



**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 16, 2020

Delivered electronically to “[dan.chaplik@sultan.k12.wa.us](mailto:dan.chaplik@sultan.k12.wa.us)”

Subject: Complaint filed by Ed Husmann, PDC Case 61260

Dear Dan Chaplik:

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

As noted in the letter to Ed Husmann, 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.

If you have questions, you may contact Tabatha Blacksmith at 1-360-586-8929, toll-free at 1-877-601-2828 or by e-mail at [pdc@pdc.wa.gov](mailto:pdc@pdc.wa.gov)

Sincerely,

Endorsed by,

/s

\_\_\_\_\_  
Tabatha Blacksmith  
Compliance Coordinator

/s

\_\_\_\_\_  
Barbara Sandahl  
Deputy Director  
For Peter Lavalley  
Executive Director



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January 16, 2020

Delivered electronically to "[edsapples@frontier.com](mailto:edsapples@frontier.com)"

Subject: Complaint regarding Dan Chaplik, PDC Case 61260

Dear Ed Husmann:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on December 9, 2019. The complaint alleged that Dan Chaplik, Superintendent of Sultan School District, may have violated RCW 42.17A.555 by using public agency facilities to assist an election campaign.

PDC staff reviewed the allegations and evidence you submitted; the applicable statutes and rules; and the response provided by Dan Chaplik (the "Respondent") to determine whether they support a finding of one or more violations.

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

- RCW 42.17A.555 prohibits elected officials and employees of public offices and agencies from directly or indirectly using or authorizing the use of public office/agency facilities to assist an election campaign.
  - "Facilities" include, but are not limited to, use of stationary, postage, machines, equipment, employees during working hours, vehicles, office space, agency publications and client lists.
  - Activities that are "part of the normal and regular conduct of the office or agency" are exempted from this prohibition.
  - Per WAC 390-05-273, "normal and regular conduct" includes conduct that is 1) lawful (e.g. specifically authorized, either expressly or by necessary implication) and appropriately enacted; and 2) usual (e.g. not effected or authorized in or by some extraordinary means or manner).
- As superintendent of Sultan School District (the "District"), the Respondent is subject to RCW 42.17A.555.
- Ed Husmann (the "Complainant") is an elected official who participated in the 2019 General Election as a candidate for re-election to a School Board Director position in District 4 with Sultan School District 311.

- During budget discussions at an October 28, 2019 school board meeting, the Complainant questioned the cost of special education contracts and made comments that some members of the Sultan community found objectionable.
- On October 31, 2019, the Respondent and other District personnel discovered news staff filming on District property, but the Respondent was not interviewed. The same day, King 5 News interviewed 1) the Complainant about his 10/28/19 comments; and 2) a community member named Heidi Dawson, who responded to the Complainant's comments by mounting a last-minute write-in campaign for his School Board seat. The news story aired the evening of 10/31/19.
- The Respondent indicated that the District became the focus of community animosity the day after the King 5 News article was released. By way of example, the Respondent provided the PDC with a voice mail message from an angry community member that the District retrieved on November 1, 2019. In response, the Respondent prepared a statement to the community, in consultation with School Board Chairman Russ Sumpter, who approved the final version.
- On November 1, 2019, the Respondent distributed a statement to Sultan School District parents, students and community members which stated, among other things, that "comments made by a Sultan School District Board Director...do not reflect the Sultan School District's Mission, Vision, Goals and Guiding Beliefs for and about our students."
  - The school board member was not mentioned by name in the statement;
  - The statement did not contain any references to the upcoming General Election or any candidates participating therein; and
  - The Respondent's statement was distributed via the District's Facebook page and website.
- According to the Complainant, Heidi Dawson filed as a write-in candidate with the Snohomish County Auditor's Office on 11/1/19, the same day the Respondent released its statement to the community. Prior to Ms. Dawson's write-in campaign, the Complainant ran unopposed in the General Election.
- Even though the Respondent's statement did not mention him by name, the Complainant asserted that Sultan is a small community, which left "no doubt" as to whom the Respondent referred. The Complainant believes that the Respondent's 11/1/19 message was politically motivated, "influenced voters," and assisted Ms. Dawson's write-in election campaign.
- The Complainant won the School Board Director position for Sultan School District 311, District 4 in the 2019 General Election with 81.62% of votes. Write-in candidate(s) received 18.38% of the votes in the election.
- In his written response, the Respondent denies attempting to influence the election and said his 11/1/19 statement was not motivated in any way by the Complainant's upcoming re-election campaign. The Respondent asserted his statement was made in direct response

to “intense negative press coverage and public reaction” following the Complainant’s 10/28/19 comments.

- The Respondent stated his goal in posting a statement on 11/1/19 was to reassure the community that the Complainant’s comments about special education students did not reflect official District policies. The Respondent went on to say that the statement was distributed via the District’s normal and regular communication channels, including its Facebook page and website.
- The Respondent indicated that the timing of his statement was based on the date the comments were made (10/28/19) and the community’s subsequent reaction, which the Respondent characterized as “significant.” The Respondent speculated that any write-in campaign that emerged was the direct result of the comments and statements made by the Complainant at the 10/28/19 Board Meeting and in subsequent news interview(s) that were first aired on 10/31/19.
- The Respondent indicated it is part of his job to 1) communicate with the Sultan community regarding programs and policies; and 2) respond to press coverage.

The evidence provided fails to conclusively show how the Respondent’s statement, which did not mention candidates or the upcoming election, assisted an election campaign.

Furthermore, absent any evidence to the contrary, the statement made by the Respondent appears to constitute “normal and regular” conduct for the District and would therefore be exempt from the prohibition on use of facilities set forth in RCW 42.17A.555. A review of the District’s website and Facebook page shows that the District and the Superintendent routinely share information with parents, students and community members by posting messages via these channels.

Based on these findings, staff has determined that, in this instance, no evidence supports a finding of a violation that warrants further investigation.

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 Tabatha Blacksmith at 1-360-586-8929, toll-free at 1-877-601-2828 or by e-mail at [pdcc@pdc.wa.gov](mailto:pdcc@pdc.wa.gov)

Sincerely,

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/s  
Tabatha Blacksmith  
Compliance Coordinator

Endorsed by,

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/s  
Barbara Sandahl  
Deputy Director  
For Peter Lavallee  
Executive Director

cc: Dan Chaplik