

**TRANSYLVANIA COUNTY BOARD OF EDUCATION
RESOLUTION TO JOIN LITIGATION
CHALLENGING CONSTITUTIONALITY OF VOUCHER LAW**

WHEREAS, the North Carolina General Assembly passed Senate Bill 402 (hereafter, “the budget bill”) in July 2013; and

WHEREAS, the budget bill includes a provision appropriating \$10 million to provide private school vouchers;

WHEREAS, the fiscal note prepared for an earlier version of the voucher legislation indicates the General Assembly’s intent to increase annual appropriations for the program to \$50 million per year;

WHEREAS, the voucher program created in the budget bill does not require participating private schools to provide students with the opportunity to receive a sound basic education, as required by the N.C. Constitution;

WHEREAS, the voucher program created in the budget bill does not require participating private schools to engage in non-discriminatory admissions practices;

WHEREAS, the voucher program requires the State Board of Education to reduce funding to each local board of education in an amount equal to the local board’s per pupil allocation for average daily membership multiplied by the number of students who have received vouchers and were enrolled in the local board’s schools during the prior semester;

WHEREAS, reducing funding to public schools to fund a private school voucher program, particularly in the wake of substantial cuts to public education funding during the previous five years, will significantly impair local boards’ ability to ensure that students have the opportunity to receive a sound basic education, as required by the N.C. Constitution;

WHEREAS, the voucher program created in the budget bill uses public funds for a non-public purpose, in violation of the N.C. Constitution;

NOW, THEREFORE, BE IT RESOLVED, the Transylvania County Board of Education hereby agrees to join as a plaintiff the pending litigation, captioned *Reverend Robert Richardson, III, Michael and Delores Galloway, Steven W. Sizemore, and the North Carolina School Boards Association v. the State of North Carolina, the North Carolina State Board of Education, and the North Carolina State Education Assistance Authority*, and authorizes the attorneys engaged by the NCSBA and other plaintiffs to represent the Board of Education in the litigation, with the litigation costs to be borne by the NCSBA’s Legal Assistance Fund.

Adopted this 21st day of January, 2014.

Chairperson

Superintendent