



**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

April 25, 2023

Delivered electronically to Okanogan School District at “squick@oksd.wednet.edu”

Subject: Complaint filed by Jerald Brannon, PDC Case 120832

Dear Superintendent Quick:

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

As noted in the letter to Jerald Brannon, 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.

Although this case is being dismissed with no further action, PDC staff is cautioning you that posting information regarding school related ballot measures more frequently prior to an election could be seen as outside of the “normal and regular” conduct as described in RCW 42.17A.555 and could result in future complaints.

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

Kim Bradford
Deputy Director
For Peter Frey Lavalley
Executive Director



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April 25, 2023

Delivered electronically to Jerald Brannon at “brannon@methow.com”

Subject: Complaint regarding Okanogan School District, PDC Case 120832

Dear Jerald Brannon:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on January 27, 2023. The complaint alleged that Okanogan School District (the District) may have violated RCW 42.17A.555 for misuse of public facilities by supporting a levy through a mailer.

PDC staff reviewed the allegations; the applicable statutes, rules; *PDC Interpretation No. 01-03*; the response provided by Superintendent Steve Quick on behalf of the Respondent; and other relevant information, to determine whether the record supports a finding of one or more violations.

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

- Okanogan School District’s Replacement Educational Programs and Operations Levy (Proposition 1) was placed on the February 14, 2023, special election ballot. The levy passed with 60.22% of the vote.
- The District created a set of facts describing the reasons for the levy and how the funds would be spent if the ballot proposition passed. This information was disseminated via a mailed brochure, a flyer, the District’s website and social media.
- The complaint included a copy of a mailer created and disseminated by the District and alleged that the Respondent included language, specifically use of the word “needed” in reference to the levy, encouraging support of the upcoming ballot measure and that this activity was a misuse of public funds.
- *PDC Interpretation No. 01-03 Guidelines for School Districts* describes permissible activities of a publicly funded entity including the creation and dissemination of “objective and fair presentation of the facts,” which means that in addition to presenting facts, any materials should present accurately the costs and other anticipated impacts of a ballot measure. The Interpretation also allows a school district to distribute these materials in accordance with the normal and regular conduct of the school district.
- In his response, Superintendent Quick stated that the District’s message was to inform the public about the various programs and needs that would be served by the levy dollars, and to encourage the public to vote.
- The response included details about the District’s practice of mailing a flyer to inform the public of upcoming election when there is an issue involving a school district matter. The flyer would describe the intended use of levy funds along with the needs of the District.

Superintendent Quick stated that the District has not used reader boards to announce any elections and never direct recipients of mailers to vote yes or no.

- During the investigation, staff found no language directly advocating for the support of the February 14, 2023, ballot proposition or encouragement for a vote to pass the levy. Staff specifically reviewed the mailer provided with the complaint and did not find that the use of the word “needed” encouraged support of the levy by the District.

PDC staff found no evident to support a violation of RCW 42.17A.555 by the Respondent when reviewing the content of the mailer. Further, the written response provided by Superintendent Steve Quick showed a sufficient understanding of RCW 42.17A.555 and PDC Interpretation No. 01-03

Based on our 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 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

Kim Bradford
Deputy Director
For Peter Frey Lavalley
Executive Director

cc: Okanogan School District