

**EVERETT SCHOOL DISTRICT NO. 2
SNOHOMISH COUNTY, WASHINGTON
RESOLUTION NO. 1056**

Authorizing Continuing Participation in the Network for Excellence in Washington Schools

A RESOLUTION of the Board of Directors of Everett School District No. 2, Snohomish County, Washington, authorizing continuing participation in and financial support for the Network for Excellence in Washington Schools (NEWS) to support enforcement by the Washington Supreme Court of its public education rulings in the *McCleary v. State* case; and providing for other matters properly related thereto, all as more particularly set forth herein.

WHEREAS, The Board of Directors (the "Board") of Everett School District No. 2, Snohomish County, Washington, (the "District") finds and determines that Article IX, section 1 of the Washington State Constitution mandates that "it is the paramount duty of the State to make ample provision for the education of all children residing within its borders"; and

WHEREAS, The Board of Directors finds and determines that in January 2007, the McCleary family, the Venema family, and Network for Excellence in Washington Schools (NEWS) sued the State for underfunding the State's public schools in violation of that Constitutional mandate; and

WHEREAS, The Board of Directors finds and determines that in January 2012, the Washington Supreme Court agreed, declaring in its *McCleary* decision that the State has consistently failed to adequately fund the education required under Article IX, section 1; and

WHEREAS, The Board of Directors finds and determines that to cure this Constitutional violation, the Supreme Court ordered that "the State must amply provide for the education of all Washington children as the State's first and highest priority before any other State programs or operations"; ordered that all children means "each and every child" in Washington – "no child is excluded"; and ordered that ample provision means "considerably more than just adequate"; and

WHEREAS, The Board of Directors finds and determines that the Supreme Court declared that it is retaining jurisdiction in this case to allow NEWS and the two plaintiff families to promptly pursue Court intervention to enforce the above rulings, as well as to enforce the State's assurances to the Supreme Court that the State is increasing K-12 funding to amply fund all Washington's public schools by no later than the 2018 deadline noted in ESHB 2261; and

WHEREAS, The Board of Directors finds and determines that NEWS cannot vigilantly and vigorously continue its successful prosecution of this case into this "Phase 2" envisioned by the Supreme Court's *McCleary* decision without having the resources to do so; and

WHEREAS, The Board of Directors finds and determines that the Supreme Court unequivocally declared that "Article IX, section 1 confers on children in Washington a positive constitutional right to an amply funded education." This constitutional right of students in this District will be materially advanced if NEWS has the resources needed to be able to promptly pursue Court intervention to enforce the rulings in the *McCleary* case and enforce the State's assurances in that case that it is increasing K-12 funding.

NOW, THEREFORE, BE IT RESOLVED: That the Board of Directors, after due consideration, finds and declares that it is in the best interest of the District, its students and patrons, to support NEWS in its above enforcement efforts on behalf of the public school students in this State, and accordingly, approves a 2013 supporting payment to NEWS of \$3,000 and authorizes future annual payments as deemed necessary for continued support of NEWS through 2018. The authorization of ensuing annual payments shall require board approval.

BE IT FURTHER RESOLVED: The Board Secretary and other appropriate officers of the District are hereby further authorized to take action consistent with this resolution.

ADOPTED by the Board of Directors of Everett School District No. 2, Snohomish County, Washington, at a regular open public meeting thereof, held this 26th day of March, 2013.

EVERETT SCHOOL DISTRICT NO. 2

A municipal corporation of the
State of Washington



Jeff Russell, President




Carol Andrews, Vice President



Pam LeSesne, Board Member

Attest:



Dr. Gary Cohn
Superintendent & Secretary of the Board of Directors

Jessica Olson, Board Member



Ed Petersen, Board Member