

1991 WL 538841  
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United States District Court, W.D. Missouri, Southern Division.

Kalima JENKINS, et al., Plaintiffs,  
v.  
STATE of Missouri, et al., Defendants.

No. 77-0420-CV-W-4.

|  
July 5, 1991.

ORDER

RUSSELL G. CLARK, District Judge.

\*1 Before the Court is the KCMSD's motion for approval of the desegregation plan for 1991-92. The KCMSD filed an amended motion and the State filed a response to the KCMSD's motion and amended motion. The KCMSD filed a reply to the State's response and filed a second motion for leave to amend its motion for approval of the desegregation plan for 1991-92. On June 10, 1991 the Court held a hearing on disputed issues for the 1991-92 desegregation plan. Parties filed post-hearing briefs on June 21, 1991.

The KCMSD moves this Court to enter an order approving its proposed desegregation plan for the 1991-92 school year. The KCMSD submits that it proposes only a modest one-year extension of its present desegregation programs with minimal necessary modifications. The proposal incorporates a number of adjustments some of which are based on enrollment driven formulas. In addition the KCMSD proposes two new initiatives and five magnet school program modifications based on the needs of magnet programs. The two new initiatives are a proposal to improve security at secondary schools and to lengthen the school day at four magnet schools. The KCMSD proposes to continue the basic educational components of the remedy previously approved by the Court.

The State's position with regard to the proposed Year VII budget is that the Court should freeze all regular operating and desegregation programs at their current levels. The State also believes that no new programs should be approved for the KCMSD in light of the KCMSD's severe budget crisis. The State suggests that if some programs require more funding in Year VII, while other programs require less, the increased funding for those programs can come from budget transfers from those programs which have been reduced from Year VI. The State submitted specific objections to the KCMSD's proposed Year VII budget.

The KCMSD filed a reply to the State's response. The KCMSD noted that it considered "freezing" all programs at current levels when it developed the Year VII desegregation plan and budget. However, the KCMSD submits that the Court should not adopt the State's request for a freeze because it is not consistent with the purpose of the remedy. The KCMSD points out that the overall Year VII budget is an increase of approximately 3% over the 1990-91 approved budget.

The parties have agreed on the following components of the Year VII budget with the understandings stated. Components as to which there is no dispute are: reduced class size, full day kindergarten, extended day at traditional schools, summer school 1991, effective schools, base budgets, district communications, research and evaluation, interest expense, and the Westport computer technician.

*Reduced Class Size*

On July 25, 1988 this Court approved the class size reduction component for 1988-89 through 1990-91. The KCMSD has

reviewed planned enrollments for 1991–92 and has determined how many teachers it will need to meet the Court-ordered maximum class sizes. The budget reflecting these calculations was based on the assumption that base as well as theme costs for the 1986–87 magnets will remain in the desegregation budget in 1990–91.

\*2 The State responds that if increase in the reduced class size budget is enrollment driven and provided that the KCMSD hires only the number of teachers that are needed to meet the court-ordered maximum class sizes, the State has no objection to the Court’s continuation of this component. However, the State requests that the KCMSD file a report with the DMC by October 15, 1991 justifying the number of full-time equivalents funded under this component and listing actual enrollment in each school, teachers hired under this component and grade level for teachers hired.

The KCMSD responds that the type of detailed report requested by the State is best left to discussion among the parties and the DMC. The KCMSD believes it can work with the DMC and the parties to devise a report that will not be unduly burdensome and that can be delivered by a reasonably early date in the fall of 1991.

The KCMSD has presented a proposed method which it believes will more equitably allocate teacher costs between the operating and desegregation budgets. If such a method is approved, the budgetary estimate for reduced class size may have to be adjusted. The State reserves the right to contest such adjustments and the parties agree to brief this issue at the appropriate time.

<b>1990–91 Budget</b>	<b>1991–92 Budget</b>	<b>KCMSD Obligation</b>
\$4,683,986	\$5,627,985	\$5,627,985

*Summer School 1992*

On July 25, 1988 this Court approved a summer school program for the summers of 1989–91. Last year the parties agreed to modify the 1991 summer school program. The KCMSD proposes to offer the same summer school program in 1992. The proposed budget does not include transportation. A request for transportation will be filed later on an actual cost basis.

The State responds that the KCMSD should provide an estimate of its transportation costs in order to enable the State to comment on the proposed budget and asks that the Court require the KCMSD to present a complete budget to the Court.

The KCMSD states that it has no means of accurately discerning, until immediately before summer classes begin, the transportation related costs of the summer program. The KCMSD indicated that a very rough estimate of costs would be \$610,281—the amount budgeted in 1991 for transportation costs. Therefore, the State reserves the right to contest transportation costs.

<b>1990–91 Budget</b>	<b>1991–92 Budget</b>	<b>KCMSD Obligation</b>

\$2,310,967	\$1,744,296	\$436,075
	(excluding trans-	
	portation costs)	

*Full Day Kindergarten*

The KCMSD submits that full day kindergarten continues to be successful. The KCMSD requests a slightly increased level of funding based on increased enrollment for the 1991–92 school year.

1990–91 Budget	1991–92 Budget	KCMSD Obligation
\$1,773,185	\$1,837,094	\$459,274

*Extended Day at Traditional Schools*

\*3 In 1988 this Court approved an extended day program in ten traditional elementary schools with a total budget of \$600,000. This Court’s July 5, 1989 Order approved an extended day program for six schools for 1989–90. The KCMSD proposes that extended day should be continued at the six schools.

1990–91 Budget	1991–92 Budget	KCMSD Obligation

\$453,000	\$453,000	\$113,250
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*Effective Schools*

In the July 5, 1988 Order the Court approved the funding requested by the KCMSD for the effective schools component for 1988–89 through 1990–91. The KCMSD proposes to continue the effective schools program under current DMC guidelines and procedures with the same level of funding per school. However, as a result of the anticipated change in the use of Southeast Annex, the budget requested is below that approved for 1990–91.

The State responds that there are no measures of reasonable progress in place which can evaluate the effectiveness of this program. Therefore, the KCMSD should be required to prove that increases in test scores are directly attributable to the effective schools funding. Dr. Marks requested one more year to show some kind of increase in test scores. Based on Dr. Marks’ promise that test scores will go up or he will not request continuation of the program, the State does not object to this program being continued for one additional year. The State urges the Court to require the development of a definite set of standards by which the efficacy of effective schools funding will be measured over the next year.

The KCMSD states that instituting a more elaborate “evaluative criteria” process would take time and administrative resources. The KCMSD believes it is more productive for this issue to proceed on an informal basis through the DMC rather than formalizing the process and creating new burdens for the program.

<b>1990–91 Budget</b>	<b>1991–92 Budget</b>	<b>KCMSD Obligation</b>
\$7,350,000	\$7,250,000	\$1,812,500

*Base Budgets*

For 1990–91 the Court approved desegregation funding for the base costs of seven new magnet schools. The KCMSD proposes that base costs of these schools continue to be funded in this way.

The State does not object to this part of the Year VII desegregation plan as long as the FTE’s hired are based on actual enrollments.

As with reduced class size, the KCMSD states that it is confident that working with the parties and the DMC, it can devise a simple report that responds to the State’s needs and deliver the report by an appropriate date in the fall.

1990–91 Budget	1991–92 Budget	KCMSD Obligation
\$14,867,645	\$13,308,424	\$3,477,708

*District Communications*

In its July 25, 1988 Order the Court approved a three-year budget for the District Communications office. The KCMSD proposes to continue this program in Year VII.

\*4 The KCMSD resubmitted a proposal in which it agreed not to use desegregation funds to print an annual report. In addition the KCMSD agreed to freeze this budget at its 1990–91 level.

1990–91 Budget	1991–92 Budget	KCMSD Obligation
\$31,125	\$31,125	\$7,781

*Interest Expense*

In its July 25, 1988 Order the Court found that the interest expense on the KCMSD’s original bond issue for capital improvement costs was a desegregation expense. Therefore the KCMSD has treated these expenses as part of its annual desegregation budgets and proposes to continue to do so in 1991–92.

1990–91 Budget	1991–92 Budget	KCMSD Obligation

\$788,068	\$593,503	\$593,503

*Research and Evaluation*

In its July 25, 1988 order the Court approved the purchase of computer equipment for KCMSD research, evaluation and testing department. The Court also approved a repair and maintenance contract for such equipment in 1989–90 and 1990–91.

1990–91 Budget	1991–92 Budget	KCMSD Obligation
\$5,414	\$5,060	\$1,265

Westport Computer Technician		
1990–91 Budget	1991–92 Budget	KCMSD Obligation

	\$65,113	\$16,278
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The total stipulated Year VII budget is \$30,915,600. The KCMSD’s obligation is \$12,545,619.

The components of the Year VII budget which are disputed and which were the subject of the hearing are: early childhood education, 1986–87 magnets, security, lengthened school day, Central High School coaches, Montessori equipment, TTAP for paraprofessionals, resource teachers and home-school coordinator for J.A. Rogers, and reconsideration of computers for Richardson and Banneker schools. Components of the budget which were not discussed at the hearing but which are disputed are: AAA Achievement, recruitment aide and five of six 1986–87 magnet schools.

*Early Childhood Education Development Program*

In its July 25, 1988 Order this Court approved the Early Childhood Education Development program requested by the KCMSD with several modifications. The KCMSD and State have jointly developed the Early Childhood program for 1991–92. However, the State has not agreed to an expansion of the program. The KCMSD proposes to offer the program to an additional 400 students next year. The KCMSD intends to locate the classrooms for this expansion at Pershing School. The program will provide screening for 4,464 children ages three to four; instructional services to 1,400 children in early learning center classrooms and parent education services to 5,000 families.

The State objects to the KCMSD’s effort to add classrooms and teachers in light of the KCMSD’s current budget crisis. Additional classrooms and teachers would add administrative expenses. In addition, the State points out that the budget request is only part of the funding requested by the KCMSD because staging costs have not been included. Staging costs would be approximately 1.1 million making the total increase 2.3 million and would bring the total cost of the early childhood program to approximately 5.9 million. The State asserts that the KCMSD should not attempt to provide expanded programs at this point.

\*5 The KCMSD replies that the increase requested is an enrollment driven expansion and is an ongoing obligation on the part of the State to remedy years of State-imposed segregation. The evidence presented at the hearing demonstrated that the Early Childhood program is valuable and successful in enhancing the achievement of developmentally delayed children. The State has also objected because of the cost of adding 20 teachers.

The KCMSD notes that to the extent the State objects to the costs of staging the expanded program at Pershing school, these matters will be fully argued through the briefing process on this matter and that particular issue is still before the DMC. The evidence at the hearing supported the need for an expansion in the Early Childhood program to accommodate the enrollment demand. Therefore the Court will approve the District’s proposal to expand the Early Childhood program.

1990–91 Budget	1991–92 Budget	KCMSD Obligation

\$3,598,491	\$4,835,690	\$1,208,923
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*Lincoln College Preparatory Teachers (1986–87 Magnet Schools)*

The KCMSD states the LCPS is a successful magnet school which includes an International Baccalaureate program. KCMSD presented evidence which shows that to maintain and improve Lincoln’s success, five additional teachers are necessary to teach the academically rigorous courses and Advanced Placement courses. The DMC took no exception to this proposal “provided that meaningful increases in the admissions standards are instituted at Lincoln.” Dr. Henley stated in her testimony that such an increase would be adopted for fall of 1992. The KCMSD submits that it currently does not have enough teachers to teach the intensive IB and AP classes, thus teachers must use a planning period to teach these classes. The KCMSD proposes the addition of two resource teachers to support the IB program. These teachers would provide academic guidance, counseling and mentoring to prepare students for the IB program and AP classes.

The State asserts that the mentoring teachers will serve to accommodate the increased admissions standards in serving students who are having academic difficulties. The State feels that the KCMSD should consider whether those students should be demitted to enroll at other schools. Since Lincoln College Prep is designed to be a school for high achievers, there should not be a need for the proposed remedial help that the KCMSD is requesting. The State adds that the sole reason for adding teachers is to give currently employed teachers planning time, which the State considers to be an insufficient reason at this time of budget crisis.

The cost of adding five teachers is \$233,017 and is included in the proposed budget for 1986–87 magnet schools.

*Security*

The KCMSD presented evidence that additional security is necessary to school safety and desegregative attractiveness. Captain Robert Livingston stated that there had been a 34% increase in personal security-related incidents and the KCMSD proposal is designed to address such incidents. The KCMSD proposes to add twenty-four site-based officers and four patrol officers. The proposed increase in school-based security officers would bring the average number of security officers up to four officers at the high school level and two officers at the middle school level. The goal is to deter personal security incidents by increasing security staff visibility and providing more comprehensive coverage of each school facility.

\*6 The KCMSD also proposes a pilot identification card system for Southeast High School which is designed to allow staff and administrators to quickly identify individuals involved in an incident to determine whether they belong in the facility. In addition, the KCMSD proposes hand-held metal detectors to provide for a quick and unintrusive weapon search which will deter students from carrying weapons into the school buildings.

The KCMSD has proposed a pilot closed-circuit TV system for Southwest High School. The CCTV system is designed to allow security personnel to more effectively monitor the building and promptly deploy personnel to potential security incidents as they develop. The KCMSD anticipates that these pilot programs will be more cost-effective than adding additional security guards beyond those currently proposed by the KCMSD.

The State asserts that there was no showing that the KCMSD’s security proposal is directed at any particular security problem which is related to prior segregation. The State emphasizes that the security measures proposed by the KCMSD are not vandal-proof and Mr. Livingston, witness for the KCMSD, admitted that the KCMSD had not considered whether it could possibly close certain entrances and exits to alleviate the need for additional security. Nor has the KCMSD pursued any arrangement with the Kansas City, Missouri Police Department to provide for further security needs. The State submits that, in this time of budgeting crisis, expanded and expensive pilot security programs which are of speculative value, should not be approved.

The Court will approve the District’s security proposal. However, the Court notes that the obligation to provide security is the



primary responsibility of the Kansas City, Missouri Police Department and the District is encouraged to request the Police Department to fulfill its obligation.

1990–91 Budget	1991–92 Budget	KCMSD Obligation
N/A	\$1,003,345	\$250,836

*Lengthened School Day at East, Southeast, Central and Northeast Middle Schools*

The KCMSD proposes to lengthen the school day at four magnet schools to make the themes more educationally effective and desegregatively attractive. The KCMSD presented evidence that it was difficult to fit the required state, magnet theme and general elective curriculum classes into the standard seven-day period. In addition, lengthening the school day will allow students to take traditional secondary electives such as advanced courses in music, typing and ROTC.

The State objects to lengthening the school day because of additional administrative costs and lack of a demonstrable interest in the proposal. This proposal would add 24 new teachers to the KCMSD for which the KCMSD has no plan to pay its share of the additional cost of this proposal. Furthermore, the State asserts that with more careful scheduling, students could take all of the courses needed to complete a program in a seven period day. The State argues that no showing was made that this expensive adjustment is necessary.

\*7 The Court will approve the District’s request to lengthen the school day at East, Southeast, Central and Northeast Middle schools.

1990–91 Budget	1991–92 Budget	KCMSD Obligation
N/A	\$929,728	\$232,432

*Central High School Coaches*

The KCMSD requests Court approval for additional coaches at Central High School, beyond those funded through the

operating budget at other schools. The KCMSD submits that additional coaches are essential to implementing the Classical Greek Magnet theme at Central. The KCMSD states that it will not ordinarily employ a coach for a team sport based upon the request of a single or a few students; however, for those sports which require only a single participant, the KCMSD will critically evaluate the need for providing that student with a coach. The KCMSD specifically requests an off-season track and field coach.

The State asserts that there are substantial numbers of personnel already directed at teaching athletics at Central High School and they should be sufficient to provide any coaching that is needed. The State adds that it seems particularly inappropriate for the KCMSD to assert a demand for additional coaches unless there is a substantial demand demonstrated by the KCMSD from a significant number of students who are interested in a particular activity.

The Court will deny the District’s proposal for Central High School Coaches. However, the District may submit separate motions to the Court, upon a showing of need and demand, requesting coaches for specific sports.

1990–91 Budget	1991–92 Budget	KCMSD Obligation
N/A	\$213,105	\$53,276

*Montessori Equipment*

The KCMSD presented evidence that it is necessary to teach six new classes that will be opening at Faxon and Harold Holliday Montessori magnets this fall. The KCMSD considers the Faxon and Holliday magnets to be immensely successful magnet programs that consistently meet the desegregation goals of the LRMP. Both schools are meeting the requirements for certification by the Association Montessori Internationale, the only internationally recognized American certification.

Montessori schools rely on special equipment instead of traditional textbooks. The equipment requested is necessary to implement the magnet theme in the six additional classrooms that open next year. All of the equipment requested is also required to meet the AMI accreditation standard. AMI certification is helpful in attracting children from private schools.

The Court will approve the District’s proposal for Montessori equipment.

1990–91 Budget	1991–92 Budget	KCMSD Obligation

N/A	\$150,000	\$37,500
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*Tuition Assistance for Paraprofessionals (TAP)*

The KCMSD and AFT submitted evidence that the TAP program will help certify 30 qualified paraprofessionals, with a demonstrated commitment to the KCMSD, to teach in the District in accordance with the goals of the LRMP. The KCMSD and AFT suggest that there are qualified full-time paraprofessionals in the District who could become certified full-time teachers. Without tuition assistance, these individuals would find it difficult, if not impossible, to obtain a Missouri teaching certificate. The KCMSD states that enabling these individuals to become certified to teach will reduce the turnover rate within the District.

\*8 The State responds that the KCMSD proposes a cost of \$63,000 for this program and that in addition to adding costs for which the KCMSD has no funds available, this new program proposal does not appear to lead to obtaining high quality teachers that the Court’s salary increase of July 23, 1990 was directed to accomplish. The State objects to the low grade point average required for the TTAP. While the State acknowledges that this proposal could be worthwhile in a district with funds to spare, it is not a program which is necessary. Clearly, the State submits, if this were an operating budget program, it would be a candidate for budget cutting.

The Court will deny the District’s request for Tuition Assistance for Paraprofessionals based on the reasons set forth by the State.

1990–91 Budget	1991–92 Budget	KCMSD Obligation
N/A	\$63,000	\$15,750

*J.A. Rogers Academy of Liberal Arts & Sciences*

The KCMSD states that in order to support the liberal arts and sciences middle school magnet theme at J.A. Rogers Academy, it has proposed the addition of two resource teachers to teach Philosophy and Geography. These two positions were identified in the planning process by the school’s task force as necessary to fully implement the magnet theme. The KCMSD also proposes the continuation of the home school coordinator to provide academic support to students. The KCMSD states that the coordinator is important to provide students with extra academic support. The coordinator also serves as a liaison between students’ families and the school to ensure that their personal, social and monetary needs are not interfering with the academic rigors of the program.

The State asserts that regular teachers could perform all of the functions of the proposed resource teachers, especially in

helping students with their thesis. Regarding the home school coordinator, the State emphasizes that this position is designed for a social worker, not an academic teacher. The State maintains that the KCMSD should be cutting nonacademic personnel, rather than seeking to increase them.

The Court will approve the District’s request for two resource teachers and continuation of the home-school coordinator.

1990–91 Budget	1991–92 Budget	KCMSD Obligation
Teachers:		
N/A	\$97,737	\$24,434
Home–School Coordinator:		
\$18,150	\$18,150	\$ 4,538

*Banneker and Richardson Computer Equipment*

The KCMSD submits that plaintiff’s request for computer equipment at Banneker and Richardson computer magnet elementary schools is critical to implementation of the computer theme and to maintaining the desegregative attractiveness of these programs. Thus, the KCMSD supports plaintiff’s motion to alter or amend this Court’s order of May 30, 1991 denying plaintiff’s request for additional equipment. The KCMSD agrees with plaintiffs that the request is necessary to equip six

additional classrooms. Also plaintiff’s proposal for repair and maintenance funds are claimed to be critical to successful implementation of the magnet theme at Richardson. Plaintiffs request additional computers in the same amounts and configurations as the State agreed to last year.

**\*9** The State notes that this proposal would cost \$648,000 and maintains that there was no showing that additional computer equipment is absolutely necessary.

This request is before the Court on a motion to reconsider. The Court will reconsider its order and approve the software requests at Banneker and the repair and maintenance and software requests at Richardson.

Banneker Software	Total
\$160,120	\$290,120
Richardson Repair and Maintenance and Software	
\$130,000	

*1986–87 Magnets*

The KCMSD indicates that the State has persisted in its argument that the base costs of Lincoln, Swinney, Volker, Cook, Marlborough and Hartman should be carried by the KCMSD operating budget and not the desegregation budget. The KCMSD submits that the Deloitte & Touche report did not conclude that the KCMSD operating budget has millions of dollars available to fund base costs of the 1986–87 magnets. As in Year VI, the KCMSD asserts that the full costs of these magnet schools should be approved as desegregation costs in Year VII with base costs to be a 100% KCMSD obligation and the theme and other desegregation costs allocated 75% to the State and 25% to the KCMSD, with joint and several liability.

The State objects to permitting the KCMSD to continue to show the base costs of these schools as a desegregation obligation.

The KCMSD admits that this Court’s orders of October 18, 1989, November 2, 1989 and January 23, 1990 indicated that the base costs of these schools should be borne by the operating budget. However those orders were all stayed by the Court on February 1, 1990 pending a study of the KCMSD operating budget. The study did not indicate that the KCMSD has resources available from its operating budget to support the base budgets. The KCMSD suggests that the Court leave the stay in place and permit the costs to be carried in the desegregation budget, at least pending resolution of the operating budget funding issue.

The Court will approve the District’s proposal for the 1986–87 magnets.

1990–91 Budget	1991–92 Budget	KCMSD Obligation
\$15,694,833	\$14,920,610	\$9,443,399

*AAA Achievement*

On July 25, 1988 this Court approved the AAA component requested by the KCMSD for 1988–89 through 1990–91 in order for the KCMSD to be able to provide sufficient library, counseling, art, music and physical education services to attain a AAA rating. For 1991–92 the KCMSD has calculated its AAA requirements according to the same formula used in the past.

The State asserts that the KCMSD ought to bear the full cost of maintenance of AAA status as an operating expense. The State maintains that it has fulfilled its initial obligations to fund the attainment of AAA status and has funded maintenance as well. Thus, the State believes that it is appropriate to shift fiscal responsibility for maintenance of AAA back to the KCMSD entirely as an operating expense. Alternatively the State suggests that this Court shift the allocation to the KCMSD as a 100% desegregation liability. The State particularly objects to the KCMSD using desegregation funds to maintain certain libraries in excess of AAA standards. The State submits that in no event should it be required to pay more than \$1,479,100 which is the appropriate cost for library maintenance.

**\*10** In its reply the KCMSD notes that this Court has previously rejected the KCMSD’s argument. The KCMSD also disagrees with the State’s position that the AAA budget devoted to library resources is too high because this Court has previously approved AAA budgets built exactly the same way.

The State notes that the KCMSD stipulated that the count of some materials in its libraries is in excess of the minimum requirements for AAA, due partly to the use of AAA maintenance funds. The State’s position is that AAA maintenance funds should not be used to exceed the minimum requirements for AAA libraries. AAA maintenance funds should not be used to allow the KCMSD to exceed the AAA library standards. Thus, the State argues that there is no basis to require more than the cost of reaching the minimum requirements for AAA libraries with any desegregation funds.

The Court agrees that the State should not be required to assist the District in exceeding AAA requirements for libraries. Therefore, the Court will approve \$1,479,100 for library resources. The proposed budget for 1991–92 is as follows:

Schools:

Schools:		
1990–91 Budget	1991–92 Budget	KCMSD Obligation
\$4,611,139	\$4,613,310	\$1,153,328
Library Resources:		
1990–91 Budget	1991–92 Budget	KCMSD Obligation
\$1,958,250	\$2,007,794	2,007,794
Total proposed:		

\$6,569,389	\$6,621,104	\$3,161,122
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The Total approved for AAA status is \$6,092,410 and the KCMSD's obligation is \$2,629,428.

*Recruitment Aide*

Plaintiffs have requested a magnet recruiting aide, a proposal which the KCMSD supports. This position would relieve recruiters of clerical tasks which would enable them to spend more time in direct contact with potential applicants and their parents. The KCMSD asserts that magnet school recruiting is one of the most critical functions if the KCMSD is to be desegregated. The State asserts that this is yet one more administrative position for which the KCMSD will not be able to pay its share of the cost.

Plaintiff's motion to reconsider plaintiffs' request for a recruitment aide will be denied.

In addition, the Court will add to the Year VII desegregation budget the seventeen resource teachers who the Court finds are academic personnel and who were cut as a result of the new administration's reorganization plan for the operating budget. The cost for the resource teachers is \$763,657.

The total Year VII budget on disputed issues is \$29,101,447. The total Year VII KCMSD obligation is \$14,094,934. The total Year VII budget is \$60,017,047. The KCMSD obligation is \$26,640,553. The State's obligation is \$33,376,494.

Accordingly it is hereby

ORDERED that this Court approves the stipulated Year VII budget items; and it is further

ORDERED that the KCMSD's proposal for the Early Childhood Education Development Program is granted; and it is further

ORDERED that the KCMSD's proposal to add five teachers at the Lincoln College Preparatory Academy is granted; and it is further

**\*11** ORDERED that the KCMSD's security proposal is granted; and it is further

ORDERED that the KCMSD's lengthened school day proposal at East, Southeast, Central and Northeast Middle schools is granted; and it is further

ORDERED that the KCMSD's Central High School coaches proposal is denied; and it is further

ORDERED that the KCMSD's Montessori equipment proposal is granted; and it is further

ORDERED that the KCMSD's Tuition Assistance for Paraprofessionals proposal is denied; and it is further

ORDERED that the KCMSD's J.A. Rogers Academy of Liberal Arts and Sciences proposal to add two teachers and continue the home school coordinator is granted; and it is further

ORDERED that plaintiff's request for reconsideration of the Banneker and Richardson computer equipment proposal is granted as to software and repair and maintenance; and it is further

ORDERED that the KCMSD's proposal for 1986-87 magnets is granted; and it is further

ORDERED that the KCMSD's proposal for AAA Achievement is granted with the exception that the State is not required to assist the KCMSD in exceeding AAA requirements for libraries; and it is further



ORDERED that plaintiff's request for reconsideration of the Recruitment Aide is denied; and it is further

ORDERED that the seventeen resource teachers who were cut from the operating budget as a result of administrative reorganization are added to the Year VII desegregation budget.

**All Citations**

Not Reported in F.Supp., 1991 WL 538841

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