



**State of Washington
PUBLIC DISCLOSURE COMMISSION**

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May 13, 2025

Delivered electronically to Superintendent Isreal Vela at isreal.vela@kent.k12.us and carolyn.currie@kent.k12.wa.us

Subject: PDC Cases 162804 and 163926 regarding Kent School District Officials

Kent School District Officials:

The Public Disclosure Commission (PDC) completed its review of the complaints filed by Joseph Riley on August 1, 2024, and October 20, 25, 26 and 29, 2024. The complaints alleged violations of RCW 42.17A.555 for use of public facilities or resources to support or oppose a ballot measure/proposition during the 2024 elections.

Applicable Laws and Rules

[RCW 42.17A.555](#) prohibits elected or appointed officials, their employees, and employees of a public office or agency from using, or authorizing the use of, public office/agency facilities (resources), directly or indirectly, for the purpose of assisting an election campaign or for the promotion of, or opposition to, any ballot proposition.

[WAC 390-05-271](#) states that .555 does not restrict the right of individuals to express their own personal views concerning supporting or opposing any candidate or ballot proposition, provided that such expression does not involve the use of public office or agency facilities. The rule also says that .555 does not prevent a public officer or agency from 1) making facilities available on a nondiscriminatory, equal access basis for political uses; or 2) making an objective and fair presentation of facts relevant to a ballot proposition (commonly referred to as a "Fact Sheet") provided such action is part of the office or agency's normal and regular conduct.

Background and Findings

- Kent School District (KSD) is a public school district, with the district office located in Kent, Washington. The district serves students at 44 schools and encompasses Auburn, Black Diamond, Covington, Kent, Maple Valley, Renton, SeaTac, and unincorporated King County.

- KSD regularly communicates in a variety of ways with the public about official business affecting the students, parents, and the community it serves. Communications related to KSD official business are designed and distributed by KSD or an outside vendor at KSD's direction.
- In [PDC Interpretation 01-03](#), Guidelines for School Districts in Election Campaigns, the Commission outlines the basic principles that districts are held to and specifically applicable to this case the district and district personnel, to include:
 1. School districts are authorized by the 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. [RCW 28A.320.090](#), which authorizes the board of directors of any school district to expend funds for this purpose, provides that 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.
 2. School districts are charged with education and instilling civic virtue.
 3. School district employees do not forfeit their rights to engage in political activity because of their employment. Neither may district employees be subjected to coercion, pressure, or undue influence to participate in political activity or to take a particular position. Public officials and employees should make it clear that any participation is personal rather than officially sponsored.
 4. Supervisory school personnel have a duty to know, apply, and communicate to their staff the difference between acceptable information activities and inappropriate promotional activities in support of district ballot measures.
- Additionally, in [PDC Interpretation No. 04-02](#), Guidelines for Local Government Agencies in Election Campaigns, the Commission held that “it is not only the right, but the responsibility of local government to inform the general public of the operational and maintenance issues facing local agencies.” Accordingly, the Interpretation states that “[t]he PDC will presume that every agency may distribute throughout its jurisdiction an objective and fair presentation of the facts for each ballot measure,” typically a jurisdiction-wide “fact sheet” mailing. Such a presentation must accurately portray the cost and other anticipated impacts of a ballot proposition and must not promote or oppose the proposition in the tenor or tone of the language used. An “objective and fair presentation of the facts” concerning a property tax levy may include explaining, in neutral, factual terms, the outcome anticipated if the proposition is rejected by voters.

In addition, an “objective and fair presentation of the facts” must avoid the following:

- Overtly promotional or oppositional content (including inflammatory or emotionally-driven language; check marks and other indications of support; and gratuitous photos that tend to provoke an emotional reaction—e.g. an image of a body on an EMT stretcher, or a house exploding in flames).
- Statements that speculate about possible secondary or tertiary impacts of a ballot proposition.
- Statements seeking to minimize the cost of a ballot proposition, e.g., through comparisons to small-ticket items such as coffee, pizza, or a magazine subscription.

- Statements purporting to describe the sponsoring agency’s responsible fiscal management.
- Detailed information about property tax exemptions; and
- Detailed information about the conduct of elections (e.g. ballot drop-off locations), unless it is the normal and regular conduct of the agency to provide such information in the manner of the proposed publication.

Finally, if an agency wishes to go beyond a single jurisdiction-wide mailed “fact sheet,” for example, to make multiple election-related communications or communications in multiple formats, the agency must be able to demonstrate that these other communications are a part of the agency’s normal and regular conduct. In other words, that the method, format, and frequency is typical of how the agency routinely communicates with its audience. Community events, facilitated by a school district, are allowable as long as the school district has also given the same level of attention to other district issues. “Normal and regular” does not mean that the school district gives levy or bond related issues more attention and resources than to other similarly important issues.

- PDC staff reviewed evidence provided for complaint #142420, filed on August 1, 2024, and found that the means and frequency employed by KSC to communicate with the public about the two levies in 2023, including the emotional language used in some communications, when taken together as a whole, went above and beyond what is normal and regular communication, and indirectly advocated for and/or encouraged a vote to pass both levies in the following manner:
 - Six announcements related to the two levies at the September 7, 2023, football game at Kentwood High School football stadium.
 - Emails directing the KSD staff to send reminder emails/encourage people/families to vote – stating: “it is expected that you send a ‘look for your ballot in the mail’ and remember to vote and mail or drop your ballot by November 7.”
 - A September 5, 2023, email from the acting superintendent to KSD staff stating: “failure of either of these levies would mean significant reductions in staff and services, negatively impacting the organization’s staff that works tirelessly to meet the needs of our students every day.”
- PDC staff reviewed evidence provided for complaints #160896 and #160897, filed on October 20 and 25, 2024, and found the following:
 - In response to further follow-up by PDC staff, the KSD identified 5 levy listening sessions, held on July 1, July 9, August 20, September 17, and October 15, 2024. The sessions were advertised on the KSD website, posted to social media and live feeds, and text messages were sent to inform the community about the events. The KSD provided examples of other topics for which there were meetings and listening sessions in 2024, 2023, and 2022 that were not levy related. The listening sessions related to the levy in 2024 were of “normal and regular” frequency in relation to other topics.
 - Evidence provided by the Complainant was of a video from the October 15, 2024, “Levy Listening Session.” The event occurred live, was streamed on the web, and a video was also published to YouTube. The meeting was not a regular or special meeting of the

Board but was held in the same district facilities that board meetings normally occur. The video was also branded with the KSD logo.

- Those present, both in-person and online, included students and community members, and KSD staff also attended in-person. KSD staff in attendance included Gordon Cook, Director of Facilities, Ro Pango, Executive Director of Finance, Kyle Olsen, Director of Technology, Brett Scriebner, Assistant Director of Capital Projects, Dave Bussard, Executive Director of Operations, and Dr. Wade Barringer, Deputy Superintendent. The staff were seated at the front of the room on the dais and were the only people on camera during the meeting. The beginning of the meeting included a power point video presentation about the levy, then came a Q/A session between the community and KSD staff.
- At approximately 48:25 in the video, a student in the audience made a statement about the lack of trust between the community and the district and asked, “what can we expect from voters when the School Board isn’t listening to them?” Dr. Barringer addressed the question generally about how the district can build trust with the community and did not make comments about the levy. Then an audience member named Joshua, at approximately 56:20, made a statement addressing his perceptions about trust between the community and the district, and he also made favorable comments about the importance of projects associated with the levy getting completed. Dr. Barringer followed up those comments, at approximately 1:01:00, first speaking about trust but then transitioning into comments about the consequences of failing levies. Specifically, he stated:
 - Quote from timestamp 1:01:48 "...people aren't going anywhere if you keep on burning the district down by failing levies, only people we're hurting are our kids..."
 - Quote from timestamp 1:02:08 "...there are several people out there that are making it their mission to continue to see this fail and, on what, on the backs of our kids..."
 - Quote from timestamp 1:03:04 "...because when it comes right down to it, and we don't have those funds, we will go to the general fund...it'll be millions of dollars...85% of our general fund is people, half our people are teachers, so let's just get real clear about what it means for us to have a failed levy and have to lean into our general fund..."
 - Quote from timestamp 1:04:10 "...I can tell you right now, people are not going to run to come work in Kent on back-to-back failed levies and capital measures. they're not coming here..."
 - Quote from timestamp 1:04:45 "...people are not going to run to Kent if we're going to do this in our community. If we are broken and we are not willing to stand next to each other and fix things together, then we get what we get, and that's unfortunate but sometimes we have to learn the hard way..."
 - Quote from timestamp 1:05:21 "...there are people leaving this district because of the lack of support from the community, because of the situation that we're in..."
 - Quote from timestamp 1:05:55 "...again, don't pass levies, jobs, there's no jobs because we're not doing work now on our schools, people aren't going to come live here because property, your home values are going down because now you're not a viable district anymore, because people are looking for, like hey I want to

look for a good district to take my kids to, which is exactly what Kent has always been, now we're in this patch where people like I'm not going to go to Kent, I'm gonna go to Renton or Federal Way or Auburn or wherever..."

- Quote from timestamp 1:06:40 "...we have to build a district, or rebuild a district so people are like I want to be here, we can't do that by failing levies, we can't do that by putting 45 kids in a class...failing levies is not how you get rid of people..."

Then at approximately 1:07:50, Dave Bussard spoke supporting Dr. Barringer's comments, making his own comments about building trust, and then also stated "every time you vote no on a capital measure, you see those three students sitting right there, they may lose heat this winter in their school, the roof might leak, I guarantee Mill Creek's not playing on their field this year and they haven't played on their field in decades..."

Language, identified above, used by Dr. Barringer and Mr. Bussard in their official capacity as public employees of the KSD, is not consistent with an "objective and fair presentation of the facts" as outlined in PDC Interpretation No. 04-02. Furthermore, the timing of these comments, during a KSD sponsored event, is not consistent with permissible uses of facilities and/or resources as outlined in PDC Interpretation 01-03.

- Staff reviewed evidence provided in complaints #161199 and #161368, filed on October 26 and 29, 2024, and found the following:
 - Evidence provided was of a video titled "What happens if the Levy fails?" in which Dr. Barringer responds to the question by presenting outcomes that include using General Fund monies for critical and emergent capital and technology needs which would result in staffing and programmatic cuts. He says "as a reminder, over 80% of our district budget is spent on personnel. So, when we talk about accessing the general fund to pay for things, this unfortunately means cutting positions ... when levies and bonds fail, shortfalls in local and state funding come out of the general fund balance. KSD would be forced to address our critical needs by reducing technology and operation expenditures ...without the necessary funding, we face job losses that could impact our dedicated staff along with the deterioration of essential safety systems and equipment repairs. These cuts can not only threaten our students learning environments but also the safety and wellbeing of our entire school community."
 - On October 28, 2024, KSD Director of Communications and Public Affairs, Faith Sisley, sent an email to all staff reminding them about "a critical measure that supports students and staff on the November 5 ballot" and the message also included a link to the "What happens if the levy fails?" video.

The video, in coordination with the email to staff, is not consistent with permissible activities outlined in PDC Interpretation 01-03 per the *Guidance for school district officials and employees who engage in election activities*.

- KSD, under the direction of Superintendent Isreal Vela, has received previous warnings and violations of PDC requirements.

Summary and Resolution

PDC staff is reminding Faith Sisley, Director of Communications and Public Affairs, about the importance of not using communications to KSD staff, during elections, that are promotional in nature or that can be construed as pressure or coercion to vote in a particular way.

Pursuant to WAC 390-37-060(1)(d), PDC staff are issuing this formal written warning to KSD staff, Dr. Wade Barringer, Deputy Superintendent, and Dave Bussard, Executive Director of Operations, concerning their participation in the “Levy Listening Session,” organized by the KSD, on October 15, 2024. And Dr. Barringer is additionally warned about his presentation of information in the video “What happens if the Levy fails?” Furthermore, Dr. Barringer is also being warned for the March 12, 2024, email to staff directing them to campaign for the levy – stating, “This is a firm expectation that you request to be on the agenda of any community group that you belong to or attend meetings to present/play the levy ppt and distribute information.” This formal written warning includes staff’s expectation that you will not in the future use public resources to influence the outcome of a ballot measure. The Commission will consider the formal written warning in deciding on further Commission action if there are future violations of PDC laws or rules.

On April 25, 2025, Superintendent Isreal Vela completed a Statement of Understanding (SOU) and paid a \$1,000 civil penalty in accordance with WAC 390-37-143 (Brief Enforcement Penalty Schedule), acknowledging violations of RCW 42.17A.555 by authorizing the use of KSD facilities to promote ballot measures included in the April 23, 2024 Special Election and November 5, 2024 General Election. The \$1,000 penalty assessed resolves the allegations outlined in the SOU.

After consideration of all the circumstances, further proceedings would not serve the purposes of the Fair Campaign Practices Act. Under WAC 390-37-070, the executive director, at any time prior to consideration by the Commission, may dismiss a complaint which on its face, or as shown by investigation, provides reason to believe that a violation has occurred, but also shows that the respondent is in substantial compliance with the relevant statutes or rules, or shows that formal enforcement action is not warranted. The executive director must report at each regular Commission meeting all complaints dismissed.

Based on this information, the PDC has dismissed this matter in accordance with [RCW 42.17A.755\(1\)](#).

If you have questions, you may contact Erick Agina or Tanya Mercier, Compliance Officers, by e-mail at pdc@pdc.wa.gov.

Sincerely,

/s/Electronically signed

Erick Agina
Tanya Mercier
Compliance Officers

Endorsed by,

/s/ Electronically signed

Peter Frey Lavalley
Executive Director

cc: Joseph Riley