

EVERETT SCHOOL DISTRICT NO. 2
RESOLUTION NO. 873

A RESOLUTION of the Board of Directors of Everett School District No. 2 ("District") authorizing the Superintendent of the District to pursue an appeal of the Court's Opinion dated March 1, 2007, and any Judgment issuing as a result thereof, in *School Districts' Alliance for Adequate Funding of Special Education et al. v. State of Washington et al.* No. 04-2-02000-7 (Thurston County Superior Court).

WHEREAS, the Board of Directors previously adopted Resolution No. 813 authorizing the Superintendent to pursue a lawsuit against the State of Washington as a part of an effort to improve special education funding; and

WHEREAS, the lawsuit was pursued by the School Districts' Alliance in a case entitled *School Districts' Alliance for Adequate Funding of Special Education et al. v. State of Washington et al.* No. 04-2-02000-7 (Thurston County Superior Court) ("Lawsuit"); and

WHEREAS, the trial court in the Lawsuit declared unconstitutional Laws of 2005, chapter 518, sections 507(5) and (6), and Laws of 2006, chapter 372, section 507(5) and (6) insofar as they imposed a cap of 12.7 percent of a district's total student enrollment on the number of students that State funds for special education purposes; and

WHEREAS, the trial court in the Lawsuit made other substantive and procedural errors of law and fact that justify an appeal of some or all of the trial court's decision and/or judgment ("Appeal") in the Lawsuit.

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Directors of Everett School District No. 2, Snohomish County, Washington, does hereby authorize the Superintendent of Everett School District No. 2 to pursue the Appeal, seeking all appropriate relief from the Court's Opinion and/or Judgment, or such further orders, decisions, or judgments, as they may relate to the Lawsuit.

ADOPTED by the Board of Directors of Everett School District No. 2, Snohomish County, Washington, at an open public meeting thereof, held on the 9th day of April, 2007, the following Directors being present and voting:

EVERETT SCHOOL DISTRICT NO. 2

BY: Karen O. Madsen
President

Brian Dutton

Joe C. Cope

D. P. Peller

ATTEST:

Carol Whitehead
Carol Whitehead, Ed.D.

Superintendent and Secretary to the Board of Directors