



STATE OF WASHINGTON
PUBLIC DISCLOSURE COMMISSION

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BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON

In the Matter of Enforcement
Action Against

Saundra Hill, Superintendent, Pasco
School District No. 1

Respondent.

PDC Case No. 13-097

Notice of Administrative Charges
Brief Adjudicative Proceeding
(Brief Enforcement Hearing)

I. JURISDICTION

1. The Public Disclosure Commission (PDC) has jurisdiction over this proceeding pursuant to Chapter 42.17A RCW, the state campaign finance and disclosure law; Chapter 34.05 RCW, the Administrative Procedure Act; and Title 390 WAC. These charges incorporate the Report of Investigation and all related exhibits by reference.

II. ALLEGATIONS

2. PDC staff alleges that Pasco School District Superintendent Saundra Hill violated RCW 42.17.130 and RCW 42.17A.555 by authorizing the use of public facilities to conduct two community surveys in the fall of 2011 and 2012, for the partial purpose of promoting a ballot proposition. The surveys were as described below:
 1. A fall 2011 printed and online survey that included the following question, intended to determine the public's preference for the date of a future bond measure: ***"When would you recommend the board run another bond to request voter approval (requires 60%) to build new schools? (a. As soon as possible / b. 2013 / c. 2014 / d. Not at all)."***
 2. A September 12, 2012 printed survey that included the following question, intended to determine the public's preference for the nature of the bond proposal: ***"The April 2011***

bond election failed. Would you be willing to support a revised bond election that would cost substantially less? (Yes / No – Why Not? / Undecided).”

III. FACTS

3. Pasco School District No. 1 held a bond election in the April 26, 2011 special election. The bond was rejected by voters.
4. Following the failure of the 2011 bond measure, the Pasco School District sponsored a fall 2011 printed and online *Pasco School District Community Survey*, sponsored at an indeterminate cost, with 1,804 respondents participating in the survey.
5. The fall 2011 survey consisted of seven questions, including one election-related question: *“When would you recommend the board run another bond to request voter approval (requires 60%) to build new schools? (a. As soon as possible / b. 2013 / c. 2014 / d. Not at all).”*
6. On September 12, 2012, the Pasco School District sponsored a printed *Patron Survey*, sponsored at a total cost of \$2,244, with 3,910 respondents participating in the survey.
7. The September 12, 2012 survey consisted of eight questions, including one election-related question: *“The April 2011 bond election failed. Would you be willing to support a revised bond election that would cost substantially less? (Yes / No – Why Not? / Undecided).”* Counsel for the Pasco School District estimated that it cost approximately \$320 to include this election-related question in the survey.
8. Pasco School District Director of Public Affairs Leslee Caul testified that the 2011 and 2012 surveys were the result of a group effort of senior school officials convened by Superintendent Saundra Hill.
9. Superintendent Saundra Hill testified that the purpose of the September 12, 2012 survey was to determine the nature of the bond proposal to place before voters. She stated that the district desired to know how the public wanted them to address student overcrowding, i.e., whether to construct middle schools, elementary schools, and how many of each. Superintendent Hill testified that in response to the survey results, the district decided not

to propose bonds to construct a middle school, but instead bonds to construct elementary schools.

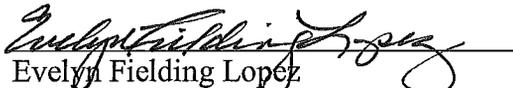
10. On November 27, 2012, the Pasco School District Board of Directors acted to place a measure on the February 12, 2013 special election ballot, seeking approval for a \$46 million bond to fund the construction and improvement of school facilities. The bond measure was approved, with approximately 62% “yes” votes in the special election.

IV. LAW

RCW 42.17A.555¹ states the following, in part:

“No elective official nor any employee of his office nor any person appointed to or employed by any public office or agency may use or authorize the use of any of the facilities of a public office or agency, directly or indirectly, for...the promotion of or opposition to any ballot proposition.”

RESPECTFULLY SUBMITTED this 4th day of December, 2015.


Evelyn Fielding Lopez
PDC Executive Director

¹ Prior to January 1, 2012, RCW 42.17A.555 was codified as RCW 42.17.130.