



STATE OF WASHINGTON

PUBLIC DISCLOSURE COMMISSION

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BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON

South Seattle Colleges
Attn: Derek Edwards, Assistant Attorney General
800 5th Avenue, Suite 2000
Seattle, WA 98104-3188

In Re Compliance with RCW 42.17A

South Seattle Colleges

Respondent.

PDC Case No. 15-050

Findings of Fact,
Conclusions of Law, and
Order Imposing Fine

A brief enforcement hearing (brief adjudicative proceeding) was held December 17, 2015, in Room 206, Evergreen Plaza Building, 711 Capitol Way, Olympia, Washington to consider whether the Respondent violated RCW 42.17A.635 by failing to timely file a report of Lobbying by State and Local Government Agencies (L-5 report) disclosing all lobbying activities undertaken during the last quarter of calendar year 2013.

The hearing was held in accordance with Chapters 34.05 and 42.17A RCW and Chapter 390-37 WAC. A brief enforcement hearing notice was sent to South Seattle Colleges to the attention of Sarah Laslett on December 2, 2015. Commission Chair Katrina Asay was the Presiding Officer. The Commission staff was represented by Kurt Young, Compliance Officer. Derek Edwards, Assistant Attorney General, appeared as legal counsel representing South Seattle Colleges, and Sarah Laslett participated by telephone at the hearing and provided testimony to the Presiding Officer.

Having considered the evidence, the Presiding Officer finds as follows:

FINDINGS OF FACT

1. The L-5 report is required to be filed by any public agency that meets the requirement of having lobbied or met in person with state legislators for more than four days or parts of four days, in any 90 day period for the purpose of supporting or opposing legislation.
2. Sarah Laslett was the Executive Director of WA State Labor Education and Research Center (LERC), which was located on the South Seattle College Georgetown Campus.

3. Ms. Laslett stated that in 2008 LERC lost almost one-half of its funding, so from September 2013 through January of 2014 she had in-person contacts with several state legislators for more than four days or parts of four days to restore funding for the LERC program. She acknowledged that those activities failed to get disclosed on an L-5 report for South Seattle College.
4. Based on Ms. Laslett's statements, the L-5 report was required to have been filed by South Seattle Colleges no later than January 31, 2014, covering the period October 1 through December 31, 2013.
5. On April 30, 2015, the Respondent filed an L-5 report under the name Seattle College District, South Seattle College LERC disclosing \$1,331 in public funds had been expended for lobbying-related activities during the last quarter of calendar year 2013. The L-5 report was filed by the Respondent 454 days late.
6. The L-5 report filed by the Respondent disclosed that \$1,004 in public funds were expended for Ms. Laslett's salary and time spent lobbying in the fourth quarter of 2013, plus an additional \$327 in public funds were expended for Ms. Laslett's lobbying related travel costs. The L-5 report disclosed that Ms. Laslett spent 1.54% of her time, or eight hours, during the fourth quarter of 2013 meeting with legislators.
7. Ms. Laslett stated that she was not aware of the L-5 reporting requirements for agency lobbying at the time. She stated that as soon as she became aware of the L-5 reporting requirements, she provided the Respondent with her reportable lobbying information to disclose on the L-5 report.
8. Mr. Edwards stated that the Seattle College District includes South Seattle College, North Seattle College, and Seattle Central College. He stated that Rich Nafzinger, former Executive Director, prepared the L-5 report on behalf of the district, but he left prior to Ms. Laslett's lobbying efforts seeking additional LERC funding. He stated that the L-5 reporting requirement "slipped through the cracks" after Mr. Nafzinger left, and that Jill Wakefield, Chancellor at South Seattle College signed the L-5 report on behalf of the Respondent after being notified of the complaint.

CONCLUSIONS OF LAW

Based on the above facts, as a matter of law, the Presiding Officer concludes as follows:

1. This matter was duly and properly convened and all jurisdictional, substantive and procedural requirements have been satisfied.
2. The Respondent violated RCW 42.17A.635 by failing to timely file a report of Lobbying by State and Local Government Agencies (L-5 report) disclosing all lobbying activities undertaken during the last quarter of calendar year 2013.

ORDER

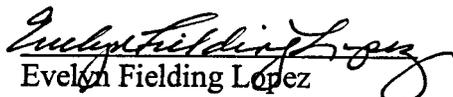
ON the basis of the foregoing Findings of Fact and Conclusions of Law,

IT IS HEREBY ORDERED that the Respondent is assessed a \$150 civil penalty, of which the entire \$150 penalty is suspended on the condition of no further violations of RCW 42.17A for four years from the date of the Order.

This is an **Initial Order** of the Public Disclosure Commission.

Entered this 22nd day of December, 2015.

Public Disclosure Commission


Evelyn Fielding Lopez
Executive Director

I, Kent Young, certify that I mailed a copy of this order to the Respondent/Applicant at his/her respective address postage pre-paid on the date stated herein.

Enclosure: Information about Appeal Rights

**INFORMATION ABOUT APPEALS OF INITIAL ORDERS,
FURTHER APPEAL RIGHTS,
AND ENFORCEMENT OF FINAL ORDERS**

APPEALS

REVIEW OF INITIAL ORDER - BY THE COMMISSION

The presiding officer will issue an initial order following a brief enforcement hearing. Any party may request the Commission review an initial order. Parties seeking the review must:

- Make the request orally or in writing, stating the reason for review. *WAC 390-37-144.*
- Deliver the request so it is received at the Commission office within **TWENTY-ONE (21) BUSINESS DAYS** after the postmark date of the initial order.

A Respondent does not need to pay a penalty until after the Commission rules on the request. If the Commission is unable to schedule a meeting to consider the request within twenty (20) business days, the initial order becomes a **final order** and the request will automatically be treated as a **request for reconsideration** of a final order (unless the party advises the Commission otherwise, such as by withdrawing the request). See more information on reconsideration below.

If the request for review was an oral request, it must now be confirmed in writing. The matter will be scheduled before the full Commission as soon as practicable. If the Commission does not receive a request for review within twenty-one (21) business days, the initial order will automatically become a **final order**. At that point, the Respondent is legally obligated to pay the penalty unless reconsideration has been sought or the matter has been timely appealed to Superior Court. *RCW 42.17A.755; RCW 34.05.470; RCW 34.05.570.*

RECONSIDERATION OF FINAL ORDER – BY THE COMMISSION

Any party may ask the Commission to **reconsider** a final order. Parties seeking reconsideration must:

- Make the request in writing;
- Include the specific grounds or reasons for the request; and
- Deliver the request to the PDC office so it is received within **TWENTY-ONE (21) BUSINESS DAYS** of the date that the Commission serves this order upon the party. *WAC 390-37-150.*

- Note: the date of service by the Commission on a party is considered the date of mailing by U.S. mail if the order is mailed, or the date received if the order is personally served. RCW 34.05.010(19). (The Commission orders are generally mailed via U.S. mail.)

Within twenty (20) business days after the petition for reconsideration is filed, the Commission may either act on the petition or notify the parties in writing of the date by which it will act. If neither of these events happens within twenty business days, the Commission is deemed to have denied the petition for reconsideration. *WAC 390-37-150.*

A Respondent is not required to ask the Commission to reconsider a final order before seeking judicial review by a superior court. *RCW 34.05.470(5).*

FURTHER APPEAL RIGHTS – SUPERIOR COURT

A **final order** issued by the Public Disclosure Commission is subject to **judicial review** under the Administrative Procedure Act (APA), chapter 34.05 RCW. *RCW 42.17A.755.* The procedures are provided in the APA at RCW 34.05.510 - .574.

ENFORCEMENT OF FINAL ORDERS

If **enforcement** of a final order is required, the Commission may seek to enforce a final order in superior court under RCW 42.17A.755 - .760, and recover legal costs and attorney's fees if a penalty remains unpaid and no petition for judicial review has been filed. This action will be taken without further order by the Commission.