



**State of Washington
PUBLIC DISCLOSURE COMMISSION**

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May 5, 2021

Delivered electronically to "mannlarry95@gmail.com"

Subject: Complaint regarding South Kitsap School District Officials, Tim Winter, Superintendent, PDC Case 85424

Dear Larry L. Mann:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on February 3, 2021. Your complaint alleged that South Kitsap School District Officials, Tim Winter, Superintendent, may have violated RCW 42.17A.555 by spending approximately \$55,000 for five mailers promoting the Levy, with some of the money coming from the District and some of the money coming from South Kitsap School District Supporters, Gerry Austin, Treasurer. You alleged the information in the flyers is obviously biased and a request for voters to approve the levy as evidenced by the numerous "vote" buttons as well as use of the words "this levy is critical" all through the flyer.

PDC staff reviewed your allegations; the applicable statutes and rules, and the response provided by Tim Winters, Superintendent, to determine whether the record supports a finding of one or more violations.

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

- There was a single factual community wide mailer produced and distributed to all residents in the boundaries of South Kitsap School District for the Educational Programs & Operations Levy. There was one four-page mailer, not five as alleged in the complaint.
- The mailer did request voters to approve the levy as alleged in the complaint. The mailer contained factual information related to the programs and positions funded by the EP&O levy. It reminded residents to return ballots but did not tell them to vote in a particular way. The mailer did include a subjective statement saying the levy is critical to the District because it funds 15 percent of the budget.
- The mailer clearly stated it was paid for by South Kitsap School District.

- The graphic design of the mailer was completed by SKSD staff during regular hours. Printing was completed by FedEx and mailing completed by Olympic Presort. The cost of the mailer was \$7,037.08, and not \$55,000 as alleged in the complaint. Costs were as follows:
 - Printing cost for 32,500 copies was \$3,188.25.
 - Mailing cost for approximately 31,740 copies on January 19, 2021 was \$3,848.83.
- In addition to the mailer, SKSD held numerous virtual Levy Facts Presentations for the public. The District also utilized school and district reader boards encouraging the public to vote which is done for all elections whether a SKSD issue is on the ballot or not.

Based on these findings, staff has determined that in this instance no evidence supports a finding of a violation warranting further investigation.

South Kitsap School District officials will be cautioned to refrain from including subjective statements in future mailers, such as the statement that the levy is critical to the District.

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 Phil Stutzman at 360-664-8853, toll-free at 1-877-601-2828, or by e-mail at pdcc@pdcc.wa.gov.

Sincerely,

Electronically Signed Philip E. Stutzman

Phil Stutzman
Compliance Officer

Endorsed by,

Electronically Signed Barbara Sandahl

Barbara Sandahl
Deputy Director
For Peter Frey Lavalley
Executive Director

cc: Tim Winter, Superintendent, South Kitsap School District