

Respondent Names
Mercer Island School District
Complainant Name
Robert Tykulsker
Complaint Description
<p><u>Robert Tykulsker</u> reported via the portal (<i>Wed, 12 Jan 2022 at 1:37 PM</i>)</p> <p>Mercer Island School District produced and distributed (via US mail) a flyer that attempts to improperly and illegally influence the upcoming February 8, 2022 "Replacement Levy" election.</p> <p>Per <u>RCW 28A.320.090</u> -- "nothing contained herein shall be construed to authorize preparation and distribution of information to the general public for the purpose of influencing the outcome of a school district election."</p> <p>Very clearly, the flyer not only attempts to provide "FACTS", but the facts are slanted to encourage the voters to support the levy replacements. This is the problem!</p> <p>The district does periodically distribute information that is consistent with RCW 28A.320.090. In fact I received the appropriate "Annual Report" at the same time that I received the "Fact" mailer.</p> <p>If the election were not coming up, the MISD would NOT be distributing these "FACTS" as a separate mailer and hence they are attempting to influence the election.</p> <p>I would not object to an identical "FACTS" mailer issued by a third-party, such as a PTA. However, as I hope I have demonstrated, it is improper and illegal for the MISD to have sent out this mailer.</p> <hr/> <p><u>Robert Tykulsker</u> replied (<i>Tue, 18 Jan 2022 at 1:08 PM</i>)</p> <p>To: "PDC Support" <u>pdc@pdc.wa.gov</u></p> <p style="text-align: right;">External Email</p> <p>Hello Tabatha,</p> <p>Thank you for your response and for directing me to RCW 42.17A. I think my complaint still has merit under .555, as described below.</p> <p>Here is my complete contact information:</p> <p>Robert Tykulsker 7264 W Mercer Way, Mercer Island, WA 98040</p>

I would like to amend my complaint to refer to [RCW 42.17A.555](#):

No elective official nor any employee of his or her office nor any person appointed to or employed by any public office or agency may use or authorize the use of any of the facilities of a public office or agency, directly or indirectly, for the purpose of assisting a campaign for election of any person to any office or for the promotion of or opposition to any ballot proposition. Facilities of a public office or agency include, but are not limited to, use of stationery, postage, machines, and equipment, use of employees of the office or agency during working hours, vehicles, office space, publications of the office or agency, and clientele lists of persons served by the office or agency.

The pamphlet that I received and referenced in my original complaint was produced and distributed by the Mercer Island School District (MISD). That is not disputable. While labeled "FACTS", that pamphlet is clearly a typical electioneering campaign piece, typical of the many pieces that we all legitimately receive in our mail boxes every election season. For example, I received a legitimate campaign piece from the group "Committee to Support Mercer Island Public Schools (CMIPS)" just a few days ago. This new piece is fine -- it was bought and paid for by a private party.

However, the "Facts" pamphlet that I am complaining about is different, because it was produced and distributed by the MISD for the purpose of directly or indirectly assisting in the campaign and for influencing the election makes it improper, illegitimate and illegal per RCW 42.17A.555.

I'm a resident of Mercer Island and an employee of the MISD. I personally support renewing the levies. However, I do not support using MISD resources to try to "buy" this election.

Respectfully,

Robert Tykulsker
7264 W Mercer Way, Mercer Island, WA 98040

[Robert Tykulsker](#) replied (Tue, 18 Jan 2022 at 11:34 PM)

To: "PDC Support" pdc@pdc.wa.gov

External Email

Hello Tabatha,

Here's the so-called "Facts" electioneering pamphlet, produced and distributed by the Mercer Island School District (MISD). Note the explicit "call to vote" directly on the front and rear. Also note that it is clearly produced and distributed by the MISD. Do let me know if this is not legible and I'll try to re-scan for you.

Thank you.

Cheers,

Bob

MISD-Facts-2022.pdf

3.01 MB

What impact does the alleged violation(s) have on the public?

Uses taxpayer-funded district dollars to unduly influence the public in an upcoming election.

List of attached evidence or contact information where evidence may be found

List of potential witnesses with contact information to reach them

I certify (or declare) under penalty of perjury under the laws of the State of Washington that information provided with this complaint is true and correct to the best of my knowledge and belief.



**Replacement Educational
Programs and Operations Levy**

**Replacement Capital Projects
Levy**

FACTS



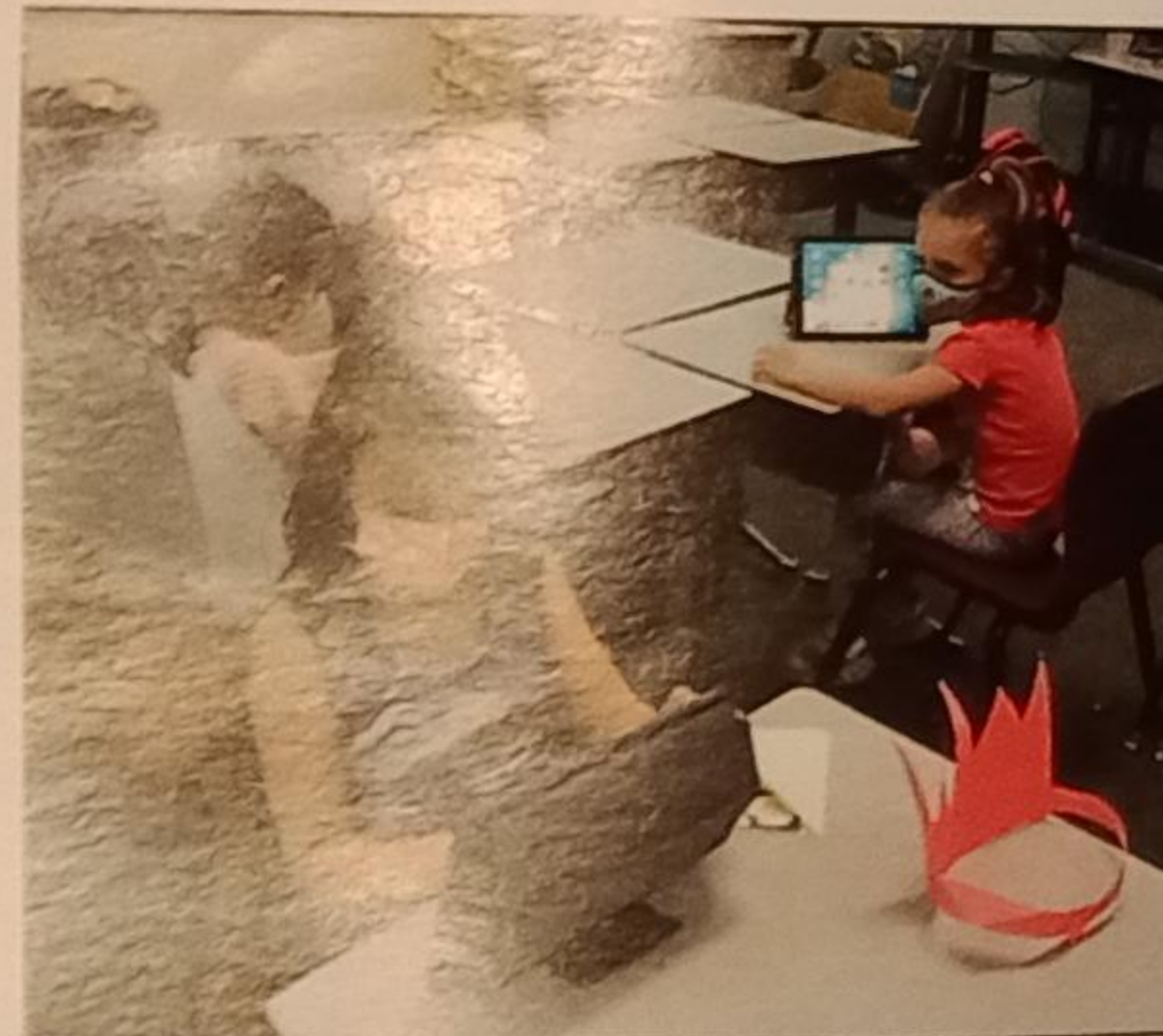
**Please remember to vote
by February 8, 2022**

Replacement Educational Programs and Capital Projects Levies

The Mercer Island School Board unanimously approved both an Educational Programs and Operations (EP&O) Replacement Levy and a Capital Tech Projects Replacement Levy (Proposition 1&2 respectively) to be put to the voters on the February 8, 2022 special election ballot. These proposition levies replace existing levies that were passed by Mercer Island voters in 2018 and 2016 respectively. These are not new taxes.

Educational Programs & Operations Levy

If approved, the replacement EP&O levy would annually collect up to \$12 million from 2023-2026 for educational programs and services beyond the state's definition of basic education. It will continue to fund 17 percent of the Mercer Island School District general fund, including 40 percent of special education funding.



How has MISD used levy funding to enrich programs?

- ✓ Establishing a seven-period day at the high school, which allows students to more easily meet the 24-credit graduation requirement and take electives as well.
- ✓ Elementary K-5 Music, Art & PE.
- ✓ Expanded electives at Mercer Island High School and Islander Middle School, including advanced science and fine arts courses beyond the traditional one-year sequences and classes not normally available to students, including the award-winning radio station at the high school.
- ✓ Smaller class sizes for focused sections to provide services for students needing additional support.

- ✓ Professional development opportunities for staff to enhance their practice.
- ✓ Stipends for staff to offer additional opportunities for students, including after-school clubs and activities at all grade levels.
- ✓ Paraprofessional support in classrooms, as well as student supervision and safety.
- ✓ Nurses at each school site.

Capital Tech Projects Levy

If approved, the replacement Capital Projects levy would annually collect between \$7.75 million in 2023 and \$8.4 million in 2026 for facility renovations and instructional technology. The levy provides funding for extensive upgrades and repairs. The technology portion provides for instructional technology, information technology infrastructure and professional development.



What does the Capital portion of the levy cover?

- ✓ General Replacement Items: Paving, Carpets, Furniture, Generators.
- ✓ Life cycle replacements: Gym curtains, Stadium Turf and Track, Roofing, Boilers.
- ✓ Classroom upgrades: Special Education, Radio and Music.
- ✓ Facility Improvements: Field Lighting, Tennis Courts (Replacement and Lighting), Mary Wayte Pool, Bus Lot Fuel Tank Replacement, Electric Vehicle Planning Study.

What does the Tech portion of the levy cover?

- ✓ Staffing: Technology coaches, Building techs, District IT staff and professional development time.
- ✓ Curriculum and Software: Trend of moving towards digital platforms instead of paper textbooks and classroom instructional tools.
- ✓ Classroom Projects: Promethean Boards, 1:1 iPads and potential student laptop adoption.
- ✓ Infrastructure Improvements: Internet and phone networks, server upgrades, security cameras.



For more information on both levies, contact Ty Bergstrom, executive director of finance, e-mail: tyrell.bergstrom@mercerislandschools.org.

Scan the QR code with your cell phone camera to visit the Bond & Levy information page on the MISD website. This page has information on why the District is seeking to renew the Educational Programs & Operations Levy and the Capital Tech Projects Levy.



Q&A on Replacement Levies

Q: Why is the school district putting a Replacement Educational Maintenance and Operations levy and a Replacement Capital Projects levy on the ballot?

A: These levies replace existing levies that were passed by Mercer Island voters in 2018 and 2016 respectively. These levies would replace the expiring levies and would continue local levy funding for Mercer Island schools through 2026 and 2028, respectively.

Q: Isn't the State supposed to pay for basic education?

A: Yes. The State provides a funding allocation for Basic Education Services. However, the State funding formula doesn't provide sufficient funding to meet our specific needs within our District. We are required to use Basic Education Services funding for basic education first, before using local resources to meet the standard of education that our community desires.

Q: How much can the District collect from the levy?

A: The District may collect only up to an amount dictated by the State and approved by voters regardless of assessed valuation changes. Senior citizens or disabled persons may qualify for tax exemptions. Contact the King County Assessor's Office for information, 206.296.3920 or kingcounty.gov/depts/assessor

Voting Information

Ballots will be mailed on January 19, 2022 and must be postmarked by February 8, 2022. There will be a ballot drop box located at the Mercer Island Community and Event Center, 8236 S.E. 24th St., open until 8 p.m. on February 8.



If you are a new voter to the state of Washington, you may register in person at the King County Elections offices in Seattle or Renton up to eight days before the election. Call 206-296-VOTE (8683) or visit kingcounty.gov for more information.

Mercer Island School District
4160 86th Ave. S.E.
Mercer Island, WA 98040

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Please remember to vote by
February 8, 2022



Replacement Educational Programs and Operations Levy

Replacement Capital Projects Levy

FACTS



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