



**State of Washington  
PUBLIC DISCLOSURE COMMISSION**

711 Capitol Way Rm. 206, PO Box 40908 • Olympia, Washington 98504-0908  
(360) 753-1111 • FAX (360) 753-1112

**Toll Free 1-877-601-2828 • E-mail: [pdc@pdc.wa.gov](mailto:pdc@pdc.wa.gov) • Website: [www.pdc.wa.gov](http://www.pdc.wa.gov)**

January 6, 2020

Delivered electronically to “svillarreal@othelloschools.org”

Subject: Complaint filed by Sean Bates, PDC Case 59740

Dear Scootney Springs Elementary School Officials (Cynthia Tovar, Jessica Suarez, Janet Axtman, Jacee Martinez, Tammy Foley, and Sandra Garza):

Below is a copy of an electronic letter sent to Sean Bates concerning a complaint filed with the Public Disclosure Commission (PDC).

As noted in the letter to Sean Bates, the PDC has dismissed this matter in accordance with RCW 42.17A.755(1) and will not conduct a more formal investigation into these allegations or take further enforcement action in this matter.

However, pursuant to WAC 390-37-060(1)(d), this serves as a formal written warning concerning your authorization to misuse public facilities to support an election campaign. PDC staff expects each of you to review PDC Interpretation 01-03, *Guidelines for School Districts in Election Campaigns* and prevent the misuse of public facilities in the future. The Commission will consider this formal written warning in deciding on further Commission action, if there are future violations of PDC laws or rules.

If you have questions, you may contact Fox Blackhorn at 1-360-753-1980 toll-free at 1-877-601-2828, or by e-mail at [pdc@pdc.wa.gov](mailto:pdc@pdc.wa.gov).

Sincerely,

/s

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Fox Blackhorn  
Compliance Coordinator 2

Endorsed by,

/s

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Peter Lavallee  
Executive Director



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January 6, 2020

Delivered electronically to "seanoneilly@hotmail.com"

Subject: Complaint regarding Scootney Springs Elementary School Officials, PDC Case 59740

Dear Sean Bates:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on October 30, 2019. The complaint alleged that Scootney Springs Elementary School Officials (Respondents), public employees, may have violated RCW 42.17A.555 for authorizing the misuse of public facilities to support the election campaign of candidate Lindsay Prows.

PDC staff reviewed the allegations; the applicable statutes, rules, and reporting requirements; the responses provided by the Respondents; and PDC Interpretation 01-03, *Guidelines for School Districts in Election Campaigns*, to determine whether the record supports a finding of one or more violations.

Based on staff's review, we found the following:

- On September 9, 2019, Lindsay Prows delivered a collection of yard signs in support of her candidacy to the Scootney Springs Elementary front office and left them there for public employees to pick up, communicating to them directly that the signs were available in the office.
- Scootney Springs Elementary Secretary Cynthia Tovar authorized the signs to be stored in the front office, collecting one herself, and recalled that Jessica Suarez, Janet Axtman, Jacee Martinez, Tammy Foley, and Sandra Garza came to the office to collect signs on their breaks.
- The complaint alleged that yard signs were displayed in classrooms accessible by students and members of the public during the Othello Fair, held from September 11 through September 14, 2019, but provided no evidence to substantiate these allegations.
- The Respondents deny that signs were displayed in classrooms during the Othello Fair.

Based on our findings staff has determined that, in this instance, authorizing the misuse of public facilities to store and distribute yard signs in support of a candidate does not amount to a violation that warrants further investigation.

Pursuant to WAC 390-37-060(1)(d), however, Cynthia Tovar, Jessica Suarez, Janet Axtman, Jacee Martinez, Tammy Foley, and Sandra Garza will receive a formal written warning concerning their actions regarding the use of public facilities to support an election campaign. The formal written warning will include staff's expectation that Cynthia Tovar, Jessica Suarez, Janet Axtman, Jacee Martinez, Tammy Foley, and Sandra Garza review PDC Interpretation 01-03, *Guidelines for School Districts in Election Campaigns* and that they will prevent the misuse

of public facilities in the future. The Commission will consider the formal written warning in deciding on further Commission action, if there are future violations of PDC laws or rules.

Based on this information, the PDC finds that no further action is warranted and has dismissed this matter in accordance with RCW 42.17A.755(1).

If you have questions, you may contact Fox Blackhorn at 1-360-753-1980 toll-free at 1-877-601-2828, or by e-mail at [fdc@fdc.wa.gov](mailto:fdc@fdc.wa.gov).

Sincerely,

Endorsed by,

/s

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Fox Blackhorn  
Compliance Coordinator 2

/s

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Peter Lavalley  
Executive Director

cc: Scootney Springs Elementary School Officials