



State of Washington
PUBLIC DISCLOSURE COMMISSION

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Memorandum

To: Public Disclosure Commission

From: Tabatha Blacksmith, Compliance Coordinator

Date: October 28, 2021

Subject: Susan (Soosi) Day; PDC Case 94230; Reconsideration Hearing

Matter for Reconsideration:

During a Brief Enforcement Hearing held on July 15, 2021, Susan (Soosi) Day was found to have violated RCW 42.17A.700 for failure to timely file a Personal Financial Affairs Statement (F-1 report) with the Public Disclosure Commission (PDC) no later than April 15, 2021. At the July 15, 2021 Brief Enforcement Hearing, an Order imposing a \$250 penalty, with \$150 suspended, was entered, which Susan (Soosi) Day now requests the Commission reconsider.

Background:

- Susan (Soosi) Day (the “Respondent”) serves as School Director of Pioneer Consol SD 402. Her term began on February 23, 2021.
- The Respondent has no prior violations with the PDC.
- Pursuant to RCW 42.17A.700, an elected or appointed official who took office in 2021 was required to file an F-1 report, disclosing financial information for calendar year 2020, no later than April 15, 2021.
- In March and April of 2021, PDC staff sent email reminders to all elected and appointed officials regarding their missing F-1 reports for calendar year 2020.
- On June 15, 2021, PDC staff emailed the Respondent a warning notice regarding the missing F-1 report for calendar year 2020. The notice was sent to the Respondent’s email address-of-record.

- On June 28, 2021, PDC staff emailed the Respondent a hearing notice for a Brief Adjudicative Proceeding (Brief Enforcement Hearing) to be held on July 15, 2021. The hearing notice was sent to the Respondent's email address-of-record, which was her school district email.
- At the Brief Enforcement Hearing held on July 15, 2021, the Respondent was found in violation of RCW 42.17A.700 for failure to file the F-1 report no later than April 15, 2021, and was assessed a \$250 penalty, consistent with WAC 390-37-143, the Brief Enforcement Hearing penalty schedule adopted by the Commission. The Presiding Officer suspended \$150 of the \$250 penalty conditioned upon the Respondent filing the missing F-1 report and paying the non-suspended \$100 penalty within 30 days of the Initial Order being served.
- The Respondent filed the F-1 report covering calendar year 2020 activity on July 22, 2021.
- On August 17, 2021, PDC staff served the August 12, 2021 Initial Order memorializing the Commission's ruling, by email, to the contact email address-of-record, which was her school district email.
- On October 5, 2021, PDC staff spoke to the Respondent by telephone, at which time she indicated her intent to appeal the Initial Order.

Request for Reconsideration:

- On October 13, 2021, the Respondent, submitted written materials, dated October 12, 2021 to PDC staff appealing the August 12, 2021 Order based upon the facts that 1) a technical issue led her to believe the F-1 report had already been filed in February; and 2) she had a serious medical condition and treatment that lasted three months and frustrated compliance.
- On October 18, 2021, PDC staff served the Respondent, by email, with a hearing notice for an October 12, 2021 Reconsideration Hearing before the Public Disclosure Commission, along with instructions on how to participate in the hearing remotely. This notice was sent to the Respondent's school district email and a personal email address obtained from the Respondent.