

IN THE DISTRICT COURT OF SHAWNEE COUNTY KANSAS

CIVIL DEPARTMENT

LUKE GANNON
 By his next friends and guardians, *et al.*,
 Plaintiffs,
 v.

Case No. 10-C-1569

STATE OF KANSAS,
 Defendant.

PLAINTIFFS' SYNOPSIS OF EXHIBITS

EX. #	DESCRIPTION	SYNOPSIS	WHERE FROM	WITNESSES
1	Entire Primer on School Finance	Basics on current school finance formula, related statutes, history, and prior court decisions.	Compilation from multiple sources	Cynthia Lane Dale Dennis Bruce Baker John Myers Brad Neuenswander Eric Hanushek
1A	Large Exhibits	Each of the large exhibits used throughout the trial.	Various	Various
2	Kansas Legislator Briefing Book (included within Primer [Exhibit 1] at Summary tab)	Describes how the current school finance formula works.	Kansas Legislative Research Department	
3	2011-12 Edition School District Finance and Quality Performance Act (included within Primer [Exhibit 1] at Summary More Detail tab)	Describes how the current school finance formula works; more detail on weightings and calculations.	Kansas Legislative Research Department	
4	Amendments to School District Finance and Quality Performance Act (included within Primer [Exhibit 1] at Amendments tab)	Explanation of the changes that have been made to the school finance formula since 1992.	Kansas Legislative Research Department	
5	Article 6, Kansas Constitution (included within Primer [Exhibit 1] at Kansas Constitution tab)	The Constitution requires that the legislature finance the educational interests of the state.	Kansas Constitution	Cynthia Lane Dale Dennis
6	K.S.A. 46-1131; Statute for Kansas Legislative Post Audit Cost Study (included within Primer [Exhibit 1] at Kansas Statutes tab)	In 2005 the Legislature commissioned Legislative Post Audit to do a study to determine the costs of providing programs and services required by law. Legislative Post Audit was charged to "estimate future reasonable and actual costs... through a reliable method of extrapolation." See (f)	Kansas Statutes	Bruce Baker Scott Frank

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7	K.S.A. 46-1225; Statute for Kansas Augenblick & Myers Study (included within Primer [Exhibit 1] at Kansas Statutes tab)	In 2001 the Legislature commissioned Augenblick and Myers to do a study to determine the costs of a suitable education with the objective of addressing inadequacies and inequities.	Kansas Statutes	John Myers
8	K.S.A. 46-3401: Statute for Kansas 2010 Commission (included within Primer [Exhibit 1] at Kansas Statutes tab)	In 2005 the Legislature established the 2010 Commission to monitor, evaluate and make recommendations necessary to guide the Legislature in meeting its constitutional duties for education.	Kansas Statutes	Rochelle Chronister
9	FY 2009 Legal Max (included within Primer [Exhibit 1] at Legal Max tab)	Calculations for each school district for 2008-2009 school year, showing enrollment, weightings, Special Education State Aid, General Fund, and Local Option Budget. The Base State Aid Per Pupil in FY2009 was \$4,433.	Kansas State Department of Education	Kelli Mather
10	FY 2010 Legal Max (included within Primer [Exhibit 1] at Legal Max tab)	Calculations for each school district for 2009-2010 school year, showing enrollment, weightings, Special Education State Aid, General Fund, and Local Option Budget. The Base State Aid Per Pupil in FY2010 was \$4,012.	Kansas State Department of Education	Kelli Mather
11	FY 2011 Legal Max (included within Primer [Exhibit 1] at Legal Max tab)	Calculations for each school district for 2010-2011 school year, showing enrollment, weightings, Special Education State Aid, General Fund, and Local Option Budget. The Base State Aid Per Pupil in FY2011 was \$3,937.	Kansas State Department of Education	Kelli Mather
12	FY 2012 Legal Max (included within Primer [Exhibit 1] at Legal Max tab)	Calculations for each school district for 2011-2012 school year, showing enrollment, weightings, Special Education State Aid, General Fund, and Local Option Budget. The Base State Aid Per Pupil in FY2012 was \$3,780.	Kansas State Department of Education	Kelli Mather Dale Dennis
13	FY 2008 Legal Max	Calculations for each school district for 2007-2008 school year, showing enrollment, weightings, Special Education State Aid, General Fund, and Local Option Budget. The Base State Aid Per Pupil in FY2008 was \$4,374.	Kansas State Department of Education	Kelli Mather
14	FY 2007 Legal Max	Calculations for each school district for 2006-2007 school year, showing enrollment, weightings, Special Education State Aid, General Fund, and Local Option Budget. The Base State Aid Per Pupil in FY2007 was \$4,316.	Kansas State Department of Education	Kelli Mather
15	FY 2006 Legal Max	Calculations for each school district for 2005-2006 school year, showing enrollment, weightings, Special Education State Aid, General Fund, and Local Option Budget. The Base State Aid Per Pupil in FY2006 was \$4,257.	Kansas State Department of Education	Kelli Mather
16	FY 2005 Legal Max	Calculations for each school district for 2004-2005 school year, showing enrollment, weightings, Special Education State Aid, General Fund, and Local Option Budget. The Base State Aid Per Pupil in FY2005 was \$3,863.	Kansas State Department of Education	Kelli Mather
17	Kansas Map with Plaintiff Districts	Plaintiff school districts are highlighted in red. They are geographically diverse.	Kansas Legislative Research Department with Plaintiff highlights	Cynthia Lane
18	Kansas School Finance Scheme – weighting addition to get General Fund plus Local Option Budget	Exhibit explaining all the factors involved in the school finance formula. We have a cost based formula that starts with a Base amount per enrolled pupil and then is adjusted for additional costs (weightings) to come up with the district's General Fund. The Local Option Budget is a percentage of the General Fund. These two funds are what is used to fund the majority of school operations.	Plaintiff created	Dale Dennis Bruce Baker

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19	Kansas School Finance Scheme - Definitions	Exhibit showing the calculation of Enrollment plus Weightings times Base to get General fund. The Local Option Budget percentage is then multiplied by a recomputed General Fund to get the Local Option Budget.	Plaintiff created	Mark Tallman Dale Dennis
20	Kansas School Finance Scheme – Formula Calculation for Plaintiff School Districts	Exhibit showing the calculation of school year 2011-2012 funding for the plaintiff districts.	Plaintiff created using data from Ex 12	Kelli Mather Linda Jones Bill Hammond Lori Blakesley
21	Example General Fund & Local Option Budget Calculation Funding	The recomputing of the General Fund for the Local Option Budget calculation has allowed some schools to raise more money locally, but has also shifted the burden of funding to the local taxpayers. The State provides equalization aid to poor districts, but in underappropriating it, shifted even more burden to the local taxpayers in poor districts. Wealthy districts can raise funds at lower mill rates than poor districts. Example districts are USD 503 Parsons (poor) and USD 321 Kaw Valley (wealthy).	Plaintiff created using data from Ex 12, 22, and 25	Dale Dennis
22	Dale Dennis Memo, Local Option Budget Equalization and Underfunding	The state has prorated the state equalization aid for Local Option Budget. This has cut more funds from the poorest districts, and not cut funds from the wealthiest districts. Poor districts have the option to raise their mill rates to make up for the cut funds, or lower their Local Option Budget by the amount not paid by the State. The mill equivalency of this cut varies based on the district's wealth.	Kansas State Department of Education	
23	2010-11 General State Aid and Supplemental Local Option Budget State Aid Report	General State Aid and Supplemental General State Aid (Local Option Budget state aid) for each school district in Kansas.	Kansas State Department of Education	
24	Assessed Valuation Report FY 11	Assessed valuation per pupil varies greatly between districts with a low of \$1,205 (USD 207 Ft. Leavenworth) and a high of \$445,801 (USD 507 Satanta). Plaintiff districts' assessed valuation per pupil are: USD 259 Wichita \$56,860 USD 308 Hutchinson \$41,739 USD 443 Dodge City \$31,546 USD 500 Kansas City \$37,167 Districts with low assessed valuation require more tax effort to raise funds.	Kansas State Department of Education	Kelli Mather Mark Tallman
25	Kansas State Department of Education 2011-12 Mill Levies by County	School mill levies vary greatly between districts with a low of 27.365 mills (USD 502 Lewis) and a high of 82.595 mills (USD 231 Gardner-Edgerton). Plaintiff districts' mill levies are: USD 259 Wichita 57.017 USD 308 Hutchinson 57.174 USD 443 Dodge City 60.736 USD 500 Kansas City 60.268	Kansas State Department of Education	Dale Dennis
26	Kansas State Department of Education 2008 Mill Levy Report for FY 09 School Year	School mill levies for the 2008-2009 school year varied between a low of 22.68 mills (USD 502 Lewis) and a high of 76.56 mills (USD 231 Gardner-Edgerton). Plaintiff districts' mill levies were: USD 259 Wichita 53.30 USD 308 Hutchinson 45.85 USD 443 Dodge City 56.76 USD 500 Kansas City 52.05 Mill levies have increased statewide due to the shift in funding from the state to the local level.	Kansas State Department of Education	Dale Dennis
27	2011-12 Estimated Supplemental General Local Option Budget State Aid Form 0-135-239	The Local Option Budget State Aid is different for each district, depending on its wealth. The table shows the percentage of the Local Option Budget that should be funded by state aid for each district. (The actual amount received by the districts was then reduced from this amount due to inadequate appropriation.).	Kansas State Department of Education	
28	State School Finance System: History of the Issue and How Our Kansas Formula Works	PowerPoint on the how the school finance formula works, authored by Jim Hays, of Kansas Association of School Boards.	Kansas Association of School Boards	

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29	Dale Dennis PowerPoint – School Finance	Describes how the school finance formula weightings have changed over time.	Kansas State Department of Education	Dale Dennis
30	Education Spending Falls When Compared to Kansas Incomes	School district budgets have declined when compared to personal income over the past 38 years.	Kansas Association of School Boards	
31	State vs. Local Funding – Us vs. Them – Mark Tallman PowerPoint	Explanations of changes in funding of the formula, increases in higher cost kids, value of education.	Kansas Association of School Boards	
32	The 1992 Kansas School Finance Act – A Political and Legislative History	History of the 1992 School District Finance and Quality Performance Act, including the circumstances surrounding its adoption and implementation.	Mark Tallman	Mark Tallman
33	School Finance Seminar – Mark Tallman PowerPoint	Pages 109-123: Explanation of tax shifts, funding shifts, revenue shifts. Page 117: Total school revenue sources, note that federal aid will drop to under 10% after Federal stimulus expires. Page 120: Chart showing most funding growth has been in the Local Option Budget, Special Education, and weightings.	Kansas Association of School Boards	Mark Tallman
34	Governmental Relations Network Meeting – 2011 KASB Convention, Mark Tallman PowerPoint	Pages 37-46: Explanation of funding components, trends, spending, equalization. Page 38: Some funding is targeted and some is unrestricted. Page 42: Increased funding since 1993 has been used for keeping up with inflation/teacher salaries, targeted restricted funding, and KPERS, buildings and equipment.	Kansas Association of School Boards	Mark Tallman
35	Dale Dennis, Craig Neuenswander, Brad Neuenswander PowerPoint Budget Workshop 2010-11 Fiscal Year	Page 139386: It would take an additional \$474 million to fund the current law of a \$4,492 Base. Page 139392: Kansas teacher salaries are ranked 39th in the nation. We aren't spending too much on teacher salaries. Pages 139393-139394: How State Aid for the Local Option Budget is calculated. As a result of increases to Local Option Budgets, the 81st percentile has increased. Rather than increase the overall funding amount, the state has prorated it down instead. This adversely affects less wealthy districts. Pages 139396 & 139383: The year end State Aid payments are received by school districts mid-July, but required to be recorded on the books as received the last day of the fiscal year, June 30. This inflates their cash balances because they can't spend money they haven't actually received. They also need to have the cash flow for payroll, bills, etc., until this money is received. Pages 139387-139390: Due to weighting changes, if you are comparing the Base for recent years to years prior to 2005-06, you need actually need to subtract \$244 from the current year to get an apples to apples comparison.	Kansas State Department of Education	
36	Dale Dennis 2011 KASB Convention PowerPoint	Page 142236: Local Option Budget State Aid has been prorated, causing districts to have to raise their local mill levies to make up the shortfall.	Kansas State Department of Education	Dale Dennis
37	The State's Duty Under the KS Constitution – Quotes from Montoy	In Montoy et al. v. State of Kansas et. al., the Supreme Court determined the Legislature had to consider: (1) whether students are provided a suitable education; (2) the actual costs of providing a suitable education; and (3) the equity with which the funds are distributed.	Case law	

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38	Six goals of education set forth in Rose v. Council for Better Education, 790 S.W.2d 186, 212 (Ky. 1989) (the "Rose Factors")	The USD 229 Case, USD No. 229 v. State, 256 Kan. 232; 885 P.2d 1170 (1994), found that the Rose Factors were similar to the Kansas goals in 72-6439(a) and that those Quality Performance Accreditation standards provided a legislative and regulatory mechanism for judging whether the education is suitable.	Case law	
39	K.S.A. 72-1127; Accredited schools; mandatory subjects and areas of instruction; legislative goals (included within Primer [Exhibit 1] at Kansas Statutes tab)	Kansas repealed the Quality Performance Accreditation goals in 72-6439(a) referred to in the USD 229 Case, but then adopted the current accreditation goals even more similar to the Rose Standards which can now be found in 72-1127. (b) High schools have to teach subjects necessary to meet State Board of Education graduation requirements. (c) These are the goals the legislature says schools should be achieving. (d) Schools also have to comply with other state and federal requirements.	Kansas Statutes	Cynthia Lane Rabina Hatridge Kim Morrisey Shelly Beech Teri Fulton Bruce Baker Alan Cunningham Andy Tompkins Scott Frank Brad Neuenswander John Allison Ron Roehm Dale Dennis
40	K.S.A. 72-1111 (included within Primer [Exhibit 1] at Kansas Statutes tab)	School attendance is compulsory. Schools must serve all students who enroll.	Kansas Statutes	Cynthia Lane
41	K.S.A. 72-1106 (included within Primer [Exhibit 1] at Kansas Statutes tab)	Schools have to operate a certain number of days/hours per year.	Kansas Statutes	
42	School Year Requirements FAQ	Schools have to operate a certain number of days/hours per year; more detail.	Kansas State Department of Education	
43	K.S.A. 72-8212 (included within Primer [Exhibit 1] at Kansas Statutes tab)	Schools have to offer Kindergarten through 12th grade.	Kansas Statutes	Cynthia Lane
44	K.S.A. 72- 7513 & 72-7514 (included within Primer [Exhibit 1] at Kansas Statutes tab)	The State Board of Education is charged with adopting standards, rules and regulations.	Kansas Statutes	Cynthia Lane
45	K.S.A. 72-8205 (included within Primer [Exhibit 1] at Kansas Statutes tab)	Local School Boards are charged with adopting local rules, regulations and textbooks within the rules and regulations of the State Board of Education.	Kansas Statutes	Cynthia Lane
46	DeBacker PowerPoint – Kansas State Board of Regents	Pages 141404-141407: Division of responsibilities between Local, State and Federal Agencies Page 141440: A high school diploma is not sufficient to compete in the current or future workforce.	Kansas State Department of Education	

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47	K.S.A. 72-6439 (included within Primer [Exhibit 1] at Kansas Statutes tab)	Accreditation shall be based on: - improvement in performance - reflect high academic standards in math, science, reading, writing and social studies - and be measurable The state board should develop assessments and determine performance levels, reflecting high academic standards, both for individual performance and school performance	Kansas Statutes	Cynthia Lane
48	K.S.A. 72-7535 (included within Primer [Exhibit 1] at Kansas Statutes tab)	Schools have to teach personal financial literacy.	Kansas Statutes	Cynthia Lane
49	K.S.A. 72-1117 & K.S.A. 76-1126 (included within Primer [Exhibit 1] at Kansas Statutes tab)	High schools have to teach history, government and community service.	Kansas Statutes	Cynthia Lane
50	K.S.A. 72-1101 & 72-1103 (included within Primer [Exhibit 1] at Kansas Statutes tab)	- Elementary schools have to teach reading, writing, arithmetic, geography, spelling, English grammar and composition, history of the United States and the state of Kansas, civil government and the duties of citizenship health and hygiene, and any other subjects the State Board of Education shall determine. - Elementary schools have to teach a complete course to all pupils in civil government, United States history, patriotism and the duties of a citizen. - High schools have to teach a course concerning the government and institutions of the United States, and particularly of the constitution of the United States.	Kansas Statutes	Cynthia Lane
51	Suitable – A Conversation About Improving KS Public Education	State Regulations, Federal Requirements and Notices, Annual required notices, Kansas State Department of Education Requirements.	Kansas Association of School Boards	
52	Kansas Education Commission Final Report December 2010	Study authorized by the State Board of Education recommending changes to education.	Kansas Education Commission	Cynthia Lane
53	Kansas State Department of Education Licensed Personnel Report 2010-11	Effect of the cuts: - Page 146174: Total licensed staff in 2011 was 43,392, down 748 from the prior year. - Compare this to enrollment which increased by 1,916 kids for the same years (see exhibit 90). Page 146177: Teacher salaries generally declined between 2010 and 2011.	Kansas State Department of Education	
54	Quality Performance Accreditation QPS Manual, Revised February 2009	More detail on what schools are required to do. Including the following: - The State Board of Education has adopted the requirements of the Federal No Child Left Behind Act into the accreditation criteria (see pages 2858 and 2889-2893, includes the No Child Left Behind Act Adequate Yearly Progress targets). - The State Board of Education has adopted the requirements of the Federal IDEA (Special Education Act) into the accreditation criteria (see page 2858).	Kansas State Department of Education	Cynthia Lane Brad Neuenswander
55	Brad Neuenswander PowerPoint, CPSI Steering Committee and Administrator's Round Table	Information regarding accreditation	Kansas State Department of Education	Scott Frank
56	Introduction to the Common Core State Standards	The Common Core standards are designed for college and career readiness.	Common Core Standards	Cynthia Lane

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57	Diane DeBacker Email to Kansas State Board of Education regarding Common Core Standards	Diane DeBacker email to the State Board of Education explaining that the state is adopting the Common Core Standards and that the Fordham Institute Study (see Exhibit 58) found that the current standards are inferior to the Common Core.	Kansas State Department of Education	
58	The State of State Standards and the Common Core in 2010	Page 2112-2117: Kansas English Language Arts standards got a C and are "mediocre" (p. 2114) Kansas Math standards got an F and are "among the worst in the country". (p. 2117)	Fordham Institute	
59	Common Core State Standards for Mathematics	These are the actual Common Core standards for Math.	Common Core Standards	Cynthia Lane
60	Common Core State Standards for English Language Arts & Literacy in History/Social Studies, Science and Technical Subjects	These are the actual Common Core standards for English, history, social studies, science and technical subjects.	Common Core Standards	Cynthia Lane
61	Diane DeBacker PowerPoint, Smarter Balanced Assessment Consortium, Phi Delta Kappa	Information regarding transition to Common Core Standards and assessments: - p. 138585: All students leave high school college and career ready	Kansas State Department of Education	
62	ACT Report – First Look at the Common Core and College and Career Readiness	p. SIG-ACT 4: College Readiness Benchmarks are minimum score needed to have 75% chance of earning a C, or 50% chance of earning a B in certain first-year college courses. Benchmarks are: 18 for English 22 for Math 21 for Reading 24 for Science See Exhibits 166 & 167 for number of Kansas kids not meeting the benchmarks.	ACT	
63	Alliance for Excellent Education, Understanding High School Graduation Rates in Kansas	Graduation information from the Kansas State Department of Education website: - Graduation gap of 37% between white and hispanic kids. - Dropouts cost the state in lost wages, taxes and productivity, Medicaid and uninsured expenditures, and crime-related costs.	KSDE.org	
64	DeBacker PowerPoint – Graduation Requirements	Summary of survey of districts' graduation requirements.	Kansas State Department of Education	
65	Kansas State Department of Education Graduation Requirements Survey	Survey results of districts' graduation requirements. p. 145591-145595: General comments about needing additional funding to increase graduation requirements	Kansas State Board of Education	
66	Qualified Admissions Quick Facts – Precollege Curriculum FY 2014	These are the current admissions requirements for the six state universities.	Kansas Board of Regents	Andy Tompkins
67	Qualified Admissions Quick Facts – Precollege Curriculum FY 2015+	These are the new admissions requirements for the six state universities for graduates starting in 2015 (freshmen entering high school in the fall of 2011). The requirements are increasing, placing higher demands on schools.	Kansas Board of Regents	Andy Tompkins
68	USCA Sec. 1400 IDEA Special Education Act	This is the intro to the Federal IDEA (Special Education Act). It is a federal requirement that schools must comply with. It has been adopted as a state requirement (see Exhibit 54). - (d)(1)(A) ensure that "all children with disabilities" are educated and prepared "for further education, employment, and independent living"	United States Law	Cynthia Lane
69	Lau vs. Nichols	The Federal Civil Rights Act is a federal requirement that schools must comply with.	Case law	Cynthia Lane
70	Lau Remedies – English Language Learners Requirements	What schools have to do for English Language Learners. These students cost more to educate.	Kansas State Department of Education	Cynthia Lane

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71	RFP28(a)(1) – USD443 AMAOS Letter	Dodge City is struggling to meet Adequate Yearly Progress goals for English Language Learners.	Kansas State Department of Education	
72	Federal No Child Left Behind Act	This is the intro to the Federal No Child Left Behind Act. It is a federal requirement that schools must comply with. It has been adopted as a state requirement (see Exhibit 54). - Sec. 1001. purpose is "to ensure that all children have a fair, equal, and significant opportunity ... and reach, at a minimum, proficiency ... on state academic assessments".	United States Law	Cynthia Lane
73	Kansas State Department of Education AYP FY 12 Fact Sheet	What Adequate Yearly Progress is.	Kansas State Department of Education	Cynthia Lane
74	Kansas State Department of Education Adequate Yearly Progress FY 12 Revised Guidance	More detail on Adequate Yearly Progress. Pages KSDE138539 & KSDE138540 show the Adequate Yearly Progress targets as adopted by the Kansas State Board of Education.	Kansas State Department of Education	Cynthia Lane Bruce Baker Jacque Feist Scott Frank John Allison
75	Kansas State Department of Education On Improvement Handbook	What "On Improvement" means. See KSDE145511 for definitions and sanctions.	Kansas State Department of Education	Cynthia Lane
76	Kansas Assessments Recommended Performance Level Scores, cut scores	These are the cut scores for Adequate Yearly Progress set by the State Board of Education. - A high school student meets the standard with 68 out of 100 reading questions correct. - A high school student meets the standard with 50 out of 100 math questions correct.	Kansas State Department of Education	Cynthia Lane Bruce Baker Tom Foster
77	FY 12 Kansas Assessment Examiner's Manual	Explanation of state assessments. This is something schools must comply with. P. KSDE139097 Purpose: "a program of the Kansas State Board of Education and mandated by the Kansas State Legislature. In addition the reading, mathematics, and science assessments are a part of the federal No Child Left Behind legislation."	Kansas State Department of Education	
78	(This exhibit was intentionally left blank.)			
79	NCLB District Corrective Action Fact Sheet	Information on Corrective Action within the Federal No Child Left Behind Act context.	Kansas State Department of Education	
80	Kansas Reading Assessment Fact Sheet	Basics on the State reading assessment.	Kansas State Department of Education	Cynthia Lane
81	Kansas Math Assessment Fact Sheet	Basics on the State math assessment.	Kansas State Department of Education	Cynthia Lane
82	Adequate Yearly Progress Performance Category Descriptors	Simple definitions of State assessment performance categories. - Reading "Meets Standard" means a child "understands most of the material" when reading at grade level. - Math "Meets Standard" means a child "usually performs consistently and accurately, and uses some problem solving strategies" on grade level material.	Kansas State Department of Education	Cynthia Lane

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83	Math Assessment Performance Levels	More description of State Math assessment performance categories for each grade.	Kansas State Department of Education	Cynthia Lane
84	Reading Assessment Performance Levels	More description of State Reading assessment performance categories for each grade.	Kansas State Department of Education	Cynthia Lane
85	National Assessment of Educational Progress Description from Kansas State Department of Education website and Comparison of Who Can Be Excluded for National Assessment of Educational Progress and the Federal No Child Left Behind Act\	The National Assessment of Educational Progress ("NAEP") is a national test carried out by the United States Department of Education. It allows for state to state comparisons. Unlike the Kansas assessments, it does not require all students to participate and therefore some of the lower performing students with disabilities and English Language Learners are likely excluded from taking the test. (2009 and 2011 NAEP scores for Kansas are found at Exhibit 122.)	Kansas State Department of Education	Cynthia Lane
86	Mapping State Proficiency Standards Onto the NAEP Scales 2005-2009	Definitions of the National Assessment of Educational Progress ("NAEP") achievement levels (see NAEP 48). Kansas standards for proficiency are low compared to other states (see NAEP 28-31). Kansas standards decreased between 2007 and 2009 (see NAEP 54-55).	United States Department of Education	Cynthia Lane Bruce Baker
87	Comparison of Kansas Performance Categories and NAEP Performance Categories	Exhibit showing how Kansas performance levels and the National Assessment of Educational Progress achievement levels match up.	Plaintiff Created using Ex 82 & Ex 86	Cynthia Lane
88	Montoy Exhibit 2	At the time of Montoy, one third to one-half of students floundered.	Kansas State Department of Education	
89	Montoy Exhibit 2A	Entire PowerPoint that Exhibit 88 comes from.	Kansas State Department of Education	
90	Headcount enrollment	Enrollment has been increasing, an increased cost to districts. Effect of the cuts: - Enrollment increased by 1,916 kids between 2010 and 2011 - Total licensed staff decreased by 748 for the same period (see exhibit 53)	Kansas State Department of Education	
91	Kansas Demographics: Disadvantaged, Poor, Free/Reduced Lunch Breakdown for Calculations	47.55% of Kansas kids are Economically Disadvantaged. This is 226,911 kids. These kids cost more to educate.	Kansas State Department of Education	Cynthia Lane
92	Kansas Demographics: Race-Ethnicity Breakdown for Calculations	7.44% or 35,488 students in the state are African American. 16.30% or 77,784 students in the state are Hispanic. 68.12% or 325,055 students in the state are White.	Kansas State Department of Education	Cynthia Lane
93	Kansas Demographics: English Language Learners Breakdown for Calculations	9.80% or 45,593 students in the state are English Language Learners.	Kansas State Department of Education	Cynthia Lane
94	Kansas Schools and Districts Not Making Adequate Yearly Progress FY 2011	Significant numbers of schools and districts are not making Adequate Yearly Progress.	Kansas State Department of Education	

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95	Title I Schools and Districts Identified for Improvement 2010-11	Significant numbers of Title I schools and districts are "On Improvement".	Kansas State Department of Education	
96	Press Release – Majority of Schools, Districts Meet AYP Targets for FY 2009-10, List of Districts Not Making AYP	Significant numbers of schools and districts are not meeting the Adequate Yearly Progress targets.	Kansas State Department of Education	
97	Schools Meeting Adequate Yearly Progress in FY 2011	Significant numbers of schools and districts are not making Adequate Yearly Progress.	Kansas State Department of Education	
98	U.S. Department of Education Letter to the Kansas State Department of Education – concerns regarding ESA Waiver Request	Concerns the United States Department of Education had with the State's Federal No Child Left Behind Act waiver request.	United States Department of Education	
99	Kansas State Department of Education Press Release – Number of Schools, Districts on Improvement Increases	Significant numbers of Title I schools and districts are "On Improvement". Explanation of "On Improvement" and sanctions.	Kansas State Department of Education	
100	(This exhibit was intentionally left blank.)			
101	KSDE Report Cards 2004-05 to 2010-11, State Adequate Yearly Progress	Details state-wide achievement on the assessments by grade and demographic. This is the data behind Exhibits 103, 104 and 106.	Kansas State Department of Education	Cynthia Lane Tom Foster
102	2011 Kids Count	Describes challenges created by poverty (see KAC000098). These kids cost more to educate.	Annie E. Casey Foundation	Cynthia Lane
103	State Adequate Yearly Progress Reading Assessments with Callouts	State Reading Assessment results for 2005-2011. In school year 2010-2011: 12.2% of All students in the state scored below proficient. This is 58,218 kids. 8.3% of White students in the state scored below proficient. This is 26,980 kids. 19.5% of Economically Disadvantaged students in the state scored below proficient. This is 44,248 kids. 21.6% of Hispanic students in the state scored below proficient. This is 16,801 kids. 27.8% of ELL students in the state scored below proficient. This is 12,675 kids. 27% of African American students in the state scored below proficient. This is 9,582 kids. - Averages hide the fact that significant numbers of Economically Disadvantaged, Hispanic, ELL and African American kids are not meeting the state reading standards. - These kids are not getting a suitable education.	Kansas State Department of Education with plaintiff callouts	Cynthia Lane Brad Neuenswander Tom Foster

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104	State Adequate Yearly Progress Math Assessments with Callouts	<p>State Math Assessment results for 2005-2011. In school year 2010-2011:</p> <p>14.6% of All students in the state scored below proficient. This is 69,670 kids.</p> <p>10.9% of White students in the state scored below proficient. This is 35,431 kids.</p> <p>22.2% of Economically Disadvantaged students in the state scored below proficient. This is 50,374 kids.</p> <p>22.6% of Hispanic students in the state scored below proficient. This is 17,579 kids.</p> <p>25.2% of ELL students in the state scored below proficient. This is 11,489 kids.</p> <p>32.6% of African American students in the state scored below proficient. This is 11,569 kids.</p> <p>- Averages hide the fact that significant numbers of Economically Disadvantaged, Hispanic, ELL and African American kids are not meeting the state math standards.</p> <p>- These kids are not getting a suitable education.</p>	Kansas State Department of Education with plaintiff callouts	Cynthia Lane Brad Neuenswander
105	State Adequate Yearly Progress Math Assessments – Demands vs. Resources	<p>Demands on schools continue to increase.</p> <p>Resources to schools have decreased.</p> <p>Schools cannot provide a suitable education or close the achievement gap without the additional resources needed to educate higher cost kids.</p>	Kansas State Department of Education with plaintiff callouts	Cynthia Lane
106	Kansas 11 th Grade Math Assessment	<p>Grade 11 Math Achievement Gap:</p> <p>17.4% of All 11th grade students in the state scored below proficient in math.</p> <p>13% of White 11th grade students in the state scored below proficient in math.</p> <p>28.5% of Free/Reduced Lunch 11th grade students in the state scored below proficient in math.</p> <p>28.9% of Hispanic 11th grade students in the state scored below proficient in math.</p> <p>38.6% of ELL 11th grade students in the state scored below proficient in math.</p> <p>40.3% of African American 11th grade students in the state scored below proficient in math.</p> <p>- Averages hide the fact that significant numbers of 11th grade students are not meeting the state standards for math, particularly those who are Economically Disadvantaged, Hispanic, ELL and African American.</p> <p>- These kids only have one year of high school left, and are not getting a suitable education.</p>	Plaintiff created using data from Ex 101, page ACHIEVEMENT 68	Cynthia Lane Bruce Baker Brad Neuenswander Tom Foster
107	Kansas State Report Card 2011 DeBacker PowerPoint, Council of Superintendents with Notes	<p>The number of high cost kids have been increasing (see KSDE138468):</p> <ul style="list-style-type: none"> - Free and Reduced Lunch kids have dramatically increased. - ELL kids have almost doubled. - These kids cost more to educate. <p>According to the new graduation rate calculation, significant numbers of students are not graduating within 4 years. (see KSDE138503-138504)</p> <p>Significant numbers of schools and districts didn't make Adequate Yearly Progress. (see KSDE138507-138509)</p> <ul style="list-style-type: none"> - The number of buildings threatened with losing their accreditation went from 3 to 9 (see KSDE138523) <p>Achievement in Science increased only slightly between 2010 and 2011. Significant numbers of kids are not meeting the state standards for science. (see KSDE 138488-138492)</p> <p>34% of Special Education teachers and 12.8% of ESL/Bilingual teachers are not highly qualified. (see KSDE138497-138501 & 138523)</p>	Kansas State Department of Education	Cynthia Lane Mark Tallman Bruce Baker Brad Neuenswander Eric Hanushek John Allison Shelly Kiblinger Tom Foster

EX. #	DESCRIPTION	SYNOPSIS	WHERE FROM	WITNESSES
108	DeBacker PowerPoint, Delta Kappa Gamma with Notes	The State Adequate Yearly Progress targets are an increasing demand on schools: Dr. Diane DeBacker, Commissioner of Kansas State Department of Education says, "dangerously close to not meeting our goal" (see KSDE141139). Commissioner DeBacker says, "not much wiggle room" (see KSDE141141).	Kansas State Department of Education	
109	DeBacker PowerPoint; Kansas State Department of Education Annual Conference; WITH NOTES	Performance Gaps (see KSDE139283-139286): - Reading gap between free lunch and paid lunch kids is 15 points. - Reading gap between Whites and Hispanics, African Americans. - Math gap between free lunch and paid lunch kids is 17 points. - Math gap between Whites and Hispanics, African Americans 22 points. - Dr. Diane DeBacker, Commissioner of Kansas State Department of Education says "a long way to go". - Commissioner DeBacker says, "hoping that MTSS and adding Early Childhood to the accreditation system will help to narrow these gaps".	Kansas State Department of Education	
110	Kansas City School District KSDE Report Cards 2004-05 to 2010-11	Details the Kansas City school district's achievement on the assessments by grade and demographic. 87.9% of Kansas City kids are Economically Disadvantaged, compared to 47.6% of the state. 32.9% of Kansas City kids are English Language Learners, compared to 9.8% of the state. These kids cost more to educate. This is the data behind Exhibit 114.	Kansas State Department of Education	Cynthia Lane
111	Kansas City School District Students Reading Assessments	Reading Assessment results for the Kansas City school district. Significant numbers of kids are not meeting the Adequate Yearly Progress goal.	USD 500 Kansas City	Cynthia Lane
112	Kansas City School District Students Math Assessments	Math Assessment results for the Kansas City school district. Significant numbers of kids are not meeting the Adequate Yearly Progress goal.	USD 500 Kansas City	Cynthia Lane
113	Spring Map Reading and Math	Reading and Math MAP assessment results for the Kansas City school district. Significant numbers of kids are not at the 50% percentile on this test.	USD 500 Kansas City	Cynthia Lane
114	Kansas City School District Adequate Yearly Progress Reading and Math Assessment Charts	Significant numbers of kids in the Kansas City school district are not meeting the state standards and are not getting a suitable education.	Kansas State Department of Education	Cynthia Lane
115	Dodge City School District KSDE Report Cards 2004-05 to 2010-11	Details the Dodge City school district's achievement on the assessments by grade and demographic. This is the data behind Exhibit 116. 79.7% of Dodge City kids are Economically Disadvantaged, compared to 47.6% of the state. 14.4% of Dodge City kids are Migrant Students, compared to 1.4% of the state. 54.1% of Dodge City kids are English Language Learners, compared to 9.8% of the state. These kids cost more to educate.	Kansas State Department of Education	Alan Cunningham
116	Dodge City School District Adequate Yearly Progress Reading and Math Assessment Charts	Significant numbers of kids in the Dodge City school district are not meeting the state standards and are not getting a suitable education.	Kansas State Department of Education	Alan Cunningham
117	Hutchinson School District KSDE Report Cards 2004-05 to 2010-11	Details the Hutchinson school district's achievement on the assessments by grade and demographic. This is the data behind Exhibit 120. 64.8% of Hutchinson kids are Economically Disadvantaged, compared to 47.6% of the state. These kids cost more to educate.	Kansas State Department of Education	Shelly Kiblinger

EX. #	DESCRIPTION	SYNOPSIS	WHERE FROM	WITNESSES
118	Wichita School District Adequate Yearly Progress Reading and Math Assessment Charts	Significant numbers of kids in the Wichita school district are not meeting the state standards and are not getting a suitable education.	Kansas State Department of Education	John Allison Tom Foster
119	Wichita School District KSDE Report Cards 2004-05 to 2010-11	Details the Wichita school district's achievement on the assessments by grade and demographic. This is the data behind Exhibit 118. 74.0% of Wichita kids are Economically Disadvantaged, compared to 47.6% of the state. 18.9% of Wichita kids are English Language Learners, compared to 9.8% of the state. These kids cost more to educate.	Kansas State Department of Education	John Allison
120	Hutchinson School District Adequate Yearly Progress Reading and Math Assessment Charts	Significant numbers of kids in the Hutchinson school district are not meeting the state standards and are not getting a suitable education.	Kansas State Department of Education	
121	2009 Reading Proficiency of Kansas Students	In a campaign speech, then U.S. Senator Sam Brownback: "If children don't learn to read early, they are likely to face a lifetime of difficulty in the classroom and the job market...As you can see from this graph, 28% of our students are reading below basic levels...That number is far too high. Only 25% of our students are reading proficiently. That number is far too low...We also need to increase the percentage of high school graduates who are college or career ready... high school graduates today not only need their degree, but also need skills to succeed in the global marketplace." (see GOV000006)	brownback.com	Brad Neuenswander
122	2009 National Assessment of Educational Progress Percentages for Report Card	The state assessments are not the only measurement of achievement. Significant numbers of kids are below basic on the National Assessment of Educational Progress test.	Kansas State Department of Education	Cynthia Lane Bruce Baker Eric Hanushek Michael Podgursky
123	Dale Dennis PowerPoint Presentation – Kansas Livestock Association	see page KDSE 140423: "districts that spent more had better student performance." see pages KSDE140434-140435: This chart shows the percentage of Free and Reduced Lunch kids, ELL kids and Special Education kids who are proficient on the state assessments. Significant numbers of kids in these groups are not getting a suitable education. see pages KSDE140436-140438: Education budget comparisons for FY2009 to FY2012.	Kansas State Department of Education	Dale Dennis
124	Kansas State of Education –DeBacker PowerPoint 2010	KSDE001022: Significant numbers of districts are not making Adequate Yearly Progress. KSDE001023: Significant numbers of schools are not making Adequate Yearly Progress. KSDE001041: Gap exists between proficiency as defined at the K-12 level, and college readiness as defined by higher education. KSDE001049: Dr. Diane DeBacker, Commissioner of Kansas State Department of Education says, "What sits in our classrooms today is the future of tomorrow. Dollars spent on education today translate into investments and returns on our investments for our future."	Kansas State Department of Education	
125	2004-05 Accountability Report	Overview of Education for 2004-05 KSDE001349: See section titled "Our First Defense--Teachers": "We cannot continue to increase the demands for performance and accountability while at the same time increasing class sizes and reducing classroom resources." KSDE001362: 91% of schools made Adequate Yearly Progress in 2004-05. KSDE001366: Demographics: Whites 74%, Hispanics 12%	Kansas State Board of Education	

EX. #	DESCRIPTION	SYNOPSIS	WHERE FROM	WITNESSES
126	2005-06 Accountability Report	Overview of Education for 2005-06 Also, illustrates significant achievement gap exists and indicates, at KSDE001383, "[a]chievement gaps remain a concern for educators and will need additional attention and resources in the years ahead." KSDE001391: 86.8% of schools made Adequate Yearly Progress in 2005-06.	Kansas State Board of Education	Brad Neuenswander
127	2006-07 Accountability Report	Overview of Education for 2006-07 KSDE001421: 89% of schools made Adequate Yearly Progress in 2006-07.	Kansas State Department of Education	Brad Neuenswander
128	Kansas Education Summary 2007-2008	Overview of Education for 2007-08 94.5% of schools made Adequate Yearly Progress in 2007-08	Kansas State Department of Education	
129	2010-11 Kansas State Department of Education Accountability Report, Challenges Ahead to Meet ACT College Readiness Benchmarks	Overview of Education for 2010-11 Demographics: Whites 68%, Hispanics 16.4% (Compare to Exhibit 125) 85% of schools made Adequate Yearly Progress in 2010-11. (Compare to Exhibits 125 through 128) KSDE146206: The Kansas Commissioner of Education, Dr. Diane DeBacker states: - a "persistent achievement gap" exists "among [Kansas] minority populations and between [Kansas] advantaged and disadvantaged students." - "We also have a responsibility to our students to ensure they leave high school prepared for success in both college and career." and - "the percentage of Kansas students achieving ACT college readiness benchmarks is too low" - "focus on effective instruction that leads to college and career readiness for all Kansas students by the time they leave high school"	Kansas State Department of Education	Brad Neuenswander
130	Kansas State Department of Education Accountability PowerPoint	Overview of accountability and Adequate Yearly Progress. KSDE000078-79: The number of schools and districts not making Adequate Yearly Progress are increasing. KSDE000098-112: Instruction requirements for English Language Learners - Title III Federal funds are limited to supplementing other funds - They can NOT be used "to provide services that are required under State, local or other Federal laws" - They can NOT be used "to provide services that were provided in prior years with State, local, or other Federal funds." These are very targeted funds and cannot be used for other purposes.	Kansas State Department of Education	
131	Kansas Association of School Boards: Focus On What We Know About Student Achievement and School Improvement in Kansas	SIG-KASB000331: Education matters. Average annual earnings increase with more education. Poverty rates are highest in states with the lowest educational attainment. SIG-KASB000332: School spending as a percent of Kansas personal income has been decreasing in recent years.	Kansas Association of School Boards	Mark Tallman Brad Neuenswander

EX. #	DESCRIPTION	SYNOPSIS	WHERE FROM	WITNESSES
132	Ensure Economic Success for Tomorrow – Graduate All Students Today, Kansas Commission on Graduation and Dropout Prevention and Recovery – Final Report – January 2011	KSDE002761: Dr. Diane DeBacker, Commissioner of Kansas State Department of Education says "it is time to be proactive in improving our long term prospects for economic growth in the state, which includes preparing all students in Kansas to be tomorrow's leaders and workforce." KSDE002762: "During the 2008-2009 school year, 3,003 Kansas students dropped out of school. That is approximately eight students a day or one every three hours. The dropout rates are disproportionately high among African American, Hispanic, and American Indian students, special education students and students from low-income families...persistent gaps still exist...these same student sub-groups experience graduation rates five to ten percent lower than the state average." KSDE002776: "all students can and should graduate from high school" KSDE002781" Recommendation is to provide schools with the resources to continue to develop extra and co-curricular activities and encourage all students to participate. "These activities should be seen as a vital part of the education process and should receive the adequate resources needed to operate".	Commission appointed by Governor Mark Parkinson	
133	Kansas State Department of Education Graduation Cohort Rates FY 11	Significant numbers of kids are not graduating within 4, or even 5 years. Higher cost students graduate at lower rates.	Kansas State Department of Education	Cynthia Lane
134	Kansas State Department of Education FY 09 Graduates State Totals	Details what Kansas graduates do after high school.	Kansas State Department of Education	
135	Kansas State Department of Education Dropout and Graduation Rates By District	Dropout Rates and Graduation Rates for each Kansas school district for the 2010-11 school year. These rates vary significantly between districts. The rates for the Plaintiff Districts are: USD 259 Wichita: dropout rate of 3.01% graduation rate of 66.2% USD 308 Hutchinson: dropout rate of 2.16% graduation rate of 82.4% USD 443 Dodge City: dropout rate of 1.17% graduation rate of 82% USD 500 Kansas City: dropout rate of 3.23% graduation rate of 62.9%	Kansas State Department of Education	Cynthia Lane John Allison
136	DeBacker PowerPoint – Garnett Rotary	KSDE141222: Gap exists between proficiency as defined at the K-12 level, and college readiness as defined by higher education. KSDE141225: Dr. Diane DeBacker, Commissioner of Kansas State Department of Education says "Money Matters" KSDE141227: Commissioner DeBacker says, "What We Know...The students who sit in our classrooms today are the future of tomorrow. Dollars spent on education today translate into investments and returns on our investments for our future."	Kansas State Department of Education	
137	Dollars, Dropouts and Diplomas, Alliance for Excellent Education	Detailed information from the Kansas State Department of Education website on the value of education and the cost of dropouts.	KSDE.org	
138	Alliance for Excellent Education: Hidden Benefits, Impact of High School Graduation on Household Wealth	Information from the Kansas State Department of Education website on the cost of dropouts.	KSDE.org	
139	Alliance for Excellent Education: High Cost of High School Dropouts	Information from the Kansas State Department of Education website on the cost of dropouts.	KSDE.org	

EX. #	DESCRIPTION	SYNOPSIS	WHERE FROM	WITNESSES
140	Mark Parkinson Produced in Response to Subpoena - KS Dropout Prevention Pre-Summit Report; 1-17-2011	Challenges and successes in keeping kids in school. Strategies that work cost money.	KSDE.org	
141	Mark Parkinson Produced in Response to Subpoena - KS Dropout Prevention Post Summit Report; 1-17-2011	Challenges and strategies used to overcome them. Strategies that work cost money.	KSDE.org	
142	Kansas State Department of Education Dropout PowerPoint	Details what a dropout is, differences in rates by subgroups, cost of the 3,003 students who did not graduate in 2008 (see KSDE142934), and why students dropout.	Kansas State Department of Education	
143	Andy Tompkins; Presentation to ACT Conference	KSDE141815: Economic Impact Study, shows the value of education.	Kansas Board of Regents	
144	Foresight 2020 PowerPoint: Annual Progress Report January 2012	Goals for higher education.	Kansas Board of Regents	
145	Kathryn Hund PowerPoint: Workforce Development Report Governor's P-20 Council	KBOR000019: Cost to economy of non-graduates and remediation. KBOR000028: Significant numbers high school graduates are not ready for college level coursework. KBOR000030: 62% of recent high school graduates enroll in developmental courses. This means they aren't ready for college level classes. KBOR000033: Kansas doesn't have many participants in AP classes.	Kansas Board of Regents	Andy Tompkins Kathy Hund
146	Workforce Development Report	Describes challenges in college readiness: - Significant numbers of Kansas students are not testing ready for college level course work. - Students in some high schools have limited concurrent college credit course offerings. Some high schools can't find qualified college instructors. Kansas has below average participation in AP and IB programs. Pass rates are between 45-59%. - Non-residents earn a large percentage of advanced STEM degrees (1,177 residents vs. 1,534 non-residents).	Kansas Board of Regents	
147	National Governor's Association, Keeping Kansas Competitive	It is an economic imperative that Kansas get more highly skilled workers. Those with only a high school diploma (or less) are largely limited to occupations that are in decline or pay low wages. One key component of this is that high schools need to better prepare students for college.	Kansas Board of Regents	
148	Foresight 2020 Annual Progress Report January 2012	KBOR000121: College admissions standards have increased in an attempt to "ensure that the high school experience is adequate preparation for college". KBOR000127: Hispanic students are underrepresented in post-secondary education.	Kansas Board of Regents	
149	Kathryn Hund PowerPoint, Workforce Development Report Governor's P-20 Council, 4-20-10	KBOR000158: The economy cycles. We don't cut education each time. KBOR000161: Large numbers of job vacancies during unemployment means a shortage of skills in the workforce. KBOR000164: Business says employees must arrive fully skilled. KBOR000173: Earning power of a high school diploma or less is falling. KBOR000174: Higher education has lasting benefits. KBOR000175: Of 1.7 million Kansas working age adults, 1.23 Million have not completed college, 178,000 have not completed high school, 494,000 completed high school but not entered college. KBOR000180: Remedial education is expensive, time-consuming and ineffective. The more courses students must take in developmental education, the less likely they are to complete a degree.	Kansas Board of Regents	Kathy Hund

EX. #	DESCRIPTION	SYNOPSIS	WHERE FROM	WITNESSES
150	Paying Double, Inadequate High Schools and Community Remediation	Information about the costs of remediation from the Kansas State Department of Education website: "If students are effectively taught what they need to know in high school, the need for remediation in college will drop dramatically." (SIG-AEE000061) Kansas could have a \$42 Million annual savings if it reduced the need for community college remediation. (SIG-AEE000063)	KSDE.org	
151	Alliance for Excellent Education: Potential Economic Impacts of Improved Education on Kansas	Economic impact to Kansas of better education.	Alliance for Excellent Education	Andy Tompkins
152	Building a Public Agenda for Kansas Higher Education, October 2008	Details high school completion and preparedness for college.	Kansas Board of Regents	
153	Kansas Board of Regents – New State University Admissions Standards 2011	"Improving student success is the major goal of these new standards" " Increasing the number of successful higher education graduates is critical to our state's future."	Kansas Board of Regents	Andy Tompkins
154	Testimony regarding HB2397, O'Neal, KPI, KNEA, USA, KASB, suitable	Students may be admitted to college as an exception if they don't meet the admissions standards. Remedial courses cost the Regents universities \$1.5 million.	Kansas Board of Regents	
155	21st Century Skills, Education & Competitiveness - A Resource and Policy Guide; 2008	The demand for skilled workers is increasing and the types of skills needed are changing.	Partnership for 21st Century Skills	
156	(This exhibit was intentionally left blank.)			
157	Kansas State Department of Education AdvancEd PowerPoint: Kansas Workforce Development	There is not enough interest among Kansas high school students in pursuing the highest growth career fields to meet the projected demand. Of Kansas students expressing interest in these fields: - More than 2/3 ready for 1st year college English - Less than 2/3 are prepared for college-level social sciences courses - Less than 1/2 ready for college-level math or science courses	KSDE.org	
158	Employment & Educations Levels	Unemployment is higher for high school graduates than for college graduates.	Kansas Board of Regents	
159	Educations Pays	Information from the Kansas State Department of Education website showing that workers with diplomas earn more.	KSDE.org	
160	Economic Benefits of Diplomas	If half of Kansas dropouts had graduated in 2010 instead, the benefits to those students and the Kansas economy would be significant.	KSDE.org	
161	Kansas Department of Corrections Statistical Profile FY 10 Offender Population	KDOC000023: 23.7% of inmates have high school diploma or beyond vs. 76.3% who didn't graduate high school KDOC000075: New admissions same; 24% of new inmates have high school diploma or beyond vs. 76% who didn't graduate high school	Kansas Department of Corrections	Cynthia Lane
162	Kansas Action for Children	The number of Kansas children living in poverty is increasing in relation to other states.	Kansas Action for Children	

EX. #	DESCRIPTION	SYNOPSIS	WHERE FROM	WITNESSES
163	Kansas Median Household Incomes	Median household income varies greatly by county. The low is \$25,245 in Woodson County. The high is \$72,006 in Johnson County. The median for Kansas is \$47,709. Plaintiff districts' median household incomes are: - Sedgwick County (USD 259 Wichita) \$48,071 - Reno County (USD 308 Hutchinson) \$41,536 - Ford County (USD 443 Dodge City) \$46,554 - Wyandotte County (USD 500 Kansas City) \$37,341 This affects the ability of districts to raise money locally.	U.S. Department of Agriculture	Cynthia Lane John Allison Lori Blakesley
164	DeBacker Public Comments to Kansas Board of Regents Admissions Task Force	Areas of concern regarding increased college admission requirements: - additional math requirement creates "significant increased staffing needs." during a time when districts are "being forced to reduce staff due to budget cuts." Districts don't have the resources needed to adequately prepare students for college.	Kansas State Department of Education	
165	Andy Tompkins PowerPoint, First in Education The Kansas Way, Foresight 2020	Significant numbers of Kansans do not have an associate or bachelor degree. Significant numbers of Kansas graduates do not meet the ACT college readiness benchmarks. (See Exhibit 62 for definition of College Readiness Benchmarks.) Significant numbers of Kansas graduates have to take developmental courses in college.	Kansas Board of Regents	
166	College and Career Readiness, Class of 2010	Information from the Kansas State Department of Education website showing: - Significant numbers of Kansas graduates do not meet the ACT college readiness benchmarks. These students have less than a 75% chance of getting a grade of C or higher in entry-level college courses. - Significant numbers of Kansas 8th graders and 10th graders are not on target to meet the college readiness benchmarks.	KSDE.org	
167	The Future Workforce of Kansas, 2008	Information from the Kansas State Department of Education website showing: - Significant numbers of Kansas graduates are not college-ready. - "The lower levels of preparation among graduating high school students is alarming, given the high demand for science- and math-intensive careers such as nursing, pharmacy, and teaching." (See Exhibit 62 for definition of College Readiness Benchmarks.)	KSDE.org	
168	Foresight 2020	10 years of goals for higher education.	Kansas Board of Regents	
169	Hard Times – Not All College Degrees Are Created Equal	College majors, unemployment and earnings.	Georgetown University	
170	Help Wanted – Projection of Jobs and Education Requirements	Details occupations and education requirements for those jobs in the near future.	Georgetown University	Andy Tompkins
171	After the Great Recession, State of Working Kansas	Details the effect of the recession on the Kansas economy and how higher levels of education continue to be one of the best protections from unemployment.	Kansas Action for Children	Cynthia Lane
172	Military Joining Requirements	A high school diploma is required for joining the military.	military.com	
173	USD 229 Testimony - Senator August Bogina Jr.	History of the school finance formula. The costs were not considered. Funding for schools has been determined by political "auction" to get votes.	USD 229 case	Mark Tallman Anthony Hensley
174	Montoy Testimony – Senator Christine Downey Schmidt	History of the school finance formula. The costs were not considered. Funding for schools has been determined by political "auction" to get votes.	Montoy case	Mark Tallman Anthony Hensley

EX. #	DESCRIPTION	SYNOPSIS	WHERE FROM	WITNESSES
175	2005 Senator Hensley Suitability Packet – Letter to Supreme Court regarding 2005 HB 2247	History of the school finance formula in the nature of an Amicus brief to the Kansas Supreme Court.	Senator Anthony Hensley	Anthony Hensley
176	Legislative Post Audit Memo – Comparing State Funding to LPA Outcomes Based Estimates	<p>2008 Legislative Post Audit memo comparing current state funding to Legislative Post Audit outcomes-based estimates.</p> <ul style="list-style-type: none"> - Explains that because the general fund budgets are intended to cover the operating costs of meeting the State's outcomes targets, Legislative Post Audit -- when estimating the statewide cost of meeting State outcome targets from 2006-07 to 2013-14 -- <ul style="list-style-type: none"> (1) Included school district general fund money; (2) Included the State equalization aid portion of local option budget ("LOB") money paid to school districts pursuant to K.S.A. 72-6434(f); (3) Excluded the local portion of the LOB money; and (4) Excluded the State's payment into KPERS. - Explains that the estimates were based on 2005-06 enrollments and that the steady increase in free lunch students is not figured into the estimates and therefore "the overall outcomes-based estimates likely are understated." <ul style="list-style-type: none"> - Therefore any comparison of current funding to the Legislative Post Audit estimates would either need to compare the Base amounts (set out in Exhibit 197) or adjust the Legislative Post Audit estimates for increased enrollment and increased weightings. - The foundation level funding need (general fund plus state equalization aid for the Local Option Budget) for 2011-12 (without adjusting for inflation) was estimated to be \$3.8602 billion. - The foundation level funding need (general fund plus state equalization aid for the Local Option Budget) for 2012-13 (without adjusting for inflation) was estimated to be \$3.9834 billion. 	Kansas Legislative Research Department	Scott Frank Dale Dennis Goossen Depo Ex 4
177	Rochelle Chronister Testimony	Recommendations to the Legislature regarding education.	2010 Commission	Rochelle Chronister
178	2010 Commission Report to 2011 Legislature	<p>Recommendations to the Legislature regarding education:</p> <ul style="list-style-type: none"> - Fund the formula with a BSAPP of \$4,492 with a 3-year funding cycle and an annual cost of living adjustment. - Fund all-day kindergarten. - Fully fund Professional Development and the Mentor Teacher Program. 	2010 Commission	Rochelle Chronister
179	2010 Commission Report to 2010 Legislature	<p>Recommendations to the Legislature regarding education:</p> <ul style="list-style-type: none"> - Generate the revenue needed to fund the statutorily mandated BSAPP of \$4,492. - The following should be funding priorities: Early childhood education, Before and after school tutoring and support programs, At-risk funding and programs, Staff development, Leadership academies, Highly qualified teachers. - Continue the 3-year funding cycle so districts have the flexibility to plan for the future. - Change the formula for determining special education catastrophic aid. <p>"In summary, the Commission believes we cannot sacrifice a generation of Kansas students because the economy is weak. It is time for the Legislature to take steps to ensure that the revenue and fundings of the Legislature allow every Kansas student to achieve his or her full potential." (at 2010COMM000143)</p>	2010 Commission	Rochelle Chronister

EX. #	DESCRIPTION	SYNOPSIS	WHERE FROM	WITNESSES
180	2010 Commission Report to 2009 Legislature	Recommendations to the Legislature regarding education: - Approve a 3-year school finance plan, providing increases in state aid based upon the Consumer Price Index-Urban - Approve a Professional Development Program at the Kansas State Department of Education - Approve a budget at the Kansas State Department of Education for leadership initiatives - Extend the count date law "Kansas students have made great academic strides...largely due to the infusion of school funding." (at 2010COMM000130)	2010 Commission	Rochelle Chronister
181	2010 Commission Report to 2008 Legislature	Recommendations to the Legislature regarding education: - Increase the Base State Aid Per Pupil in 2008-09 to \$4,474, to focus on increasing teacher salaries. - Increase funding to the Professional Development Program. - Increase funding to the Mentor Teacher Program. - Fund leadership academies. - Create a Teacher Retention Incentive Program - Expand Early Childhood education including the funding of all-day kindergarten. - Changes to the at-risk and bilingual weightings. - Change the threshold for special education catastrophic state aid - The Kansas State Department of Education should require every district to use the Kansas Accounting Handbook and the State Board of Education should annually review the financial reporting system.	2010 Commission	Rochelle Chronister
182	Report of At-Risk Council to 2010 Commission	Recommendations to the 2010 Commission regarding education: - Changes to the at-risk formula. - Simplification of the Non-Proficient At-Risk weighting. - The Kansas State Department of Education should be supported in its efforts to be a resource for school in identifying successful programs and strategies for helping at-risk students. - The Kansas State Department of Education should periodically reevaluate criteria for determination of a student to be in need of at-risk services and include the use of at-risk funds on specific professional development such as behavior management training. - Study early career teachers who leave the profession and successful practices to recruit and retain highly qualified teachers. - Study factors contributing to the achievement gap and lack of progress in student achievement at the high school level.	2010 Commission	Rochelle Chronister

EX. #	DESCRIPTION	SYNOPSIS	WHERE FROM	WITNESSES
183	2010 Commission Report to 2007 Legislature	<p>Recommendations to the 2010 Commission regarding education:</p> <ul style="list-style-type: none"> - Expand all day kindergarten to include all students. - Growth of at-risk programming for four year olds. - Changes to the at-risk weighting. - Professional learning communities and schools within schools should continue to be researched and used in schools across the state. - No cuts in funding at-risk programming. - Changes to bilingual weighting. Require all teachers to get an ELL endorsement to their teaching certificate. - Expansion of leadership academies, mentoring new teachers, and providing improved and increased professional development. - Every school make No Child Left Behind Act test scores available to the public. 	2010 Commission	Rochelle Chronister
184	Kansas State Board of Education Minutes – FY 09 Budget Recommendations	The Kansas State Board of Education recommended a \$41 increase in BSAPP for the FY2009 budget. (at KSBE000090)	Kansas State Board of Education	Brad Neuenswander
185	Dale Dennis FY 11 Budget Funding Options	<ul style="list-style-type: none"> - BSAPP: Additional cost of \$201,612,000 to fund the law. - Mentor Teacher Program: Additional cost of \$1,700,000 to fund the law. - Professional Development: Additional cost of \$8,500,000 to fund the law. - School Lunch: Additional cost of \$904,000 to fund the law. - Capital Outlay State Aid: Additional cost of \$27,000,000 to fund the law. <p>(See Exhibit 188 for the actual budget recommendation.)</p>	Kansas State Board of Education	
186	Board Meeting Minutes – FY 13 Budget Recommendations	The Kansas State Board of Education recommended an FY 2013 budget that would fund all education programs currently in state statute at their statutory levels. (at KSBE001689 - motion at 2:52:34) (See Exhibit 187 for the costs to fund these programs)	Kansas State Board of Education	Kelli Mather Brad Neuenswander
187	Dale Dennis State Board of Education FY13 Budget Options	<ul style="list-style-type: none"> - Base State Aid Per Pupil: Additional cost of \$474,192,000 to fund the law. - Supplemental General State Aid: Additional cost of \$69,477,157 to fund the law. (408,689,157 - 339,212,000 = 69,477,157) - Special Education: Additional cost of \$21,798,981 to fund the law. (449,515,981 - 427,717,000 = 21,798,981) - Mentor Teacher Program: Additional cost of \$2,050,000 to fund the law. (3,500,000 - 1,450,000 = 2,050,000) - Professional Development: Additional cost of \$8,500,000 to fund the law. - School Lunch: Additional cost of \$993,417 to fund the law. (3,480,875 - 2,487,458) - Capital Outlay State Aid: Additional cost of \$25,000,000 to fund the law. <p>Added together, this is an additional \$601,018,138 to fund the law. (See Exhibit 186 for the actual State Board of Education budget recommendation.)</p>	Kansas State Board of Education	
188	Kansas Board of Education Minutes – FY 11 Budget Recommendation	The Kansas State Board of Education recommended a budget that would fund the law for FY 2011, which totaled additional funding of \$281,780,223. (at A00080)	Kansas State Board of Education	Kelli Mather Brad Neuenswander

EX. #	DESCRIPTION	SYNOPSIS	WHERE FROM	WITNESSES
189	Kansas State Board of Education Minutes	Attorney General presentation to State Board of Education regarding possible school closure.	Kansas State Board of Education	
190	KS State Board of Education Minutes – FY 12 Budget Recommendation	The Kansas State Board of Education approved a budget recommendation to fund programs at the level established in current law for a total of \$471,761,017 in new funding (at KSBE000779).	Kansas State Board of Education	Kelli Mather Brad Neuenswander
191	Kansas State Board of Education Minutes - FY10 Budget Recommendation	The Kansas State Board of Education recommended an increase in BSAPP of \$10 to meet the state law requiring the CPI-U increase, as well as funding the costs of programs necessary to comply with current law. (at KSBE000722)	Kansas State Board of Education	Brad Neuenswander
192	Kansas Association of School Boards Letter to State Board of Education Regarding FY 12 Budget Funding Options	Concerns regarding increases in education costs and the need for a long-term plan to provide the revenue needed to support the school finance system.	Kansas State Board of Education	Mark Tallman
193	Kansas Association of School Boards Letter to State Board of Education Regarding Budget	Concerns regarding education funding. "Too many students still drop-out of school, or graduate without all the skill required for college, careers and citizenship...KASB is deeply concerned that suitable finance is under serious threat."	Kansas State Board of Education	
194	(This exhibit was intentionally left blank.)			
195	Legislative Post Audit Cost Study Memos	Further explanation of the Legislative Post Audit Cost Study. At LEG003440: - "A 1.00% in student performance was associated with a 0.83% increase in spending."; 99%+ confident of this relationship. - "A student qualifying for free lunch was between 65% and 115% more expensive to educate than a typical student, depending on the concentration of poverty in the district."; 94% confident of this relationship. - "A student needing bilingual services was 14% more expensive to educate than a typical student."; 95% confident of this relationship.	Legislative Post Audit	Scott Frank
196	Legislative Post Audit Report: K-12 Education: School Districts' Use of Additional State Funding	Details funding increases from 2004-05 to 2007-08 and how those increased funds were spent. "Because student performance is the result of years of accumulated instruction, it's too early to tell how the new funding has affected performance. However, our review of recent expenditures showed that most of districts' increased spending was in the area thought to have the most direct impact on performance--student instruction--although there also were notable increases in spending for administration, maintenance, and transportation."	Legislative Post Audit	Scott Frank
197	Legislative Post Audit Projection of Costs for Outcomes Based Approach to 2013-14	Legislative Post Audit estimated costs showing the Base in 2006-07 dollars: The estimated cost of the Base for 2011-12 was \$5,922. The estimated cost of the Base for 2012-13 was \$6,142.	Legislative Post Audit	Bruce Baker Scott Frank Dale Dennis

EX. #	DESCRIPTION	SYNOPSIS	WHERE FROM	WITNESSES
198	Legislative Post Audit Cost Study Executive Summary – Elementary and Secondary Education in Kansas: Estimating the Costs of K-12 Education Using Two Approaches	<p>This is the executive summary to the 2006 study commissioned by the Legislature at Exhibit 6.</p> <ul style="list-style-type: none"> - The estimated base-level cost in 2006-07 is \$4,659 per student, partly the result of inflation, but also because of increasing performance standards. (at BAKER000893) - At-Risk Weights , the additional cost of at-risk students (at BAKER000894): <ul style="list-style-type: none"> - The estimated at-risk weight (cost) recommended is 0.484 per free lunch student. - The statutory weight in K.S.A. 72-6414 is 0.456. (See Exhibit 1 at PRIMER000099) - The urban-poverty weight (cost) recommended is 0.726. - The statutory weight in K.S.A. 72-6455 is 0.10 or in K.S.A. 72-6459 is 0.06. (See Exhibit 1 at PRIMER 000118-119.) - Applying those recommended at-risk weights for 2006-07 result in \$361 million in increased funding need for 2006-07. - The estimated bilingual weight is 0.1 per bilingual student headcount. This may be understated. (at BAKER000895) - Additional costs of Special Education students for 2005-06 were about \$419 million. The formula for computing the "excess" cost of Special Education significantly overstates how much districts realistically could reduce their regular education costs when students receive Special Education services. (at BAKER000895-000896) - Education costs vary regionally from about 5% above the average to 2% below the average, adding \$41 million to costs for the 2006-07 school year (cost of living). (at BAKER000898) 	Legislative Post Audit	Scott Frank
199	Legislative Post Audit – January 2006 Elementary and Secondary Education in Kansas – Estimating the Costs of K-12 Using Two Approaches	<p>This is the 2006 study commissioned by the Legislature at Exhibit 6. Items to note:</p> <ul style="list-style-type: none"> - The cost model was built using historical spending data that included federal sources of funding and was in 2003-04 dollars. Legislative Post Audit reduced the estimated base cost of \$4,024 to \$3,899 to remove the federal funding, to better reflect the costs the State might fund. Then Legislative Post Audit adjusted for inflation, bringing the base up to \$4,167 for 2005-06. The same process for 2006-07: reduced the base by \$125 to remove the federal funds, then up for inflation to get a base of \$4,659. (at USD443 001586) - "One option for removing federal funding was to estimate each district's costs...first, and then remove the federal funding...after the initial estimate. We couldn't be sure that this approach wouldn't be viewed by the federal government as using its funds to supplant State funds. Instead we chose to reduce the base-level costs and student weights before we applied them to each district." (at USD443 001678) - It is therefore inappropriate to include federal funds when determining whether school districts' funding is currently at Legislative Post Audit levels. If one did do this comparison, the same \$125 should be added back to the base for the calculation and then inflated from 2003-04 dollars, or the \$205.5 million in removed federal funds should be inflated from 2003-04 dollars. - "The estimated base-level cost of meeting standards will continue to increase significantly in future years, because the standards adopted by the Board increase each year until 2013-14." (at USD443 001586) 	Legislative Post Audit	Mark Tallman Bruce Baker Scott Frank Eric Hanushek Dale Dennis Goossen Depo Ex 3
200	John Myers Resume	John Myers is a qualified expert in school finance issues.	John Myers	John Myers
201	State of Kansas Testimonial from Augenblick, Palaich and Associates Website	Dale Dennis of the Kansas State Department of Education testimonial on Augenblick, Palaich and Associates website that Augenblick and Myers was "producing high quality, reliable work".	Augenblick, Palaich and Associates	

EX. #	DESCRIPTION	SYNOPSIS	WHERE FROM	WITNESSES
202	(This exhibit was intentionally left blank.)			
203	Calculation of the Cost of Suitable Education in Kansas in 2000-01 Using Two Different Analytic Approaches for Legislative Coordinating Council	<p>2002 Study commissioned by the Legislature at Exhibit 7.</p> <p>Augenblick & Myers used both the Successful School District Approach and Professional Judgment Approach to calculate the cost of a suitable education.</p> <ul style="list-style-type: none"> - The study came up with these two base cost figures (at LEG001404): <ul style="list-style-type: none"> \$4,547 - Successful School District Approach \$5,811 - Professional Judgment Approach They determined that the lower figure could be used for the base and higher for the Local Option Budget limit. If the Local Option Budget limit has to be fixed at 25%, then the base could be set at \$4,649. - Recommendation: Set base at \$4,650 for FY2001. (at LEG001414) - Other things to note: <ul style="list-style-type: none"> - The recommended base was to meet much lower standards than we have today (see specifically qualified admissions at LEG001428 compared to Exhibit 67 and outcomes at LEG001429 compared to Adequate Yearly Progress targets at Exhibit 74). 	Augenblick & Myers	John Myers Eric Hanushek Goossen Depo Ex 5
204	Augenblick & Myers Study Proposed Formula Comparison to 2002 Legal Max	<p>Kansas State Department of Education summary of Augenblick & Myers study recommendations.</p> <ul style="list-style-type: none"> - Increase in funding needed for 2003-04 would be \$852,777,901. (at EXP-MYERS000005) 	Kansas State Department of Education	John Myers
205	Augenblick & Myers Study Update Contract Between John Myers, Augenblick, Palaich and Associates and John Robb	Schools for Fair Funding asked Augenblick, Palaich and Associates to update the Augenblick & Myers study in 2005.	Augenblick, Palaich and Associates	John Myers
206	Augenblick & Myers Study Update Contract Between John Myers, Augenblick, Palaich and Associates and John Robb	Augenblick, Palaich and Associates options for updating study.	Augenblick, Palaich and Associates	John Myers
207	Updating The Results of the Augenblick & Myers School Finance Adequacy Study for Kansas to 2004-05	Augenblick, Palaich and Associates calculated an updated Base cost of \$4,806 per pupil for the 2004-05 school year.	Augenblick, Palaich and Associates	John Myers
208	John Myers Augenblick & Myers Study Update	Augenblick, Palaich and Associates updated the \$4,550 successful school district approach figure to \$5,615 per pupil for the 2010-11 school year.	Augenblick, Palaich and Associates	John Myers
209	2011 CPI for Base Chart	2011 inflation. Used to further calculate inflation on the Augenblick & Myers study Base for FY 2012. (see Exhibit 236)	U.S. Department of Labor	
210	John Myers Augenblick & Myers Study Update October 2011	Augenblick, Palaich and Associates updated the \$4,650 study recommended Base to \$5,738 per pupil for the 2010-11 school year.	Augenblick, Palaich and Associates	John Myers

EX. #	DESCRIPTION	SYNOPSIS	WHERE FROM	WITNESSES
211	Summary of John Myers Updates	Augenblick & Myers study and updates summarized.	Plaintiff created using data from Ex 203, 207, 208 & 210	John Myers
212	USD 259 Finance Data	Selected information regarding the Wichita school district for the 2010-11 school year.	Kansas Association of School Boards	
213	USD 259 2011-12 Budget Form 150	This is the form completed by the Wichita school district to estimate the FY2012 General Fund and Local Option Budget funding. The numbers are based on enrollment and weightings during the prior school year.	Kansas State Department of Education	Linda Jones
214	USD 259 Budgets 2008-09 to 2011-12	Budget at a Glance and Budget Profile for the Wichita school district for the past four years. Things of note: - The largest increase in instruction expenditures was \$10 million in increased KPERS contributions which are state funds that pass through the district budget. Other significant increases were to Capital Outlay and Gifts/Grants (at USD259 012384). - The numbers of low income students (who cost more to educate) have been increasing (USD259 012386). - The number of staff has been decreasing. (USD259 012389) - "Key Issues Influencing 2011-12 Budget Development" can be found at USD 259 12247 to 12249. - Explanation of expenditures, reasons for increases, decreases and cash balances, can be found at USD259 012253 to 12254.	Kansas State Department of Education	Linda Jones
214A	USD 259 Average Salaries 2010-2012	Wichita school district employees are not receiving raises.	USD 259 Wichita	John Allison Linda Jones
215	USD 259 Budget Forms	Complete budget for school year 2011-12 as prepared by the Wichita school district.	Kansas State Department of Education	Linda Jones
216	USD 308 Finance Database	Selected information regarding the Hutchinson school district for the 2010-11 school year.	Kansas Association of School Boards	
217	USD 308 2011-12 Budget Form 150	This is the form completed by the Hutchinson school district to estimate the FY2012 General Fund and Local Option Budget funding. The numbers are based on enrollment and weightings during the prior school year.	Kansas State Department of Education	Lori Blakesley
218	USD 308 Budgets 2008-09 to 2011-12	Budget at a Glance and Budget Profile for the Hutchinson school district for the past four years. Things of note: - The largest increases in instruction expenditures was \$1 million in increased KPERS contributions which are state funds that pass through the district budget. Other significant increase was to Special Education (at USD308 010571). - The numbers of low income students (who cost more to educate) have been increasing (USD308 010573). - The number of staff has been decreasing. (USD308 010576) - "The District's Accomplishments and Challenges" can be found at USD308 010581.	Kansas State Department of Education	Lori Blakesley

EX. #	DESCRIPTION	SYNOPSIS	WHERE FROM	WITNESSES
219	USD 308 Budget Forms	Complete budget for school year 2011-12 as prepared by the Hutchinson school district.	Kansas State Department of Education	Lori Blakesley
220	USD 308 Board Monitoring Report	Hutchinson School District detailed budget planning information.	USD 308	Lori Blakesley
221	USD 443 Finance Data	Selected information regarding the Dodge City school district for the 2010-11 school year.	Kansas Association of School Boards	
222	USD 443 Revenue and Expenditure Information FY 10-FY15	Budget planning information for the Dodge City school district.	USD 443	Bill Hammond
223	USD 443 2011-12 Budget Form 150	This is the form completed by the Dodge City school district to estimate the FY2012 General Fund and Local Option Budget funding. The numbers are based on enrollment and weightings during the prior school year.	Kansas State Department of Education	Kelli Mather Bill Hammond
224	USD 443 Budgets 2008-09 to 2011-12	Budget at a Glance and Budget Profile for the Dodge City school district for the past four years. Things of note: - The largest increases in instruction expenditures was an 89% increase in KPERS contributions which are state funds that pass through the district budget. Other significant increases were to Summer School and Special Education (at USD443 016566). - The overall enrollment and the numbers of low income students (who cost more to educate) have been increasing (USD443 016568).	Kansas State Department of Education	Bill Hammond
225	USD 443 Budget	Complete budget for school year 2011-12 as prepared by the Dodge City school district.	Kansas State Department of Education	Bill Hammond
226	USD 500 Finance Database	Selected information regarding the Kansas City school district for the 2010-11 school year.	Kansas Association of School Boards	
227	USD 500 2011-12 Budget Form 150	This is the form completed by the Kansas City school district to estimate the FY2012 General Fund and Local Option Budget funding. The numbers are based on enrollment and weightings during the prior school year.	Kansas State Department of Education	Kelli Mather
228	USD 500 Budgets 2008-09 to 2011-12	Budget at a Glance and Budget Profile for the Kansas City school district for the past four years. Things of note: - The largest increases in instruction expenditures was \$13 million from the Supplemental General Fund (Local Option Budget), \$4 million in Special Education, \$3.7 million in Capital Outlay, and \$4.8 million in increased KPERS contributions which are state funds that pass through the district budget. (at USD500 002683). - The numbers of low income students (who cost more to educate) have been increasing (USD500 002685). - Assessed valuation has been decreasing. (USD500 002687) - Explanation of expenditures, reasons for increases, decreases and cash balances, can be found at USD500 002550 to 002552.	Kansas State Department of Education	Kelli Mather
229	USD 500 FY 12 Budget Forms	Complete budget for school year 2011-12 as prepared by the Kansas City school district.	Kansas State Department of Education	Kelli Mather Dale Dennis

EX. #	DESCRIPTION	SYNOPSIS	WHERE FROM	WITNESSES
230	All Schools FY 12 Budgets	This is the data from which exhibit 231 and 232 were created.	Kansas State Department of Education	
231	2010-2011 Actual Expenditures by Fund, super expanded version created using Kansas State Department of Education SF12-016 (Exhibit 232) and FY12 Budgets (Exhibit 230)	This shows all expenditures by fund. Caution should be used with these numbers for the following reasons: - Cooperative Special Education expenditures are reported in the hosting district's budget, but have also been reported as special education expenditures in the non-hosting districts, creating a duplication of expenditures. There are similar arrangements in some districts for Parent Education and Vocational Education, which is embedded within those funds. The hosting district then also appears to have higher expenditures per pupil due to the coop expenditures on students outside of the district.	Plaintiff created using Kansas State Department of Education data from Ex 230	
232	Kansas State Department of Education Expanded version of SF12-016.xlsx	This is the Expenditures Per Pupil spreadsheet used by the State with the embedded columns "unembedded".	Kansas State Department of Education	
233	BSAPP Chart with Documentation	This shows the Base State Aid Per Pupil from 1993 to 2013.	Plaintiff Created using Ex 233, pg. 86	Cynthia Lane Kelli Mather Valdenia Winn Mark Tallman Tom Foster Shelly Kiblinger Dale Dennis
234	Kansas Fiscal Facts; Legislative Research	This has the data for Exhibit 233 at page 86 (LEG003707).	Kansas Legislative Research Department	
235	Dale Dennis SF12-136 FY13 Base Increase of \$58	Estimate of the \$40 million increase to FY13 Base State Aid Per Pupil of \$58 from \$3,780 to \$3,838. (see chart at Exhibit 233)	Kansas State Department of Education	Dale Dennis
236	Base chart with studies and documentation	This shows the actual Base State Aid Per Pupil, compared to the Legislature commissioned cost studies and inflation from 1993. All these measures show that the Base State Aid Per Pupil should be significantly higher than what has been appropriated.	Plaintiff Created with data attached	Scott Frank Anthony Hensley Dale Dennis
237	Base chart with studies - COSTS vs. RESOURCES	Costs are increasing by any measure. Resources have decreased.	Plaintiff Created with data in Ex 236	Bruce Baker John Myers
238	Amended Petition	Plaintiff claims.	Court record	
239	Answer to Amended Petition	The State admits that appropriations have reduced the States' general and supplemental aid, and no appropriations were made for capital outlay.	Court record	

EX. #	DESCRIPTION	SYNOPSIS	WHERE FROM	WITNESSES
240	Dale Dennis Documents Regarding Cuts	<p>School Funding cuts from FY2009 to FY2012:</p> <ul style="list-style-type: none"> - 2/17/09 memo showing a FY2009 General Fund cut of \$33 from the Base State Aid Per Pupil ("BSAPP") totaling \$20,880,532 and a 1% Special Education cut totaling \$4,464,507. (A00008-13) - This was a mid-year cut to funding, limiting the ability of districts to adjust their budgets. - 3/27/09 memo showing a FY2010 General Fund cut of \$33 from the BSAPP totaling \$22,544,960 and a 1% Special Education cut totaling \$4,464,514. (A00014-19) - 5/7/09 memo showing a FY2010 General Fund cut of \$120 from the BSAPP totaling \$76,042,428. This includes the \$33 cut in the 3/27/09 memo. It also shows the Capital Outlay State Aid reduction of \$22,600,000.(A00020-26; KSBE000786-792) - 7/2/09 memo showing a FY2010 General Fund cut of \$62 from the BSAPP totaling \$39,327,580. (A00037-42) - This was a mid-year cut to funding, limiting the ability of districts to adjust their budgets. - 11/24/09 memo showing a FY2010 General Fund cut of \$206 from the BSAPP totaling \$134,355,363. (A00043-47) - This was a mid-year cut to funding, limiting the ability of districts to adjust their budgets. - 3/11/11 Allotment reducing the FY2011 General Fund by \$75 from the BSAPP totaling \$49,429,629. (GOV002882) - This was a mid-year cut to funding, limiting the ability of districts to adjust their budgets. - 1/13/11 memo showing the FY2011 allotment plus an additional FY2012 cut of \$157 to BSAPP totaling \$103,472,687. (KSDE001333-1337) - 9/22/11 memo showing that the Local Option Budget State Aid proration of 85.7% for FY2012, totaling \$56,594,224. (KSDE137659-137666) <p>All together these cuts total over \$511 million.</p>	Plaintiff Created Compilation of Funding Cuts with Kansas State Department of Education data attached	Goossen Depo Ex 15 (KSBE000786- KSBE000792) Goossen Depo Ex 23 (A00020-A00026)
241	Base and Cuts Document	<p>Summary of Cuts using data in Exhibit 240.</p> <p>School districts had expected the base to increase to \$4,433 in FY2009 and \$4,492 in FY2010. In reality, the cuts kept coming and the base was \$3,780 in FY2012.</p> <p>In addition to the base cuts, there were cuts to special education funding, capital outlay equalization, and proration of Local Option Budget equalization.</p>	Plaintiff created using Kansas State Department of Education data from Ex 240	Mark Tallman Dale Dennis Anthony Hensley John Allison Linda Jones Dale Dennis
242	Comparison of FY2009 to FY2012 General Fund plus Local Option Budget with Weighting Comparison	<ul style="list-style-type: none"> - The percentage of high cost kids has increased, and enrollment overall has increased since 2009, by 38,678.6 weighted kids or 6%. Instead of funding these increased costs, the State has decreased the Baes State Aid Per Pupil. - Districts have increased their Local Option Budgets by \$60 million since FY2009. This has shifted the state's obligation to the local taxpayers. - Some of the cuts won't show up on this spreadsheet if they aren't on Legal Max, such as the capital outlay and proration of state equalization aid for the Local Option Budget. 	Plaintiff Created using data from Ex 9 and Ex 12	
243	FY 2012 Legal Max Recalculated Using Base of \$4,492	What the General Fund and Local Option Budget would be if calculated at the statutory base of \$4,492. This shows that the State is underfunding education by at least \$487 million.	Plaintiff created using Ex 12	
244	FY 2012 Legal Max Recalculated Using Base of \$5,944	What the General Fund and Local Option Budget would be if calculated at the average cost study base of \$5,944. This shows that the State is underfunding education by at least \$1.728 billion.	Plaintiff created using Ex 12	

EX. #	DESCRIPTION	SYNOPSIS	WHERE FROM	WITNESSES
245	Amount Underfunded - Base Raised to Statutory Base of \$4,492 or Average Cost Study Base of \$5,944	Comparison of Exhibit 243 and Exhibit 244.	Plaintiff created using Ex 243 & Ex 244	
246	DeBacker PowerPoint - LeCompton, 4/27/10	KSDE141638: FY10 reductions or underfunding was \$310,979,751, which included 2,101 licensed positions and 1,603 classified positions.	Kansas State Department of Education	
247	Dale Dennis PowerPoint – Council of Superintendents	KSDE139932: 2010-11 Additional Revenue needed to Fund Current Law = \$415,130,648.	Kansas State Department of Education	
248	Dale Dennis PowerPoint; State Board of Education; FY2013 Budget Options	<p>KSDE140959: Special Education has been prorated/underfunded in recent years.</p> <p>KSDE140960: Special Education needs to be increased by \$21.7 million to meet state law for FY2013.</p> <p>KSDE140963: Mentor Teacher Program has been underfunded/not funded in recent years. It would take \$3.5 million to meet state law for FY2013.</p> <p>KSDE140964: Professional Development has not been funded in recent years. It would take \$8.5 million to meet state law for FY2013.</p> <p>KSDE140966: School Lunch has been underfunded in recent years. It would take \$3.48 million to meet state law for FY2013 (an increase of \$1 million).</p> <p>KSDE140967: Capital Outlay State Aid has not been funded in recent years. It would take \$25 million to meet state law for FY2013.</p> <p>KSDE140972: National Board Certification has been underfunded/not funded in recent years. It would take \$300,000 to meet state law for FY2013.</p>	Kansas State Department of Education	
249	Kansas Association of School Boards Enrollment Projections - May 2011	Public school enrollments are projected to increase by approximately 5,000 kids per year in future years. This will require more resources allocated to schools.	Kansas Association of School Boards	
250	Dale Dennis PowerPoint; Cherokee County Farm Bureau	Costs continued to increase in FY2012, requiring a Supplemental Appropriation of \$24,678,000.	Kansas State Department of Education	

EX. #	DESCRIPTION	SYNOPSIS	WHERE FROM	WITNESSES
251	DeBacker PowerPoint - Kansas First Learning Alliance	<p>KSDE142835: Kansas Board of Education goal is to "[e]nsure that all students meet or exceed high academic standards and are prepared for their next steps (e.g., the world of work and/or post-secondary education)."</p> <p>This is similar to the Quality Performance Accreditation standards at 72-6439 (Exhibit 47) and legislative goals at 72-1127 (Exhibit 39).</p> <p>KSDE142845: Areas of Concern:</p> <ul style="list-style-type: none"> - 4.2% of students take remedial courses at KS universities (\$907,042) - 18.7% of students take remedial courses at KS community colleges (\$5,407,705) - 45% of students who take one remedial course continue to graduation. That means 55% don't. - 18% of students who take three or more [remedial] courses graduate. That means 82% don't. - Employers estimate 45% of HS graduates lack the skills to advance. <p>KSDE142856-142857: Teaching in Kansas:</p> <ul style="list-style-type: none"> - 14% of teachers quit in their first year - 33% leave within 3 years - 50% leave within the first 5 years - 36% of teachers can retire in the next 5 years - 12% fewer students are going into teaching - Kansas ranks 38th in the nation for teacher's salaries - 50% of personnel are over 45; 36% are over 50 <p>KSDE142872: "What sits in our classrooms today, is the future of tomorrow. There is no tomorrow if dollars are cut and school doors are closed."</p>	Kansas State Department of Education	
252	How Much More Does a Disadvantaged Student Cost?	Duncombe and Yinger paper regarding calculation of the additional costs of disadvantaged students.	Syracuse University	Bruce Baker
253	Dale Dennis Memo to LEPC regarding cuts	<p>Dale Dennis presentation to Legislative Educational Planning Committee.</p> <ul style="list-style-type: none"> - Increased costs and decreased revenue for FY2010 (KSDE142813) - Survey of USD Reductions in June 2009 showed 3,701 staff positions cut. Those cuts plus other program reductions amounted to \$167,213,916 in cuts. (KSDE142814) - Listing of Cost-Cutting and Efficiency Measures Accomplished by Kansas School Districts (used as large, demonstrative exhibit) at KSDE142814-818. 	Kansas State Department of Education	Mark Tallman Dale Dennis
254	Survey; Programs Districts are Considering Eliminating for 2010-2011; SF0033	Program cuts that were being considered in 2010-2011.	Kansas State Department of Education	Dale Dennis
255	Kansas Association of School Boards Get the Facts - School District Employment Reductions Slow	School districts have cut more than 2,500 positions since 2009. This means about half the new positions added in the 4 years after Montoy have been eliminated. Staff increases since 2002 have been in Instructional Support, Instruction, Student Support and Transportation. All other employee numbers have decreased from 2002 numbers.	Kansas Association of School Boards	
256	Cindy Lane Affidavit	Details the cuts made to the Kansas City school district budget in the 2008-09 and 2009-10 school years in response to funding cuts.	Petrella v. Brownback	Cynthia Lane
257	Kansas City School District Budget Cuts	Details cuts made to the Kansas City school district budget in response to funding cuts.	USD 500 Kansas City	Cynthia Lane Kelli Mather
258	Kansas City School District Budget Cuts	Details reductions made in the Kansas City school district in response to funding cuts.	USD 500 Kansas City	Cynthia Lane Kelli Mather

EX. #	DESCRIPTION	SYNOPSIS	WHERE FROM	WITNESSES
259	Kansas City School District Liquidated Damages	The Kansas City school district loses teachers mid contract to other districts with less poverty and therefore better working conditions.	USD 500 Kansas City	Edwin Hudson
260	USD 500 Liquidated Damages	The Kansas City school district loses teachers mid contract to other districts with less poverty and therefore better working conditions.	USD 500 Kansas City	Edwin Hudson
261	Rippee Liquidated Damages	The Kansas City school district loses teachers mid contract to other districts with less poverty and therefore better working conditions.	USD 500 Kansas City	
262	Kansas City School District Vacancies	Vacancies in the Kansas City school district.	USD 500 Kansas City	Edwin Hudson
263	Alan Cunningham Affidavit	Dodge City school district difficulties concerning increasing population at a time of funding cuts and defeated bond issues.	Petrella v. Brownback	Alan Cunningham
264	Dodge City Budget Cuts	Details cuts made to the Dodge City school district budget in response to funding cuts.	USD 443 Dodge City	Alan Cunningham Bill Hammond
265	Cunningham Letter to Gov. Brownback	Details effects of funding cuts on the Dodge City school district and unwillingness of local taxpayers to fund facilities. The district did not make Adequate Yearly Progress.	USD 443 Dodge City	
266	Staff Development Funding Priority Rubric	Dodge City school district rubric for criteria for staff development.	USD 443 Dodge City	Alan Cunningham
267	(This exhibit was intentionally left blank.)			
268	USD 443 Superintendent Letter to Board of Education regarding Budget Cuts	Details Dodge City school district program reductions.	USD 443 Dodge City	Alan Cunningham Bill Hammond
269	USD 443 Survey Regarding Bond Defeated	Reasons why the Dodge City school district bond issue was defeated. Significant number of voters "were worried about whether the state would continue to pay 49% of the cost."	USD 443 Dodge City	Alan Cunningham
270	Dodge City ELL Data FY 2008 and FY 2009	Detailed information on achievement of English Language Learner students in the Dodge City school district.	USD 443 Dodge City	
271	USD 443 Q'tal What If? PowerPoint	Detailed information on achievement of English Language Learner students in the Dodge City school district.	USD 443 Dodge City	Alan Cunningham
272	RFP 130 - USD443 KSDE and State BOE in Dodge City	Presentation regarding Dodge City demographics, enrollment, achievement prior to funding cuts.	USD 443 Dodge City	
273	Needs Analysis of Dodge City Public Schools	Kansas State Department of Education Learning Network's evaluation of needs in the Dodge City school district.	USD 443 Dodge City	
274	Kansas Learning Network Visits Dodge City	Information regarding Dodge City for the Learning Network.	USD 443 Dodge City	
275	Needs Analysis of Wichita Public Schools	Kansas State Department of Education Learning Network's evaluation of needs in the Wichita school district.	USD 259 Wichita	
276	Budget Update 2011-12	Wichita school district budget reductions due to funding cuts.	USD 259 Wichita	
277	Recommended Budget Reduction List Phases 3-4	Wichita school district budget reductions due to funding cuts and impact on the district.	USD 259 Wichita	
278	Wichita 2010-11 Budget Cuts	Wichita school district budget reductions in 2010-11 due to funding cuts.	USD 259 Wichita	

EX. #	DESCRIPTION	SYNOPSIS	WHERE FROM	WITNESSES
279	USD 259 Budget Cuts 2011-12	Wichita school district budget reductions in 2011-12 due to funding cuts.	USD 259 Wichita	John Allison Linda Jones
280	USD 259 Budget Cuts 2010-11	Wichita school district budget reductions in 2010-11 due to funding cuts.	USD 259 Wichita	
281	USD 259 Budget Cuts 2009-10	Wichita school district budget reductions in 2009-10 due to funding cuts.	USD 259 Wichita	
282	USD 259 Return on Investment General Fund and Local Option Budget	Investments made in the Wichita school district with additional funding after Montoy.	USD 259 Wichita	John Allison Linda Jones
283	USD 259 Budget Cuts	Wichita school district budget reductions between 2008-09 and 2011-12 due to funding cuts.	USD 259 Wichita	John Allison Linda Jones
284	Midtown Community Resource Center	Wichita school district budget reductions in 2010-11 and 2011-12 due to funding cuts.	USD 259 Wichita	
285	USD 500 News Release – Begin New School Year with \$8.7M in Cuts	Budget reductions to the Kansas City school district have totaled \$43.3 million in five years.	USD 500 Kansas City	Kelli Mather
286	USD 259 Art Supplies Breakdown	The Wichita school district allocates \$0.68 per student per year for the Art classrooms. They are not spending too much on art.	USD 259 Wichita	
287	USD 259 Teacher Negotiations FY 10-FY 13 Cost of Salary Steps, Longevity Cuts	Teachers in the Wichita school district have not had a raise in 4 years either for increased experience, increased education or cost of living.	USD 259 Wichita	John Allison Linda Jones
288	USD 308 Cuts	Hutchinson school district budget reductions due to funding cuts.	USD 308 Hutchinson	Lori Blakesley Shelly Kiblinger
289	2011-12 Budget Planning Documents	Hutchinson school district budget planning information.	USD 308 Hutchinson	Lori Blakesley
290	History of USD 308 Presentations	Hutchinson school district demographics, achievement, construction.	USD 308 Hutchinson	Shelly Kiblinger
291	Curriculum Leaders Meeting Minutes	Diane DeBacker presentation: "We are working on the momentum that we have created. We cannot continue to make cuts and expect this growth."	Kansas State Department of Education	
292	Does Money Matter in Education; Dr. Bruce Baker; The Albert Shanker Institute	Money does matter in education, resources that cost money matter, and more equitable distribution of school funding can improve outcomes.	Bruce Baker	Bruce Baker
293	Revisiting the Age Old Question – Does Money Matter in Education	Essentially a duplicate of Exhibit 292.	Bruce Baker	
294	DeBacker PowerPoint – House and Senate	KSDE141291: Money Matters: Legislative Post Audit found "a 1% increase in district performance outcomes was associated with a 0.83% increase in spending". KSDE141291: "What sits in our classrooms today is the future of tomorrow. Dollars spent on education today translate into investments and returns on our investments for our future."	Kansas State Department of Education	
295	Dale Dennis PowerPoint – Greenbush Leadership	KSDE140292: "What is the highest priority for Kansans? Maintaining high-quality schools or Reducing corporate income taxes"	Kansas State Department of Education	

EX. #	DESCRIPTION	SYNOPSIS	WHERE FROM	WITNESSES
296	Dale Dennis PowerPoint – Edwards County	KSDE140110: 2009-10 School Year underfunding of \$310,979,751.	Kansas State Department of Education	Dale Dennis
297	(This exhibit was intentionally left blank.)			
298	State General Fund Profile Series	<p>April 13, 2012 Kansas Legislative Research Department projected that the State General Fund ending balance would increase to \$437.0 million in FY2012 and \$673.7 million in FY2013. (SFFF000608)</p> <p>The economy is recovering.</p> <p>Things of note:</p> <ul style="list-style-type: none"> - The budget hole had been projected at the beginning of the Montoy 3-year funding plan in 2006. (see SFFF000603) - The state continued to spend down its balances rather than finding revenue sources to support the Montoy 3-year funding plan (see negative "Receipts in Excess of Approved Expenditures" at SFFF000605-606) 	Plaintiff created with Kansas Legislative Research Department data attached	Anthony Hensley
299	State General Fund Profile Series with Ending Balance Chart	<p>This chart shows the effect of the tax cuts on the State budget.</p> <p>Additional revenue will have to be found or additional cuts will have to be made to offset the tax cuts.</p> <p>The projections from Kansas Legislative Research Department can be found at SFFF000616.</p> <p>With education at over 50% of the state budget, this does not bode well for Kansas public education; more education cuts appear to be on the horizon.</p>	Plaintiff created with Kansas Legislative Research Department data attached	Brad Neuenswander Anthony Hensley
300	Dale Dennis SF12-135 Reduction of State Aid by \$1B	Dale Dennis memo showing the effect of reducing General State Aid by \$1 billion. All districts are severely cut.	Kansas State Department of Education	Dale Dennis
301	Status of the State General Fund FY 2009-2011	The state budget hole.	Kansas Legislative Research Department	Mark Tallman Anthony Hensley
302	Status of the State General Fund FY 2008-FY 2012	The state budget hole.	Kansas Legislative Research Department	Mark Tallman Anthony Hensley
303	State General Fund Profile FY 2005-FY 2009	The budget hole had been projected at the beginning of the Montoy 3-year funding plan.	Kansas Legislative Research Department	Mark Tallman Anthony Hensley
304	Governor Parkinson – KS Has Responsibly Handled Its Budget Crisis	Details tax reductions and eliminations, and the Legislature's failure to find additional revenue required to fund schools. "For two years right before the recession we were spending \$500 million more than we were taking in."	State of Kansas	

EX. #	DESCRIPTION	SYNOPSIS	WHERE FROM	WITNESSES
305	Dale Dennis PowerPoint – Greenbush Leadership Academy	Calculated inflation on the base (at KSDE143146): - 1992 base of \$3,600 adjusted for inflation would be \$5,809.80 in 2011. - The statutory base of \$4,492 today would be the same as \$2,783.43 in 1992. - The 2012 base of \$3,780 would be the same as \$2,342.25 in 1992. "How did we get in this Financial mess? Tax Cuts"	Kansas State Department of Education	
306	Traditional Republicans for Common Sense Information	48 former Republican legislators formed a group and "all raise their voices in concern over these issues [tax policy changes] and over the looming crisis for our children's education"	Traditional Republicans for Common Sense	
307	Traditional Republicans for Common Sense News Release	"advocate for common sense policy positions - like job creation, funding our schools and providing for common sense tax policy"	Traditional Republicans for Common Sense	
308	John Wong; Sales Tax Erosion in Kansas; Report for Kansas Department of Revenue	Policy choices have caused Sales and Use Tax exclusions and exemptions totaling \$3.6376 billion.	Kansas Department of Revenue	Anthony Hensley
309	SGF Profile – Status of the State General Fund 9-14-11	The state budget hole.	Kansas Legislative Research Department	Anthony Hensley
310	Summary of KS Tax Credit Filers	Summary of tax credits in 2003, 2005, and 2007. These have decreased State resources.	Legislative Post Audit	Brad Neuenswander
311	Wong KS Tax Incidence Study	Who pays Kansas Individual Income, Residential Property, and Retail Sales Taxes. - Kansas individual income tax is modestly progressive, and tends to be more progressive than other states. - Kansas residential property tax is significantly regressive. The lowest income groups paid 23.6% of their income in property taxes compared to the highest income households paid 0.6% of their income on property taxes. - Kansas retail sales tax is moderately regressive.	Kansas Department of Revenue	Anthony Hensley
312	Tax Cuts	Estimated fiscal impact of Sales tax exemptions for services.	Kansas Department of Revenue	Brad Neuenswander
313	Joan Wagon KS Secretary of Revenue – Financing Government or Where Has All the Money Gone?	Details on tax erosion.	Kansas Department of Revenue	Brad Neuenswander
314	Effect of Tax Reductions since 1995	Tax reductions between 1995 and 2005 total a cumulative amount of \$6.7 billion.	Kansas Legislative Research Department	Scott Frank Brad Neuenswander Part of Goossen Depo Ex 31
315	Kansas Legislative Research Department Courtwright Memo to Senator Hensley, Tax Changes Since 2000	Effect of tax changes since 2005 estimated through FY2013. These total \$143 million for FY2009; \$180 million for FY2010, \$228 million for FY12 and a cumulative amount of \$1.135 billion through FY2013 just for those tax cuts enacted in FY2005 through FY2009. Instead of raising revenue to fund the 3-year plan, the Legislature chose to cut taxes.	Kansas Legislative Research Department	Scott Frank Brad Neuenswander Part of Goossen Depo Ex 31

EX. #	DESCRIPTION	SYNOPSIS	WHERE FROM	WITNESSES
316	SGF Profile – Status of the State General Fund FY 10-FY 13 Consensus Revenue Estimates	Estimates before the recent tax cuts, showing positive State General Fund Ending Balances into FY 2012 & FY 2013.	Kansas Legislative Research Department	
317	State General Fund Outlook – 2007-11	This shows the "spending down" of the state ending balance.	Kansas Legislative Research Department	
318	John Wong; Comparative Analysis of the Economic Impact on Kansas of a Sales Tax Increase and/or State Spending Reductions	Report explaining why a sales tax increase would have a lesser negative impact than state spending reductions.	Kansas Economic Progress Council	Anthony Hensley
319	Dale Dennis; Brad Neuenswander PowerPoint; Budget Workshop 2010-2011 Fiscal Year	KSDE139917: "You can't have a State Government small enough to drown in a bathtub, but large enough to pull your butt out of a raging flood." KS State Rep. - 2010 Session	Kansas State Department of Education	
320	Evidence Counts	Research regarding tax policy.	PEW Center on the States	
321	Tallman Testimony regarding Kansas Tax Structure	School district expenditures have not significantly changed as a percentage of Kansas personal income in 50 years.	Kansas Association of School Boards	
322	Tallman Testimony regarding Kansas tax Structure	Recommendation that the tax system must be able to support the Legislature's duty to fund education.	Kansas Association of School Boards	
323	Erosion of Tax Base	Kansas compares favorably with other states in the amount of revenues collected per person in the state. The tax structure has become more reliant on regressive taxes since 1995. - Select income tax credits since 1995 amount to a cumulative \$2.314 billion or \$318.2 million in FY2010. - Select property tax reductions since 1995 amount to a cumulative \$5.821 billion or \$623.8 million in FY2010. - Select sales tax reductions since 1995 amount to a cumulative \$1.031 billion or \$109.5 million in FY2010.	Kansas Action for Children	Anthony Hensley
324	Alan Conroy, Director of Kansas Legislative Research Department, KASB Convention School Finance Seminar – State Revenues and Expenditures	Where each FY2012 \$ comes from (SIG-KASB000235): - 45% of state receipts or \$2,726,818 comes from individual income tax. - 4% of state receipts or \$247,550 comes from corporation and financial income tax. Education accounts for 42.9% of all funds expenditures and 62.9% of State General Fund expenditures. (SIG-KASB000237)	Kansas Legislative Research Department	
325	Brownback's 5-Year Budget Projects Big Surplus	Steven J. Anderson, the Kansas budget director, said that the state income tax could be eliminated in as few as six years without blowing the budget. - If almost \$3 million in state income can be eliminated in six years without blowing the budget, the state should be able to afford to fund a suitable education, which is projected to cost less than \$3 million. (see Exhibit 324 for income tax amounts)	Topeka Capital-Journal	

EX. #	DESCRIPTION	SYNOPSIS	WHERE FROM	WITNESSES
326	Wichita Eagle Article; Proposed Budget Provides for Air Subsidies, Arts Commission	Budget Director Steve Anderson says a 2% growth cap with any excess dedicated to tax reduction would eliminate state income taxes in 6 years.	Wichita Eagle	
327	Governor Parkinson, Budget Press Conference	"the legislature has been on a tax-cutting binge over the last 20 years that has decimated the revenue stream."	State of Kansas	Anthony Hensley
328	Kansas Association of School Boards: Get the Facts - How Can School Funding Increase if Budgets Decline	Rise in total funding is due to \$155 million increase in state retirement contributions. When restricted funding is excluded, the FY2012 funding is at its lowest level since 2006. Federal funds are predicted to drop to the lowest level since 2009. Mostly local revenues spent on buildings and equipment are slightly below 2007 and 2008 levels. Total USD spending increased more than double the rate of inflation between 1990 and 2012, but have stayed very close to the increase in total personal income in Kansas.	Kansas Association of School Boards	Mark Tallman
329	Failed Local Option Budget elections per Kansas Association of School Boards	In 2011, one out of three bond issue questions passed, and 3 out of 8 total elections passed. School districts can't always get the funds they need from local voters.	Kansas Association of School Boards	
330	Gilhaus email regarding bond rating	Reductions in cash reserves are creating problems for school districts and their bonding capacity.	USD 231 Gardner Edgerton	
331	Cash Balances	Year end cash balances over time in the Dodge City school district.	USD 443 Dodge City	
332	Furlough Letter	Cash balances exist for a reason.	State of Kansas	
333	Dale Dennis PowerPoint - LEPC	KSDE140679: Cash balances have been rising in school districts. They are needed now even more than ever due to the uncertainty of funding in recent years. When given the option to transfer funds out of special funds, most districts did not. They always had the ability to spend down their balances, and they are in those funds for good reason.	Kansas State Department of Education	
334	Dale Dennis PowerPoint - KASB	What districts need to consider when looking at cash balances: - Can your district operate at least one month if state aid is late? - Do you have enough special education funds to operate until state aid is paid October 15? - Are you accumulating funds for a specific purpose?	Kansas State Department of Education	
335	Dale Dennis PowerPoint – Lincoln Leadership	Results of USD reductions survey for school year 2009-10: - \$73 million in 2,101 licensed positions cut (administrators, teachers, coaches, other) (KSDE140699) - \$26 million in 1,603 non-licensed positions cut (food service, bus drivers, custodians, paraprofessionals, coaches, other) (KSDE140700) - \$67 million in other program reductions and cuts (KSDE140701-140703)	Kansas State Department of Education	

EX. #	DESCRIPTION	SYNOPSIS	WHERE FROM	WITNESSES
336	Wichita PowerPoint – Year End Cash Balances, What Do The Funds Represent? How Are They Used?	The role of cash balances in the school district budget. - The June 30 balance is only a point-in-time measure, which changes dramatically during the year. - Balances are critical for cash flow. For example, Wichita's Special Education fund had a \$12.5 million balance June 30, 2010, but this decreased to \$1,213 on December 31, 2010. - Combined balance of 8 of the 12 funds with temporary flexibility dropped 67% from June 30 to Dec. 31. They have balances for cash flow. - Textbook funds need to accumulate balances for several years to save up for a major textbook adoption. - Wichita's contingency reserve fund has only 8 days of operating cash. - Cash balances are being used in a limited, fiscally responsible way to balance the budget. - Cash balances will remain, to support cash flow through the operating year, support budget when state payments are late, allow for prompt and timely payment of employees and vendors.	USD 259 Wichita	John Allison
337	Brad Neuenswander PowerPoint – Wolf River Leadership	KSDE144033: Cash balances are needed. Bond and Interest - need cash to make fall payments. Capital Outlay - to prepare for large purchases. Special Education - to last 4 months until your first state aid payment. Food Service - to last 3 months until first payment.	Kansas State Department of Education	Brad Neuenswander
338	Cash Balances for All USDs as of July 1, 2011	2011 year end cash balances for all school districts.	Kansas State Department of Education	
339	Tallman Testimony on Cash Balances	Types of funds and their balances.	Kansas Association of School Boards	
340	O'Neal Request for Unencumbered Cash Balance Information	Request for information regarding cash balances.	State of Kansas	
341	Revisor of Statutes Memo Regarding Availability of Unencumbered School District Moneys	Explanation of funds and limitations on spending with fund amounts.	State of Kansas	
342	Memo regarding Allotment System/\$100M Ending Balance – Alan Conroy, Kansas Legislative Research to Kansas Legislature	Demand transfers are not subject to the allotment system. Capital Outlay State Aid Fund could not be affected by the allotment procedure.	Kansas Legislative Research Department	
343	Dale Dennis July 1, 2011 Cash Balances	2011 year end cash balances for all school districts.	Kansas State Department of Education	
344	Credit Agency Watching School Reserve Funds	Reductions in cash reserves are creating problems for school districts.	Topeka Capital-Journal	
345	USD 259 Lynn Rogers Talking Points – Cash Balances	Reasons for cash balances.	USD 259 Wichita	
346	USD 259 Lynn Rogers Talking Points – Cash Balances	Reasons for cash balances.	USD 259 Wichita	John Allison
347	FY 12 State Aid Payment Schedule	Schedule of distribution dates of state aid payments for the 2011-12 school year.	Kansas State Department of Education	

EX. #	DESCRIPTION	SYNOPSIS	WHERE FROM	WITNESSES
348	Mark Dick, CPA – Analyzing School District Unencumbered Cash Balances – An Overview	Cash balances exist for a reason and are not unreasonable. - Making sure you have enough cash on hand to pay your bills and keep the doors open in between revenue inflows is sound cash management. - School districts receive about 25% of their unrestricted funding in June and 25% in January. They must stretch that throughout the year.	Allen, Gibbs & Houlik, L.C.	Brad Neuenswander
349	(This exhibit was intentionally left blank.)			
350	Linda Jones email – Dale Dennis says Governor Cut Capital Outlay in Allotment	School districts were counting on receiving capital outlay state aid and it was not paid.	USD 259 Wichita	Linda Jones Goossen Depo Ex 17
351	Capital Outlay Fund Guidelines	Guidelines for school districts to follow regarding capital outlay fund. KSDE000857 shows expenditures the capital outlay fund cannot be used to fund, including textbooks, supplies for professional services, athletic supplies, and insurance.	Kansas State Department of Education	Goossen Depo Ex 11
352	Budget Instructions to State Agencies	GOV004019: Special Revenue Fund (no limit): Allows all funds to be spent. GOV004044: Encumbrances defined: "Obligations in the form of purchase orders, contracts, or salary commitments which are chargeable to an appropriation and for which a part of the appropriation is reserved. They cease to be encumbrances when paid or unencumbered. Some encumbrances may be carried forward. In the budget process, encumbrances are considered expenditures in the year the encumbrance is made, not the year in which they are finally paid." GOV004053: Demand Transfer defined: "An expenditure of monies from the State General Fund, the amount of which is determined by a formula in substantive statute as opposed to a specific amount in a direct appropriation. Only one demand transfer has been recently authorized, and it was for capital outlay state aid to school districts."	State of Kansas	
353	Duane Goossen to Kent Olson Detailed Allotment Reductions Including Capital Outlay	Mr. Goossen has testified that this document "is the only place that the Governor's allotment addresses the capital outlay equalization funds." Deposition of Goossen, 155:7-158:1. - The asterisk at the end says "Amount allotted from General State Aid is reduced \$25,600,000 to reflect savings from not making the Capital Outlay State Aid Transfer." There was no authority to NOT make the Capital Outlay State Aid transfer and payment.	State of Kansas	Part of Goossen Depo Ex 8
354	Steven Anderson Memo to Governor Brownback regarding Implementation of Allotment System	Allotment plan showing \$50,159,572 cut to General State Aid.	State of Kansas	
355	FY 11 Capital Outlay Certification	Certification for Capital Outlay State Aid for the 2010-11 school year. This is \$20,119,156 that was not paid to the least wealthy school districts. The wealthy school districts were not entitled to it, and therefore did not see a reduction from this funding cut.	Kansas State Department of Education	
356	FY 12 Capital Outlay Certification	Certification for Capital Outlay State Aid for the 2011-12 school year. This is \$20,720,674 that was not paid to the least wealthy school districts. The wealthy school districts were not entitled to it, and therefore did not see a reduction from this funding cut.	Kansas State Department of Education	
357	Duane Goossen – Summary on Education – Education Aid	See Capital Outlay State Aid Demand Transfer at A0825.	State of Kansas	Goossen Depo Ex 12
358	Duane Goossen – 2010 SS for HB 2373	SS for HB 2373 - 2010 shows "Suspend transfer for Capital Outlay State Aid" of \$25,600,000.	State of Kansas	Goossen Depo Ex 22

EX. #	DESCRIPTION	SYNOPSIS	WHERE FROM	WITNESSES
359	Anderson to Olson – SGF Allotment Certification	Certification showing General State Aid allotment of \$859,572 for March 2011.	State of Kansas	Part of Goossen Depo Ex 8
360	Steven Anderson Memo to Governor Brownback regarding Implementation of Allotment System	Allotment plan showing \$50,159,572 cut to General State Aid.	State of Kansas	
361	HB2373 Senate Sub for Omnibus - PASSED 5-8-09	Appropriations bill.	State of Kansas	Goossen Depo Ex 24
362	HB2354 Enrolled MEGA Appropriations	This shows "No limit" appropriated to the School district capital outlay state aid fund for the year 2009-10.	State of Kansas	Goossen Depo Ex 21
363	Notice of Claims	Notice was given pursuant to 72-64b02(a). Demand was made of the State Board of Education to certify the Capital Outlay State Aid on 6/17/10. (see SFFF000013 and SFFF000020).	Plaintiff	
364	Journal of the House - Provisions of HB 2247 Not Increasing Equality	The budget hole had been projected before the Montoy 3-year funding plan.	State of Kansas	Goossen Depo Ex 9
365	Goossen Subpoena Document – Capital Outlay	G1719-1721: Discussion on how to stop the Capital Outlay State Aid demand transfer.	State of Kansas	Goossen Depo Ex 25
366	Kansas Legislative Research Department Email Exchange (Bates No. G1737-G1738)	Duane Goossen Deposition Exhibit 20.	State of Kansas	
367	Goossen Subpoena Document – State Aid Payment	G1446-1461: "Cash Crunch" discussions. The state has been unable to pay state aid on time.	State of Kansas	Goossen Depo Ex 32 (G1451) Goossen Depo Ex 33 (G1449-G1450) Goossen Depo Ex 34 (G1446-G1447)
368	Goossen Subpoena Document – Nov 2009 Second Half Payment	G1149: districts are hurting and needing their state payments. "we don't have any cashflow" G0145: Capital Outlay "arrived there by a demand transfer". Using a "Witt Writ" to not make the capital outlay payment to school districts.	State of Kansas	Goossen Depo Ex 19 (G0142-G0147) Goossen Depo Ex 35 (G1151-G1152)
369	Goossen Subpoena Document – Voucher for Capital Outlay State Aid	In previous years Capital Outlay just got paid when Kansas State Department of Education sent a certification.	State of Kansas	Part of Goossen Depo Ex 13
370	Goossen Subpoena Document – Demand Transfer Notification, Capital Outlay	In previous years Capital Outlay just got paid when Kansas State Department of Education sent a certification.	State of Kansas	Part of Goossen Depo Ex 13
371	Goossen Subpoena Document – Capital Outlay State Aid Payment	In previous years Capital Outlay just got paid when Kansas State Department of Education sent a certification.	State of Kansas	Part of Goossen Depo Ex 13
372	Office of Attorney General Opinion No 82-160	GOV000052: "statutory demand transfers do not constitute appropriations which are subject to allotment"	State of Kansas	Goossen Depo Ex 18
373	Goossen Memo to Parkinson – General Fund Allotment FY 2010	7/2/09 Allotment showing reductions.	State of Kansas	Part of Goossen Depo Ex 8
374	Bruce Baker Affidavit	Information regarding inequalities present in local taxation for school funding.	Petrella v. Brownback	

EX. #	DESCRIPTION	SYNOPSIS	WHERE FROM	WITNESSES
375	Is School Funding Fair – A National Report Card – Dr. Bruce Baker	Kansas gets a "D" for funding distribution, and a "B" for effort.	Bruce Baker	
376	Average Appraised Home Values FY 2010 – Jim Hays	Home values vary significantly across the state. The more funding shifts to the local taxpayers, the less equitable is it.	Kansas Association of School Boards	
377	Crawford County Commission Canvasses USD 247 Election	Districts can't raise all the money they want to. Voters in Crawford County said no to an additional \$54,000 for their school district.	Dodge City Daily Globe	
378	Urban Space, Restrictive Covenants and the Origins of Racial Residential Segregation in a US City	Housing subdivisions in the Kansas City area were intentionally constructed to discriminate against blacks. "Residential segregation remains a persistent and tenacious feature of US metropolitan areas despite the passage of ... numerous anti-discrimination statutes over the past decades." (at Baker006017) "In recent years, scholars have identified Kansas City as one of the nation's hypersegregated metropolitan areas due to the high degree of segregation in housing patterns on a range of indices." (at Baker006016) "As late as 1962, Nichols' Prairie Village subdivision in Johnson County contained more than 50,000 residents but only two black families." (at Baker 006012) School districts were allowed by the state to form along locally chosen borders during unification in the 1960s which incorporated and perpetuated this illegal discrimination bases upon race. Current wealth based discrimination based historically upon race continues in the school finance formula.	Bruce Baker	Bruce Baker
379	Dr. Baker Article Regarding Montoy v. State	"Fifty years after Brown, the Kansas' educational system remains "separate and unequal" because high-minority school districts receive significantly less funding than their low-minority counterparts. Such funding disparities are the result of racially neutral organizational and school finance policies that have worked in tandem to underfund high-minority school districts....It is important to observe, however, that future plaintiffs might prevail under an equal protection theory by showing that: (1) the Unification Law of 1963, which permitted predominantly white, rural school districts to consolidate, was enacted with the intent to thwart Brown's mandate to desegregate the public schools; and (2) subsequent racially neutral low enrollment policies have prevented the state from eliminating de jure desegregation "to the extent practicable" by creating "gross disparities" between rural and urban districts. Finally, it remains to be seen whether the state supreme court's adequacy ruling will force the legislative and executive branches to remedy the state's racial funding disparities." (Baker006870)	Bruce Baker	
380	Dale Dennis Memo to State Board of Education Regarding CPI Increase to Meet State Law	The CPI increase required by K.S.A. 72-64c04 should have been an additional \$70 to BSAPP. This would have brought the base up to \$4,444 for FY09 (from \$4,374 instead of up \$59 to \$4,433). Instead, it ultimately went down to \$4,400 by the end of FY09.	Kansas State Department of Education	
381	Dr. Baker – Reply to Eric Hanushek's Graph of State Spending Changes and State NAEP Changes	Problems in rebuttal to Eric Hanushek's expert report.	Bruce Baker	Bruce Baker
382	School Finance and Courts; Does Reform Matter and How Can We Tell; Bruce Baker and Kevin Welner	Increasing the level of school funding increases student outcomes. Increasing the equity by which resources are allocated increases the equity of student outcomes.	Bruce Baker	Bruce Baker
383	Dr. Bruce Baker Rebuttal Report	Problems with the State's Expert Reports.	Bruce Baker	Bruce Baker
384	Dr. Baker Expert Report; Still Wide of Any Reasonable Mark: A Re-Examination of Kansas School Finance	Funding is not adequate in Kansas. Standards are low. Costs are increasing. Kansas teacher wages are low. The Legislative Post Audit study underestimated costs. Taxation for school funding is not equitable. There are gaps in in funding and gaps in outcomes. High need districts have difficulty getting and keeping good staff.	Bruce Baker	Bruce Baker

EX. #	DESCRIPTION	SYNOPSIS	WHERE FROM	WITNESSES
385	Bruce Baker Curriculum Vitae	Bruce Baker's qualifications as an Expert.	Bruce Baker	Bruce Baker
386	It's Elementary; A monthly column by EFAP Director John Yinger; Production Functions and Cost Functions for Public Education; Eric Hanushek v. Michael Rebell debate	Explanation of differences between Cost Function Studies (Legislative Post Audit Study) and Production Function Studies.	John Yinger	Bruce Baker
387	Revisor of Statutes to 2010 Commission	The Legislature's duties at Article 6, Sections 1 and 2 of the Kansas Constitution "impose a mandate that the Kansas educational system cannot be static or regressive; that it must be a system which advances to a better quality or state.	State of Kansas	Dale Dennis
388	Dale Dennis PowerPoint - 2010 Commission	Forced cash balances due to late state payments: \$400 M in expenditures paid in FY2011, that school districts had to show as cash balances at the end of FY2010. (KSDE139808) Other areas of concern affecting schools: - Assessed valuations declined. (KSDE139821-139822) - Free lunch applications increased. (KSDE139823-1398241) - Enrollment increased (KSDE139825)	Kansas State Department of Education	
389	USD 500 Demographics	The Kansas City school district has very high poverty and a very diverse student population.	Kansas State Department of Education	Cynthia Lane
390	KEPC Update – Tax Bill Likely to Bring Cali-Style Budget Cuts	- "The state faces enormous budget cuts in future years that will damage education and other state services." - Moody's bond rating report said: "The outlook for the state of Kansas is negative, in view of the state's general fund balance depletion, continued reliance on non-recurring measures, and lack of a plan to rebuild reserves, as well as significant future funding pressure from pensions, Medicaid and education."	Kansas Economic Progress Council	
391	Mr. Cunningham Letter to USD 443 Faculty and Staff – 5-15-09	Budget priorities and cuts for the Dodge City school district in FY 2010.	USD 443 Dodge City	Bill Hammond
392	Index of Kansas State Department of Education PowerPoints Quoting LPA Report (with CD)	Kansas State Department of Education believes that increases in funding improve outcomes and has quoted that portion of the Legislative Post Audit study 64 times in recent PowerPoint presentations.	Kansas State Department of Education	
393	Session Ends; Some Expect Big Budget Deficit in '08	5/11/2006: "the school finance bill that will become law...is projected to leave the state with a \$422 million budget deficit by mid-2008...Meanwhile, the legislature finished its session by passing a bill that would eliminate property taxes on new business machinery and equipment. Lawmakers rejected the notion it was irresponsible to reduce revenues -- by an estimated \$123 million over three years -- in the face of a budget deficit."	Topeka Capital-Journal	
394	This Exhibit was Withdrawn			
395	Amended Notice of Videotaped Deposition of Duane Goossen, Former Kansas Secretary of Administration	Notice of Videotaped deposition of Mr. Goossen.		Goossen Depo Ex 1
396	Amended Notice of Videotaped Deposition of Kent Olson, Director, Kansas Department of Administration, Division of Accounts and Reports	Notice of Videotaped deposition of Mr. Olson.		Goossen Depo Ex 2

EX. #	DESCRIPTION	SYNOPSIS	WHERE FROM	WITNESSES
397	2010 Commission Report (Bates No. A00083-A00089)	Duane Goossen Deposition Exhibit 6. (is also at Exhibit 179)	Kansas Legislative Research Department	Goossen Depo Ex 6
398	Application for Initial Funding under the State Fiscal Stabilization Fund Program (Bates No. LEG003389-LEG003406)	Duane Goossen Deposition Exhibit 7.	US Department of Education	Goossen Depo Ex 7
399	Session Ends; Some Expect Big Budget Deficit in '08 (Bates No. MEDIA000110-MEDIA000112)	Duane Goossen Deposition Exhibit 10. - 5/11/2006: "the school finance bill that will become law...is projected to leave the state with a \$422 million budget deficit by mid-2008...Meanwhile, the legislature finished its session by passing a bill that would eliminate property taxes on new business machinery and equipment. Lawmakers rejected the notion it was irresponsible to reduce revenues -- by an estimated \$123 million over three years -- in the face of a budget deficit."	Topeka Capital- Journal	Goossen Depo Ex 10
	State General Fund Profile – FY 2005-FY 2009 (Bates No. A00001)	- The projections showing the deficit.	Kansas Legislative Research Department with Plaintiff highlights	
400	K.S.A. 72-8814 Capital Outlay; State Aid Entitlement; Determination; Amount; Payment (Bates No. LEG003407-LEG003408)	Duane Goossen Deposition Exhibit 14. Capital Outlay statute. How state equalization aid is calculated.	Kansas Statutes	Goossen Depo Ex 14
401	The State of Kansas' Answers to Plaintiffs' First Interrogatories	Duane Goossen Deposition Exhibit 16.	State of Kansas	Goossen Depo Ex 16
402	Kansas Legislative Research Department Email Exchange (Bates No. G1737-G1738)	Duane Goossen Deposition Exhibit 20.	State of Kansas	Goossen Depo Ex 20
403	The Governor's State of Kansas Budget Report Volume I, Fiscal Year 2010 (Bates No. GOV000134-GOV000489)	Duane Goossen Deposition Exhibit 26. - See Capital Outlay State Aid Demand Transfer at GOV000244.	State of Kansas	Goossen Depo Ex 26
404	Funding Cuts FY 2009 and FY 2010 (Bates No. A00048-A00054)	Duane Goossen Deposition Exhibit 27.	Plaintiff created using Kansas State Department of Education documents at Ex 240)	Goossen Depo Ex 27

EX. #	DESCRIPTION	SYNOPSIS	WHERE FROM	WITNESSES
405	Major Categories of K-12 Spending from the State General Fund (Bates No. A1536)	Duane Goossen Deposition Exhibit 28.	State of Kansas	Goossen Depo Ex 28
406	SGF Expenditures for K-12 Education (Bates No. A1619-A1621)	Duane Goossen Deposition Exhibit 29.	State of Kansas	Goossen Depo Ex 29
407	Estimated Capital Outlay State Aid (Bates No. A00027-A00036)	Duane Goossen Deposition Exhibit 30. Estimation of who was entitled to Capital Outlay State Aid for FY2009. The amounts have since been certified by the Kansas State Department of Education and that certification is at Exhibit 240, KSBE000786-792.	Kansas Association of School Boards	Goossen Depo Ex 30
408	Kansas State Board of Education School District Capital Outlay State Aid Certification	Kent Olson Deposition Exhibit 36. Certification of Capital Outlay State Aid amounts for FY2010. 7/2/09 allotment detail. 11/23/09 allotment detail.	State of Kansas	Goossen Depo Ex 36
409	Duane Goossen Deposition Transcript	Deposition testimony submitted in lieu of trial testimony; relevant to Count Two regarding capital outlay equalization and payments.		
410	Kent Olson Deposition Transcript	Deposition testimony submitted in lieu of trial testimony; relevant to Count Two regarding capital outlay equalization and payments.		
411	Timing of Money and Cuts Demonstrative Exhibit	Timeline of education funding increases and cuts.	Plaintiff Created	John Allison Anthony Hensley Tom Foster Bill Hammond Rochelle Chronister
412	2012 Preliminary Achievement data	Data shows that using the 2012 Adequate Yearly Progress targets that were lowered due to the waiver: Did NOT Make Adequate Yearly Progress: - Free and Reduced Lunch students, Reading and Math - Students with Disabilities, Reading and Math - ELL Students, Reading and Math - African American Students, Reading and Math - Hispanic Students, Reading and Math - American Indian or Alaska Native, Reading and Math - Multi-Racial, Reading only - Native Hawaiiin/Pacific Islander, Reading only Significant numbers of students are being left behind. - Lowering the standards doesn't change the fact that over 25% of High School Free and Reduced Lunch Students can't get 50% of the Math questions right on the test. (see Exhibit 76 for cut scores)	Kansas State Department of Education, with plaintiff highlights	Tom Foster

EX. #	DESCRIPTION	SYNOPSIS	WHERE FROM	WITNESSES
413	2012 Preliminary Achievement data	This is the same chart as Exhibit 412, but shows the original Adequate Yearly Progress targets that schools were working toward in 2011-12 when students took the Kansas assessment. The waiver was only approved after the tests were taken. - Under the original 2012 targets, only White students made Adequate Yearly Progress for Reading, and only White and Asian Students made Adequate Yearly Progress for Math. Their scores were not high enough this year to bring the average for all students up to make Adequate Yearly Progress under the original targets.	Kansas State Department of Education, with plaintiff highlights	Tom Foster
414	Math Adequate Yearly Progress since 2005, Including 2012 Preliminary Achievement Data	Even with lowered standards, significant numbers of students are being left behind. Math improvement has slowed to less than a percentage point among all groups.	Kansas State Department of Education with plaintiff FY12 additions	Tom Foster
415	Reading Adequate Yearly Progress since 2005, Including 2012 Preliminary Achievement Data	Even with lowered standards, significant numbers of students are being left behind. The percentage of students meeting Reading standards has begun to decrease in all groups except white students who held steady.	Kansas State Department of Education with plaintiff FY12 additions	Tom Foster
416	Percentage of African American Students who Made Adequate Yearly Progress in Reading each year since 2005.	Significant numbers of African American students are being left behind. Schools need more resources to implement the strategies that work.	Kansas State Department of Education with plaintiff FY12 additions	Tom Foster Rochelle Chronister
417	Wichita School District Preliminary 2012 State Assessment Results	The district will not attain Adequate Yearly Progress. It will not meet the criteria for reading or mathematics. The district will not meet the Quality Performance Accreditation criteria for science.	USD 259 Wichita	John Allison

EX. #	DESCRIPTION	SYNOPSIS	WHERE FROM	WITNESSES																																																																								
418	Assessment Results by Performance Category for 11th Grade Reading and Math for State of Kansas and Plaintiff Districts, by All Students and Sub-Groups	<p>White students in the state have significantly higher numbers of students in the Exemplary and Exceeds Standard categories and significantly lower numbers of students in the Meets Standard, Approaches Standard and Academic Warning categories.</p> <table border="1" data-bbox="537 285 1556 659"> <thead> <tr> <th data-bbox="537 285 653 310">- Reading:</th> <th data-bbox="789 285 898 310">Exemplary</th> <th data-bbox="936 285 1066 310">Exceeds Std.</th> <th data-bbox="1083 285 1192 310">Meets Std.</th> <th data-bbox="1230 285 1381 310">Approaches Std.</th> <th data-bbox="1419 285 1549 310">Acad. 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They get additional weightings for poverty, but especially with the recent cuts, they don't have enough resources to suitably educate significant numbers of their students.</p> <p data-bbox="537 789 1629 886">- These are 11th grade students who will soon be out of the K-12 school system. According to Legislative goals at K.S.A. 72-1127 (Exhibit 39), they should be able to "compete favorably in academics and the job market". Significant numbers of them are not being provided a suitable education.</p>	- Reading:	Exemplary	Exceeds Std.	Meets Std.	Approaches Std.	Acad. Warn.	White	30.0	31.1	30.6	5.6	1.9	Hispanic	12.3	23.1	42.6	12.6	7.8	African American	9.8	20.9	43.1	15.2	9.0	Economic. Disadvantaged	13.8	24.9	41.3	11.9	6.4	All Students	25.7	29.2	33.4	7.3	3.3	- Math:	Exemplary	Exceeds Std.	Meets Std.	Approaches Std.	Acad. Warn.	White	22.4	28.5	35.2	8.1	4.9	Hispanic	7.6	19.8	42.4	15.7	13.2	African American	4.8	14.0	38.5	18.7	21.6	Economic. 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419	Hutchinson School District Preliminary 2012 State Assessment Results	The district will not attain Adequate Yearly Progress. More schools will not attain Adequate Yearly Progress over last year.	USD 308 Hutchinson	Shelly Kiblinger																																																																								

EX. #	DESCRIPTION	SYNOPSIS	WHERE FROM	WITNESSES
420	How close are we to LPA study?	<p>This was created in response to the State's demonstrative exhibit.</p> <ul style="list-style-type: none"> - Exhibit 197 sets out the Legislative Post Audit foundation level and Supplemental (Local Option Budget) State Aid for 2007 to 2014. - When comparing the actual General Fund and Supplemental (Local Option Budget) State Aid for each of those years, the State's funding was approximately \$850 million short of the Legislative Post Audit estimates (in 2006-07 dollars) for 2012. - Using inflation of 3%, the state was \$1.5 billion short of the Legislative Post Audit estimates for 2012. - Legislative Post Audit did not estimate what total Local Option Budget would be in each of those years. - The base has not risen to the levels estimated to be needed by the Legislative Post Audit study (see BSAPP on Exhibit 197 at LEG003410; in 2006-07 dollars this was \$5,922 for 2012, and \$6,142 for 2013). Therefore the Local Option Budget, since it is a percentage of the General Fund (in recent years a percentage of a recomputed General Fund using a Base of \$4433), has not reached the expected levels either. 	<p>Plaintiff created using Ex 197, 14, 11, 12, 22, and Defendant Ex 1074, 1075, 1076, 1077</p>	<p>Dale Dennis</p>