

**WOODLAND SCHOOL DISTRICT NO. 404
COWLITZ and CLARK COUNTIES, WASHINGTON
RESOLUTION NO. 16-11**

A RESOLUTION of the Board of Directors of Woodland School District No. 404, Cowlitz and Clark Counties, Washington, authorizing financial support for the Network for Excellence in Washington Schools (NEWS) in enforcing the Washington Supreme Court's public education rulings in the *McCleary v. State* case; and providing for other matters properly related thereto, all as more particularly set forth herein.

Section 1. Recitals. The Board of Directors of Woodland School District No. 404, Cowlitz and Clark Counties, Washington hereby makes the following findings and determinations:

- (a) 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".
- (b) In January 2007, the McCleary family, 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.
- (c) 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.
- (d) 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."
- (e) 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.
- (f) In January 2014, the Supreme Court once again ordered the state to make real and measurable progress and to present the Court with a plan for fully funding K-12 public education by the 2017-2018 school year. However, the State acknowledged in a report to the Court in May 2014 that it had failed to create such a plan, prompting the Court to order the State to appear before the Court on show cause as to why it should not be held in contempt. In September 2014, the Court found the Legislature in contempt for failing to heed numerous Court orders compelling lawmakers to show steady, real and measurable progress in fully funding K-12 education and to develop a plan to amply fund public schools by 2018. The Court accepted the State's promise that the Legislature would comply in the 2015 session and, therefore, delayed issuing sanctions until after the session ends.
- (g) Because the Supreme Court has retained jurisdiction over *McCleary* and has entrusted NEWS as the only entity to monitor and enforce its compliance, NEWS requires continuing financial commitment by its member school districts in order to support ongoing legal representation, public outreach efforts, member communications and legislative monitoring. NEWS cannot vigilantly and vigorously continue its successful prosecution of this case without having the resources to do so.

(h) 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.

Section 2. Approval of Support. After due consideration, and being fully informed and advised, the Board 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 supporting payment to NEWS of the following amount (which is approximately \$1.00 per student in this District): \$2,343.00.

Section 3. All Other Action. The Secretary, and other appropriate officers of the District are hereby further authorized to take all other action, to do all other things consistent with this resolution. Any actions of the District, its staff, or its officers prior to the date hereof and consistent with the provisions of this resolution are hereby and in all respects ratified, approved and confirmed.

ADOPTED by the Board of Directors of Woodland School District No. 404, Cowlitz and Clark Counties, Washington, at a regular open public meeting thereof, held this 14th day of November 2016, the following Directors being present and voting in favor of the resolution.

WOODLAND SCHOOL DISTRICT NO. 404
COWLITZ AND CLARK COUNTIES, WASHINGTON

President and Director

Director

Director

Director

Director

ATTEST:

Secretary to the Board of Directors