



PORTER FOSTER RORICK
LLP

Clifford D. Foster, Jr.

Attorney, Of Counsel

Cliff Foster has provided practical, client-centered advice to school districts for more than three decades. He advises and represents clients in every area of school and municipal law, including personnel and labor issues, student discipline, civil rights, budget issues, real property and commercial contracts, constitutional issues, and inter-governmental agreements. Cliff retired from full-time practice in 2019, but continues in an “of counsel” role providing consultation and advice to our attorneys and clients.

CONTACT

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PROFESSIONAL POSITIONS

Attorney, Porter Foster Rorick, 1999-present

Attorney, Vandeberg Johnson & Gandara, 1982-1999

Assistant Attorney General, State of Washington, 1979-1982

Adjunct Faculty, University of Puget Sound, School of Education, 1982-1991

EDUCATION

University of Puget Sound School of Law, Tacoma, Washington, J.D., *magna cum laude*, 1979

Managing Editor, *University of Puget Sound Law Review*

University of Washington, Seattle, Washington, B.A., *cum laude*, 1974

PROFESSIONAL AFFILIATIONS

Washington Council of School Attorneys, 1982-present, Past President

Washington State Bar Association, Bar Examiners Committee, 1986-2001

Puget Sound Legal Aid Foundation, board member, 1988-96, Past President

AREAS OF EXPERTISE

- School governance and municipal law
- Public works and contracts
- Real estate, land use & construction
- Employee discipline and discharge
- Civil litigation
- Labor arbitration and PERC proceedings
- Public records and open meetings

PRACTICE HIGHLIGHTS

- *Bethel School District v. Fraser*, 478 U.S. 675 (1986). Established authority of public schools to prohibit lewd speech by students.
- *Parkland Light & Water Co. v. Tacoma-Pierce County Bd. of Health*, 90 P.3d 37, 151 Wn.2d 428 (2004). Invalidated county health department ordinance as applied to city water utility.
- *State ex rel Evergreen Freedom Foundation v. Washington Education Association, et al*, 999 P.2d 602, 140 Wn.2d 615 (2000). Upheld validity of school districts allowing employee payroll deductions for union dues and voluntary political action committee deductions.
- *Hanson v. City of Tacoma*, 719 P.2d 104, 105 Wn.2d 864 (1986). Defended employee right to obtain attorney fees in action overturning unpaid suspension.
- *Green River Community College v. Higher Education Personnel Board*, 633 P.2d 1324, 95 Wn.2d 962 (1981). Upheld validity of administrative rules requiring interest arbitration for higher education employee bargaining disputes.

SELECTED PRESENTATIONS AND PUBLICATIONS

- “Student Rights and Discipline,” Washington State Bar Association CLE, 2009.
- *Reduction in Force in Washington Public Schools*, Washington School Personnel Association, 2009.
- “What’s Not Working in Washington: Teacher and Public Employee Strikes,” Seattle University School of Law, 2002.
- “Free Speech and Religious Expression in Public Schools,” University of Washington College of Education, 2000.
- “Charter School Legislation,” *Washington School Law Academy*, University of Washington College of Education, 1998.
- “Student First Amendment Rights, 10 Years After *Bethel v. Fraser*,” *Washington School Law Academy*, University of Washington College of Education, 1996.
- *United States Trust Co. v. New Jersey-State Promises and the Contract Clause: An Untimely Resurrection*, 1 SEATTLE U. LAW REV. 299 (1978).