



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

October 27, 2016

KRISTA CARLSON
DIRECTOR OF COMMUNICATIONS
BETHEL SCHOOL DISTRICT
516 - 176TH STREET EAST
SPANAWAY WA 98387

BY ELECTRONIC MAIL ONLY TO: communications@bethelsd.org

Subject: Complaint filed by Dr. Bruce Finnie, PDC Case 4491

Dear Ms. Carlson:

Enclosed is a copy of a letter sent to Dr. Bruce Finnie concerning a complaint he filed with the Public Disclosure Commission (PDC) on April 14, 2016. The complaint alleged that Bethel School District officials violated RCW 42.17A.555 by using or authorizing the use of school district facilities to promote the passage of a bond measure in the April 26, 2016 special election. A copy of the complaint was previously sent to you.

As described in the letter to Dr. Finnie, the PDC will not be conducting a more formal investigation into these allegations or taking enforcement action in this matter. However, note staff's preliminary finding that the billboards and banners reviewed in this case did not appear to constitute an objective and fair presentation of the facts concerning the bond proposition, in that they did not communicate the cost of the bond, or any detailed information about the impacts if the measure was approved or rejected.

In accordance with its normal and regular conduct, the Bethel School District may use billboards and banners to inform patrons of the fact of an upcoming election, and may direct patrons to the district Web site or other resources for more information. To the extent that these communications provide any substantive information, they should describe the authorization the district is seeking (e.g., authority to issue bonds and incur indebtedness for school construction), and should communicate the cost of the proposal to the owner of a home of average value in the district. For more information on the Public Disclosure Commission's view of an "objective and fair presentation of the facts" concerning a ballot proposition, please see RCW 42.17A.555, WAC 390-05-271, and PDC Interpretation 01-03, *Guidelines for School Districts in Election Campaigns*, copies of which are enclosed with this letter.

Krista Carlson
Director of Communications, Bethel School District
PDC Case 4491
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If you have questions, you may contact Jacob Berkey toll-free at 1-877-601-2828, or by e-mail at Jacob.berkey@pdc.wa.gov.

Sincerely,


Tony Perkins
PDC Compliance Officer

Endorsed by,


Evelyn Fielding Lopez
Executive Director

Enclosure: Letter to Dr. Bruce Finnie



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October 27, 2016

DR. BRUCE FINNIE
22512 162ND AVE E
GRAHAM WA 98338

BY ELECTRONIC MAIL ONLY TO: finniebw@plu.edu

Subject: PDC Case 4491, Complaint against Bethel School District Officials

Dear Dr. Finnie:

The Public Disclosure Commission (PDC) has completed its initial review of the complaint you filed on April 14, 2016, alleging that Bethel School District officials violated RCW 42.17A.555 by using or authorizing the use of school district facilities to promote the passage of a bond measure in the April 26, 2016 special election.

PDC staff reviewed your allegations, and preliminary and supplemental responses provided by school district officials. As a result of staff's initial review, we found the following:

- The Bethel School District utilizes a variety of modes of communication, both in matters related to bond and levy elections, and other major policy issues facing the district. These modes of communications have included billboards, banners, fact sheets, election-specific factual mailers, PowerPoint presentations, reader boards, entryway foam posters, vinyl banners, videos, social media (Facebook, Twitter, Instagram and YouTube), bus tours, community town halls/forums, websites and the district's monthly newspaper.
- During the weeks preceding the April 26, 2016 bond election, the district used billboards to notify and inform patrons about the construction bond proposal. The district also affixed banners to surplus busses. Previously, the district used banner advertising before and during both bond campaigns at Art Crate Field. In responding to your complaint, the district stated that the bus signs used in 2016 were similar to smaller fence banners used in prior years.
- The Bethel School District has held three elections in the last five years, and sponsored close to \$100,000 worth of billboards during that time period. This figure includes tens of thousands of dollars in billboard expenses sponsored at times when the district had no levy or bond proposition on the ballot. The district also regularly uses billboards provided free of charge by outdoor advertising companies.

- The billboards and banners sponsored in the context of the April 26, 2016 election communicated, in a very general sense, that the district was seeking authorization to issue bonds for school construction. The billboards and banners also stated the date of the election, and provided a Web address to visit for more information. However, the billboards and banners did not appear to constitute an objective and fair presentation of the facts concerning the bond proposition, in that they did not communicate the cost of the bond, or any detailed information about the impacts if the measure was approved or rejected.
- Voters in the Bethel School District rejected the April 26, 2016 bond measure by failing to provide a supermajority of "yes" votes.

It appears that the Bethel School District's sponsorship of billboards and banners in the weeks preceding the April 26, 2016 special election followed the agency's normal and regular conduct in communicating information about ballot propositions or other major policy issues facing the agency. District officials will be cautioned to ensure that future communications related to ballot propositions constitute an objective and fair presentation of the facts concerning the measure, i.e. by accurately portraying the costs and other anticipated impacts of the proposition.

Based on these initial findings, I have determined that the content of the Bethel School District's billboards and banners related to the April 2016 bond election does not amount to a material violation warranting further investigation. The PDC has closed the matter, and will not be conducting a more formal investigation into your complaint.

If you have questions, you may contact Jacob Berkey toll-free at 1-877-601-2828, or by e-mail at Jacob.berkey@pdc.wa.gov.

Sincerely,



Tony Perkins
PDC Compliance Officer

Endorsed by,



Evelyn Fielding Lopez
Executive Director

cc: Krista Carlson, Director of Communications, Bethel School District