

# Window Rock Unified School District No. 8

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**IMMEDIATE RELEASE**

**April 4, 2019**

## PRESS RELEASE

After hearing evidence and considering documents filed by the parties in the quo warranto proceeding filed by the Attorney General, Maricopa County Superior Court Judge Comte ordered that Scott Tomlinson be immediately removed from the Window Rock Unified School District Governing Board.

Since the Governing Board was aware of the fact that Scott Tomlinson was not a registered voter at the time of his election some two years before, some people have questioned why the Governing Board did not remove him. The answer is simple: the Board cannot legally discipline or remove a board member. The Arizona Court of Appeals has held that “nowhere in Title 15 or in the Arizona Constitution is there express or implied authority granted to a school board to investigate, discipline or censure one of its own members.” *See Berry v. Foster*, 180 Ariz. 233, 235, 883 P.2d 470, 472 (Ct. App. 1994). Mr. Tomlinson, like all citizens, was entitled to his day in court and to require the Attorney General’s office to prove its case before he could be removed. Until he was removed, however, the votes he cast while sitting on the board were legal.

At the Window Rock Unified School District Governing Board meeting on April 3, 2019, the Board acknowledged the removal of Scott Tomlinson from the WRUSD board, and requested that Barry Williams, the Apache County School Superintendent, appoint a replacement for Mr. Tomlinson. Community members who are interested in serving on the Board may submit letters of interest to Mr. Williams who will then provide them with a written application. The Board requested Mr. Williams to proceed with the appointment process but the final decision is Mr. Williams’. Mr. Tomlinson’s replacement’s term will end in 2020.

The District looks forward to moving ahead with the many exciting programs offered at Window Rock schools such as a comprehensive summer school, and the WRHS DECA, Construction, Welding, and Nursing students representing the District well at their respective competitions.

The District is also moving ahead in selecting a new superintendent for the District. The District has already received several applications, and has screened down to four applicants for interview on Saturday, April 20, 2019, beginning at 8:30am.

**Yvonne Kee-Billison**  
**Board President**

**Dr. Jacquelyne Wauneka**  
**Board Clerk**

**Josephine Dawes**  
**Board Member**

**Wilson C. Stewart, Jr**  
**Board Member**

**Vacant**  
**Board Member**