



## OKANOGAN SCHOOL DISTRICT #105

Celebrating the Past, Embracing the Present, Shaping the Future

February 7, 2023

Jennifer Hansen  
Compliance Officer  
Public Disclosure Commission  
[pdc@pdc.wa.gov](mailto:pdc@pdc.wa.gov)

Re: Jerald Brannon Complaint vs. Okanogan School District

Dear Ms. Hansen:

I am writing in response to your February 1, 2023, email regarding the above referenced complaint. You ask that I respond to the complaint and answer the following questions:

*1. Do you post banners, flyers, posters or reader boards for all elections, including elections not involving School Levies?*

*a. If so, what is posted, when and where are they posted?*

Whenever there is an issue involving a school district matter, we mail some type of flyer to inform the public of the upcoming election. We typically include information about the intended uses for the funds at issue and the needs of the district. We have not used a reader boards in recent years to announce elections of any sorts. On our flyers we send out, we never indicate whether individuals should vote yes or no.

To address the concerns raised in the complaint, the district notes that it did not do a vote reminder on the reader board during this last election. We did, however, issue a flyer to inform the public of the upcoming election and remind them of the date of the election. The flyer pictured in the complaint is a correct copy of the flyer that we used. We take the position that RCW 28A.320.090 allows the district to issue this information. The complaint makes issue of the terms “needed” reflected on the flyer. Although Mr. Brannon may dispute whether the funds were needed based on his claimed expertise as an “engineer and former tech volunteer at the school,” in this case, the district school board did determine that the funds were “necessary” (See attached School Board Resolution). In addition, please note that the funds were not only intended to be used for technology devices. The district has the right to inform the community about its operation and maintenance and instructional program. As the PDC itself indicates on its website, “[t]his includes informing the community of the needs the district faces and needs students have that the community may not realize exist.” <https://www.pdc.wa.gov/rules-enforcement/guidelines-restrictions/guidelines-school-districts-election-campaigns>

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Klancy Allen  
Business Manager

Brandy Williams  
Secretary to the Superintendent

**Steve Quick, Superintendent**

P.O Box 592  
115 Rose St., Okanogan, WA 98840  
509-422-3629, FAX: 509-422-1525  
[www.oksd.wednet.edu](http://www.oksd.wednet.edu)

Brenda Stevens  
HR/Payroll Manager

Eve Roberts  
Accounts Payable Manager

We were not intending to influence the election, but rather to inform the public about the various programs and needs that would be served by the levy dollars. We also only indicated to vote, not to vote yes on the issue. Thank you for your consideration and please let me know if you need any additional information.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Steve Quick', with a stylized flourish at the end.

Steve Quick  
Superintendent

Enclosure: School Board Resolution

OKANOGAN SCHOOL DISTRICT NO. 105  
OKANOGAN COUNTY, WASHINGTON

TECHNOLOGY LEVY

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RESOLUTION NO. 09-11-22-23

A RESOLUTION of the Board of Directors of Okanogan School District No. 105, Okanogan County, Washington, providing for the submission to the qualified electors of the district at a special election to be held therein on February 14, 2023, of a proposition to authorize the district to levy an additional tax to provide a total of \$1,800,000 for the District's Capital Projects Fund for technology improvements and equipment, such levies to be made for six years commencing in 2023 for collection in the school years from 2023-2024 through 2029-2030.

ADOPTED NOVEMBER 30, 2022

PREPARED BY:

K&L GATES LLP  
Seattle, Washington

RESOLUTION NO. 09-11-22-23

A RESOLUTION of the Board of Directors of Okanogan School District No. 105, Okanogan County, Washington, providing for the submission to the qualified electors of the district at a special election to be held therein on February 14, 2023, of a proposition to authorize the district to levy an additional tax to provide a total of \$1,800,000 for the District's Capital Projects Fund for technology improvements and equipment, such levies to be made for six years commencing in 2023 for collection in the school years from 2023-2024 through 2029-2030.

WHEREAS, the educational facilities of Okanogan School District No. 105, Okanogan County, Washington (the "District"), including technology facilities are in need of renovation, construction, improvements and expansion to meet the current and future educational programs for its students; and

WHEREAS, funds available to the District will be insufficient to enable the District to implement such projects; and

WHEREAS, in order to support the cost of these projects as found necessary by the Board of Directors, it is deemed advisable that the District levy a tax upon all the taxable property within the District in excess of the annual tax the District is permitted by law to levy without a vote of the people, such levy to be made for six years commencing in 2023 for collection in the school years from 2023-2024 through 2029-2030, inclusive, as authorized by Article VII, Section 2 of the State Constitution and RCW 84.52.053; and

WHEREAS, the question of whether or not such excess tax may be levied must be submitted to the qualified electors of the District for their ratification or rejection; and

WHEREAS, the conditions here and above set forth which requires the holding of a special election in the District; and

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF OKANOGAN SCHOOL DISTRICT NO. 105, OKANOGAN COUNTY, WASHINGTON as follows:

Section 1. It is hereby found and declared that the welfare of the students and other residents of the District requires the District to carry out the improvements hereinafter provided.

Section 2. The District shall modernize its educational facilities for students and staff through the acquisition and installation of technological hardware and software, conducting student and staff training, and improving communication and security, including but not limited to enhancing infrastructure, acquiring hardware, licensing software, and implementing online applications and training related to the installation of the foregoing as an integral part of the

District's technology systems, facilities, or projects; and the application and modernization of technology systems for operations and instruction including, but not limited to, the ongoing fees for online applications, subscriptions, or software licenses, including upgrades and incidental services, and ongoing training related to the installation and integration of these products or services, and shall make other capital project expenditures as found necessary by the Board of Directors. In addition, the District shall make other necessary capital equipment purchases and facility improvements to modernize District facilities and safety systems.

The District may repay any obligations hereafter incurred for the foregoing purposes.

If available funds are sufficient, the District shall acquire, construct, equip and make other capital improvements to the facilities of the District, all as the Board of Directors finds necessary; provided that such funds may be used only to support the construction, modernization, replacement, and remodeling of school facilities or implementation of the District's technology facilities plan.

If the District shall determine that it has become impracticable to accomplish any of such improvements or portions thereof by reason of changed conditions or needs, incompatible development, costs substantially in excess of those estimated, or acquisition by a superior governmental authority, the District shall not be required to accomplish such improvement and may apply levy proceeds as set forth in this section. If any or all of the improvements have been completed, or their completion duly provided for, or their completion found to be impractical, the District may apply the levy proceeds or any portion thereof to other portions of the improvements or to other capital purposes of the District, as the District in its discretion shall determine.

Notwithstanding any provision of this resolution to the contrary, levy proceeds may only be used to support the construction, modernization or remodeling of school facilities or implementation of the District's technology facilities plan.

Section 3. It is hereby found and declared that best interests of the District require the submission to the qualified electors of the District of the proposition whether the District shall make the Capital Projects Fund levies for their ratification or rejection at a special election to be held on February 14, 2023. For the purpose of providing funds necessary for the needs described in Section 2 above, Okanogan County Auditor, as *ex officio* supervisor of elections in Okanogan County, is hereby requested to call and conduct such special election to be held within the District on such day and to submit to the qualified electors of the District for their approval or rejection, a proposition providing for tax levies for the Capital Projects Fund for six years, commencing in 2023, producing dollar amounts at estimated tax rates per thousand dollars of assessed value to produce such amounts, in excess of the maximum amount tax levy permitted by law to be levied within the District without a vote of the electors, all as follows:

- A. \$300,000, said levy to be made in 2023 for collection in 2024;
- B. \$300,000, said levy to be made in 2024 for collection in 2025;
- C. \$300,000, said levy to be made in 2025 for collection in 2026;
- D. \$300,000, said levy to be made in 2026 for collection in 2027;

- E. \$300,000, said levy to be made in 2027 for collection in 2028; and
- F. \$300,000, said levy to be make in 2028 for collection in 2029.

The estimated levy rate depends upon the final dollar amount of assessed value of the property within the District. At this time, based upon information provided by the County Assessor's office, the estimated levy rate for the 2023 levy is \$0.66 per thousand dollars of assessed valuation, the estimated levy rate for the 2024 levy is \$0.63 per thousand dollars of assessed valuation, the estimated levy rate for the 2025 levy is \$0.61 per thousand dollars of assessed valuation, the estimated levy rate for the 2026 levy is \$0.60 per thousand dollars of assessed valuation; the estimated levy rate for the 2027 levy is \$0.58 per thousand dollars of assessed valuation; and the estimated levy rate for the 2028 levy is \$0.57 per thousand dollars of assessed valuation. The exact levy rate shall be adjusted based upon the actual assessed value of the property within the District at the time of the levy.

Section 4. The Secretary of the Board of Directors is hereby authorized and directed to certify said proposition to Okanogan County Auditor, as *ex officio* supervisor of elections in Okanogan County, substantially in the following form:

PROPOSITION NO. 2  
OKANOGAN SCHOOL DISTRICT NO. 105

TECHNOLOGY LEVY

The Board of Directors of Okanogan School District No. 105 adopted Resolution No. 09-11-22-23 concerning technology levies. This proposition would authorize acquiring, installing and maintaining technological hardware and software for students and staff, conducting student and staff training, and improving communication and security; and authorizes the following excess levies to replace the previously expired technology levy for such purposes on all taxable property within the District:

Collection Years	Approximate Levy Rate/\$1,000 Assessed Value	Levy Amount
2024	\$0.66	\$300,000
2025	\$0.63	\$300,000
2026	\$0.61	\$300,000
2027	\$0.60	\$300,000
2028	\$0.58	\$300,000
2029	\$0.57	\$300,000

Should this proposition be approved?

YES .....

NO .....

The Secretary of the Board of Directors of the District is hereby authorized and directed to deliver certified copies of this resolution to Okanogan County Auditor.

Section 5. For purposes of receiving notice of the exact language of the ballot title required by RCW 29A.36.080, the Board hereby designates (a) the District’s Superintendent (Steve Quick), telephone: 509-422-3629; email: squick@oksd.wednet.edu; and (b) special counsel, K&L Gates LLP, telephone: 206.370.7801; email: cynthia.weed@klgates.com, as the individuals to whom the Auditor shall provide such notice. The Superintendent is authorized to approve changes to the ballot title, if any, deemed necessary by the Auditor or the Okanogan County Prosecuting Attorney.

Section 6. Pursuant to RCW 29A.32, the Board of Directors hereby confirms the District’s participation in the local voters’ pamphlet for the February 14, 2023, election, which shall be prepared and published by the Okanogan County Auditor, including, but not limited to, an explanatory statement reviewed and approved by the District’s attorney, and, if available, a

Statement For and a Statement Against. The District understands and agrees that it will be required to pay its proportionate share of the expenses of the voters' pamphlet.

ADOPTED by the Board of Directors of Okanogan School District No. 105, Okanogan County, Washington, at a regular meeting thereof, held on the 30th day of November, 2022.

OKANOGAN SCHOOL DISTRICT NO. 105  
OKANOGAN COUNTY, WASHINGTON

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President and Director

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Director

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Director

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Director

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Director

ATTEST:

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Secretary, Board of Directors



CERTIFICATE

I, the undersigned, Secretary of the Board of Directors of Okanogan School District No. 105, Okanogan County, Washington (the "District"), and keeper of the records of the Board of Directors (the "Board"), DO HEREBY CERTIFY:

1. That the attached resolution is a true and correct copy of Resolution No. 09-11-22-23 of the Board (the "Resolution"), duly adopted at a regular meeting thereof held on the 30th day of November, 2022.

2. That said meeting was duly convened and held in all respects in accordance with law, and to the extent required by law, due and proper notice of such meeting was given; that a legal quorum was present throughout the meeting and a legally sufficient number of members of the Board voted in the proper manner for the adoption of the Resolution; that all other requirements and proceedings incident to the proper adoption of the Resolution have been duly fulfilled, carried out and otherwise observed; and that I am authorized to execute this certificate.

IN WITNESS WHEREOF, I have hereunto set my hand this 30th day of November, 2022.

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Secretary of the Board

OFFICIAL BALLOT  
OKANOGAN SCHOOL DISTRICT NO. 105  
OKANOGAN COUNTY, WASHINGTON  
February 14, 2023

INSTRUCTIONS TO VOTERS: To vote in favor of the following proposition, place a cross (X) in the square opposite the word "YES"; to vote against the following proposition, place a cross (X) in the square opposite the word "NO."

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OKANOGAN SCHOOL DISTRICT NO. 105

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2027	\$0.60	\$300,000
2028	\$0.58	\$300,000
2029	\$0.57	\$300,000

Should this proposition be approved?

YES .....

NO .....

NOTICE OF SPECIAL ELECTION  
OKANOGAN SCHOOL DISTRICT NO. 105  
OKANOGAN COUNTY, WASHINGTON  
February 14, 2023

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NOTICE IS HEREBY GIVEN that on February 14, 2023, a special election will be held in the above-named school district for the submission to the qualified electors of said school district of the following proposition:

PROPOSITION NO. 2  
OKANOGAN SCHOOL DISTRICT NO. 105

TECHNOLOGY LEVY

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2027	\$0.60	\$300,000
2028	\$0.58	\$300,000
2029	\$0.57	\$300,000

Should this proposition be approved?

YES .....

NO .....

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Okanogan County Auditor