

IN THE THIRD JUDICIAL DISTRICT
DISTRICT COURT OF SHAWNEE COUNTY
CIVIL DEPARTMENT

LUKE GANNON, *et al*,

Plaintiffs,

v.

THE STATE OF KANSAS,

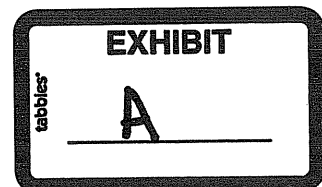
Defendant.

Case No. 10 C 001569

Pursuant to Chapter 60

STATE'S ANNOTATED EXHIBIT LIST

Exhibit Number	Description of Exhibit	Annotation and/or Witnesses who Referred to Exhibit in Testimony
1001	Reference: District map for school districts	
1002	Reference: School Districts and Cities	
1003	KSDE: Instructions for making request for waiver of NCLB. 1 pg [Exhibit 1129 has the document submitted asking for the waiver.]	
1004	Legislative Information: Minutes Educ Planning Committee, 12/7/11 -- 11pp-- Details information presented to the legislature about higher ed and school performance and the Governor's alternate school finance plan and report from KSDE and from KASB about student progress.	The legislature was kept informed of the excellent progress of Kansas students on state and national assessments, college readiness and graduation rates. Students are making adequate progress at the current funding levels.
1005	Legislative Information: Dennis memo to Senate Ed Committee, 1/19/12—9pp-- attaches spreadsheet showing potential special-ed payments	
1006	Legislative Information: Testimony of Dave Trabert to Senate Ed Committee, 2/6/12, 6pp. , discussing cash balances, teacher evaluation and state property taxes	
1007	Legislative Information: Div of Budget letter to Senate Ed Committee, 3/2/11, 1 pp., refers to the effect of SB 111 on special ed payments to each district	
1008	Legislative Information: Testimony of Dr. Cynthia Lane to House Ed Committee, 1/24/12, 1 pg., describes the KCK school district's successes to the legislature.	



1009	Expert Witness materials: <i>The Relationship between School Funding and Student Achievement in Kansas Public Schools</i> , Journal of Education Finance, Vol. 36, Number 1, Summer 2010, pp. 88-108, 22 pp., study by Florence Neymouth which analyzes the lack of correlation between the increased Montoy funding and reading and math test scores	Dr. Bruce Baker acknowledged that this author concluded that there had not been a correlation between improvements in outputs and the increased money in Montoy.
1010	Expert witness materials: E. Hanushek and A. Lindseth, Schoolhouses, Courthouses, and Statehouses (2009), chapter 7 with associated footnotes, 55 pp., supports Dr. Hanushek's testimony by describing the lack of relationship between per pupil funding and student achievement.	This chapter summarizes the lack of correlation between per pupil funding and student achievement. Dr. Rick Hanushek
1011	Legislative Information: LPA, "Performance Audit Report, Analyzing the Relationship Between Funding Levels and the Quality of Education in Kansas School Districts," Jan. 1991, 53 pp., analyzes data of 1988-89 school year. Was pre-Montoy analysis.	Found lack of correlation between spending and student achievement Dr Bruce Baker
1012	Legislative Information: 2012 HB 294 excerpts, references the appropriations for education, including the transfer of highway funds to education fund, 16pp.	This was introduced the last day of trial contains information about the funds used for education for 2012.
1013	Legislature: 2012 final appropriations for Education, 16 pp., shows the amount of money the legislature appropriated for K-12 education after receiving all of the input about student achievement and the state's revenue	This was introduced on the last day of trial and show which funds were appropriated for education by the legislature. Dale Dennis, KSDE
1014	Legislative Information: Legislative history, 451 pp, showing information shared with the legislature about education and funding, including portions of the 2009 LPA study, testimony from schools and citizens, minutes of the 2011 House Education Committee, testimony to the Senate Ways and Means Committee, the Journal of the Senate, SRS budget recommendations, minutes of the Senate Ways and Means Committee and testimony before that committee,	The legislative history makes it clear that the legislature had information about cost estimates, student progress, challenges faced by school districts and funds available to the state before it made its funding decisions. There are also multiple references to the budgetary crisis in Kansas and the economic downturn in Kansas, nationwide and worldwide (see e.g. pp. 1, 3, 5, 9, 14, 16, 28, 42, 44, 53, 57, 60, 63, 64, 67, 69, 79).
1015	KSDE and Reference: Describes various funds available for school districts, 1 pp., titled Budget Authority Chart	
1016	Legislative Information: KS Legislator Briefing Book – Education – 2012—9pp.	Sen. Hensley testified that this information was available to legislators. It includes the history of the BSAPP and information on how weightings work. Dr. Winn

1017	Legislative Information : KS Legislator Briefing Book – State Finance – 2012—7 pp.	Sen. Hensley testified that this information was available to legislators. It shows the actual revenue from 2010 and 2011 and estimated revenue for 2012. Also shows more than half of state’s budget is spent on education. Dr. Winn
1018	KSDE and Reference: Guidelines for Financial Reporting USDs, 49 pp—provides definitions and sources of revenue and statutory citations for various funds available to school districts	Dale Dennis
1019	KSDE and Reference: Accounting categories definitions, 74 pp	
1020	KSDE and Reference: Capital Outlay definition, 4 pp, explains the capital outlay funds	
1021	USD 500 Financial Information: 2011-12 profile information USD 500 , 27 pp., General information about school expenditures for 10-11 school year compared to 09-10 school year and to amounts budgeted for 11-12 school year. Separates expenditures by function, for example, amount of money spent on instruction. Details sources of revenue from general fund, federal funds, LOB, LOB equalization. Describes cash balances, mill rates and assessed valuation for taxes.	Dr. Lane, USD 500 Kelly Mather, USD 500
1022	USD 443 (Dodge City) Financial Information: 2011-12 profile information USD 443, 28 pp., General information about school expenditures for 10-11 school year compared to 09-10 school year and to amounts budgeted for 11-12 school year. Separates expenditures by function, for example, amount of money spent on instruction. Details sources of revenue from general fund, federal funds, LOB, LOB equalization. Describes cash balances, mill rates and assessed valuation for taxes.	Bill Hammond
1023	USD 308 (Hutchinson) Financial Information: 2011-12 profile information USD 308, 26 pp., General information about school expenditures for 10-11 school year compared to 09-10 school year and to amounts budgeted for 11-12 school year. Separates expenditures by function, for example, amount of money spent on instruction. Details sources of revenue from general fund, federal funds, LOB, LOB equalization. Describes cash balances, mill rates and assessed valuation for taxes.	Dr. Kiplinger

1024	USD 259 (Wichita) Financial Information: 2011-12 profile information USD 259, 30 pp., General information about school expenditures for 10-11 school year compared to 09-10 school year and to amounts budgeted for 11-12 school year. Separates expenditures by function, for example, amount of money spent on instruction. Details sources of revenue from general fund, federal funds, LOB, LOB equalization. Describes cash balances, mill rates and assessed valuation for taxes.	Superintendent Allison testified that there was an increase in per pupil expenditures from the 09-10 school year to the 10-11 school year and that the 11-12 year budgeted about the same as the 10-11 school year. Linda Jones
1025	USD 259 (Wichita) Financial Information: This was supposed to be the Budget-at-a-Glance for 259 for the 2011-12 school year. Instead, that exhibit is found at Plaintiff's 214 and 214A.	
1026	USD 500 (KCK) Financial Information: 2011-12 Budget at a Glance USD 500, 12pp, compares 11-12 budget to 09-10 and 10-11 actuals, breaks expenditures into functions, delineates sources of revenue, includes student enrollment information and free and reduced lunch information, provides information about mills assessed, assessed valuation, numbers of teachers and other full time employees and average salaries for these.	Kelly Mather, USD 500
1027	USD 443 (Dodge City) Financial Information: 2011-12 Budget at a Glance, USD 443, 11 pp., compares 11-12 budget to 09-10 and 10-11 actuals, breaks expenditures into functions, delineates sources of revenue, includes student enrollment information and free and reduced lunch information, provides information about mills assessed, assessed valuation, numbers of teachers and other full time employees and average salaries for these.	Bill Hammond
1028	USD 308 (Hutchinson) Financial Information: 2010-11 Budget at a Glance, USD 308, 11pp., compares 11-12 budget to 09-10 and 10-11 actuals, breaks expenditures into functions, delineates sources of revenue, includes student enrollment information and free and reduced lunch information, provides information about mills assessed, assessed valuation, numbers of teachers and other full time employees and average salaries for these.	
1029	USD 500 (KCK) Financial Information: USD Form 150 2011-12 for USD 500, 4 pp., form for calculating LOB Authority and General Fund	Dr. Tom Foster, KSDE Dr. Lane, USD 500 Kelly Mather, USD 500
1030	USD 443 (Dodge City) Financial Information: USD Form 150 2011-12 for USD 443, 4 pp., form for calculating LOB Authority and General Fund	Superintendent Cunningham Bill Hammond
1031	USD 308 (Hutchinson) Financial Information: USD Form 150 2011-12 for USD 308, 4 pp., form for calculating LOB Authority and General Fund	
1032	USD 259 (Wichita) Financial Information: USD Form 150 2011-12 for USD 259, 4 pp., form for calculating LOB Authority and General Fund	Linda Jones, USD 259

1033	USD 500 (KCK) Financial Info: Actual 2011-12 Budget for USD 500, also shows 2010-11 revenue and expenditures, 105 pp.	Information in these budgets (Ex 1033-1036), which are submitted annually by each district to the KSDE, is used for the current operating expenditure reports, found at Exhibits 1037 and 1037A. Kelly Mather, USD 500
1034	USD 443 (Dodge City) Financial Info: Actual 2011-12 Budget for USD 443, also shows 2010-11 revenue and expenditures, 105 pp.	Bill Hammond, USD 443
1035	USD 308 (Hutchinson) Financial Information: Actual 2011-12 Budget for USD 308, also shows 2010-11 revenue and expenditures, 105 pp.	
1036	USD 259 (Wichita) Financial Information: Actual 2011-12 Budget for USD 259, also shows 2010-11 revenue and expenditures, 105 pp.	
1037	KSDE: Financial information for all districts, including definitions and current operating expenses for USD 259, 308, 443 & 500 for FY 2005-2011, 30 pp	Dr. Bruce Baker Superintendent Allison Bill Hammond Dale Dennis, KSDE Kelly Mather, USD 500
1037A	Financial information for State: Current operating expenses for state for FY 2005-2011, 7 pp.	Dale Dennis, KSDE
1038	Legislative Information: Kansas Legislative Research Department—chart comparing special education expenditures statewide for years 1983-2010, 1 pp.	
1039	Legislative Information: Chart showing FY 2012 and FY 2013 school finance estimates as of 11/14/11, 1 pp.	
1040	KSDE: Spreadsheet showing per pupil expenditures by school district with capital outlay and bond and interest broken out, for 2010-11, 5 pp.	Dr. Bruce Baker Kelly Mather, USD 500
1041	KSDE: Spreadsheet showing amount of 2012 general state aid payments to districts through February 2012, broken out by dates of payment, 6 pp.	
1042	KSDE: 7/29/11 spreadsheet showing each district's 2010 FTE enrollment and 2010 legal LOB and percentage of LOB to Gen Fund, 7 pp.	
1043	KSDE: Spreadsheet showing FY 2012 supp general state aid (LOB equalization) payments to each district with date of payment, 6 pp.	Kelly Mather, USD 500
1044	KSDE: Spreadsheet of FY 2012 special education state aid payments by district, showing dates of payment and total, 7 pp.	
1045	KSDE: Report showing payments made as of 12/12/11 to special ed coops on behalf of district, with dates of payments and percentages, 40 pp	
1046	KSDE: Spreadsheet showing by district the 2010-11 Capital Outlay mill levy and taxes and claimed 2010-11 capital outlay equalization aid, 5 pp.	

1047	KSDE: Spreadsheet showing by district FTE 2001-03, Adjusted FTE, all weightings and general fund numbers on which to calculate 2004 Legal Max for LOB, 14 pp.	
1048	KSDE: Spreadsheet showing by district FTE 2002-04, Adjusted FTE, all weightings and general fund numbers on which to calculate 2005 Legal Max for LOB, 14 pp.	Dale Dennis, KSDE
1049	KSDE: Spreadsheet showing by district FTE 2003-05, Adjusted FTE, all weightings and general fund numbers on which to calculate 2006 Legal Max for LOB, 12 pp.	Dale Dennis, KSDE
1050	KSDE: Spreadsheet showing by district FTE 2004-06, Adjusted FTE, all weightings and general fund numbers on which to calculate 2007 Legal Max for LOB, also showing LOB adopted and % LOB used, 10 pp	Dale Dennis, KSDE
1051	KSDE: Spreadsheet showing by district FTE 2005-07, Adjusted FTE, all weightings and general fund numbers on which to calculate 2008 Legal Max for LOB, also showing adopted LOB and % LOB used, 10 pp.	Dale Dennis, KSDE
1052	KSDE: Spreadsheet showing by district FTE 2006-09, Adjusted FTE, all weightings and general fund numbers on which to calculate 2009 Legal Max for LOB, also showing LOB adopted and % LOB used, 10 pp	Dale Dennis, KSDE
1053	KSDE: Spreadsheet showing by district FTE 2007-10, Adjusted FTE, all weightings and general fund numbers on which to calculate 2010 Legal Max for LOB, also showing LOB adopted and % LOB used, 10 pp	Dale Dennis, KSDE
1054	KSDE: Spreadsheet showing by district FTE 2008-11, Adjusted FTE, all weightings and general fund numbers on which to calculate 2011 Legal Max for LOB, also showing LOB adopted and % LOB used, 10 pp	Dale Dennis, KSDE
1055	KSDE: Spreadsheet showing by district FTE 2009-12, Adjusted FTE, all weightings and general fund numbers on which to calculate 2012 Legal Max for LOB, also showing LOB adopted and % LOB used, 10 pp	Dale Dennis, KSDE
1056	KSDE: Letters in order of school district number to each school district with documentation attached showing the 2010-11 legal max LOB the district can levy, 324 pp.	
1057	KSDE: Spreadsheet showing amount of federal aid by district for FY 2011, 7 pp.	
1058	KSDE: FY 2013 preliminary Title I Allocations by district, 6 pp.	Dr. Lane, USD 500
1059	KSDE: FY 2012 preliminary Title I allocations by district, actual 2011 Title I allocations and comparison between the two, 16 pp.	Dr. Lane, USD 500
1060	KSDE: Spreadsheet showing by district general fund payments with BSAPP estimated at \$3780, \$5738 and \$5521 and calculating differences in amounts each district would receive, 5 pp.	
1061	KSDE: Spreadsheet showing by district revised final allocations for Title I and Title II and Title III and migrant and neglected funds paid for 2011-12, 7 pp.	

1062	KSDE: Spreadsheet by district of 5 years (2006-2011) per pupil expenditures, dated 2/17/12, 14 pp.	
1063	KSDE: Spreadsheet by district of 5 years (2005-2010) per pupil expenditures, dated 1/24/11, 6 pp.	
1064	KSDE: Printout for each district in district number order of general, supp general and capital improvement aid to each district for 2011-12, dated 1/27/12, 287 pp.	
1065	KSDE: P. 1-6 are a chart showing the square miles contained in each district sorted from lowest to highest. P. 7-12 is 2009 FTE sorted lowest to highest for each district. 12 pp.	
1066	KSDE: Spreadsheet showing FY 2012 KPERs employer contribution deposits broken out by dates of payment for each district. 5 pp.	
1067	KSDE: Spreadsheet of FY 2012 misc state aid payments with dates of payment to districts for driver's ed, parents as teachers and afterschool programs. 6 pp.	
1068	KSDE: Charts showing revenue and expenditure per pupil with comparisons for 2002 to 2011 for State, USD 259, 308, 443 and 500, 5 pp.	Bill Hammond, USD 443 Kelly Mather, USD 500 Mark Tallman, KASB
1069	KSDE: Charts showing revenue and expenditure per pupil with comparisons for 2002 to 2011 for All USDs by district number for 2002 to 2011, 316 pp.	
1070	KSDE: Definitions and chart showing current operating expenditures for years 2004-2011 for USDs 259, 308, 443 and 500 and comparing expenditures to state and national, 29 pp.	
1071	KSDE: Alphabetical by county, spreadsheet showing FTE, Weighted FTE, Special Ed, General State Aid/Supplemental Aid and percentages of those to each district's budgets for 2003-04, 7 pp.	
1072	KSDE: Alphabetical by county, spreadsheet showing FTE, Weighted FTE, Special Ed, General State Aid/Supplemental Aid and percentages of those to each district's budgets for 2004-05, 7 pp.	
1073	KSDE: Alphabetical by county, spreadsheet showing FTE, Weighted FTE, Special Ed, General State Aid/Supplemental Aid and percentages of those to each district's budgets for 2005-06, 8 pp.	
1074	KSDE: Alphabetical by county, spreadsheet showing FTE, Weighted FTE, Special Ed, General State Aid/Supplemental Aid and percentages of those to each district's budgets for 2006-07, 10 pp.	
1075	KSDE: Alphabetical by county, spreadsheet showing FTE, Weighted FTE, Special Ed, General State Aid/Supplemental Aid and percentages of those to each district's budgets for 2007-08, 8 pp.	

1076	KSDE: Alphabetical by county, spreadsheet showing FTE, Weighted FTE, Special Ed, General State Aid/Supplemental Aid and percentages of those to each district's budgets for 2008-09, 7 pp.	
1077	KSDE: Alphabetical by county, spreadsheet showing FTE, Weighted FTE, Special Ed, General State Aid/Supplemental Aid and percentages of those to each district's budgets for 2009-10, 7 pp.	
1078	KSDE and Expert Witness: Comparative trends in Ks FTE and Student Enrollment 2000-2011, 1 pg. Similar information was provided in Art Hall's report in Ex. 1170.	This chart demonstrates that since the 2000 school year, the number of students has grown by 2.2% but the number of teachers has grown by 4.1% and the number of non-teacher employees has grown by 7.6%. Dale Dennis, KSDE
1079	Kansas Assoc. School Boards publication, <i>Get the Facts 1</i> , January 2012, discussing that even after the budget cuts, there were 1000 more teachers than there were 10 years ago and 2700 more jobs, 2 pp.	This article shows that even after budget cuts, the number of teachers and non teacher district employees has increased from 10 years ago.
1080	Kansas Assoc. School Boards publication, <i>Get the Facts 2</i> , January 2012, discussing per pupil spending increases and breaking out KPERS and capital outlay from per pupil spending, as well as showing per pupil revenue from state, local and fed money, 4 pp.	
1081	Kansas Assoc School Boards spreadsheet by district number of FTE, General Fund, LOB, LOB actually used in percentage and dollars for 2010-11, 18 pp.	Districts have LOB authority to raise up to 30% of a calculated general fund that includes special education revenue. Plaintiff district USD 443 spent about \$500,000 less than its LOB authority; USD 308 spent about \$1.2 million less than its LOB authority; USD 259 spent almost \$3 million less than its LOB authority; USD 500 spent about \$500,000 less than its LOB authority. Moreover, none of the Plaintiff districts have asked local voters to increase their LOB authority to 31% as the statute allows. All districts spent about \$ 150 million less than their collective LOB authority in 2010-11.
1082	KSDE and Reference: Description of each budget fund available to school districts, 3 pp.	
1083	Form used by School Districts for Budgets, Including Funds and Codes, 3 pp.	

1084	Legislative information: Letter to Speaker of House attaching spreadsheet that shows each district, alphabetically by county, with amount of cash balance, cash balance per pupil, and then difference of extra funds needed when lower BSAPP used, dated 3/18/2011, 6 pp.	Legislators were informed in 2011 that as of July 1, 2010 (the first day of the 2011 school year), plaintiff school districts had the following cash balances: USD 259-\$29.9 million; USD 308--\$6.2 million; USD 443--\$6.7 million; USD 500—\$11.6 million Dr. Winn
1085	Legislative information: Spreadsheet showing funds transferred by school districts under SB 111, dated 9/9/2011, 5 pp.	Dr. Winn
1086	Legislative information: Instructions and form used to assist school districts in calculating what funds could be transferred in compliance with SB 111 and 9/13/11 memo from Dale Dennis to Legislative Research explaining factors in school districts' decisions, 2 pp.	Dr. Winn
1087	Legislative information: Conference committee report dated 5/12/11 re House Substitute for SB 111, 3 pp.	Dr. Winn
1088	Legislative information: Chart showing 7/1/10 and 7/1/11 cash balance comparisons by school district and % increase or decrease, dated 9/9/2011, 8 pp.	Legislators learned that between 2010 and 2011, cash reserves for plaintiff districts changed as follows: USD 259—10.% decrease; USD 308—17.2% increase; USD 443—13.3% increase; USD 500—5.5% increase Dr. Winn
1089	Legislative information: Chart showing cash balances as of 7/1/2011 by fund for all school districts in order of district number, dated 9/9/11	Dr. Winn
1090	Legislative information: 3/31/10 letter from Speaker to Revisor of Statutes, Dir. Of KLRD and Dale Dennis asking for data and a legal opinion about how much of each cash balance is encumbered so that the legislature will have information with which it can make funding decisions. 3 pp.	Dr. Winn
1091	Legislative information: Memo and opinion from Revisor of Statutes dated 4/10/10 describing funds in which districts might hold cash balances and whether those funds could be used for other purposes. 12pp.	Dr. Winn
1092	Legislative Information: Chart showing Cash Balances for all districts for years 2006-2011 and comparing change in balances, 2pp.	
1093	KSDE and Legislative Information: Spreadsheet showing each districts' cash balances in different funds as of 7/1/2006, sorted by school district number; totals in all cash balances, 12 pp.	
1094	KSDE and Legislative Information: Spreadsheet showing each districts' cash balances in different funds as of 7/1/2007, sorted by school district number; totals of all districts' cash balances, 12 pp.	

1095	KSDE and Legislative Information: Spreadsheet showing each districts' cash balances in different funds as of 7/1/2008, sorted by school district number; totals in all cash balances, 12 pp.	
1096	KSDE and Legislative Information: Spreadsheet showing each districts' cash balances in different funds as of 7/1/2009, sorted by school district number; totals in all cash balances, 10 pp.	
1097	KSDE and Legislative Information: Spreadsheet showing each districts' cash balances in different funds as of 7/1/2010, sorted by school district number; totals in all cash balances, 12 pp.	
1098	KSDE and Legislative Information: Spreadsheet showing each districts' cash balances in different funds as of 7/1/2011, sorted by school district number; totals in all cash balances, 15 pp.	Superintendent Allison
1099	KSDE and Legislative Information: Charts for each school district projecting revenue and expenses for the 2009-2010 school year and projecting unencumbered cash balance as of June 30, 2010 , 296 pp.	
1100	KSDE and Legislative Information: Chart comparing all fund balances in SB 111 and actual amounts transferred for each school district, dated 9/9/11, 5 pp.	
1101	Legislative Information: Minutes of Legislative Educational Planning Committee, Sept 22, 2011, 10pp.	This exhibit documents that the legislature was kept informed of Kansas students' consistent improvement on assessments and impressive record on national tests. "The message from Dr. Debakker was even though the state was doing more with less, Kansas children continue to achieve."
1102	Legislative Information: Dale Dennis memo to Legislative Educational Planning Committee, dated Sept 22, 2011 attaching spreadsheet that shows funds schools budgeted to transfer per SB 111, 9 pp.	SB 111 allowed districts to transfer cash balances between funds ("silos").
1103	Legislative Information and KSDE: Spreadsheet showing Assessed Valuation for each school district for 2010-11, 6 pp.	Kelly Mather, USD 500
1104	KSDE: Chart showing each district's 2011-12 mill levy, sorted by county, 7 pp.	Plaintiff districts mill levies are: USD 259—57.01; USD 308—57.17; USD 443—60.73; USD 500—60.26. Highest on chart were 82.5 in Johnson county. Most school districts on chart are in the 40-60 mill range. Lori Blakesley Kelly Mather, USD 500

1105	KSDE: 5 year history of assessed valuation with % change and assessed valuation per pupil, sorted by county, 6 pp.	Over the 5 year period, the plaintiff districts' assessed valuation changed by these percentages: USD 259—increased 7.07%; USD 308—decreased 1.58%; USD 443—increased 9.1%; USD 500—decreased 10.37%. The average change was 1.73% increase. The largest increase was 162%. The largest decrease was 42%.
1106	Financial Information USD 259 (Wichita): Chart showing property tax comparisons for Wichita and surrounding school districts, 1 p.	Of the 8 surrounding school districts, Wichita has the third to lowest property taxes. Superintendent Allen
1107	Chart showing mill levy history for plaintiff school districts, Shawnee Mission and Blue Valley, school years 2000-2012, 12 pp.	Johnson county schools Shawnee Mission and Blue Valley had increased their mill levies by 20 and 26, respectively, from 2000-2012. Plaintiff school districts had increased by the following over the same time period. USD 259—20 mills; USD 308—7 mills; USD 443—17 mills; USD 500 17 mills. Superintendent Cunningham testified that Dodge City did not levy all of the capital outlay that it could have. Dr. Tom Foster Kelly Mather, USD 500
1108	Financial Information for USD 308 (Hutchinson): List of programs implemented, discontinued or reduced during school years 09-10, 10-11, 11-12 at USD 308 (Hutchinson), prepared by CFO Blakesley, dated 11/2/11, 9 pp	
1109	Financial Information USD 259 (Wichita): Budget Update 2010-11; Describes four phases of budget cuts planned to be implemented in 2010 and the school district's impression of the affects of those cuts; also includes press releases about the same and handouts presented to the school board; also articles about adding 2.6 mill back into the budget. Information as of 7/20/10. 33 pp.	
1110	Financial Information USD 259 (Wichita):similar information about proposed 2011 Wichita budget cuts, information as of 5/2/11, 4 pp.	
1111	Financial Information USD 259 (Wichita): Notes from superintendent-appointed stakeholder committee in 2010 making further budget cut recommendations, 1 p.	
1112	Financial Information USD 443 (Dodge City) and the cuts they made or programs they added in 2009-2011, 4 pp.	
1113	Financial Information about USD 443 (Dodge City): Letter from Superintendent Cunningham to staff about funding priorities, dated 5/15/2009, 2 pp.	

1114	Financial information about USD 443 (Dodge City): Documentation about the elimination of early retirement plan for USD 443, 6/8/2009, 1pg.	Brad Neuenswander, KDSE
1115	Financial information about USD 443 (Dodge City): Superintendent Cunningham letter to the board outlining reductions to funding for programs or positions for the following school year, 5/18/2009, 2 pp.	
1116	Financial information about USD 500 (KCK), Spreadsheet dated 3/28/11, proposing cuts and showing money projected to be saved, 4pp	
1117	Financial information about USD 500 (KCK): List of cuts made in 2010, 2011 and 2012 school years, 1 pg	
1118	Plaintiffs' Responses to Defendants' First Set of Interrogatories; 117 pp.	
1119	Plaintiffs' Responses to First Set of Interrogatories to Student Plaintiffs, 48 pp.	
1120	Plaintiffs' Response and Objection to Defendants Request for Admission, 3 pp.	
1121	KSDE: Quality Performance Accreditation - QPA – Fact Sheet, 2 pp.	Dr. Lane, USD 500
1122	K.A.R. 91-31-31, 2 pp.	Dr. Lane, USD 500
1123	KSDE: QPA Annual Targets and cut scores, 1 pg.	
1124	KSDE: QPA Performance Accreditation Expected Gain Formula, 2pp	
1125	KSDE and reference: QPA KSDE Website, 2pp	
1126	KSDE: QPA Manual, 83 pp	Superintendent Allison Brad Neuenswander, KDSE
1127	KSDE: State Technical Assistance Team – Fact Sheet about Quality Performance Accreditation and Title I school improvement, 1 pg.	Brad Neuenswander, KDSE
1128	KSDE: No Child Left Behind District Corrective Action – Fact Sheet, 1 pg.	
1129	KSDE: ESEA Flexibility (Waiver) Request drafted by the KSDE to submit to the US Dept of Ed to request a waiver from NCLB, dated 2/10/2012, 217 pp.	The waiver introduced the Assessment Performance Index (“API”). Dr. Tom Foster explained the API data shows that Kansas students have significantly improved over time on assessments both below and above “meets standard” and that the achievement gap is narrowing.
1130	KSDE: Common Core State Standards – Fact Sheet – 2011-12, 1 p.	
1131	KSDE: Common Core State Standards Power Point, defining standards, mapping states that had adopted them, 31 pp.	
1132	KSDE: 21 st Century Accreditation, lists requirements for accreditation in 2014 and timeline for changes, 1/17/12, 7 pp.	
1133	KSDE: Same Timeline for implementing 21 st Century Accreditation as in Ex. 1132, 1/17/12, 1 pp.	

1134	KSDE: Graduation Requirements Fact Sheet plus survey results from districts about graduation, class offerings, what is required of students in senior year, 33 pp.	
1135	KSDE: At-Risk Pupil Assistance Program Guidelines, 2011-12, 6 pp.	
1136	KSDE: ESOL federal programs description from KSDE website (2 pp)	
1137	KSDE: Description of 2010-2012 federal school improvement grant awards to two Wichita middle schools (\$5.9 million and \$1.7 million) and a KCK elementary (\$2.9 million) and middle school (\$4.7 million), 2 pp.	Significant federal money is available to struggling schools and plaintiff school districts have received those federal funds. Emerson Elementary, the Kansas City school that received the three year \$2.9 million grant has 141 students. The Kansas City middle school, Northwest, that received a three year \$4.7 million grant has 402 students.
1138	KSDE: After School Enhancement Grants to school districts and community groups, 3/1/11, 1 pg.	
1139	KSDE: List of Accredited Schools, 66 pp.	
1140	KSDE and Legislature: 12/23/09 Letter from Goosen to Olson about allotment reduction for capital outlay equalization, 2 pp.	
1141	KSDE and Legislature: 9/22/10 Letter from Dennis to Olson about capital outlay with spreadsheet showing each district's capitalization equalization calculations, 7 pp.	
1142	KSDE: Kansas System of School District Supports, explaining assistance available to schools that do not make AYP, 2 pp.	Brad Neuenswander, KDSE
1143	KSDE: Kansas Improvement Notebook, Aug 2008, 112 pp.	
1144	KSDE: December 2008 Learning Network Needs Analysis for KCK, after study by consultants Cross and Joftus, suggesting school improvements to increase AYP, 25 pp.	

1145	KSDE: November 2010 Learning Network Needs Analysis for Dodge City, after study by consultants Cross and Joftus, suggesting school improvements to increase AYP, 23 pp.	Superintendent Cunningham testified that the consultants' s report in 2010 report was 2-3 years into the budget cuts. Dodge and has consistently made AYP and in 2009 the district garnered 30 standards of excellence awards, which is based on percentage of students who perform well on assessments. Montoy money had allowed them to hire qualified teachers. The district has a superior data system used to assist school with real time intervention for kids. Most of their programs are still there but have been reduced in some way. District and schools are accredited and Dodge City is accredited by AdvancedEd. No schools were on Title I improvement as of 2010.
1146	KSDE: December 2008 Learning Network Needs Analysis for Wichita, after study by consultants Cross and Joftus, suggesting school improvements to increase AYP, 33 pp.	
1147	KSDE: October 2010 Learning Network Needs Analysis for Hutchinson, after study by consultants Cross and Joftus, suggesting school improvements to increase AYP, 24 pp.	Dr. Kiplinger
1148	KSDE: Power point presentation, Kansas State Report Card 2011, presented to Council of Superintendents 10/20/10, 59 pp.	
1149	KSDE: Kansas Accountability Report, 2010-11, contains information about statewide revenue and expenditures and student performance and the achievement gap, 6 pp.	
1150	KSDE: Powerpoint presentation, KSDE Annual Conference, 11/1/11, information about student achievement, the achievement gap and the waiver request made by KS, 21pp.	
1151	KSDE: Explanation of criteria for Standard of Excellence awards for 2010-11, 7pp.	
1152	KSDE: List of Schools making Standard of Excellence, including grade level and subject for 2010-11 , 159 pp.	
1153	KSDE: State of Kansas Report Cards, showing reading and math (and for some years, science and writing) assessment scores for all grades for years 2003-04 to 2010-11, 126 pp.	
1154	KSDE: USD 259 (Wichita) Report Cards 2003-04 to 2010-11, showing assessments results for all grades in all subjects 2004-2011, 126 pp.	Dr. Tom Foster
1155	KSDE: USD 308 (Hutchinson) Report Cards 2003-04 to 2010-11, showing assessments results for all grades in all subjects, 129 pp.	
1156	KSDE: USD 443 (Dodge City) Report Cards 2003-04 to 2010-11, showing assessments results for all grades in all	Superintendent Cunningham agrees that test scores show steady

	subjects, 126 pp.	improvement and a closing of the achievement gap. Brad Neuenswander, KDSE
1157	KSDE: USD 500 (KCK) Report Cards 2003-04 to 2010-11, showing assessments results for all grades in all subjects, 126 pp.	Brad Neuenswander, KDSE
1158	KSDE: Charts of assessment results for each of grades 3-8 and 11 for reading and math statewide 2010-11, including a chart showing trends, 58 pp.	Brad Neuenswander, KDSE
1159	KSDE: Charts of assessment results for each of grades 3-8 and 11 for reading and math for USD 259 (Wichita) 2010-11, including a chart showing trends, 56 pp.	Brad Neuenswander, KDSE
1160	KSDE: Charts of assessment results for each of grades 3-8 and 11 for reading and math in USD 308 (Hutchinson) including a chart showing trends, 58 pp.	Brad Neuenswander, KDSE
1161	KSDE: Charts of assessment results for each of grades 3-8 and 11 for reading and math for USD 443 (Dodge City) 2010-11, including a chart showing trends, 58 pp.	Superintendent Cunningham Brad Neuenswander, KDSE
1162	KSDE: Charts of assessment results for each of grades 3-8 and 11 for reading and math for USD 500 (Kansas City Kansas) 2010-11, including a chart showing trends, 56 pp.	Brad Neuenswander, KDSE
1163	KSDE: Charts showing results of math and reading assessments for grades 3 and 4 with graphs about trends from Douglass and White Church elementary schools (USD 500), grades 7 and 8 reading and math with graphs about trends from Eisenhower and Coronado Middle Schools (USD 500), grade 11 reading and math with graphs about trends from Sumner Academy high school (USD 500) results of math and reading assessments for grades 3 and 4 with graphs about trends from Plymell Elementary in Garden City, a school Dr. Kiplinger cited as a successful school, results of math and reading assessments for grades 3 and 4 with graphs about trends from Avenue A and Lincoln elementary schools (USD 308), 143 pp.	Dr. Lane, USD 500 Brad Neuenswander, KDSE
1164	KSDE: AYP 2011-12 fact sheet, defining terms and procedures used in the AYP process, dated 9/13/2011, 2 pp.	Brad Neuenswander, KDSE
1165	KSDE: Power Point presentation, shows performance of subgroups on state assessments and gives information about who takes state assessments, shows Kansas students performance on ACT and on NAEP, describes the waiver from NCLB, Common Core transition timeline, and "Work Ahead in 2012," dated 1/30/12, 49 pp.	Kansas students rank high on national assessments, even after funding decreased. Kansas students' scores continue to improve on state assessments as well. The achievement gap is narrowing. Brad Neuenswander, KDSE

1166	Legislative Information: Almost identical presentation as Ex. 1165, but labeled “House Educ. Committee”, dated 2/1/12, 57 pp	The legislature received information about the success of Kansas students on national assessments and the continued improvement on state assessments each year. Rochelle Chronister Dr. Winn Brad Neuenswander, KDSE
1167	Kansas Assoc. School Boards newsletter “Focus On , What we Know About Student Achievement and School Improvement in Kansas”, 16 pp	Graphs show that Kansas kids’ scores on assessments improve every year and that more than 80% of Kansas students are proficient in reading and math statewide. Nationwide, Kansas students rank at the top in NAEP scores. Even when free and reduced lunch kids are disaggregated, they still rank toward the top on NAEP. The achievement gap is closing and the graduation rate is improving. The scores for Kansas public school students are better than those of private school students with similar types of students. Kansas ranks in the top 10 states for college readiness. Brad Neuenswander, KDSE
1168	KSDE: Kansas Assessment Power Point, dated 4/12/12, contains assessment numbers, graphs of student improvement and NAEP information, 22 pp.	Brad Neuenswander, KDSE
1169	Expert materials: Eric Hanushek’s report and attachments, 91 pp.	“Kansas schools are doing quite well.” Hanushek’s charts demonstrate that Kansas students rank 7 th in the nation on 4 th grade math on NAEP tests though it has a more challenging population than schools who do better. Also, Kansas’s kids in poverty rank 4 th in 4 th grade math and 8 th in 8 th grade math on NAEP tests. Compared to Wyoming, a similar rural state which has invested significant dollars in education and has a population that is easier to educate, Kansas students perform significantly better and are more college ready. Hanushek created scatter graphs that demonstrated there was no correlation between per pupil expenditures in a school district and that district’s performance on state assessments. Some districts spent more per pupil and did poorly. Some districts spent little and did well.

1170	Expert materials: Podgursky's expert report and attachments are the first 130 pages. Hall's expert report and attachments are the final 21 pages.	Podgursky demonstrated that Kansas students are performing well as compared to similar students in other states. He also provided graphs that showed the lack of correlation between funds spent and student achievement. Hall demonstrated that an increase of \$1.2 billion in funds available for schools would either significantly increase taxes or cause dramatic spending cuts in other state services.
1171	Expert materials: Chart comparing states' improvement in NEAP scores to increases in spending from 2000-2009. Analysis dated 5/17/12. 2 pp.	Kansas's increase in school spending between 2000 and 2009 was above the average for the nation, but its increase in scores on NAEP was below national average. Many states increased their spending less but had higher increases in NAEP scores. Dr. Bruce Baker Dr. Rick Hanushek
1172	KSDE: 2011-12 fact sheet about teacher education and licensure, identifying sources for information, 1 pg.	
1173	KSDE: Fact sheet explaining the requirements for being a highly qualified teacher and provisions in NCLB that require highly qualified teachers, dated 2008-09, 1 p.	
1174	KSDE: Two charts showing the numbers and positions of certified personnel employed in school districts statewide from 2001-2012 and the % increase or decrease in the number of employees in each position between the 2009-2010 school years and between the 2011 and 2012 school years, 2 pp.	
1175	KSDE: Two charts showing the numbers and positions of non-certified personnel employed in school districts statewide from 2001-2012 and the % increase or decrease in the number of employees in each position between the 2009-2010 school years and between the 2011 and 2012 school years, 2 pp.	
1176	Chart district sorted by county of number of certified employees, special ed teachers, K-12 teachers, FTE and pupil teacher ratios as of 5/31/11, 6 pp.	Plaintiff districts had student pupil ratios of 15.8 (Wichita), 16.3 (Hutchinson), 16.7 (Dodge City) and 15.8 (KCK). These compare favorably with other schools across the state. The highest student per pupil ratio statewide is 38.6.
1177	Financial Information about USD 259 (Wichita): Chart showing average salary history for teachers and administrators from 2002 to 2011, 1 pg.	Average salaries jumped significantly in 2006-2008 school years and were reduced some in 2010.
1178	KSDE: Spreadsheet, organized by district number, showing licensed personnel vacancies as of August 1, 2011, 7pp.	Plaintiff school districts were successful in filling almost all of their teaching positions for the 2011-12 school years.

1179	KSDE: Regulations and standards for educators about teaching education and licensure, 2011-12, 210 pp.	
1180	Financial Information about USD 500 (KCK): Agreement between USD 500 and teacher's union, 72 pp.	
1181	Financial Information about USD 308 (Hutchinson): Agreement between USD 308 and teacher's union, 48 pp.	
1182	Financial Information about USD 443 (Dodge City); Agreement between USD 443 and teacher's union, 78 pp.	
1183	Financial Information about USD 259 (Wichita): Agreement between USD 259 and teacher's union, 82 pp.	
1184	No exhibit	
1185	Statewide School District Revenue 2010-2011	This was presented on a foam board. It is a pie chart created using the "State Totals" table on Exhibit 1068, page 1.
1186	State Totals 2001-2011	This was presented on a foam board. This is a copy of the "State Totals" table on page 1 of Exhibit 1068.
1187	Wichita Per Pupil and Total Expenditures	This was presented on a foam board. This is a copy of the Wichita (USD 259) table on page 2 of Exhibit 1068. Superintendent Allison agreed that per pupil expenditures have increased. Linda Jones Dr. Rick Hanushek
1188	Hutchinson Per Pupil and Total Expenditures	This was presented on a foam board. This is a copy of the Hutchinson (USD 308) table on page 3 of Exhibit 1068. Lori Blakesley
1189	Dodge City Per Pupil and Total Expenditures	This was presented on a foam board. This is a copy of the Dodge City (USD 443) table on page 4 of Exhibit 1068.
1190	KCK Per Pupil and Total Expenditures	Was presented on foam board. Copy of the Kansas City (USD 500) table on page 5 of Exhibit 1068.
1191	LPA Estimates to 2013-2014	This was presented on a foam board. This is a copy of "Estimated Cost of Meeting Future Performance Standards In 2006-07 dollars" table on page 9 of Exhibit 0195.

1192	2010-2011 Expenditures from US Census	<p>This was presented on a foam board. It is a demonstrative board to assist the court in understanding what we mean when we say “operating expenditures” (aka “cost function funds”), a term we used at trial and on some of the demonstrative exhibits. This is a copy of page 1 of Exhibit 1037A. We highlighted in yellow the 7 out of 10 “functions” which the LPA study considered would affect education outputs. Expenditures falling into these 7 “functions” were referred to as “operating expenditures” (aka “cost function funds”) at trial.</p> <p>Superintendent Cunningham agreed that per pupil expenditures in Dodge City increased in 2010-11.</p> <p>Dale Dennis, KSDE Brad Neuenswander, KDSE Dr. Podgursky</p>
1193	All District Expenditure Cost Function Funds Per Pupil	<p>This was presented on foam board. This bar graph demonstrates the amount of money in the category of “cost function funds” which is being spent per pupil in all districts has generally increased over time; it peaked in 2008-09 at \$9,565 and was at \$9,170 per pupil in 2010-11. The data used to create this bar graph comes from the total expenditures falling in the category of “cost function funds” divided by the FTE for each year. All of this data is on pages 1-7 of Exhibit 1037A.</p>
1194	KCK Cost Function Funds Per Pupil	<p>This was presented on foam board. This bar graph demonstrates the amount of money in the category of “cost function funds” which is being spent per pupil in all districts has generally increased over time; it peaked in 2008-09 at \$10,999 and was at \$10,510 per pupil in 2010-11. The data used to create this bar graph comes from the total expenditures falling in the category of “cost function funds” divided by the FTE for each year. All of this data is on pages 24-30 of Exhibit 1037.</p>

1195	Hutchinson Cost Function Funds Per Pupil	This was presented on foam board. This bar graph demonstrates the amount of money in the category of "cost function funds" which is being spent per pupil in all districts has generally increased over time; it peaked in 2008-09 at \$9,331 and was at \$9,069 per pupil in 2010-11. The data used to create this bar graph comes from the total expenditures falling in the category of "cost function funds" divided by the FTE for each year. All of this data is on pages 9-15 of Exhibit 1037.
1196	Dodge Cost Function Funds Per Pupil	This was presented on foam board. This bar graph demonstrates the amount of money in the category of "cost function funds" which is being spent per pupil in all districts has generally increased over time; it peaked in 2008-09 at \$9,825 and was at \$9,397 per pupil in 2010-11. The data used to create this bar graph comes from the total expenditures falling in the category of "cost function funds" divided by the FTE for each year. All of this data is on pages 16-23 of Exhibit 1037. Superintendent Cunningham Bill Hammond
1197	Wichita Cost Function Funds Per Pupil	This was presented on foam board. This bar graph demonstrates the amount of money in the category of "cost function funds" which is being spent per pupil in all districts has generally increased over time; it peaked in 2008-09 at \$10,405 and was at \$10,105 per pupil in 2010-11. The data used to create this bar graph comes from the total expenditures falling in the category of "cost function funds" divided by the FTE for each year. All of this data is on pages 2-8 of Exhibit 1037. Superintendent Allison agreed that the Wichita cost function per pupil is over \$11,000.
1198	How close are we to LPA study? (0% inflation) *error	This was presented on foam board during opening statement only. It contains error(s) and should be disregarded. Related exhibits which should be considered are Exhibit 1238 and 1239.

1199	How close are we to LPA study? (3% inflation) *error	<p>This was presented on a foam board during opening statement only. It contains error(s) and should be disregarded.</p> <p>Related exhibits which should be considered are Exhibit 1238 and 1239.</p>
1200	LOB Max All Districts	<p>This was presented on a foam board. It shows what school districts statewide were authorized to tax each year under their Local Option Budgets (Maximum LOB Authorized) and compares that to the adopted LOB and LOB expenditures, and thus generally provides a value on what additional funding the school districts could obtain from the LOB. The data used to create this table comes from Exhibit 1184 and two columns on the last page of the "Legal Max" for each year. Exhibits 1049, 1050, 1051, 1052, 1053, 1054A and 1055.</p>
1201	Capital Outlay Mills	<p>This was presented on a foam board. School districts can have a capital outlay mill levy up to 8 mills. This board demonstrates there is variation from district to district, and statewide, on the capital outlay mill levy, and generally provides a value on how much additional funding would be available if the mill levy was at 8 mills for the 2010-11 school year. The mill levy for the individual districts used to create this bar graph comes from the second page of Exhibits 1033, 1034, 1035, 1036. The mill levy for all districts was calculated by comparing the statewide "Capital Outlay Taxes Levied" to the statewide "Total Assessed Valuation" on page 5 of Exhibit 1046. The amount of additional funds which could be raised if the mill levy was 8 was calculated using the assessed valuation data on Exhibit 1046.</p> <p>Lori Blakesley</p>

1202	All Districts Cash Balance	This was presented on a foam board. This bar graph shows that the cash balance for all school districts at the end of each fiscal year has increased from \$1.16 billion in 2006 to \$1.71 billion in 2011. The data used to create this bar graph comes from the "Total USD Cash Balance" column on last page of Exhibits 1093, 1094, 1095, 1096, 1097 and 1098.
1203	Hutchinson Cash Balance	This was presented on a foam board. This bar graph shows that the cash balance for the Hutchinson school district at the end of each fiscal year has increased from \$16.3 million in 2006 to \$25.4 million in 2011. The data used to create this bar graph comes from the "Total USD Cash Balance" column for USD 308 on Exhibits 1093, 1094, 1095, 1096, 1097 and 1098.
1204	Wichita Cash Balance	This was presented on a foam board. This bar graph shows that the cash balance for the Wichita school district at the end of each fiscal year has increased from \$128.9 million in 2006 to \$155.7 million in 2011. The data used to create this bar graph comes from the "Total USD Cash Balance" column for USD 259 on Exhibits 1093, 1094, 1095, 1096, 1097 and 1098.
1205	Dodge City Cash Balance	This was presented on a foam board. This bar graph shows that the cash balance for the Dodge City school district at the end of each fiscal year has increased from \$10.9 million in 2006 to \$19 million in 2011. The data used to create this bar graph comes from the "Total USD Cash Balance" column for USD 443 on Exhibits 1093, 1094, 1095, 1096, 1097 and 1098.
1206	KCK Cash Balance	This was presented on a foam board. This bar graph shows that the cash balance for the Kansas City school district at the end of each fiscal year has increased from \$55 million in 2006 to \$95.7 million in 2011. The data used to create this bar graph comes from the "Total USD Cash Balance" column for USD 500 on Exhibits 1093, 1094, 1095, 1096, 1097 and 1098.

1207	Assessment Scores Statewide 2003-2011	<p>This was presented on a foam board. This table tracks for all districts the percentage of all students, and disaggregated for poverty (“reduced and free lunch”) whose scores reached AYP for each year starting in 2003 through 2011. It shows improvement in these percentages statewide over time. It also shows the stateside graduation rate. The tests reported and the graduation rates were used by the LPA study to define desired “outputs.” The data used to create this table comes from the State of Kansas Report Cards 2003-04 to 2010-11, Exhibit 1153.</p> <p>Rochelle Chronister</p>
1208	Dodge City Assessment Scores 2003-2011	<p>This was presented on a foam board. This table tracks for USD 443 the percentage of all students, and disaggregated for poverty (“reduced and free lunch”) whose scores reached AYP for each year starting in 2003 through 2011. It shows improvement in these percentages in this district over time. It also shows the district graduation rate. The data used to create this table comes from the USD 443 Report Cards 2003-04 to 2010-11, Exhibit 1156.</p> <p>Superintendent Cunningham agreed that Dodge City’s assessment scores were improving.</p>
1209	KCK Assessment Scores 2003-2011	<p>This was presented on a foam board. This table tracks for USD 500 the percentage of all students, and disaggregated for poverty (“reduced and free lunch”) whose scores reached AYP for each year starting in 2003 through 2011. It shows improvement in these percentages in this district over time. It also shows the district graduation rate. The data used to create this table comes from the USD 500 Report Cards 2003-04 to 2010-11, Exhibit 1157.</p>
1210	Hutchinson Assessment Scores 2003-2011	<p>This was presented on a foam board. This table tracks for USD 308 the percentage of all students, and disaggregated for poverty (“reduced and free lunch”) whose scores reached AYP for each year starting in 2003 through 2011. It shows improvement in these percentages in this district over time. It also shows the district graduation rate. The data used to create this table comes from the USD 308 Report Cards 2003-04 to 2010-11, Exhibit 1155.</p> <p>Dr. Kiplinger</p>

1211	Wichita Assessment Scores 2003-2011	<p>This was presented on a foam board. This table tracks for USD 259 the percentage of all students, and disaggregated for poverty (“reduced and free lunch”) whose scores reached AYP for each year starting in 2003 through 2011. It shows improvement in these percentages in this district over time. It also shows the district graduation rate. The data used to create this table comes from the USD 259 Report Cards 2003-04 to 2010-11, Exhibit 1154.</p> <p>Dr. Tom Foster</p>
1212	All Districts - % increase in operations spending to outputs (1 to .88) – error	<p>This was presented on a foam board during opening statement only. It contains an error. The corrected version is 1212A.</p>
1212A	All Districts - % increase in outputs to operations spending (1 to .83)	<p>This was presented on a foam board. The LPA study’s methodology relied upon a consultant’s conclusion that for every 1% increase in education “outputs” there was an associated .83% increase in operations spending (“cost function funds”). For this exhibit, as was assumed in the study, inputs were measured by cost function funds per pupil [See Exhibit 1193], and outputs were measured by state assessment scores and graduation rates [See Exhibit 1207]. This exhibit tests whether you could use the 1 to .83 formula to predict educational outputs based merely on increases or decreases in spending. This bar graph, and those like it, shows that you cannot. The blue bar represents the percent increase in operations spending per pupil, the red bar shows what the percentage change in output ought to be under the 1 to .83 ratio, and the green bar represents the actual change in outputs. There is no consistent pattern or relationship.</p> <p>Dr. Bruce Baker</p>
1213	KCK - % increase in outputs to operations spending (1 to .88) – error	<p>This was presented on a foam board during opening statement only. It contains an error. The corrected version is 1213A.</p>

1213A	KCK - % increase in outputs to operations spending (1 to .83)	This was presented on a foam board. The LPA study's methodology relied upon a consultant's conclusion that for every 1% increase in education "outputs" there was an associated .83% increase in operations spending ("cost function funds"). As was assumed in the study, inputs were measured by cost function funds per pupil [See Exhibit 1194], and outputs were measured by state assessment scores and graduation rates [See Exhibit 1209]. This exhibit tests whether you could use the 1 to .83 formula to predict educational outputs based merely on increases or decreases in spending. This bar graph, and those like it, shows that you cannot. The blue bar represents the percent increase in operations spending per pupil, the red bar shows what the percentage change in output ought to be under the 1 to .83 ratio, and the green bar represents the actual change in outputs. There is no consistent pattern or relationship.
1214	Dodge City - % increase in outputs to operations spending (1 to .88) - error	This was presented on a foam board during opening statement only. It contains an error. The corrected version is 1214A.
1214A	Dodge City - % increase in outputs to operations spending (1 to .83)	This was presented on a foam board. The LPA study's methodology relied upon a consultant's conclusion that for every 1% increase in education "outputs" there was an associated .83% increase in operations spending ("cost function funds"). As was assumed in the study, inputs were measured by cost function funds per pupil [See Exhibit 1196], and outputs were measured by state assessment scores and graduation rates [See Exhibit 1208]. This exhibit tests whether you could use the 1 to .83 formula to predict educational outputs based merely on increases or decreases in spending. This bar graph, and those like it, shows that you cannot. The blue bar represents the percent increase in operations spending per pupil, the red bar shows what the percentage change in output ought to be under the 1 to .83 ratio, and the green bar represents the actual change in outputs. There is no consistent pattern or relationship.
1215	Hutchinson - % increase in outputs to operations spending (1 to .88) - error	This was presented on a foam board during opening statement only. It contains an error. The corrected version is 1215A.

1215A	Hutchinson - % increase in outputs to operations spending (1 to .83)	<p>This was presented on a foam board. The LPA study's methodology relied upon a consultant's conclusion that for every 1% increase in education "outputs" there was an associated .83% increase in operations spending ("cost function funds"). As was assumed in the study, inputs were measured by cost function funds per pupil [See Exhibit 1195], and outputs were measured by state assessment scores and graduation rates [See Exhibit 1210]. This exhibit tests whether you could use the 1 to .83 formula to predict educational outputs base merely on increases or decreases in spending. This graph, and those like it, shows that you cannot. The blue bar represents the percent increase in operations spending per pupil, the red bar shows what the percentage change in output ought to be under the 1 to .83 ratio, and the green bar represents the actual change in outputs. There is no consistent pattern or relationship.</p> <p>Dr. Kiplinger</p>
1216	Wichita - % increase in outputs to operations spending (1 to .88) - error	<p>This was presented on a foam board during opening statement only. It contains an error. The corrected version is 1216A.</p>
1216A	Wichita - % increase in outputs to operations spending (1 to .83)	<p>This was presented on a foam board. The LPA study's methodology relied upon a consultant's conclusion that for every 1% increase in education "outputs" there was an associated .83% increase in operations spending ("cost function funds"). As was assumed in the study, inputs were measured by cost function funds per pupil [See Exhibit 1197], and outputs were measured by state assessment scores and graduation rates [See Exhibit 1211]. This exhibit tests whether you could use the 1 to .83 formula to predict educational outputs base merely on increases or decreases in spending. This bar graph, and those like it, shows that you cannot. The blue bar represents the percent increase in operations spending per pupil, the red bar shows what the percentage change in output ought to be under the 1 to .83 ratio, and the green bar represents the actual change in outputs. There is no consistent pattern or relationship.</p>
1217	Kansas Reading All Students	<p>This was presented on a foam board. This bar graph shows continuous improvement in the percentage of all students who tested "meets standard" or above from 2001 to 2011 on the Kansas reading assessments. It is a color version of a chart appearing in Exhibit 1166.</p> <p>Dr. Bruce Baker</p>

1218	Reading Performance 2010-2011	This was presented on a foam board. This side-by-side bar graph gives the percentage of all students in reading whose test scores were “exemplary,” “exceeds,” “meet’s standard,” “approaches standard” and “warning” for 2010 and 2011. As desired, it shows an increase in the percentage of students falling into the first two categories and a decrease in the percentage of students falling in the last two categories. It is a color version of a chart appearing in Exhibit 1166.
1219	Reading Gap 2000-2011	This was presented on a foam board. The “reading gap” refers to the difference between how well students perform in one group versus how well students perform in another group. This chart tracks the percentage of students who tested “meets standard” or above disaggregated by students who pay for their lunch, students who have a reduced lunch and those who have a free lunch. Not only does it show improvement over time, it also shows that the gap is closing over time. It is a color version of a chart appearing in Exhibit 1166. Dr. Kiplinger
1220	Reading Gap by Ethnicity	This was presented on a foam board. The “reading gap” refers to the difference between how well students perform in one group versus how well students perform in another group. This chart tracks the percentage of students who tested “meets standard” or above disaggregated by ethnicity. Not only does it show improvement over time, it also shows that the gap is closing over time. It is a color version of a chart appearing in Exhibit 1166.
1221	Math Gap by Ethnicity	This was presented on a foam board. The “math gap” refers to the difference between how well students perform in one group versus how well students perform in another group. This chart tracks the percentage of students who tested “meets standard” or above disaggregated by ethnicity. Not only does it show improvement over time, it also shows that the gap is closing over time. It is a color version of a chart appearing in Exhibit 1166.

1222	Math Gap by Poverty	<p>This was presented on a foam board. The “math gap” refers to the difference between how well students perform in one group versus how well students perform in another group. This chart tracks the percentage of students who tested “meets standard” or above disaggregated by students who pay for their lunch, students who have a reduced lunch and those who have a free lunch. Not only does it show improvement over time, it also shows that the gap is closing over time. It is a color version of a chart appearing in Exhibit 1166.</p> <p>Dr. Tom Foster</p>
1223	Math Performance 2010-2011	<p>This was presented on a foam board. This side-by-side bar graph gives the percentage of all students in math whose test scores were “exemplary,” “exceeds,” “meet’s standard,” “approaches standard” and “warning” for 2010 and 2011. As desired, it shows an increase in the percentage of students falling into the first two categories and a decrease in the percentage of students falling in the last two categories. It is a color version of a chart appearing in Exhibit 1166.</p>
1224	State Math 2001-2011	<p>This was presented on a foam board. This bar graph shows continuous improvement in the percentage of all students who tested “meets standard” or above from 2001 to 2011 on the Kansas math assessments. It is a color version of a chart appearing in Exhibit 1166.</p>
1225	NAEP	<p>This was presented on a foam board. This set of four bar graphs compares the average NAEP test scores in Kansas to the national average for 2003, 2005, 2007, 2009 and 2011. It shows that for each year, Kansas test scores on the NAEP are higher than the national average, and also generally shows improvement in those scores over time. It is a color version of a chart appearing in Exhibit 1166.</p>
1226	SAT Trends	<p>This was presented on a foam board. This set of two bar graphs compares the average SAT test scores in Kansas to the average SAT test scores in the nation from the 2006-7 school year to the 201—11 school year. It shows that for each year, Kansas average SAT test scores were higher than the national average. It is a color version of a chart appearing in Exhibit 1166.</p>

1227	ACT Trends	This was presented on a foam board. This bar graph compares the average ACT test scores in Kansas to the average ACT test scores in the nation from the 2006-7 school year to the 2010—11 school year. It shows that for each year, Kansas average ACT test scores were higher than the national average. It is a color version of a chart appearing in Exhibit 1166.
1228	Pupil Teacher Ratio	This was presented on a foam board. As discussed at trial, teacher salaries constitute one of the largest portions of a school district’s budget. A school district at the local level can decide to spend money on increasing teacher salaries or hire more teachers - they are given local control to make this decision. This exhibit shows the pupil-to-teacher ratio at the KCK school district (15.8 students per teacher) and compares it to three of the surrounding school districts (which all have higher pupil-to-teacher ratios). The State does not criticize KCK’s local decision, but simply observes that the lower the pupil-to-teacher ratio, the less money is available for increasing teacher salaries. The data used to create this exhibit comes from Exhibit 1176.
1229	FY 2011-2012 Percent Proficient by Subgroup for Some Schools in Plaintiff School Districts	This is the preliminary results for 2011-2012 school year for some schools in plaintiff districts. These results were produced during trial. Dr. Tom Foster Rodney Rathbun Dr. Kiplinger Lori Doyle, USD 259 Brad Neuenswander, KDSE
1230	FY 2011-2012 Percent Proficient by Subgroup for the State	This is the preliminary results for 2011-12 state subgroups. Dr. Tom Foster Dr. Kiplinger
1231	2003-2012 Assessment Scores for the State General and State Poverty Subgroup for Math and Reading Assessments by Grade	This is the same chart as used in Ex 1217, but the scores from 2012, which were disclosed during the trial, were added in left hand column. Tom Foster from KSDE who is in charge of assessments testified that Kansas students have shown progressive improvement in reaching proficiency in math and reading, as has the poverty subgroup. Rochelle Chronister
1232	National Center for Education Statistics - Average Scale Scores for 4 th Grade Readings	Average score for black students nationally is 205 and Kansas is 204. This corrects an incorrect number on Dr. Podgursky’s chart. Dr. Tom Foster

1233	Hutchinson High School Profile for 2010-2011 from Hutchinson High School website	Principal Roehm testified Hutchinson won a Standard of Excellence Award in 2010 and 2011. All students have had a fairly steady increase in reading, with a little bit of a dip in 2009 as shown in the graph in the profile, p. 7.
1234	Morgan Elementary School Profile for 2010-2011 (Hutchinson)	Rod Rathbun testified that Morgan Elementary students have beat the state average in reading since 2007, at p. 5. The school's reading scores are high, but flat from 2007-2011, at p.7. Math results similarly high but flat except for 2011 downturn that still met AYP at p. 8.
1235	Hutchinson Middle School Profile for 2010-2011	Michael Ellegood testified that between 2008 and 2010, they gained almost 100 students, p. 3. Chart shows reading scores in 80's with a dip in 2010, p. 7. Ahead of AYP targets. Math scores in 70s, p. 8.
1236	McCandless Elementary School Profile for 2010-2011 (Hutchinson)	McCandless Elementary was on watch for 2010 and made AYP for 2011. More than 90% of students are on free and reduced lunch.
1237	KPERS State Aid as Reported on USD Budget	This exhibit was used during the testimony of Dale Dennis.
1238	LPA Cost Comparison Spreadsheet (demonstrative exhibit)	This exhibit was used during the testimony of Dale Dennis. This spreadsheet shows the data, and the source of that data, which was used for Exhibit 1239. In addition, the KPERS data included on this spreadsheet was taken from Exhibit 1237.

1239	LPA Cost Comparison Graph (demonstrative exhibit)	<p>This exhibit was used during the testimony of Dale Dennis. The LPA study, in determining what level of operational expenditures (or “cost function funds”) were necessary to achieve targeted educational outputs, did not distinguish whether those funds came from state, federal or local dollars. In fact, the LPA expressly assumed that there would be some federal funding to go toward “cost function funds” when it subtracted some federal aid (\$205 million) from its calculation. The “red” bar represents the amount of funding assumed to be required for these functions each year under the LPA study. The red bar stops after Fiscal Year 2007 because we contend Frank’s testimony was that the LPA projections were not reliable after 2007. The “pink” bar represents the amount of funding assumed to be required each year under Baker’s theory, which Baker calculated out to FY 2013. Then, to compare apples to apples, to get the “green” bar, we looked at spending which the LPA study assumed would affect educational outputs; i.e. the “operational expenditures” (aka “cost function funds”), subtracted KPERS, Special Ed and the first \$205 million of federal funding which went toward operational expenditures (to keep it the same as the LPA study assumptions). This bar graph shows that the amount of funding being provided to Kansas school districts over time has been close to the amounts in the LPA study and Baker’s figures.</p> <p>Dr. Kiplinger</p>
1240	May 21, 2012 Memorandum from Dale Dennis regarding increase in Base State Aid Per Pupil in 2012	