



State of Washington
PUBLIC DISCLOSURE COMMISSION

711 Capitol Way Rm. 206, PO Box 40908 • Olympia, Washington 98504-0908
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Toll Free 1-877-601-2828 • E-mail: pdcc@pdcc.wa.gov • Website: www.pdca.wa.gov

March 14, 2024

Delivered electronically to Chris Reykdal, Superintendent of Public Instruction

Subject: Complaint filed by Glen Morgan, PDC Complaint 149641

Superintendent Chris Reykdal,

Below is a copy of an electronic letter sent to Glen Morgan concerning a complaint he recently filed with the Public Disclosure Commission (PDC) against you as a statewide elected official alleging a violation of RCW 42.17A.560 by soliciting contributions during the 2024 Legislative Session freeze period.

As noted in the complaint return letter addressed to Mr. Morgan, PDC staff found no evidence of a violation that would require conducting a more detailed investigation into the complaint allegations or pursuing any further enforcement action in this instance.

In accordance with WAC 390-37-060(1)(d), however, PDC staff is issuing a formal written warning to you concerning the prohibition against soliciting contributions during a Legislative Session freeze period in the future. The Commission will consider this formal written warning in deciding on further Commission action if there are future violations of PDC laws and rules.

PDC staff has dismissed this matter in accordance with RCW 42.17A.755(1). If you have questions, please contact PDC Compliance Officer Kurt Young by e-mail.

Sincerely,

Endorsed by,

/s

Electronically Signed Kurt Young
Compliance Officer

/s

Electronically Signed Peter Lavallee, PDC
Executive Director



Public Disclosure Commission
Shining Light on Washington Politics Since 1972



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March 14, 2024

Delivered electronically to Glen Morgan

Subject: Complaint regarding Chris Reykdal, Superintendent of Public Instruction, PDC Case 149641

Glen Morgan:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on February 26, 2024. The complaint alleged that Chris Reykdal, incumbent Superintendent of Public Instruction in Washington State, and a candidate seeking re-election to that office in 2024, violated RCW 42.17A.560 by soliciting or accepting contributions during the 2024 Legislative Session freeze period to his 2024 re-election Campaign.

PDC staff reviewed the allegations; the applicable statutes, rules, and reporting requirements; the response provided by Chris Reykdal; the Re-Elect Chris Reykdal website; and other relevant information, in order to determine whether the record supports a finding of one or more violations. Based on staff's review, we found the following:

- **RCW 42.17A.560** is entitled "Time limit for state official to solicit or accept contributions" and states in part "(1) During the period beginning on the thirtieth day before the date a regular legislative session convenes and continuing through.... the date that session adjourns, no state official or a person employed by or acting on behalf of a state official, or state legislator may solicit or accept contributions to a ... candidate or authorized committee...."
- For the 2024 Legislative session, the session freeze period began on Saturday, December 9, 2023, 30 days before the regular session convened, and runs through Thursday, March 7, 2024, when the session adjourns.
- On December 31, 2021, Chris Reykdal filed a Candidate Registration (C-1 report) with the PDC declaring his candidacy for re-election to the office of Superintendent of Public Instruction (SPI), selecting the Full Reporting Option, and listing Douglas Scott as Treasurer. Superintendent Reykdal was elected as SPI in 2016 and re-elected to that office in 2020. Prior to that, he served three terms as a State Representative in the 22nd Legislative District.
- The complaint included a copy of a February 25, 2024, email that was sponsored and sent out by the 2024 Friends of Chris Reykdal Campaign (Campaign). The email discussed the 2024 Legislative Session, education related accomplishments, artificial intelligence, and the privatization of education. The email ended by stated "If you are interested in endorsing my campaign for re-election, my website has a mechanism for that! Community members can add their name to my endorsements list at the bottom of this page."

- At the bottom of the email below the signature line, there were the words “DONATE” centered in the middle of the page.
- PDC staff reviewed the Campaign website and found several links from multiple pages to an “Endorse” button but did not find a “Donate” button. In his response, Mr. Reykdal stated that he and his Campaign team follows the PDC campaign finance laws, rules, and reporting requirements and that all donate buttons and donate hyperlinks were removed from their website. He stated that “we disabled all fundraising links from any pathway” when the Campaign disabled its ActBlue donation page which prohibited them “from accepting any donations during the freeze.”
- Mr. Reykdal stated his Campaign “did all of this 30 days prior to the legislative session” and that the donate buttons and hyperlinks remain inactive. He stated that “if anybody has an old email from us, receives an email during this campaign, or attempts to go to the ActBlue donation function they get a clear message that states, ‘This fundraiser is not currently accepting any donations.’” He added that during the session freeze period there is no way for anyone to contribute or donate to his Campaign.
- Mr. Reykdal stated that the “DONATE” and “ENDORSE” buttons are standard template buttons “in our Mailchimp mailing program. It did not land on an active page to donate, and the page says, ‘This fundraiser is not currently accepting any donations.’” He added that the link was supposed to take people to the Campaign’s “active endorsement page.” He reiterated there is no way for a contributor to provide any donor information and there “was not a solicitation to donate in the ‘session update’ email.”
- Mr. Reykdal confirmed that the Campaign did not receive any contributions or any requests to donate in the relevant time period. He stated that the Campaign “did not solicit donations” other than inadvertently including the inactive “DONATE” in the email. He added that there was “no active way for a supporter to make a donation until after the freeze when links are restored and the ActBlue donation template is reactivated.”
- Finally, Mr. Reykdal stated the email outreach message from his Campaign “was a session update and we were seeking to drive readers to an endorsement page which is active and can be accessed via Endorsements | Chris Reykdal” on the Campaign website. He acknowledged that the Campaign “failed to change the button on the bottom” of the standard Mailchimp email template to the Endorse link and reiterated that if any recipient of the Campaign email readers clicked “on the standard ‘Donate’ button they were directed to an inactive donation page.”

Based on these findings, PDC staff found no evidence of a violation that would require conducting a more detailed investigation into the complaint allegations or pursuing any further enforcement action in this instance. While Chris Reykdal is an experienced statewide elected official and former state legislator, the “DONATE” button in question was not active and there was no way for a contributor to contribute through the ActBlue portal. In addition, prior to the session freeze beginning on December 9, 2023, the Campaign removed all donate buttons and links from its website and they disabled “all fundraising links from any pathway” to their ActBlue donation page.

However, despite no contributions being received by the Campaign, the inclusion of the “DONATE” button at the bottom of the email, even if inadvertently included, nonetheless appeared to constitute a solicitation that would technically be a minor violation.

In accordance with WAC 390-37-060(1)(d), PDC staff is issuing a formal written warning to Chris Reykdal concerning the prohibition for elected state officials against soliciting contributions during a legislative session freeze period.

The Commission will consider this formal written warning in deciding on further Commission action if there are future violations of PDC laws and rules. 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, please contact PDC Compliance Officer Kurt Young by e-mail.

Sincerely,

Endorsed by,

/s

Electronically Signed Kurt Young
Compliance Officer

/s

Electronically Signed Peter Lavallee, PDC
Executive Director



c: Chris Reykdal