



FOR IMMEDIATE RELEASE

Fate of 18,000+ students hangs in balance in Fairfax Circuit Court Friday

Judge Set to Decide on First Step in Legal Effort to Save Clifton ES Community

Fairfax County, VA – **Thursday, November 11, 2010** – Parents and community members affected by the targeted closure of Clifton Elementary School, supported by Friends of Community Schools, a private nonprofit organization committed to preserving community schools in Fairfax County, **will attend Friday’s hearing** by the Honorable Judge Smith in the Clifton Elementary lawsuit. Judge Smith will hear the case at 11:00 a.m., Friday, November 12, 2010, in the Fairfax County Circuit Court.

The lawsuit was filed on August 6, 2010 against the Fairfax County School Board in response to its decision to close Clifton Elementary School.

The School Board is attempting to have the case dismissed by claiming, through the Demurrer filed by their attorneys, that the parents of current Clifton Elementary students are not, in fact, negatively affected, or ‘aggrieved’ and have no right to sue the School Board, in that they have no standing.

The complaint claims the vote to close Clifton Elementary was arbitrary and capricious in nature and that the School Board exceeded its authority and abused its discretion by repeatedly changing its reasons to close the school and that decision was made absent of accurate facts.

The plaintiffs further allege that they and their children were personally and directly aggrieved by the extraordinary action of the School Board to effect the closing of the school at the same time the School Board is attempting to solve overcrowding in the same region of the county by altering Fairfax County Public School (FCPS) boundaries for 17,583 students enrolled in the 23 elementary schools in the Southwestern County Boundary Study and an undefined number of middle school and high school students and boundaries.

According to FCPS, over 500 citizens attended recent community engagement meetings for the Boundary Study involving a precedent-setting 23 elementary schools. The feedback process begun at these meetings notes much of the student and boundary movement originates from the need to make room for Clifton Elementary students, leaving other school communities to bear the impact of the pending changes.

Feedback to FCPS from the six regional meetings indicates significant dissatisfaction with the School Board’s action in closing the school and the resultant impact on surrounding communities. The written feedback to the FCPS Community Engagement Meetings is available on-line in scanned format at <http://www.fcps.edu/fts/planning/southwesternstudy/communitydialogueforms.pdf>.

Friday’s Demurrer hearing by Judge Smith is the first step in the legal challenge to the School Board’s action.

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