

FILED

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KING COUNTY  
SUPERIOR COURT CLERK  
SEATTLE, WA

Honorable Greg Canova  
Hearing: June 12, 2009  
10:30 AM

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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
FOR KING COUNTY

SHELLEY WILLIAMS, CHARITA  
DUMAS, JOY ANDERSON,

Plaintiffs,

v.

SEATTLE SCHOOL DISTRICT NO. 1,

Defendant.

NO. 09-2-10804-8 SEA

ERRATA TO  
PLAINTIFFS' MOTION FOR  
SUMMARY JUDGMENT

To: Clerk of above-reference court; and

To: Shannon McMinimee, General Counsel, Seattle School District No. 1

On May 15, 2009 Plaintiff's Motion for Summary Judgment was filed and sent to Judge Canova and Shannon McMinimee. Please note that page 16 appeared twice. Please discard the first page 16, which contains an incomplete header. The second page 16 begins with the header as shown here:

3. Having changed . . .

Please retain this second, complete page 16.

ERRATA TO PLAINTIFF'S MOTION FOR  
SUMMARY JUDGMENT - 1

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DATED: MAY 20, 2009

ARAMBURU & EUSTIS LLP  
J. Richard Aramburu  
J. Richard Aramburu  
WSBA 466  
Attorney for Plaintiffs

1           **3. Having changed Board Policy H01.00, the District Failed to**  
2           **Provide Public Notice, Hearings and a Written Summary of the**  
3           **Impacts for the Closure of Cooper School Required by the**  
4           **Statute.**

5           As described above, the District modified its policy regarding school closures  
6           to eliminate from public notice, review and hearings those situations where the  
7           “school” was closed, but the “school building” would still be used for educational  
8           purposes. This resulted in the District rescinding the “policy” that was consistent  
9           with RCW 28A.335.020. As such the District now lacks the “policy” required by the  
10          statute.

11          As a result, Cooper Elementary School students, parents and teachers were  
12          not given notice, public hearings, an analysis of the effects of closure or individual  
13          notice as required by the statute and the long established policy of the District.  
14          Copies of the newspaper notice do not include any reference to the closure of  
15          Cooper Elementary (copies of these notices are in the record at R. 2279-2318).

16          RCW 28A.335.020 requires three things to be done by a district before a  
17          school can be closed:

18                 a. the adoption of a “a policy regarding school closures which  
19                 provides for citizen involvement before the school district board of  
20                 directors considers the closure of any school for instructional  
21                 purposes.”

22                 b. a “written summary containing the an analysis as to the  
23                 effects of the proposed school closure”

24                 c. that the school board “shall conduct hearings to receive  
25                 testimony from the public on any issues related to the closure of any  
26                 school for instructional purpose,” with the condition that “the policy  
27                 shall require separate hearings for each school which is proposed to  
28                 be closed.”

29          Though Cooper Elementary School was being actively considered for closure  
30          on the same day that notices were issued, the District did not schedule or notice any  
31          public hearings for its closure, though public hearings were scheduled for the  
32          closure of other schools. R.1215-1281. Indeed, the District has prepared as a part  
33          of its administrative record the verbatim transcripts of the public hearings on the