



**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: pdcc@pdcc.wa.gov • Website: www.pdcc.wa.gov

August 4, 2020

Delivered electronically to Sarah S. Mack, on behalf of Everett Public Schools at
“smack@everettsd.org”

Subject: Complaint filed by Debra Blodgett, PDC Case 72467

Dear Ms. Mack:

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

As noted in the letter to Ms. Blodgett, 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.

PDC staff is reminding your client, Everett Public Schools, about the importance of following the prohibitions described in RCW 42.17A.555 and PDC Interpretation 01-03 closely and to review all future events shared on the district’s official Facebook page with more scrutiny to ensure that they are free of any campaign related language. PDC staff expects in the future that your client will review both the content and the source of events shared on the district’s official Facebook page to ensure their activities are done in accordance with PDC laws and rules.

If you have questions, you may contact Jennifer Hansen at 1-360-586-4560 toll-free at 1-877-601-2828, or by e-mail at pdcc@pdcc.wa.gov.

Sincerely,

Electronically signed

Jennifer Hansen
Compliance Officer

Endorsed by,

Electronically signed

Peter Lavallee
Executive Director



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August 4, 2020

Delivered electronically to Debra Blodgett at “debrablodgett930@msn.com”

Subject: Complaint regarding Everett Public Schools, PDC Case 72467

Dear Debra Blodgett:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on June 19, 2020. The complaint alleged that Everett Public Schools, a public school district in Snohomish County serving the cities of Everett, Bothell and Mill Creek, may have violated RCW 42.17A.555 by misusing the district’s official Facebook page to share a virtual event originating on Representative John Lovick’s 2020 Campaign Facebook page.

PDC staff reviewed the allegations; the applicable statutes and rules; PDC Interpretation 01-03; the response provided by Sarah S. Mack, General Counsel for Everett Public Schools (the “Respondent”); and the response provided by Representative John Lovick in related PDC Case 72472, to determine whether the record supports a finding of one or more violations.

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

- RCW 42.17A.555 prohibits the use of public facilities to support or oppose candidates or ballot propositions, including the use of school district resources, equipment and employees.
- The Commission adopted PDC Interpretation 01-03, *Guidelines for School Districts in Election Campaigns*, which provides information concerning the use of public facilities including activities that are permitted or prohibited, activities which are part of the “normal and regular conduct” of the school district, and other general considerations.
- The complaint included screenshots of an invitation to a “Juneteenth” virtual event celebration. The invitation originated on Rep. Lovick’s 2020 Campaign Facebook page and was shared on the official Facebook page of Everett Public Schools.
- The complaint specifically alleged that the Respondent was supporting Lovick’s 2020 Campaign by sharing an event that included his re-election campaign web address at the bottom of the invitation. The complaint also alleged that the Respondent allowed Rep. Lovick to use its “Zoom” platform to hold the virtual event.
- In her response, Ms. Mack confirmed that her client intentionally shared Rep. Lovick’s “Juneteenth” celebration because the district viewed it as a community event, consistent with similar events they believed may be of interest to the general public. Ms. Mack cited District Policy 4333 which encourages the public to use school facilities and authorizes the Superintendent to establish procedures for such use. The response described the general history of how the facilities can and have been used in a “normal and regular” manner, permissible under PDC laws, rules and guidance, and provided a recent list of examples of events like Rep. Lovick’s.

- Ms. Mack stated that her client was aware of the inclusion of Rep. Lovick’s 2020 Campaign web address but did not see this as a reason to believe the event was connected to Lovick’s campaign or that by sharing the invitation “as is” would be seen as a misuse of school facilities.
- Finally, the Respondent denied allowing Rep. Lovick to use the district’s “Zoom” platform to hold the “Juneteenth” celebration.

Staff’s review of the Respondent’s written response shows that they have a general understanding of RCW 42.17A.555 and PDC Interpretation 01-03, *Guidelines for School Districts in Election Campaigns* and acted in a good faith manner they believed to be permissible as well as consistent with similar activities. However, staff noted that the district was aware that the virtual invitation included a web address for Rep. Lovick’s 2020 Re-election Campaign but did not flag this as problematic.

Based on our findings staff has determined that, in this instance, the act of the Respondent sharing a post from a current legislator’s Facebook page despite the fact that the invitation language included a campaign web address, does not amount to a violation that warrants further investigation.

PDC staff is reminding Everett Public Schools about the importance of following the prohibitions described in RCW 42.17A.555 and PDC Interpretation 01-03 closely and to review all future events shared on the district’s official Facebook page with more scrutiny to ensure that they are free of any campaign related language.

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 Jennifer Hansen at 1-360-586-4560 toll-free at 1-877-601-2828, or by e-mail at pdcc@pdcc.wa.gov.

Sincerely,

Electronically signed

Jennifer Hansen
Compliance Officer

Endorsed by,

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Peter Lavalley
Executive Director

cc: Sarah S. Mack on behalf of Everett Public Schools