

## 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 • Website: www.pdc.wa.gov

June 24, 2025

Delivered electronically to squick@oksd.wednet.edu

Subject: PDC Case 170656 regarding Okanogan School District:

Superintendent Steve Quick, Okanogan School District:

The Public Disclosure Commission (PDC) completed its review of the complaint filed April 17, 2025. The complaint alleged violations of RCW 42.17A.555 for using public facilities or resources to support a ballot measure.

## Applicable Laws and Rules

- <u>RCW 42.17A.555</u> prohibits the use of public agency facilities to promote or oppose ballot propositions but does not prevent a school district from making an objective and fair presentation of the facts relevant to a ballot proposition if such activity is part of the normal and regular conduct of the district.
- The PDC has developed *Guidelines for School Districts in Election Campaigns* and a 2015 staff <u>analysis</u> to assist school districts and other public agencies in determining whether an activity is permitted under RCW 42.17A.555.
- Per PDC's Guidelines for School Districts in Election Campaigns, a school district is authorized by statute to prepare and distribute information to the general public to explain the instructional program, operation and maintenance of the schools of the district. This includes informing the community of the needs the district faces and needs students have that the community may not realize exist. <u>RCW 28A.320.090</u> authorizes the board of directors of any school district to expend funds for this purpose. However nothing in that statute is to be construed as authorizing preparation or distribution of information to the general public for the purpose of influencing the outcome of a school district election.

## **Background and Findings**

• The complaint alleged the Okanogan School District distributed a publication by mail that "seem to be not giving just facts" and noted the mailer stated, "Okanogan School District is asking voters to approve a \$14 million bond."

• In response, Steve Quick stated the school district mailed two fliers, and noted the postcard referenced in the complaint is "simply stating the fact that the School Board has put a levy on the ballot. Clearly, the Board would not be putting it on the ballot if they did not want it to be approved." However, Quick stated the District would use the word "consider" in future communication with voters.

## Summary and Resolution

Based on our findings, staff has determined that, in this instance, there does not appear to be a violation that warrants further investigation.

PDC staff is reminding the Okanogan School District that to comply with RCW 42.17A.555, the District should refrain from urging voter approval. In addition, PDC staff noted public entities should avoid using checkmarks and reminds the District about the importance of monitoring timing and tone of printed, website and social media content and public outreach focused on election issues. While the rules do allow the use of normal and regular tools to inform the public about a ballot measure, PDC staff have noted that language such as "once in a lifetime opportunity," could be considered promotional in nature. PDC staff have noted that content provided by public agencies regarding a ballot measure that includes students should be closely scrutinized for the possibility of its emotional appeal.

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, contact Alice Fiman toll-free at 1-877-601-2828 or by e-mail at pdc@pdc.wa.gov.

Sincerely,

Alice Fiman Compliance Officer Endorsed by,

/s

Kim Bradford Deputy Director For Peter Frey Lavallee Executive Director

cc: Jerald Brannon