardian, Beulah Walker; M.A., by next friend and guardian, Bianca Alvarez; P.D. and V.D., by their next friend and guardian, Norma Del Real; T.F., by next friend and guardian, Adriana Figueroa; D.H., G.H., and K.H., by their next friend and guardian, Eva Herrera; M.S., by next friend and guardian, Rebecca Fralick; A.T., by next friend and guardian, Consuelo Treto; T.B., by next friend and guardian, Melissa Bynum;

B.C., by next friends and guardians, Evette Hawthorne-Crosby and Bryant Crosby; G.M., by next friends and guardians, George and Monica Mendez; A.M., by next friends and guardians, Sally and Ramon Murguia; N.W., by next friend and guardian, Clara Osborne,

Intervenor-Defendants and Cross-claim Plaintiffs,

vs.

THE STATE OF KANSAS,

Cross-claim Defendant.

INTERVENOR-DEFENDANTS' ANSWER AND DEFENSES TO PLAINTIFFS'
COMPLAINT FOR DECLARATORY, INJUNCTIVE, OR OTHER RELIEF AND
CROSS-CLAIM AGAINST CROSS-CLAIM DEFENDANTS

COME NOW the Intervenor-Defendants and Cross-Claim Plaintiffs (the "Intervenor-Defendants"), by and through the undersigned counsel of record, and respond as follows to Plaintiffs' Complaint for Declaratory, Injunctive, or Other Relief:

INTRODUCTION

1. Responding to Paragraph 1 of the Complaint, Intervenor-Defendants are without sufficient knowledge or information to admit or deny that Plaintiffs are schoolchildren and parents in the Shawnee Mission Unified School District, and therefore deny the allegation. Intervenor-Defendants deny all remaining allegations contained in Paragraph 1 of the Complaint.
2. Intervenor-Defendants need not answer Paragraph 2 of the Complaint because there are no factual allegations, only legal conclusions, and therefore it does not require an admission or denial by Intervenor-Defendants. To the extent an answer is required, and to the extent Plaintiffs allege the LOB Cap deprives them of a "liberty interest," Intervenor-Defendants deny the allegations contained in Paragraph 2 of the Complaint.

3. Intervenor-Defendants need not answer Paragraph 3 of the Complaint because there are no factual allegations, only legal conclusions, and therefore it does not require an admission or denial by Intervenor-Defendants. To the extent an answer is required, and to the extent Plaintiffs allege the LOB Cap deprives them of a “liberty interest,” Intervenor-Defendants deny the allegations contained in Paragraph 3 of the Complaint.

4. Intervenor-Defendants need not answer Paragraph 4 of the Complaint because there are no factual allegations, only legal conclusions, and therefore it does not require an admission or denial by Intervenor-Defendants. To the extent an answer is required, Intervenor-Defendants deny the allegations contained in Paragraph 4 of the Complaint.

5. Intervenor-Defendants admit that certain actions of Defendants have violated the protections offered to Kansas school children under the United States Constitution. To the extent the allegations in Paragraph 5 of the Complaint allege that the passage and enforcement of the LOB Cap is in violation of the United States Constitution, Intervenor-Defendants deny the remaining allegations contained in Paragraph 5 of the Complaint.

6. Responding to Paragraph 6 of the Complaint, Intervenor-Defendants admit the State allocates to the Shawnee Mission School District some of the lowest per pupil expenditures of any school district in the state and that Shawnee Mission School District is in the bottom eleven percent of all school districts in terms of total per pupil funding (*See Exhibit 1, attached hereto*), but state Kansas’ school funding formula is a cost-based formula, meaning that school districts with a higher number of low enrollment students, vocational students, bilingual students, at-risk students, non-proficient students, students attending new facilities, students with a further distance to the bus, students qualifying for ancillary weighting, students qualifying for declining enrollment weighting, students qualifying for cost of living weighting, students qualifying for

virtual weighting, and special education students receive increased funds because those students cost more to educate. The allegation that the Shawnee Mission School District's per pupil funding is lower than other districts in the State is a reflection of the fact that the Shawnee Mission School District has some of the lowest enrollment numbers of those children who cost more to educate. Intervenor-Defendants deny all remaining allegations contained in Paragraph 6 of the Complaint.

7. Intervenor-Defendants deny the allegations contained in Paragraph 7 of the Complaint.
8. Intervenor-Defendants deny the allegations contained in Paragraph 8 of the Complaint.
9. Intervenor-Defendants deny the allegations contained in Paragraph 9 of the Complaint.
10. Intervenor-Defendants need not answer Paragraph 10 of the Complaint because there are no factual allegations, only legal conclusions, and therefore it does not require an admission or denial by Intervenor-Defendants. To the extent an answer is required, Intervenor-Defendants deny that Plaintiffs are entitled to the relief requested, and therefore deny the allegations contained in Paragraph 10 of the Complaint.

JURISDICTION AND VENUE

11. Intervenor-Defendants admit the allegations contained in Paragraph 11 of the Complaint.
12. Intervenor-Defendants admit the allegations contained in Paragraph 12 of the Complaint.

DECLARATORY AND INJUNCTIVE RELIEF

13. Intervenor-Defendants need not answer Paragraph 13 of the Complaint because there are no factual allegations, only legal conclusions, and therefore it does not require an admission or denial by Intervenor-Defendants. To the extent an answer is required, Intervenor-Defendants deny the allegations contained in Paragraph 13 of the Complaint.

PARTIES AND STANDING

14. Intervenor-Defendants are without sufficient knowledge or information to admit or deny the allegations contained in Paragraph 14 of the Complaint, and therefore deny them.

15. Intervenor-Defendants are without sufficient knowledge or information to admit or deny the allegations contained in Paragraph 15 of the Complaint, and therefore deny them.

16. Intervenor-Defendants are without sufficient knowledge or information to admit or deny the allegations contained in Paragraph 16 of the Complaint, and therefore deny them.

17. Intervenor-Defendants are without sufficient knowledge or information to admit or deny the allegations contained in Paragraph 17 of the Complaint, and therefore deny them.

18. Intervenor-Defendants are without sufficient knowledge or information to admit or deny the allegations contained in Paragraph 18 of the Complaint, and therefore deny them.

19. Intervenor-Defendants are without sufficient knowledge or information to admit or deny the allegations contained in Paragraph 19 of the Complaint, and therefore deny them.

20. Intervenor-Defendants are without sufficient knowledge or information to admit or deny the allegations contained in Paragraph 20 of the Complaint, and therefore deny them.

21. Intervenor-Defendants are without sufficient knowledge or information to admit or deny the allegations contained in Paragraph 21 of the Complaint, and therefore deny them.

22. Intervenor-Defendants are without sufficient knowledge or information to admit or deny the allegations contained in Paragraph 22 of the Complaint, and therefore deny them.

23. Intervenor-Defendants are without sufficient knowledge or information to admit or deny the allegations contained in Paragraph 23 of the Complaint, and therefore deny them.

24. Intervenor-Defendants are without sufficient knowledge or information to admit or deny the allegations contained in Paragraph 24 of the Complaint, and therefore deny them.

25. Intervenor-Defendants are without sufficient knowledge or information to admit or deny the allegations contained in Paragraph 25 of the Complaint, and therefore deny them.

26. Intervenor-Defendants are without sufficient knowledge or information to admit or deny the allegations contained in Paragraph 26 of the Complaint, and therefore deny them.

27. Intervenor-Defendants are without sufficient knowledge or information to admit or deny the allegations contained in Paragraph 27 of the Complaint, and therefore deny them.

28. Intervenor-Defendants are without sufficient knowledge or information to admit or deny the allegations contained in Paragraph 28 of the Complaint, and therefore deny them.

29. Intervenor-Defendants are without sufficient knowledge or information to admit or deny the allegations contained in Paragraph 29 of the Complaint, and therefore deny them.

30. Intervenor-Defendants are without sufficient knowledge or information to admit or deny the allegations contained in Paragraph 30 of the Complaint, and therefore deny them.

31. Intervenor-Defendants are without sufficient knowledge or information to admit or deny the allegations contained in Paragraph 31 of the Complaint, and therefore deny them.

32. Intervenor-Defendants are without sufficient knowledge or information to admit or deny the allegations contained in Paragraph 32 of the Complaint, and therefore deny them.

33. Intervenor-Defendants are without sufficient knowledge or information to admit or deny the allegations contained in Paragraph 33 of the Complaint, and therefore deny them.

34. Intervenor-Defendants are without sufficient knowledge or information to admit or deny the allegations contained in Paragraph 34 of the Complaint, and therefore deny them.

35. Intervenor-Defendants are without sufficient knowledge or information to admit or deny the allegations contained in Paragraph 35 of the Complaint, and therefore deny them.

36. Intervenor-Defendants are without sufficient knowledge or information to admit or deny the allegations contained in Paragraph 36 of the Complaint, and therefore deny them.

37. Intervenor-Defendants are without sufficient knowledge or information to admit or deny the allegations contained in Paragraph 37 of the Complaint, and therefore deny them.

38. Intervenor-Defendants are without sufficient knowledge or information to admit or deny the allegations contained in Paragraph 38 of the Complaint, and therefore deny them.

39. Intervenor-Defendants are without sufficient knowledge or information to admit or deny the allegations contained in Paragraph 39 of the Complaint, and therefore deny them.

FACTUAL ALLEGATIONS COMMON TO ALL COUNTS

40. Intervenor-Defendants deny that the School District Finance and Quality Performance Act (“SDFQPA”) establishes the entire system of school finance for the State and deny that the funding level has declined \$388 per student since 2005. Intervenor-Defendants admit the remaining allegations contained in Paragraph 40 of the Complaint.

41. To the extent Plaintiffs implies that LOB is intended to fund educational services that are deemed optional at the local level, Intervenor-Defendants deny the allegations contained in Paragraph 41 of the Complaint. Intervenor-Defendants admit the remaining allegations contained in Paragraph 41 of the Complaint.

42. Intervenor-Defendants admit the allegations contained in Paragraph 42 of the Complaint.

43. Intervenor-Defendants admit the allegations contained in Paragraph 43 of the Complaint.

44. Intervenor-Defendants admit the allegations contained in Paragraph 44 of the Complaint.

45. Responding to Paragraph 45 of the Complaint, Intervenor-Defendants deny Plaintiffs are denied the educational experience they deserve as a result of the LOB Cap. Intervenor-

Defendants are without sufficient knowledge or information to admit or deny the remaining allegations contained in Paragraph 45 of the Complaint, and therefore deny them.

46. Responding to Paragraph 46 of the Complaint, Intervenor-Defendants admit the language quoted from the 2005 Kansas Legislative Post-Audit Committee's Cost Study Analysis is accurate, but deny the Committee concluded that smaller class size is "the only proven determinant" of improved academic performance, and therefore deny all remaining allegations contained in Paragraph 46 of the Complaint.

47. Intervenor-Defendants admit the allegations contained in Paragraph 47 of the Complaint.

48. Responding to Paragraph 48 of the Complaint, Intervenor-Defendants admit class sizes are correlated with educational quality. Intervenor-Defendants deny increased class sizes were caused by the LOB Cap and further state that many school districts across the state have experienced an increase in class sizes, and therefore deny the remaining allegations contained in Paragraph 48 of the Complaint.

49. Intervenor-Defendants are without sufficient knowledge or information to admit or deny the allegations contained in Paragraph 49 of the Complaint, and therefore deny them.

50. Responding to Paragraph 50 of the Complaint, Intervenor-Defendants are without sufficient knowledge or information to admit or deny the allegations contained in Paragraph 50 of the Complaint, but admit state funding to public schools has dramatically decreased, causing a significant reduction in educational services to students in most public schools.

51. Responding to Paragraph 51 of the Complaint, Intervenor-Defendants deny the allegations therein, and state Kansas' school funding formula is a cost-based formula, meaning that school districts with a higher number of low enrollment students, vocational students, bilingual students, at-risk students, non-proficient students, students attending new facilities,

students with a further distance to the bus, students qualifying for ancillary weighting, students qualifying for declining enrollment weighting, students qualifying for cost of living weighting, students qualifying for virtual weighting, and special education students receive increased funds because those students cost more to educate. The allegation that the Shawnee Mission School District receives one of the lowest levels of per-pupil funding in the State is a reflection of the fact that the district has some of the lowest enrollment numbers of those children who cost more to educate.

52. Responding to Paragraph 52 of the Complaint, Intervenor-Defendants deny the allegations therein and further state, in 2008-09, Shawnee Mission School District received \$5,922 per pupil in state aid as compared to the state average of \$6,793 (*See Exhibit 1*). Intervenor-Defendants further state Kansas' school funding formula is a cost-based formula, meaning that school districts with a higher number of low enrollment students, vocational students, bilingual students, at-risk students, non-proficient students, students attending new facilities, students with a further distance to the bus, students qualifying for ancillary weighting, students qualifying for declining enrollment weighting, students qualifying for cost of living weighting, students qualifying for virtual weighting, and special education students receive increased funds because those students cost more to educate. The allegation that the Shawnee Mission School District's total funding is less than the state average is a reflection of the fact that the district has some of the lowest enrollment numbers of those children who cost more to educate.

53. Responding to Paragraph 53 of the Complaint, Intervenor-Defendants deny the allegations contained therein. Intervenor-Defendants further state, in 2008-09, the Mullinville School District (USD No. 424) – a district with only 58.5 students in their entire district –

received the highest financial support per student, receiving \$23,688 per pupil in state aid; Shawnee Mission School District received \$5,922 per pupil in state aid; and Kansas' school funding formula is a cost-based formula, meaning that school districts with a higher number of low enrollment students, vocational students, bilingual students, at-risk students, non-proficient students, students attending new facilities, students with a further distance to the bus, students qualifying for ancillary weighting, students qualifying for declining enrollment weighting, students qualifying for cost of living weighting, students qualifying for virtual weighting, and special education students receive increased funds because those students cost more to educate. The allegation that the Shawnee Mission School District's total funding is less than the state average is a reflection of the fact that the district has some of the lowest enrollment numbers of those children who cost more to educate.

54. Responding to Paragraph 54 of the Complaint, Intervenor-Defendants are without sufficient knowledge or information to admit or deny the allegations contained therein, but admit school districts across the state have faced the difficult decision to close schools.

55. Intervenor-Defendants are without sufficient knowledge or information to admit or deny the allegations contained in Paragraph 55 of the Complaint, and therefore deny them.

56. Responding to Paragraph 56 of the Complaint, Intervenor-Defendants are without sufficient knowledge or information to admit or deny the allegations contained therein, but admit the State of Kansas is aware that public schools in the state are not adequately funded.

57. Intervenor-Defendants deny the allegations contained in Paragraph 57 of the Complaint. Intervenor-Defendants further state there is a rational basis for the LOB Cap, in that it is intended to restrict the spending range of Kansas school districts to avoid wealth based disparities in educational opportunity across the state; and removal of the LOB Cap would result in

unconstitutional cost-based formula, meaning that school districts with a higher number of low enrollment students, vocational students, bilingual students, at-risk students, non-proficient students, students attending new facilities, students with a further distance to the bus, students qualifying for ancillary weighting, students qualifying for declining enrollment weighting, students qualifying for cost of living weighting, students qualifying for virtual weighting, and special education students receive increased funds because those students cost more to educate. The allegation that the Shawnee Mission School District provides more at-risk services to its non-proficient students than it receives in funding from the State is a reflection of the fact that the district has some of the lowest enrollment numbers of those children who cost more to educate.

58. Intervenor-Defendants deny the allegations contained in Paragraph 58 of the Complaint, and further state removal of the LOB Cap would result in unconstitutional wealth-based disparities in the provision of public education in the State of Kansas. Intervenor-Defendants further state Kansas' school funding formula is a cost-based formula, meaning that school districts with a higher number of low enrollment students, vocational students, bilingual students, at-risk students, non-proficient students, students attending new facilities, students with a further distance to the bus, students qualifying for ancillary weighting, students qualifying for declining enrollment weighting, students qualifying for cost of living weighting, students qualifying for virtual weighting, and special education students receive increased funds because those students cost more to educate. The allegation that the Shawnee Mission School District receives one of the lowest levels of per-pupil funding in the State is a reflection of the fact that the district has some of the lowest enrollment numbers of those children who cost more to educate.

59. Intervenor-Defendants are without sufficient knowledge or information to admit or deny the allegations contained in Paragraph 59 of the Complaint, and therefore deny them.

60. Intervenor-Defendants are without sufficient knowledge or information to admit or deny the allegations contained in Paragraph 60 of the Complaint, and therefore deny them.

IRREPARABLE INJURY

61. Intervenor-Defendants deny the allegations contained in Paragraph 61 of the Complaint, and further state removal of the LOB Cap would result in unconstitutional wealth-based disparities in the provision of public education in the State of Kansas.

62. Intervenor-Defendants deny the allegations contained in Paragraph 62 of the Complaint, and state removal of the LOB Cap would result in unconstitutional wealth-based disparities in the provision of public education in the State of Kansas.

63. Intervenor-Defendants deny the allegations contained in Paragraph 63 of the Complaint, and state removal of the LOB Cap would result in unconstitutional wealth-based disparities in the provision of public education in the State of Kansas.

COUNT I (The LOB Cap Violates Equal Protection; Against All Defendants)

64. Intervenor-Defendants re-assert Paragraphs 1-63 as though fully set forth herein, and incorporates said Paragraphs by reference.

65. Intervenor-Defendants deny the allegations contained in Paragraph 65 of the Complaint, and state removal of the LOB Cap would result in unconstitutional wealth-based disparities in the provision of public education in the State of Kansas.

66. Intervenor-Defendants deny the allegations contained in Paragraph 66 of the Complaint, and state removal of the LOB Cap would result in unconstitutional wealth-based disparities in the provision of public education in the State of Kansas.

COUNT II (The LOB Cap Violates Due Process; Against All Defendants)

67. Intervenor-Defendants re-assert Paragraphs 1-66 as though fully set forth herein, and incorporates said Paragraphs by reference.

68. Intervenor-Defendants deny the allegations contained in Paragraph 68 of the Complaint, and state removal of the LOB Cap would result in unconstitutional wealth-based disparities in the provision of public education in the State of Kansas.

AFFIRMATIVE DEFENSES, DEFENSES, AND STATEMENTS

1. Plaintiffs fail to state a claim upon which relief may be granted.
2. “Spending money” is not a fundamental, constitutionally protected interest.
3. The relief Plaintiffs seek violates public policy insofar as they ask the Court to increase inequalities in the educational opportunities of all Kansas school children in violation of the provisions of the Kansas and United States Constitution, including the Equal Protection and Due Process Clauses.
4. Plaintiffs seek an inequitable result.
5. Intervenor-Defendants reserve the right to add additional defenses and affirmative defenses as discovery proceeds in this lawsuit.

CROSS-CLAIM AGAINST CROSS-CLAIM DEFENDANTS

COME NOW the Intervenor-Defendants and Cross-claim Plaintiffs (the “Intervenor-Defendants”), and for their Complaint against Cross-claim Defendants, state and allege as follows:

Relevant Facts

1. Article 6, Section 6 of the Kansas Constitution, as written and as interpreted by Kansas courts place the responsibility to educate the children of the State of Kansas on the State as a whole and not the district in which those children reside.
2. The State of Kansas currently funds its public schools, grades K-12, through various statutes, including (1) the School District Finance and Quality Performance Act, K.S.A. 2010 Supp. 72-6405, *et seq.*, as amended, through K.S.A. 2010 Supp. 72-6459, as amended; (2) Capital Outlay Levy, Funds and Bonds, K.S.A. 2010 Supp. 72-8801, *et seq.*, as amended; and (3) the Special Education for Exceptional Children Act, K.S.A. 72-961, *et seq.*, as amended (including K.S.A. 2010 Supp. 72-965, 72-978, 72-979, 72-983, and 72-998, all as amended) (collectively, the “School Funding Scheme”).
3. The School Funding Scheme does not fully equalize access to funding resources and does not allow access to funding resources without a requirement of local elections. *See* K.S.A. 72-6433(e). As a result, certain classes of Kansas school children receive unequal educational opportunities.

Declaratory and Injunctive Relief

4. This Court is authorized to grant declaratory judgment pursuant to 28 U.S.C. §§ 2201-02, and Rule 57 of the Federal Rules of Civil Procedure.
5. This Court is authorized to issue the preliminary and permanent injunctive relief pursuant to Rule 65 of the Federal Rules of Civil Procedure.
6. The School Funding Scheme is causing irreparable harm to Intervenor-Defendants by denying them their fundamental right to equal education opportunities, which are adequately and equitably funded.

7. The irreparable harm caused to Intervenor-Defendants cannot adequately be compensated through individual monetary damages.

8. Defendants will suffer no harm in being required to comply with duties that are already imposed on them by the Kansas Constitution, Kansas state law, and Kansas statutes.

9. The School Funding Scheme is causing harm to the public interest by impairing educational outcomes in Kansas, reducing the quality of the educational system, denying certain classifications of students the educational opportunities they deserve, and causing various harms to school children not a party to this litigation.

10. Intervenor-Defendants will succeed on the merits of their cross-claim and the questions raised in their cross-claim are so substantial and serious that this issue is ripe for litigation and deserving of consideration.

Count One: Violation of Equal Protection Under Kansas Constitution

11. Intervenor-Defendants incorporate by reference the allegations contained in paragraphs 1-9 above as though fully set out herein.

12. The Kansas Constitution guarantees, “All men are possessed of equal and inalienable natural rights, among which are life, liberty, and the pursuit of happiness.” Kansas Const., Bill of Rights § 1.

13. This provision guarantees equal protection of the laws to citizens of the State of Kansas.

See Stephens v. Snyder Clinic Ass'n, 230 Kan. 115, 127-28, 631 P.2d 222 (1981).

14. When analyzing an equal protection claim, the Kansas Supreme Court applies “strict scrutiny” “in cases involving classifications such as race and fundamental rights guaranteed by the . . . Constitution.” *Stephenson v. Sugar Creek Packing*, 250 Kan. 768, 775 (1992) (emphasis added).

15. Strict scrutiny requires the State to demonstrate "that the classification is necessary to serve a compelling state interest." *Id.*

16. Kansas school children have a fundamental right to equal educational opportunities, which are adequately and equitably funded.

17. The current School Funding Scheme does not provide all Kansas school children with equal educational opportunities, which are adequately and equitably funded and operates to treat certain classes of students differently.

18. There is neither a rational basis nor a compelling state interest for the current School Funding Scheme to treat certain classes of students differently.

19. The current School Funding Scheme is in violation of the equal protection provisions of the Kansas Constitution.

PRAYER FOR RELIEF

WHEREFORE Intervenor-Defendants respectfully request that this Court:

- (1) Dismiss with prejudice each and every claim asserted by Plaintiffs in this lawsuit;
- (2) Deny all relief requested in Plaintiffs' Complaint;
- (3) Enter a judgment declaring the School Funding Scheme, created by the School District Finance and Quality Performance Act, K.S.A. 2010 Supp. 72-6405, *et seq.*, as amended, through K.S.A. 2010 Supp. 72-6459, as amended; the Capital Outlay Levy, Funds and Bonds, K.S.A. 2010 Supp. 72-8801, *et seq.*, as amended; and the Special Education for Exceptional Children Act, K.S.A. 72-961, *et seq.*, as amended (including K.S.A. 2010 Supp. 72-965, 72-978, 72-979, 72-983, and 72-998, all as amended), to be unconstitutional in that it does not fully equalize access to funding resources for all school districts and requires local elections prior to allowing access to funding resources;

- (4) Enter a preliminary and permanent injunction restraining Defendants from implementing or enforcing the unconstitutional provisions of the School Funding Scheme, as defined herein;
- (5) Enter an order requiring that Cross-claim Defendants fully equalize access to funding resources for all school districts and preventing Cross-claim Defendants from requiring local elections prior to access to funding resources;
- (6) Award Intervenor-Defendants the reasonable attorneys' fees and costs incurred in litigating this action; and
- (7) Grant all other further relief as the Court may deem just and equitable.

Dated this 23rd day of December, 2010.

s/Alan L. Rupe

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**ATTORNEYS FOR INTERVENOR-
DEFENDANTS**

		Base \$4012	Col 1	Col 2	Col 3	Col 4	Col 4(a)	Col 4(b)	Col 5	Col 6	Col 7	
			12/6/2010									
USD		FTE Enroll	FTE Enroll	FTE Enroll	FTE Enroll	Declining	FTE Enroll	Adjusted	FTE Enroll	FTE Enroll	2010-11	
No.		exc4yr at risk	exc4yr at risk	exc4yr at risk	exc4yr at risk	Enrollment	exc4yr at risk	Enrollment	4YR AR	inc4yr at risk	Total Adj.	
		9/20/2008	9/20/2009	9/20/2010	9/20/2010	Provision	2/20/2011	(incl 2/20)	9/20/2010	9/20/2010	Virtual	
		2/20/2009	2/20/2010					(incl 2/20)			Low & High	
											Vocational	
											Contact	
											Enroll Hrs.	
506	Labette	Labette County	1,572.1	1,594.4	1,589.2	1,589.2	1,594.4	0.0	1,594.4	11.5	1,600.7	1,600.7
413	Neosho	Chanute	1,760.0	1,794.9	1,836.0	1,836.0	1,836.0	0.0	1,836.0	16.5	1,852.5	1,852.5
336	Jackson	Holton	1,052.3	1,058.0	1,077.5	1,077.5	1,077.5	0.0	1,077.5	0.0	1,077.5	1,077.5
460	Harvey	Hesston	820.0	812.0	819.8	819.8	819.8	0.0	819.8	819.8	819.8	819.8
353	Sumner	Wellington	1,635.9	1,641.3	1,619.1	1,619.1	1,641.3	0.0	1,641.3	7.0	1,626.1	1,626.1
497	Douglas	Lawrence	9,436.9	9,555.4	10,803.5	9,542.4	9,555.4	0.0	9,555.4	42.0	9,584.4	10,845.5
480	Seward	Liberal	4,174.7	4,278.0	4,371.0	4,371.0	4,371.0	0.0	4,371.0	85.0	4,456.0	4,456.0
202	Wyandotte	Turner	3,772.2	3,690.1	3,684.9	3,684.9	3,715.7	0.0	3,715.7	81.5	3,766.4	3,766.4
249	Crawford	Frontenac		822.0	843.0	859.0	859.0	859.0	0.0	859.0	7.0	866.0
458	Leavenworth	Basehor-Linwood	1,794.9	1,807.3	2,146.2	1,852.5	1,852.5	0.0	1,852.5	0.0	2,146.2	2,146.2
445	Montgomery	Coffeyville	1,786.2	1,787.2	1,787.1	1,787.1	1,787.2	0.0	1,787.2	28.0	1,815.1	1,815.1
409	Atchison	Atchison	1,562.5	1,713.6	1,619.0	1,619.0	1,713.6	0.0	1,713.6	20.0	1,639.0	1,639.0
457	Finney	Garden City	6,659.5	6,835.8	6,936.0	6,936.0	6,936.0	0.0	6,936.0	97.5	7,033.5	7,033.5
250	Crawford	Pittsburg	2,618.6	2,680.2	2,608.0	2,608.0	2,680.2	0.0	2,680.2	20.0	2,628.0	2,628.0
321	Pottawatomie	Kaw Valley	1,112.0	1,110.1	1,125.5	1,125.5	1,125.5	0.0	1,125.5	13.0	1,138.5	1,138.5
268	Sedgwick	Cheney	770.8	773.8	755.4	755.4	773.8	0.0	773.8	10.0	765.4	765.4
501	Shawnee	Topeka	12,820.9	13,121.4	13,147.9	13,081.5	13,121.4	0.0	13,121.4	97.5	13,179.0	13,245.4
306	Saline	Southeast of Saline	679.6	690.8	713.0	713.0	713.0	0.0	713.0	0.0	713.0	713.0
372	Shawnee	Silver Lake	708.9	735.4	709.3	709.3	735.4	0.0	735.4	6.5	715.8	715.8
259	Sedgwick	Wichita	44,429.2	44,963.3	45,510.8	45,071.8	45,071.8	0.0	45,071.8	973.5	46,045.3	46,484.3
470	Cowley	Arkansas City	2,665.8	2,585.4	2,555.0	2,555.0	2,602.1	0.0	2,602.1	50.0	2,605.0	2,605.0
315	Thomas	Colby	923.4	915.5	915.3	914.3	917.7	0.0	917.7	0.0	914.3	915.3
363	Finney	Holcomb	854.5	923.9	949.4	917.5	923.9	0.0	923.9	16.5	934.0	965.9
253	Lyon	Emporia	4,177.3	4,180.8	4,257.0	4,200.6	4,200.6	0.0	4,200.6	68.5	4,269.1	4,325.5
382	Pratt	Pratt	1,085.4	1,110.7	1,035.6	1,035.6	1,110.7	0.0	1,110.7	8.5	1,044.1	1,044.1
289	Franklin	Wellsville	836.0	842.7	810.1	810.1	842.7	0.0	842.7	0.0	810.1	810.1
499	Cherokee	Galena	700.5	728.5	785.5	785.5	785.5	0.0	785.5	13.0	798.5	798.5
352	Sherman	Goodland	906.4	899.5	923.5	923.5	923.5	0.0	923.5	0.0	923.5	923.5
248	Crawford	Girard	989.5	1,001.8	1,001.5	1,001.5	1,001.8	0.0	1,001.8	7.0	1,008.5	1,008.5
365	Anderson	Garnett	1,107.2	1,100.9	1,082.2	1,082.2	1,100.9	0.0	1,100.9	0.0	1,082.2	1,082.2
508	Cherokee	Baxter Springs	906.5	902.5	963.0	963.0	963.0	0.0	963.0	14.5	977.5	977.5
436	Montgomery	Caney	780.0	779.8	836.9	805.6	805.6	0.0	805.6	8.5	814.1	845.4
333	Cloud	Concordia	1,054.6	1,061.2	1,053.9	1,053.9	1,061.2	0.0	1,061.2	7.5	1,061.4	1,061.4
443	Ford	Dodge City	5,464.7	5,721.7	5,966.2	5,965.3	5,965.3	0.0	5,965.3	80.0	6,045.3	6,046.2
331	Kingman	Kingman	1,033.3	988.7	1,006.7	1,006.7	1,009.6	0.0	1,009.6	0.0	1,006.7	1,006.7
340	Jefferson	Jefferson West	916.0	893.8	863.8	863.8	893.8	0.0	893.8	0.0	863.8	863.8
439	Harvey	Sedgwick	532.0	554.5	537.0	537.0	554.5	0.0	554.5	0.0	537.0	537.0
381	Ford	Spearville	352.0	358.0	363.0	363.0	363.0	0.0	363.0	0.0	363.0	363.0
420	Osage	Osage City	644.1	642.7	674.4	674.4	674.4	0.0	674.4	0.0	674.4	674.4
421	Osage	Lyndon	432.0	428.0	454.5	454.5	454.5	0.0	454.5	0.0	454.5	454.5
473	Dickinson	Chapman	973.0	969.7	931.1	931.1	969.7	0.0	969.7	0.0	931.1	931.1
309	Reno	Nickerson	1,132.4	1,132.7	1,129.0	1,129.0	1,132.7	0.0	1,132.7	7.5	1,136.5	1,136.5
388	Ellis	Ellis	367.6	392.6	396.5	396.5	396.5	0.0	396.5	0.0	396.5	396.5
210	Stevens	Hugoton	925.7	965.4	984.7	981.4	981.4	0.0	981.4	25.5	1,006.9	1,010.2
453	Leavenworth	Leavenworth	3,612.8	3,568.3	3,451.1	3,353.8	3,568.3	0.0	3,601.8	49.0	3,402.8	3,500.1
500	Wyandotte	Kansas City	18,153.1	18,450.7	18,507.0	18,507.0	18,507.0	0.0	18,507.0	285.0	18,792.0	18,792.0
400	McPherson	Smoky Valley	938.8	954.7	945.3	915.0	954.7	0.0	954.7	14.0	929.0	959.3
431	Barton	Hoisington	594.0	610.9	637.0	637.0	637.0	0.0	637.0	14.5	651.5	651.5

Exhibit 1 to Intervenor-Defendants' Answer and Defenses

Computed			Col 20)	Col 20(a)	Col 20(b)			Col 20(c)	Col 20(d)	Computed	Col 21	Col 21(a)	Col 21(b)	Col 21(c)	Col 21(d)	
average										budget per pupil						
student	AH=Aud Hrs									2009 SB84						
weight	I=Chng	Computed	Computed	Adopted	2010-11	Budget	2009-10	2009-10	2009-10	2010-11 Adjusted	Col 20(d)	LOB	2010-11 LOB	Max Computed	Adopted	
USD	Col 19/ A=Audit	General Fund	General Fund	General	General Fund	Law	Trans	At-Risk	Juv Det	Total	Legal General	Col 3	Base General	Authorized	L O B	
No.	Col 3	R=Republi (exc spec ed)	(inc spec ed)	Fund	(before red.)	Violation	Audit Adj	Bilingual	Audit Adj	Reductions	Fund		Fund	Percent	Authorized	
										Audit Adj						
	#	A	R													
343	1.84		5,858,058	6,844,078	6,889,406	6,844,078			0	6,844,078	7,370	7,452,526	30.00%	2,235,758	2,250,740	2,235,758
440	1.84		5,003,803	5,695,555	5,689,016	5,689,016			0	5,689,016	7,379	6,186,612	30.00%	1,855,984	1,400,000	1,400,000
466	1.85		5,674,368	6,141,025	6,112,683	6,112,683			0	6,112,683	7,382	6,805,238	30.00%	2,041,571	2,030,867	2,030,867
303	1.88		2,059,069	2,289,816	2,237,492	2,237,492			0	2,237,492	7,387	2,504,879	30.00%	751,464	650,000	650,000
337	1.85		5,914,609	6,788,859	6,746,980	6,746,980			0	6,746,980	7,393	7,479,146	30.00%	2,243,744	2,220,000	2,220,000
415	1.84		5,392,369	6,224,737	6,426,020	6,224,737			0	6,224,737	7,395	6,930,560	30.00%	2,079,168	2,145,849	2,079,168
113	1.68		7,638,511	8,710,517	8,710,453	8,710,453			0	8,710,453	7,396	8,668,746	30.00%	2,600,624	2,592,797	2,592,797
312	1.91		6,315,073	7,227,513	6,992,114	6,992,114			0	6,992,114	7,396	7,962,037	30.00%	2,388,611	2,309,288	2,309,288
257	1.86		7,770,065	9,320,065	9,392,493	9,320,065			0	9,320,065	7,463	10,333,755	30.00%	3,100,127	3,124,190	3,100,127
252	1.94		3,553,334	4,029,453	3,867,167	3,867,167			0	3,867,167	7,468	4,407,587	30.00%	1,322,276	1,268,447	1,268,447
367	1.87		7,061,453	8,355,608	8,362,613	8,355,608			0	8,355,608	7,507	9,269,577	30.00%	2,780,873	2,125,000	2,125,000
449	1.88		4,486,253	5,082,378	5,293,834	5,082,378			0	5,082,378	7,525	5,699,112	30.00%	1,709,734	1,779,808	1,709,734
323	1.89		5,536,195	6,378,493	6,340,966	6,340,966			0	6,340,966	7,525	7,007,133	30.00%	2,102,140	1,585,500	1,585,500
503	1.88		7,536,903	8,760,853	8,892,598	8,760,853			0	8,760,853	7,538	9,605,497	30.00%	2,881,649	2,300,450	2,300,450
461	1.90		4,694,146	5,261,769	5,222,019	5,222,019			0	5,222,019	7,557	5,776,224	30.00%	1,732,867	1,457,144	1,457,144
504	1.94		3,267,754	3,656,726	3,565,464	3,565,464			0	3,565,464	7,578	4,032,543	30.00%	1,209,763	1,175,990	1,175,990
434	1.89		6,634,436	7,876,511	7,868,334	7,868,334			0	7,868,334	7,582	8,742,417	30.00%	2,622,725	2,620,001	2,620,001
102	1.89		4,527,598	5,017,598	5,049,102	5,017,598			0	5,017,598	7,585	5,541,086	30.00%	1,662,326	970,000	970,000
396	1.90		4,601,471	5,338,261	5,325,128	5,325,128			0	5,325,128	7,603	5,829,926	30.00%	1,748,978	1,744,686	1,744,686
378	1.90		4,462,778	5,143,418	5,171,067	5,143,418			0	5,143,418	7,603	5,613,632	30.00%	1,684,090	1,693,190	1,684,090
454	1.99		2,356,181	2,693,477	2,571,692	2,571,692			0	2,571,692	7,609	2,989,963	30.00%	896,989	550,000	550,000
244	1.93		5,228,511	6,480,746	6,387,505	6,387,505			0	6,387,505	7,636	7,077,515	30.00%	2,123,255	2,092,377	2,092,377
258	1.94		3,586,634	4,166,806	4,096,252	4,096,252			0	4,096,252	7,642	4,573,722	30.00%	1,372,117	1,190,000	1,190,000
407	1.94		5,732,045	6,434,230	6,309,672	6,309,672			0	6,309,672	7,648	7,166,669	31.00%	2,221,667	2,047,400	2,047,400
389	2.04		4,480,842	4,999,092	4,662,746	4,662,746			0	4,662,746	7,650	5,513,550	30.00%	1,654,065	1,542,540	1,542,540
327	1.91		4,146,825	4,712,685	4,788,322	4,712,685			0	4,712,685	7,675	5,101,496	30.00%	1,530,449	1,551,000	1,530,449
270	1.95		2,476,933	2,879,923	2,822,041	2,822,041			0	2,822,041	7,677	3,181,350	30.00%	954,405	935,280	935,280
307	1.91		3,152,600	3,540,752	3,563,458	3,540,752			0	3,540,752	7,681	3,893,574	30.00%	1,168,072	1,175,663	1,168,072
484	1.95		4,913,663	5,525,463	5,419,410	5,419,410			0	5,419,410	7,683	6,088,011	30.00%	1,826,403	1,307,700	1,307,700
356	1.92		3,435,801	3,871,968	3,949,814	3,871,968			0	3,871,968	7,686	4,307,619	30.00%	1,292,286	1,090,000	1,090,000
417	1.92		4,870,397	5,638,536	5,690,621	5,638,536			0	5,638,536	7,692	6,054,047	30.00%	1,816,214	1,763,000	1,763,000
325	1.94		4,039,691	4,768,551	4,720,519	4,720,519			0	4,720,519	7,694	5,220,636	30.00%	1,566,191	1,550,229	1,550,229
211	1.87		4,718,647	5,588,449	5,588,716	5,588,449			0	5,588,449	7,694	5,848,532	30.00%	1,754,560	1,453,066	1,453,066
243	1.94		3,536,327	4,016,267	3,975,090	3,975,090			0	3,975,090	7,696	4,348,238	30.00%	1,304,471	1,105,000	1,105,000
404	1.92		5,221,016	5,852,216	5,869,957	5,852,216			0	5,852,216	7,710	6,443,887	30.00%	1,933,166	1,939,084	1,933,166
376	1.92		3,433,393	4,019,655	4,377,894	4,019,655			0	4,019,655	7,712	4,404,247	30.00%	1,321,274	1,202,400	1,202,400
114	1.87		4,955,854	5,734,984	5,735,956	5,734,984			0	5,734,984	7,722	5,941,903	30.00%	1,782,571	1,036,500	1,036,500
240	1.94		4,054,789	4,611,972	4,587,722	4,587,722			0	4,587,722	7,746	5,074,363	30.00%	1,522,309	1,514,243	1,514,243
493	1.93		6,833,754	7,788,209	7,903,640	7,788,209			0	7,788,209	7,746	8,598,030	30.00%	2,579,409	2,617,672	2,579,409
412	1.96		2,089,085	2,401,859	2,373,900	2,373,900			0	2,373,900	7,771	2,681,991	30.00%	804,597	795,276	795,276
226	1.94		3,145,229	3,498,610	3,545,806	3,498,610			0	3,498,610	7,775	3,868,869	30.00%	1,160,661	1,139,574	1,139,574
339	1.95		3,222,306	3,704,386	3,755,232	3,704,386			0	3,704,386	7,823	4,073,633	30.00%	1,222,090	1,238,891	1,222,090
364	1.95		4,622,269	5,383,340	5,392,930	5,383,340			0	5,383,340	7,830	5,970,859	30.00%	1,791,258	1,794,435	1,791,258
247	1.95		4,860,113	5,455,561	5,451,506	5,451,506			0	5,451,506	7,833	6,026,750	30.00%	1,808,025	1,775,675	1,775,675
335	2.03		2,985,841	3,206,066	3,092,048	3,092,048			0	3,092,048	7,848	3,599,850	30.00%	1,079,955	773,250	773,250
297	1.96		2,051,913	2,279,413	2,369,086	2,279,413			0	2,279,413	7,865	2,478,253	30.00%	743,476	773,207	743,476
408	1.97		3,814,561	4,456,561	4,437,272	4,437,272			0	4,437,272	7,873	4,948,105	30.00%	1,484,432	1,020,000	1,020,000
380	1.96		3,601,059	3,980,961	4,004,377	3,980,961			0	3,980,961	7,875	4,360,304	30.00%	1,308,091	1,050,000	1,050,000

		Base \$4012	Col 1	Col 2	Col 3	Col 4	Col 4(a)	Col 4(b)	Col 4(c)	Col 5	Col 6	Col 7
			12/6/2010									
		FTE Enroll	FTE Enroll	FTE Enroll	FTE Enroll	Declining	FTE Enroll	Adjusted	FTE Enroll	FTE Enroll	2010-11	Total Adj.
USD		exc4yr at risk	exc4yr at risk	exc4yr at risk	exc4yr at risk	Enrollment	exc4yr at risk	Enrollment	4YR AR	inc4yr at risk	inc4yr at risk	FTE Enroll
No.		9/20/2008	9/20/2009	9/20/2010	9/20/2010	Provision	2/20/2011	(incl 2/20)	(incl 9/20)	9/20/2010	9/20/2010	(inc MILT)
		2/20/2009	2/20/2010					(incl 2/20)				(info only)
		exc Virtual	exc Virtual	incl Virtual	exc Virtual		exc Virtual		exc Virtual	incl Virtual	incl Virtual	exc Virtual
429	Doniphan	Troy	337.5	347.0	349.0	349.0	349.0	0.0	349.0	349.0	349.0	0.0
462	Cowley	Central	336.5	347.0	357.9	357.9	357.9	0.0	357.9	357.9	357.9	0.0
239	Ottawa	North Ottawa Co.	602.9	619.2	609.0	609.0	619.2	0.0	609.0	609.0	619.2	0.0
432	Ellis	Victoria	257.5	257.0	256.5	256.5	257.0	0.0	256.5	256.5	257.0	0.0
109	Republic	Republic County	480.0	471.8	485.0	485.0	485.0	0.0	485.0	485.0	485.0	0.0
410	Marion	Durham-Hills	587.3	582.6	557.2	557.2	582.6	0.0	582.6	562.2	562.2	587.6
447	Montgomery	Cherryvale	727.2	747.4	933.7	785.2	785.2	0.0	785.2	797.2	945.7	797.2
206	Butler	Remington-Whitewater	502.8	511.0	528.4	528.4	528.4	0.0	528.4	4.5	532.9	532.9
281	Graham	Graham County	365.6	363.1	362.0	362.0	363.6	0.0	363.6	0.0	362.0	362.0
223	Washington	Barnes	336.6	329.7	343.3	343.3	343.3	0.0	343.3	343.3	343.3	0.0
495	Pawnee	Ft. Larned	854.5	872.5	888.5	888.5	888.5	0.0	888.5	12.5	901.0	901.0
374	Haskell	Sublette	435.1	460.6	485.2	484.2	484.2	0.0	484.2	8.0	492.2	493.2
361	Harper	Anthony-Harper	806.7	819.1	827.6	827.6	827.6	0.0	827.6	14.0	841.6	841.6
227	Hodgeman	Jetmore	251.5	264.5	268.0	268.0	268.0	0.0	268.0	0.0	268.0	268.0
344	Linn	Pleasanton	353.0	315.5	320.0	320.0	329.5	0.0	329.5	5.0	325.0	325.0
423	McPherson	Moundridge	431.5	413.0	399.0	399.0	414.5	0.0	414.5	5.0	404.0	404.0
463	Cowley	Udall	389.7	362.0	358.0	358.0	369.9	0.0	369.9	0.0	358.0	358.0
362	Linn	Prairie View	933.5	935.4	946.5	946.5	946.5	0.0	946.5	6.0	952.5	952.5
288	Franklin	Central Heights	538.0	527.0	546.0	546.0	546.0	0.0	546.0	5.5	551.5	551.5
219	Clark	Minneola	271.0	261.1	267.3	267.3	267.3	0.0	267.3	0.0	267.3	267.3
487	Dickinson	Herington	510.4	503.6	483.7	483.7	503.6	0.0	503.6	6.0	489.7	489.7
419	McPherson	Canton-Galva	366.8	368.9	366.3	366.3	368.9	0.0	368.9	2.0	368.3	368.3
215	Kearny	Lakin	631.0	622.0	587.5	587.5	622.0	0.0	622.0	6.5	594.0	594.0
393	Dickinson	Solomon	389.6	369.0	349.7	349.7	369.4	0.0	369.4	0.0	349.7	349.7
448	McPherson	Inman	438.3	449.5	410.5	410.5	449.5	0.0	449.5	9.0	419.5	419.5
438	Pratt	Skyline	358.0	342.4	369.7	359.5	359.5	0.0	359.5	0.0	369.7	369.7
108	Washington	Washington Co. Schools	400.5	396.5	399.0	399.0	399.0	0.0	399.0	0.0	399.0	399.0
322	Pottawatomie	Onaga	317.5	320.5	309.0	309.0	320.5	0.0	320.5	0.0	309.0	309.0
355	Barton	Ellinwood	425.7	406.7	391.8	391.8	408.1	0.0	408.1	0.0	391.8	391.8
235	Bourbon	Uniontown	426.4	430.6	446.5	446.5	446.5	0.0	446.5	7.0	453.5	453.5
274	Logan	Oakley	411.7	413.4	403.7	403.7	413.4	0.0	413.4	0.0	403.7	403.7
342	Jefferson	McLouth	504.7	480.0	479.2	479.2	488.0	0.0	488.0	12.0	491.2	491.2
294	Decatur	Oberlin	366.2	358.0	350.5	350.5	358.2	0.0	358.2	0.0	350.5	350.5
254	Barber	Barber Co.	495.0	452.5	435.5	435.5	461.0	0.0	461.0	3.0	438.5	438.5
444	Rice	Little River	295.8	306.5	330.0	317.0	317.0	0.0	317.0	3.5	320.5	333.5
358	Sumner	Oxford	338.6	332.5	333.7	333.7	334.9	0.0	334.9	3.0	336.7	336.7
105	Rawlins	Rawlins County	317.5	312.2	301.0	301.0	312.2	0.0	312.2	0.0	301.0	301.0
329	Wabaunsee	Alma	463.1	470.0	459.0	459.0	470.0	0.0	470.0	0.0	459.0	459.0
442	Nemaha	Nemaha Valley	433.0	425.1	414.8	414.8	425.1	0.0	425.1	7.5	422.3	422.3
230	Johnson	Spring Hill	1,834.0	1,921.8	3,165.4	2,034.0	2,034.0	0.0	2,034.0	7.0	2,041.0	3,172.4
366	Woodson	Woodson	393.5	391.3	422.0	422.0	422.0	0.0	422.0	8.0	430.0	430.0
357	Sumner	Belle Plaine	677.8	644.0	605.0	605.0	644.0	0.0	644.0	12.0	617.0	617.0
311	Reno	Pretty Prairie	269.4	258.4	265.0	265.0	265.0	0.0	265.0	0.0	265.0	265.0
482	Lane	Dighton	249.5	239.0	239.0	239.0	242.5	0.0	242.5	1.5	240.5	240.5
284	Chase	Chase County	417.5	405.1	388.5	388.5	405.1	0.0	405.1	0.0	388.5	388.5
452	Stanton	Stanton County	414.2	451.0	463.6	463.6	463.6	0.0	463.6	8.5	472.1	472.1
395	Rush	LaCrosse	299.5	294.5	294.0	294.0	296.0	0.0	296.0	0.0	294.0	294.0
349	Stafford	Stafford	264.7	268.8	268.6	268.6	268.8	0.0	268.8	0.0	268.6	268.6

Exhibit 1 to Intervenor-Defendants' Answer and Defenses

Computed			Col (20)	Col 20(a)	Col 20(b)			Col 20(c)	Col 20(d)	Computed	Col 21	Col 21(a)	Col 21(b)	Col 21(c)	Col 21(d)		
average										budget per pupil							
student	AH=Aud Hrs									2009 SB84							
weight	I=Chng	Computed	Computed	Adopted	2010-11	Budget	2009-10	2009-10	2009-10	2010-11 Adjusted	Col 20(d)/ Col 3	LOB	2010-11 LOB	Max Computed	Adopted	Legal	
USD	Col 19/ Col 3	A=Audit General Fund (exc spec ed)	General Fund (inc spec ed)	General Fund	General Fund (before red.)	Law Violation	Trans Audit Ad	At-Risk Bilingual	Juv Det Audit Ad	Total Reductions	Legal General Fund	Base General Fund	Authorized Percent	L O B Authorized	L O B	L O B	
No.	R=Republi																
	#	A	R														
429	2.01			2,414,504	2,820,800	2,751,430	2,751,430			0	2,751,430	7,884	3,006,541	30.00%	901,962	788,000	788,000
462	2.06			2,681,290	2,952,340	2,825,652	2,825,652			0	2,825,652	7,895	3,271,373	30.00%	981,412	939,364	939,364
239	1.97			4,124,147	4,815,502	4,820,819	4,815,502			0	4,815,502	7,907	5,171,358	30.00%	1,551,407	1,515,000	1,515,000
432	1.98			1,810,848	2,033,360	2,064,174	2,033,360			0	2,033,360	7,927	2,271,537	30.00%	681,461	691,624	681,461
109	2.01			3,362,680	3,908,265	3,861,149	3,861,149			0	3,861,149	7,961	4,330,803	30.00%	1,299,241	1,220,000	1,220,000
410	1.99			3,819,003	4,446,646	4,438,074	4,438,074			0	4,438,074	7,965	5,005,274	30.00%	1,501,582	1,498,796	1,498,796
447	2.07			5,942,747	6,516,632	6,258,720	6,258,720			0	6,258,720	7,971	7,175,896	30.00%	2,152,769	1,500,000	1,500,000
206	1.99			3,666,089	4,215,689	4,234,265	4,215,689			0	4,215,689	7,978	4,582,499	30.00%	1,374,750	1,325,000	1,325,000
281	1.99			2,523,908	2,893,723	2,910,305	2,893,723			0	2,893,723	7,994	3,241,533	30.00%	972,460	977,927	972,460
223	2.07			2,440,387	2,850,587	2,751,831	2,751,831			0	2,751,831	8,016	3,123,629	30.00%	937,089	904,410	904,410
495	2.02			5,787,928	7,194,008	7,122,504	7,122,504			0	7,122,504	8,016	7,464,876	30.00%	2,239,463	2,215,719	2,215,719
374	2.13			3,869,895	4,131,611	3,882,011	3,882,011			0	3,882,011	8,017	4,587,025	30.00%	1,376,108	1,293,414	1,293,414
361	2.07			5,983,523	6,880,537	6,639,459	6,639,459			0	6,639,459	8,023	7,564,899	30.00%	2,269,470	1,750,000	1,750,000
227	2.03			1,986,732	2,177,992	2,151,234	2,151,234			0	2,151,234	8,027	2,428,662	30.00%	728,599	719,692	719,692
344	2.11			2,507,677	2,712,277	2,569,285	2,569,285			0	2,569,285	8,029	2,986,219	30.00%	895,866	651,500	651,500
423	2.01			2,788,964	3,209,932	3,207,995	3,207,995			0	3,207,995	8,040	3,494,156	30.00%	1,048,247	1,047,641	1,047,641
463	2.01			2,535,666	2,880,628	2,879,011	2,879,011			0	2,879,011	8,042	3,173,340	30.00%	952,002	865,000	865,000
362	2.01			6,319,064	7,617,587	7,629,219	7,617,587			0	7,617,587	8,048	8,394,802	30.00%	2,518,441	2,381,176	2,381,176
288	2.09			4,074,932	4,579,948	4,401,966	4,401,966			0	4,401,966	8,062	4,982,182	30.00%	1,494,655	1,190,000	1,190,000
219	2.04			1,940,436	2,185,436	2,156,049	2,156,049			0	2,156,049	8,066	2,391,879	30.00%	717,564	577,400	577,400
487	2.05			3,474,859	3,971,357	3,917,317	3,917,317			0	3,917,317	8,099	4,303,348	30.00%	1,291,004	1,125,000	1,125,000
419	2.02			2,566,242	2,971,118	3,060,354	2,971,118			0	2,971,118	8,111	3,230,448	30.00%	969,134	998,736	969,134
215	2.04			4,445,735	4,817,966	4,781,903	4,781,903			0	4,781,903	8,139	5,308,800	30.00%	1,592,640	1,580,658	1,580,658
393	2.03			2,520,498	2,850,343	2,868,981	2,850,343			0	2,850,343	8,151	3,148,935	30.00%	944,681	635,000	635,000
448	2.03			2,909,388	3,346,988	3,371,284	3,346,988			0	3,346,988	8,153	3,617,867	31.00%	1,121,539	1,093,378	1,093,378
438	2.03			2,536,836	2,931,789	3,029,461	2,931,789			0	2,931,789	8,155	3,218,825	30.00%	965,648	985,000	965,648
108	2.04			2,792,547	3,261,871	3,255,738	3,255,738			0	3,255,738	8,160	3,633,914	30.00%	1,090,174	1,088,115	1,088,115
322	2.04			2,267,777	2,527,986	2,590,147	2,527,986			0	2,527,986	8,181	2,784,291	30.00%	835,287	776,400	776,400
355	2.04			2,776,925	3,212,685	3,244,906	3,212,685			0	3,212,685	8,200	3,511,400	30.00%	1,053,420	1,064,120	1,053,420
235	2.12			3,439,445	3,790,777	3,662,956	3,662,956			0	3,662,956	8,204	4,172,033	30.00%	1,251,610	737,000	737,000
274	2.05			2,843,555	3,326,335	3,312,307	3,312,307			0	3,312,307	8,205	3,650,118	30.00%	1,095,035	950,000	950,000
342	2.05			3,386,767	3,933,887	3,939,784	3,933,887			0	3,933,887	8,209	4,395,186	30.00%	1,318,556	1,155,600	1,155,600
294	2.05			2,479,474	2,885,274	2,942,802	2,885,274			0	2,885,274	8,232	3,075,682	30.00%	922,705	941,836	922,705
254	2.05			3,083,174	3,586,174	3,588,734	3,586,174			0	3,586,174	8,235	3,993,397	30.00%	1,198,019	1,198,833	1,198,019
444	2.07			2,279,725	2,626,792	2,612,213	2,612,213			0	2,612,213	8,240	2,866,988	30.00%	860,096	495,000	495,000
358	2.10			2,386,190	2,811,190	2,751,028	2,751,028			0	2,751,028	8,244	3,126,462	30.00%	937,939	877,000	877,000
105	2.06			2,223,543	2,487,743	2,487,039	2,487,039			0	2,487,039	8,263	2,790,474	30.00%	837,142	836,846	836,846
329	2.06			3,204,615	3,797,769	3,882,814	3,797,769			0	3,797,769	8,274	4,077,854	30.00%	1,223,356	1,251,607	1,223,356
442	2.10			3,093,830	3,497,577	3,432,667	3,432,667			0	3,432,667	8,275	3,849,995	30.00%	1,154,999	870,000	870,000
230	2.06			15,348,478	16,836,028	18,033,539	16,836,028			0	16,836,028	8,277	18,580,370	30.00%	5,574,111	5,971,030	5,574,111
366	2.14			3,143,207	3,626,881	3,493,248	3,493,248			0	3,493,248	8,278	4,023,094	30.00%	1,206,928	1,038,000	1,038,000
357	2.07			4,219,306	5,014,306	5,213,193	5,014,306			0	5,014,306	8,288	5,607,713	30.00%	1,682,314	1,748,182	1,682,314
311	2.09			1,965,627	2,218,227	2,196,570	2,196,570			0	2,196,570	8,289	2,427,249	30.00%	728,175	700,000	700,000
482	2.07			1,812,136	1,987,136	2,034,886	1,987,136			0	1,987,136	8,314	2,207,571	30.00%	662,271	678,125	662,271
284	2.08			2,845,505	3,239,602	3,274,594	3,239,602			0	3,239,602	8,339	3,587,156	30.00%	1,076,147	1,087,785	1,076,147
452	2.08			3,574,475	3,874,475	3,968,269	3,874,475			0	3,874,475	8,357	4,238,799	30.00%	1,271,640	1,140,000	1,140,000
395	2.09			2,160,366	2,460,212	2,547,620	2,460,212			0	2,460,212	8,368	2,752,984	30.00%	825,895	708,000	708,000
349	2.19			2,104,340	2,364,062	2,250,331	2,250,331			0	2,250,331	8,378	2,596,231	30.00%	778,869	741,218	741,218

Computed			Col (20)	Col 20(a)	Col 20(b)			Col 20(c)	Col 20(d)	Computed	Col 21	Col 21(a)	Col 21(b)	Col 21(c)	Col 21(d)		
average										budget per pupil							
student	AH=Aud Hrs									2009 SB84							
weight	I=Chng	Computed	Computed	Adopted	2010-11	Budget	2009-10	2009-10	2009-10	2010-11 Adjusted	Col 20(d)	LOB	2010-11 LOB	Max Computed	Adopted	Legal	
USD	Col 19/	A=Audit	General Fund	General Fund	General	General Fund	Law	Trans	At-Risk	Juv Det	Total	Legal General	Col 3	Base General	Authorized	L O B	L O B
No.	Col 3	R=Republi	(exc spec ed)	(inc spec ed)	Fund	(before red.)	Violation	Audit Adj	Bilingual	Audit Adj	Reductions	Fund		Fund	Percent	Authorized	
										Audit Adj							
	#	A	R														
405	2.09			5,464,007	6,489,007	6,877,772	6,489,007		0	6,489,007	8,392	6,882,461	30.00%	2,064,738	1,790,000	1,790,000	
246	2.09			4,017,157	4,516,241	4,665,154	4,516,241		0	4,516,241	8,395	4,959,695	30.00%	1,487,909	1,340,000	1,340,000	
338	2.19			3,012,200	3,452,336	3,306,690	3,306,690		0	3,306,690	8,425	3,759,063	30.00%	1,127,719	1,056,815	1,056,815	
237	2.10			2,991,112	3,510,512	3,521,332	3,510,512		0	3,510,512	8,429	3,891,020	30.00%	1,167,306	1,170,842	1,167,306	
346	2.11			3,809,659	4,168,460	4,231,858	4,168,460		0	4,168,460	8,467	4,696,455	30.00%	1,408,937	1,429,994	1,408,937	
205	2.12			3,801,618	4,311,738	4,402,368	4,311,738		0	4,311,738	8,504	4,807,016	30.00%	1,442,105	1,472,211	1,442,105	
298	2.22			2,588,205	3,102,710	2,959,652	2,959,652		0	2,959,652	8,505	3,235,276	30.00%	970,583	848,000	848,000	
330	2.13			3,530,241	4,135,634	4,156,031	4,135,634		0	4,135,634	8,527	4,560,327	30.00%	1,368,098	1,065,000	1,065,000	
216	2.16			2,373,359	2,530,512	2,492,254	2,492,254		0	2,492,254	8,535	2,828,297	30.00%	848,489	755,000	755,000	
300	2.13			2,281,418	2,656,249	2,673,196	2,656,249		0	2,656,249	8,541	2,876,848	30.00%	863,054	868,709	863,054	
377	2.14			4,501,165	5,354,405	5,533,350	5,354,405		0	5,354,405	8,567	5,844,148	30.00%	1,753,244	1,812,524	1,753,244	
208	2.14			2,708,154	3,222,429	3,315,116	3,222,429		0	3,222,429	8,570	3,502,333	30.00%	1,050,700	775,000	775,000	
467	2.14			3,279,900	3,524,173	3,520,530	3,520,530		0	3,520,530	8,576	3,898,550	30.00%	1,169,565	950,000	950,000	
271	2.14			2,051,913	2,372,537	2,372,697	2,372,537		0	2,372,537	8,593	2,639,656	30.00%	791,897	791,972	791,897	
272	2.23			2,810,697	3,310,297	3,195,959	3,195,959		0	3,195,959	8,619	3,479,118	30.00%	1,043,735	815,000	815,000	
293	2.17			1,953,637	2,299,078	2,282,026	2,282,026		0	2,282,026	8,628	2,527,288	30.00%	758,186	752,536	752,536	
350	2.16			2,286,334	2,649,144	2,773,897	2,649,144		0	2,649,144	8,672	2,915,359	30.00%	874,608	865,000	865,000	
273	1.93			5,287,239	6,215,616	6,215,616	6,215,616		0	6,215,616	8,690	5,921,169	30.00%	1,776,351	1,773,373	1,773,373	
494	2.20			3,795,220	4,095,259	4,036,473	4,036,473		0	4,036,473	8,709	4,491,316	30.00%	1,347,395	1,106,574	1,106,574	
386	2.20			1,886,619	2,087,340	2,056,952	2,056,952		0	2,056,952	8,712	2,338,984	30.00%	701,695	615,780	615,780	
224	2.18			2,148,472	2,472,472	2,469,787	2,469,787		0	2,469,787	8,743	2,721,780	30.00%	816,534	580,000	580,000	
505	2.19			3,484,312	3,998,312	4,122,731	3,998,312		0	3,998,312	8,768	4,387,616	30.00%	1,316,285	1,357,548	1,316,285	
411	2.20			1,873,221	2,195,381	2,237,492	2,195,381		0	2,195,381	8,835	2,393,004	30.00%	717,901	661,000	661,000	
287	2.20			4,855,710	5,694,575	5,734,753	5,694,575		0	5,694,575	8,843	6,293,368	30.00%	1,888,010	1,901,314	1,888,010	
459	2.26			1,981,597	2,167,705	2,111,917	2,111,917		0	2,111,917	8,848	2,387,463	30.00%	716,239	539,000	539,000	
498	2.21			2,713,067	3,114,233	3,118,929	3,114,233		0	3,114,233	8,872	3,506,917	30.00%	1,052,075	1,053,620	1,052,075	
477	2.25			1,884,483	2,046,873	2,011,216	2,011,216		0	2,011,216	8,880	2,290,190	30.00%	687,057	551,250	551,250	
481	2.22			2,862,095	3,221,948	3,327,152	3,221,948		0	3,221,948	8,913	3,563,453	30.00%	1,069,036	975,000	975,000	
369	2.25			1,951,958	2,153,598	2,137,995	2,137,995		0	2,137,995	8,964	2,361,663	30.00%	708,499	703,273	703,273	
101	2.34			4,139,048	4,814,148	4,607,782	4,607,782		0	4,607,782	8,972	5,304,547	30.00%	1,591,364	1,428,500	1,428,500	
392	2.25			2,479,033	2,848,237	2,828,460	2,828,460		0	2,828,460	8,974	3,135,059	30.00%	940,518	870,000	870,000	
251	2.24			3,527,415	3,934,415	3,961,048	3,934,415		0	3,934,415	8,977	4,339,651	30.00%	1,301,895	1,310,784	1,301,895	
426	2.28			1,932,760	2,226,760	2,183,732	2,183,732		0	2,183,732	8,987	2,426,933	30.00%	728,080	600,000	600,000	
398	2.24			2,344,731	2,713,441	2,791,550	2,713,441		0	2,713,441	9,000	3,020,267	30.00%	906,080	897,203	897,203	
286	2.25			2,683,737	3,073,737	3,089,240	3,073,737		0	3,073,737	9,014	3,468,596	30.00%	1,040,579	759,284	759,284	
371	2.25			1,849,763	2,022,263	2,071,396	2,022,263		0	2,022,263	9,024	2,201,152	30.00%	660,346	676,627	660,346	
430	2.25			4,544,352	5,244,352	5,344,786	5,244,352		0	5,244,352	9,034	5,851,608	30.00%	1,755,482	1,788,743	1,755,482	
347	2.27			2,765,941	3,249,941	3,225,247	3,225,247		0	3,225,247	9,034	3,440,532	30.00%	1,032,160	950,000	950,000	
360	2.31			1,908,683	2,190,241	2,161,264	2,161,264		0	2,161,264	9,139	2,426,945	30.00%	728,084	718,451	718,451	
351	2.28			2,195,214	2,486,214	2,481,422	2,481,422		0	2,481,422	9,140	2,733,904	30.00%	820,171	580,000	580,000	
242	2.47			1,063,096	1,150,921	1,067,994	1,067,994		0	1,067,994	9,207	1,272,909	30.00%	381,873	354,372	354,372	
334	2.31			1,963,114	2,324,199	2,358,254	2,324,199		0	2,324,199	9,252	2,491,414	30.00%	747,424	590,000	590,000	
507	2.31			2,788,812	2,984,330	3,028,258	2,984,330		0	2,984,330	9,268	3,307,565	30.00%	992,270	1,006,875	992,270	
341	2.32			3,911,269	4,676,395	4,690,028	4,676,395		0	4,676,395	9,304	5,100,347	30.00%	1,530,104	1,410,000	1,410,000	
241	2.35			1,627,584	1,769,482	1,751,639	1,751,639		0	1,751,639	9,317	1,955,149	30.00%	586,545	410,000	410,000	
456	2.33			2,151,523	2,439,881	2,499,877	2,439,881		0	2,439,881	9,348	2,718,742	30.00%	815,623	463,000	463,000	
511	2.37			1,224,164	1,393,221	1,372,104	1,372,104		0	1,372,104	9,366	1,501,881	30.00%	450,564	425,000	425,000	
299	2.37			1,950,464	2,130,464	2,100,282	2,100,282		0	2,100,282	9,376	2,307,749	30.00%	692,325	400,000	400,000	

		Base \$4012	Col 1	Col 2	Col 3	Col 4	Col 4(a)	Col 4(b)	Col 4(c)	Col 5	Col 6	Col 7
		12/6/2010										
USD		FTE Enroll	FTE Enroll	FTE Enroll	FTE Enroll	Declining	FTE Enroll	Adjusted	FTE Enroll	FTE Enroll	2010-11	Total Adj.
No.		exc4yr at risk	exc4yr at risk	exc4yr at risk	exc4yr at risk	Enrollment	exc4yr at risk	Enrollment	4YR AR	inc4yr at risk	inc4yr at risk	FTE Enroll
		9/20/2008	9/20/2009	9/20/2010	9/20/2010	Provision	2/20/2011	(incl 2/20)	9/20/2010	9/20/2010	(inc MILT)	inc 2/20
		2/20/2009	2/20/2010				(incl 2/20)				(info only)	
		exc Virtual	exc Virtual	incl Virtual	exc Virtual		exc Virtual		exc Virtual	incl Virtual	incl Virtual	exc Virtual
220	Clark	Ashland	215.7	220.0	204.5	204.5	220.0	0.0	206.0	206.0	206.0	221.5
256	Allen	Marmaton Valley	313.5	334.0	330.0	330.0	334.0	0.0	334.0	6.5	336.5	336.5
399	Russell	Paradise	120.6	118.8	147.5	146.5	146.5	0.0	146.5	1.5	148.0	149.0
397	Marion	Centre	227.2	244.0	268.5	243.5	244.0	0.0	244.0	0.0	243.5	268.5
255	Barber	South Barber Co.	219.5	226.0	215.2	215.2	226.0	0.0	226.0	2.5	217.7	217.7
245	Coffey	LeRoy-Gridley	259.5	246.5	224.5	224.5	246.5	0.0	246.5	0.0	224.5	224.5
217	Morton	Rolla	200.0	199.5	193.5	193.5	199.5	0.0	199.5	0.0	193.5	193.5
384	Riley	Blue Valley	196.4	211.0	212.5	212.5	212.5	0.0	212.5	2.5	215.0	215.0
451	Nemaha	B & B	192.5	186.5	169.5	169.5	186.5	0.0	186.5	0.0	169.5	169.5
509	Sumner	South Haven	224.5	221.5	211.5	211.5	221.5	0.0	221.5	2.0	213.5	213.5
483	Seward	Kismet-Plains	696.5	706.0	696.5	696.5	706.0	0.0	706.0	17.0	713.5	713.5
225	Meade	Fowler	160.0	157.5	163.5	163.5	163.5	0.0	163.5	2.5	166.0	166.0
492	Butler	Flinthills	278.0	284.5	259.4	247.8	284.5	0.0	284.5	0.0	247.8	259.4
359	Sumner	Argonia	184.5	177.5	170.0	170.0	177.5	0.0	177.5	1.0	171.0	171.0
316	Thomas	Golden Plains	185.9	202.0	201.6	201.6	202.0	0.0	202.0	2.0	203.6	203.6
212	Norton	Northern Valley	205.0	192.5	198.5	198.5	198.7	0.0	198.7	2.0	200.5	200.5
403	Rush	Otis-Bison	171.3	177.0	179.0	179.0	179.0	0.0	179.0	0.0	179.0	179.0
200	Greeley	Greeley County	210.5	210.3	188.5	188.5	210.3	0.0	210.3	2.0	190.5	190.5
326	Phillips	Logan	166.0	181.5	175.0	175.0	181.5	0.0	181.5	0.0	175.0	175.0
106	Ness	Western Plains	160.2	164.0	165.5	165.5	165.5	0.0	165.5	0.0	165.5	165.5
422	Kiowa	Greensburg	210.5	203.8	201.0	201.0	205.1	0.0	205.1	0.0	201.0	201.0
275	Logan	Triplains	86.5	82.5	87.0	87.0	87.0	0.0	87.0	0.0	87.0	87.0
218	Morton	Elkhart	543.1	521.1	835.0	551.6	551.6	0.0	551.6	8.5	560.1	843.5
209	Stevens	Moscow	204.7	182.8	183.7	183.7	190.4	0.0	190.4	4.0	187.7	187.7
471	Cowley	Dexter	173.0	151.2	138.9	138.9	154.4	0.0	154.4	0.0	138.9	138.9
332	Kingman	Cunningham	173.5	170.6	166.0	166.0	170.6	0.0	170.6	0.0	166.0	166.0
282	Elk	West Elk	351.7	332.0	302.0	302.0	332.0	0.0	332.0	8.5	310.5	310.5
401	Rice	Chase	136.5	134.5	144.3	144.3	144.3	0.0	144.3	2.0	146.3	146.3
310	Reno	Fairfield	303.7	304.6	275.2	275.2	304.6	0.0	304.6	0.0	275.2	275.2
285	Chautauqua	Cedar Vale	139.5	144.0	134.7	134.7	144.0	0.0	144.0	0.0	134.7	134.7
479	Anderson	Crest	217.5	223.0	207.5	207.5	223.0	0.0	223.0	4.0	211.5	211.5
496	Pawnee	Pawnee Heights	135.5	125.5	182.3	135.0	135.0	0.0	135.0	0.0	182.3	182.3
112	Ellsworth	Central Plains	667.6	612.8	576.0	516.5	612.8	0.0	612.8	9.0	525.5	585.0
314	Thomas	Brewster	91.5	98.0	91.5	91.5	98.0	0.0	98.0	0.0	91.5	91.5
103	Cheyenne	Cheylan	130.5	137.0	137.5	137.5	137.5	0.0	137.5	0.0	137.5	137.5
291	Gove	Grinnell	80.5	72.8	71.5	71.5	74.9	0.0	74.9	0.5	72.0	72.0
269	Rooks	Palco	161.5	145.5	142.5	142.5	149.8	0.0	149.8	0.5	143.0	143.0
387	Wilson	Altoona-Midway	174.5	180.2	173.0	173.0	180.2	0.0	180.2	4.0	177.0	177.0
390	Greenwood	Hamilton	98.5	92.0	89.5	89.5	93.3	0.0	93.3	0.5	90.0	90.0
283	Elk	Elk Valley	180.5	186.6	176.5	176.5	186.6	0.0	186.6	5.0	181.5	181.5
292	Gove	Wheatland	111.5	102.0	101.0	101.0	104.8	0.0	104.8	0.5	101.5	101.5
502	Edwards	Lewis	98.6	107.5	99.0	99.0	107.5	0.0	107.5	2.0	101.0	101.0
474	Kiowa	Haviland	139.0	141.8	115.0	115.0	141.8	0.0	141.8	0.0	115.0	115.0
111	Doniphan	Doniphan West Schools	377.4	368.1	340.5	340.5	368.1	0.0	368.1	6.0	346.5	346.5
110	Phillips	Thunder Ridge	235.0	236.5	247.0	247.0	247.0	0.0	247.0	3.0	250.0	250.0
107	Jewell	Rock Hills	305.2	288.0	283.5	283.5	292.2	0.0	292.2	2.5	286.0	286.0
476	Gray	Copeland	110.5	120.0	100.0	100.0	120.0	0.0	120.0	3.0	103.0	103.0
468	Lane	Healy	73.5	92.5	74.0	74.0	92.5	0.0	92.5	0.0	74.0	74.0

			Col (20)	Col 20(a)	Col 20(b)				Col 20(c)	Col 20(d)	Computed	Col 21	Col 21(a)	Col 21(b)	Col 21(c)	Col 21(d)	
	Computed	average															
	student	AH=Aud Hrs															
	weight	I=Chng	Computed	Computed	Adopted	2010-11	Budget	2009-10	2009-10	2009-10	2010-11 Adjusted	pupil	2009 SB84				
USD	Col 19/	A=Audit	General Fund	General Fund	General	General Fund	Law	Trans	At-Risk	Juv Det	Total	Col 20(d)/	LOB	2010-11 LOB	Max Computed	Adopted	
No.	Col 3	R=Republi	(exc spec ed)	(inc spec ed)	Fund	(before red.)	Violation	Audit Ad	Bilingual	Audit Ad	Reductions	Fund	Col 3	Base General	Authorized	L O B	L O B
	#	A	R														
220	2.35		1,733,435	1,925,583	1,949,431	1,925,583				0	1,925,583	9,416	2,109,581	30.00%	632,874	585,000	585,000
256	2.35		2,585,267	3,110,467	3,196,360	3,110,467				0	3,110,467	9,426	3,299,240	30.00%	989,772	548,000	548,000
399	2.46		1,310,323	1,446,345	1,390,960	1,390,960				0	1,390,960	9,495	1,621,392	30.00%	486,418	468,064	468,064
397	2.45		2,115,317	2,394,737	2,316,529	2,316,529				0	2,316,529	9,513	2,648,791	30.00%	794,637	458,750	458,750
255	2.37		1,790,975	2,049,775	2,066,982	2,049,775				0	2,049,775	9,525	2,233,233	30.00%	669,970	675,683	669,970
245	2.40		1,883,670	2,159,820	2,150,031	2,150,031				0	2,150,031	9,577	2,381,884	30.00%	714,565	700,000	700,000
217	2.39		1,731,543	1,858,406	1,867,987	1,858,406				0	1,858,406	9,604	2,059,583	30.00%	617,875	621,079	617,875
384	2.40		1,749,250	2,042,005	2,061,767	2,042,005				0	2,042,005	9,609	2,218,761	30.00%	665,628	672,139	665,628
451	2.41		1,508,297	1,638,011	1,657,758	1,638,011				0	1,638,011	9,664	1,812,290	30.00%	543,687	297,250	297,250
509	2.41		1,749,138	2,045,563	2,049,330	2,045,563				0	2,045,563	9,672	2,247,570	30.00%	674,271	675,499	674,271
483	2.41		6,142,137	6,745,560	6,846,879	6,745,560				0	6,745,560	9,685	7,386,509	30.00%	2,215,953	978,000	978,000
225	2.43		1,476,807	1,590,841	1,634,088	1,590,841				0	1,590,841	9,730	1,784,563	30.00%	535,369	549,735	535,369
492	2.44		2,130,553	2,423,353	2,434,080	2,423,353				0	2,423,353	9,779	2,647,549	30.00%	794,265	797,796	794,265
359	2.45		1,431,686	1,671,686	1,749,232	1,671,686				0	1,671,686	9,833	1,824,687	30.00%	547,406	364,620	364,620
316	2.53		1,785,731	2,045,764	1,985,539	1,985,539				0	1,985,539	9,849	2,314,978	30.00%	694,493	450,000	450,000
212	2.55		1,788,807	2,031,477	1,957,455	1,957,455				0	1,957,455	9,861	2,223,616	30.00%	667,085	520,000	520,000
403	2.51		1,581,203	1,804,492	1,782,130	1,782,130				0	1,782,130	9,956	1,999,154	30.00%	599,746	520,000	520,000
200	2.50		1,761,705	1,894,040	1,934,185	1,894,040				0	1,894,040	10,048	2,112,421	30.00%	633,726	647,013	633,726
326	2.52		1,565,262	1,770,762	1,794,166	1,770,762				0	1,770,762	10,119	1,946,038	30.00%	583,811	591,598	583,811
106	2.54		1,546,831	1,686,732	1,675,010	1,675,010				0	1,675,010	10,121	1,860,490	30.00%	558,147	554,222	554,222
422	2.53		1,788,166	2,038,806	2,314,924	2,038,806				0	2,038,806	10,143	2,190,967	30.00%	657,290	675,770	657,290
275	2.64		835,511	921,816	886,251	886,251				0	886,251	10,187	1,045,112	30.00%	313,534	301,760	301,760
218	2.55		5,304,269	5,646,759	6,060,126	5,646,759				0	5,646,759	10,237	6,247,230	30.00%	1,874,169	2,011,147	1,874,169
209	2.59		1,792,897	1,911,933	1,881,628	1,881,628				0	1,881,628	10,243	2,119,196	31.00%	656,951	646,529	646,529
471	2.57		1,297,953	1,433,907	1,497,680	1,433,907				0	1,433,907	10,323	1,616,168	30.00%	484,850	186,500	186,500
332	2.69		1,520,211	1,788,359	1,750,837	1,750,837				0	1,750,837	10,547	1,922,551	30.00%	576,765	564,376	564,376
282	2.64		2,694,018	3,203,994	3,303,080	3,203,994				0	3,203,994	10,609	3,521,049	30.00%	1,056,315	1,048,177	1,048,177
401	2.70		1,367,737	1,562,108	1,540,207	1,540,207				0	1,540,207	10,674	1,656,276	30.00%	496,883	489,686	489,686
310	2.67		2,499,731	2,944,131	3,085,228	2,944,131				0	2,944,131	10,698	3,147,052	30.00%	944,116	940,844	940,844
285	2.68		1,268,643	1,446,864	1,461,170	1,446,864				0	1,446,864	10,741	1,523,954	30.00%	457,186	315,000	315,000
479	2.68		1,878,222	2,230,663	2,342,206	2,230,663				0	2,230,663	10,750	2,383,950	30.00%	715,185	265,000	265,000
496	3.02		1,447,150	1,634,270	1,453,548	1,453,548				0	1,453,548	10,767	1,765,497	31.00%	547,304	485,456	485,456
112	2.36		4,998,037	5,600,639	5,601,153	5,600,639				0	5,600,639	10,843	5,425,937	30.00%	1,627,781	1,460,000	1,460,000
314	2.81		917,805	1,031,349	996,982	996,982				0	996,982	10,896	1,131,244	30.00%	339,373	327,983	327,983
103	2.73		1,334,307	1,505,150	1,508,111	1,505,150				0	1,505,150	10,947	1,664,578	30.00%	499,373	500,332	499,373
291	2.73		695,572	782,733	791,166	782,733				0	782,733	10,947	853,825	30.00%	256,148	175,000	175,000
269	2.74		1,345,506	1,567,413	1,583,536	1,567,413				0	1,567,413	10,999	1,705,307	30.00%	511,592	511,951	511,592
387	2.76		1,688,211	1,913,211	1,903,694	1,903,694				0	1,903,694	11,004	2,131,530	30.00%	639,459	500,000	500,000
390	2.81		901,490	1,010,690	1,137,402	1,010,690				0	1,010,690	11,293	1,131,139	30.00%	339,342	225,000	225,000
283	2.86		1,714,691	2,023,211	2,124,354	2,023,211				0	2,023,211	11,463	2,194,534	30.00%	658,360	110,000	110,000
292	2.89		1,005,830	1,171,406	1,169,097	1,169,097				0	1,169,097	11,575	1,308,842	30.00%	392,653	315,000	315,000
502	2.90		997,837	1,151,175	1,199,588	1,151,175				0	1,151,175	11,628	1,225,972	30.00%	367,792	350,000	350,000
474	2.96		1,207,098	1,365,098	1,375,314	1,365,098				0	1,365,098	11,870	1,497,511	30.00%	449,253	452,615	449,253
111	2.34		3,650,739	4,176,712	4,176,712	4,176,712				0	4,176,712	12,266	3,504,443	30.00%	1,051,333	1,068,239	1,051,333
110	2.34		2,792,655	3,062,663	3,062,663	3,062,663				0	3,062,663	12,399	2,594,688	30.00%	778,406	756,485	756,485
107	2.08		3,310,799	3,548,711	3,548,711	3,548,711				0	3,548,711	12,517	2,670,006	30.00%	801,002	832,500	801,002
476	3.31		1,234,408	1,329,908	1,400,188	1,329,908				0	1,329,908	13,299	1,466,091	30.00%	439,827	405,000	405,000
468	3.33		867,301	987,301	1,022,659	987,301				0	987,301	13,342	1,073,437	31.00%	332,765	344,891	332,765

		Base \$4012	Col 1	Col 2	Col 3	Col 4	Col 4(a)	Col 4(b)				Col 4(c)	Col 5	Col 6			Col 7		
			12/6/2010																
USD		FTE Enroll	FTE Enroll	FTE Enroll	FTE Enroll	Declining	FTE Enroll	Adjusted		FTE Enroll	FTE Enroll	2010-11	Total Adj.	Virtual	Low & High		Vocational		
No.		exc4yr at risk	exc4yr at risk	exc4yr at risk	exc4yr at risk	Enrollment	exc4yr at risk	Enrollment	4YR AR	inc4yr at risk	inc4yr at risk	FTE Enroll	Enrollment	FTE	Weighted	Low	High		
		9/20/2008	9/20/2009	9/20/2010	9/20/2010	Provision	2/20/2011	(incl 2/20)	(incl 9/20)	9/20/2010	9/20/2010	(inc MILT)	inc 2/20	9/20/2010	FTE	Enroll	Enroll	Contact	
		2/20/2009	2/20/2010					(incl 2/20)						(info only)			Hrs.		
		exc Virtual	exc Virtual	incl Virtual	exc Virtual			exc Virtual		exc Virtual	incl Virtual	incl Virtual	exc Virtual						
228	Hodgeman	Hanston	72.5	74.5	37.0	37.0	74.5	0.0	74.5	0.0	37.0	37.0	37.0	74.5	0.0	75.6	75.6	0.0	3.3
424	Kiowa	Mullinville	59.0	47.0	254.7	58.5	58.5	0.0	58.5	0.0	58.5	254.7	254.7	58.5	196.2	59.3	59.3	0.0	3.5
TOTALS			441,076.3	445,367.4	451,128.5	446,102.8	450,734.9	620.5	451,355.4	3,656.0	449,758.8	454,784.5	455,405.0	455,011.4	5,025.7	54,970.3	43,272.3	11,698.0	92,471.4

	Col 7(a)	Col 8	Col 8(a)	Col 9	Col 9(a)	Col 9(b)	Col 10	Col 10(a)	Col 11	Col 11(a)	Col 12	Col 12(a)	Col 13	Col 14	Col 15	Col 16	Col 17	Col 18	Col 18(a)			Col (19)	
																					2010-11	2010-11	2010-11
Vocational	Bilingual	Bilingual	At-Risk	At-Risk	High At-Risk	Non-Proficien	Non-Proficien	New Fac.	New Fac.	Over 2.5	Trans.	Ancillary	Declining	Cost	Virtual	FHSU	Spec Ed	Spec Ed	Sub Total	Sub Total	Total		
USD	Weighted	Contact	Weighted	Students	Weighted	Weighted	Headcount	Weighted	FTE	Weighted	Current Yr	Weighted	Weighting	Weighting	of Living	Weighted	M&SA	St Aid	Weighting	Wtd FTE	Wtd FTE	Weighted	
No.	FTE	Hrs.	FTE		FTE			FTE		FTE		FTE	FTE	FTE	FTE	FTE	FY11	FTE	exc spec ed	exc COL	FTE		
228	0.3	0.0	0.0	6	2.7	0.0	0	0.0	0.0	37.0	13.4	0.0	0.0	0.0	0.0	0.0	101,263	25.2	166.5	191.7	191.7		
424	0.3	0.0	0.0	24	10.9	1.4	3	0.1	0.0	0.0	59.0	18.8	0.0	0.0	0.0	212.0	0.0	77,800	19.4	361.4	380.8	380.8	
TOTALS	7,707.1	135,370.5	8,911.9	179,736	81,959.7	11,128.5	27,889	1,296.8	19,554.3	4,889.0	135,312.4	23,789.0	6,083.3	874.6	5,016.6	5,364.1	29.0	377,590,958	94,115.4	667,031.4	756,130.1	761,146.8	

Base State Aid
Per Pupil = \$4,012

FY 2011 Legal Max

Computed				Col (20)	Col 20(a)	Col 20(b)				Col 20(c)	Col 20(d)	Computed	Col 21	Col 21(a)	Col 21(b)	Col 21(c)	Col 21(d)	
average												budget per						
student	AH=Aud Hrs											pupil	2009 SB84					
weight	I=Chng	Computed	Computed	Adopted	2010-11	Budget	2009-10	2009-10	2009-10	2010-11 Adjusted	Col 20(d)/	LOB	2010-11 LOB	Max Computed	Adopted	Legal		
USD	Col 19/	A=Audit	General Fund	General Fund	General	General Fund	Law	Trans	At-Risk	Juv Det	Total	Legal General	Col 3	Base General	Authorized	L O B	L O B	
No.	Col 3	R=Republi	(exc spec ed)	(inc spec ed)	Fund	(before red.)	Violation	Audit Adj	Bilingual	Audit Adj	Reductions	Fund		Fund	Percent	Authorized		
	#	A	R															
228	5.18			667,998	769,261	844,125	769,261			0	769,261	20,791	825,296	30.00%	247,589	258,000	247,589	
424	6.51			1,449,895	1,527,695	1,385,745	1,385,745			0	1,385,745	23,688	1,676,424	30.00%	502,927	455,863	455,863	
TOTALS	1.69			2,681,509,060	3,059,100,162	3,045,445,048	3,030,339,561	0	0	0	0	3,030,339,561	6,793	3,377,162,847	86.7900	1,019,097,275	959,601,848	956,427,836