

VIA ELECTRONIC TRANSMISSION

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December 29, 2017

State of Washington Public Disclosure Commission
711 Capitol Way Room 206
Post Office Box 40908
Olympia, Washington 98504-0908
pdc@pdc.wa.gov

**Re: KENNEWICK SCHOOL DISTRICT No. 17; PASCO SCHOOL DISTRICT No. 1;
RICHLAND SCHOOL DISTRICT No. 400**
Violation Of RCW 42.17A.555 et. seq.

Dear Sir or Madam:

Submitted herewith is a complaint regarding the violations of RCW 42.17A.555.

Thank you in advance for your assistance. Please keep me apprised of your progress and final determination in this important community matter.

RESPONDENTS

Kennewick School District No. 17, 1000 W. Fourth Avenue, Kennewick, Washington 99336
Dave Bond, Superintendent, (509) 222-6550, dave.bond@ksd.org.

Pasco School District No. 1¹, 1215 W. Lewis Street, Pasco, Washington 99301
Michelle L. Whitney, Superintendent, (509) 543-6700, mwhitney@psd1.org.

Richland School District No. 400, 615 Snow Avenue, Richland, Washington 99352
Rick Schulte, Superintendent, (509) 967-6001, rick.schulte@rsd.edu.

¹ On February 16, 2016, former Superintendent, Saundra Lynn Hill, WSBA No. 31016, executed a stipulation to the violation of RCW 42.17A.555 on the part of Pasco School District No. 1 (PDC Case 31-097).

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STATEMENT OF MATERIAL FACTS

For all included dates herein, the public was on notice that Respondents intended to place an Local Enrichment Levy² proposition on the February 13, 2018 Special Election Ballot. Respondents Richland and Kennewick incorporated a “Technology Levy” into the same Special election Ballot.

Historically, and without exception, Kennewick School District No. 17, Pasco School District No 1 and Richland School District No. 400 have independently provided Levy information by way of website pages and local community mailers.

On or about October 6, 2017, Superintendents for Respondents began discussing a shared “*Tri-Cities School Levy*” campaign to support Enrichment Levies for the February 13, 2018 Special Election Ballot. **EXHIBIT 1**, page 3 from the minutes of their October 6, 2017 meeting provides:

“Levy video explaining state-imposed changes. We decided that we would talk with our Communications staffs and see if they could work together to create a general video explaining the changes from Levies in the past to the new Levies.”

On or about October 17, 2017, Kennewick School District's Kelsey McMahon signed an agreement with Focalpoint Marketing & Multimedia (same group which coordinated the marketing campaign for The Link Entertainment Center, PDC Cases 28028 and 26814). **EXHIBIT 2**, page 1. Integral to that agreement were the following statements solely related to the “*The Tri-Cities School Levy*” campaign seeking approval of the proposed levies:

“This PSA campaign will serve to educate our community on the changes *so that when the districts DO* (emphasis in original) *seek funding through future levies, they have a chance.* (Emphasis added).

The client has requested a "trusting voice", perhaps someone that sounds like a concerned mother of school-age children.” (Emphasis added).

² Erroneously referred to by Respondents as “Educational Programs and Operation Levy” or “Educational Programs Levy”.

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Both contractual provisions are indicative of the desire on the part of Respondents to utilize public resources for a partisan style campaign in support of the “*Tri-Cities School Levy*” measures, as opposed to a neutral educational campaign. As opposed to a strictly educational campaign, Respondent Kennewick School District sought to improve the chance for approval by incorporating language which indicated “*so that when the districts DO* (emphasis in original) *seek funding through future levies, they have a chance*. Furthermore, Respondent Kennewick School District sought a “*trusting voice, perhaps someone that sounds like a concerned mother of school-age children*” as opposed to a neutral, informational voice.

On or about October 17, 2017, Kennewick School District's Kelsey McMahon, Visual Media & Communications Coordinator purchased the website <http://waschoollevy.org/>, purchased a hosting server service, as well as purchased the design and published a website (see **EXHIBIT 3**).

The <http://waschoollevy.org/> website serves the Kennewick, Pasco and Richland School Districts in supporting the “*Tri-Cities School Levy*” seeking approval of their February 13, 2018 Enrichment and other Levies (see **EXHIBIT 4**, pages 9 and 10). The website includes audio and video presentations (available at <https://vimeo.com/245402392>).

On November 2, 2017, Kennewick School District No. 17 Director of Communications and Public Relations, Robyn Chastain, communicating a change in the script for the “*Tri-Cities School Levy*” campaign, admonishes Focalpoint Market and Multimedia Partner – Creative Director Thomas Manley as follows:

“We know that parents don’t vote. It’s the senior citizens that keep us in business.” (Emphasis added).

EXHIBIT 5 is a true and accurate copy of that email. On paid public time, using paid public resources, Chastain is communicating to whom the marketing program must be directed (senior citizens) in order to best solicit “yes” votes for the ballot measures.

On November 3, 2017, Superintendents of each of the Respondents began discussing a shared campaign to establish a shared “*Gold Card*” program”. **EXHIBIT 6**, page 2 from the minutes of their November , 2017 provides:

“Tri-Cities Area Reciprocal Senior Gold Card. All are in favor of having a gold card that can be used in all three districts. Richland and Kennewick have policies that would need to be tweaked. Pasco has a practice of issuing gold cards as well. Michelle will check to see if Pasco

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has a policy. Dave will send some potential language to the other districts.”

Respondent's Superintendents also continued their conversation concerning the shared “*Tri-Cities School Levy*” campaign to promote levy measures for the February 13, 2018 Ballot.

On November 14, 2017, Respondent Pasco School District No. 1 held a Study Session related to a February 13, 2018 Special Election Ballot measure titled to the “Replacement Of Expiring Educational Programs And Operation Levy”³. A video of that Study session is located at <https://www.youtube.com/watch?v=WUUrGhNhWM4>.

During that Study Session, Board President Lehrman specifically seeks input from the Proponent Committee, “Pasco Citizens for Better Schools”, as to when is the best time for them to run a successful Levy campaign (February, April or August):

*“Would it be harder for you if we ran it in February, April or August”*⁴?
(Emphasis added).

Pasco Citizens for Better Schools responds that February is best for them (*elapsed video time generally 0:54:45 through 0:60:00*). The Opposition Committee was known to the District since at least October 10, 2017. No such inquiries were made to the Opposition Committee.

At elapsed time 1:21:00-end, Respondent Pasco School District No. 1 Superintendent Whitney expresses concern about the turn around time for Proponent Committees to mount a campaign to support campaign measures.

It is noted that during that Study Session, Board of Director Members made multiple derogatory statements towards the Opposition Committee, additional evidence that it was aware of said committee.

Resolution 945 placing the Levy measure on the February 13, 2018 Special Election Ballot was approved later that evening during its regular meeting. The video of that regular meeting is available at: <https://www.youtube.com/watch?v=uPUVGuz4qS4>. Approval at elapsed time, generally 1:36:40-1:52:20.

³ See Footnote 2

⁴ Member Lehrman is conducting a survey intended to determine the public's preference for the date of a future levy measure.

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On December 1, 2017, Superintendents for Respondents held a meeting. Both the “*Tri-Cities School Levy*” Campaign and “*Gold Card*” program” were discussed. **EXHIBIT 7**, page 2 from the minutes of their December 1, 2017 meeting provides:

“Levy, Tech levy – Review PSA and website. Rick commented that he has used the PSA already with a PTA group, and his parents are more concerned about the District providing great schools than the cost⁵. All of us are pleased with what the Communications folks have produced. We are all in agreement that we should find a way to combine a presentation for the Retired Teachers. Dave will send out a copy of the KSD Levy presentation. Dave mentioned that he did the presentation for every school staff as well as community groups. Michelle talked about the past practice in Pasco around Levy publicity.

Tri-Cities Area Reciprocal Senior Gold Card. Dave handed out the sample policies and gold card mock-ups. Rick will be talking to his Board Chairman on Tuesday and will inquire about adding this item to a December agenda. If Richland is ready to move forward, Kennewick will present it on December 13, and Pasco will determine when it wants to move forward.”

At its December 12, 2017 Board Meeting, Respondent Pasco School District No.1 considered agenda items including 10 D) Policy 4222, “The Senior Citizens' Gold Card Program” and 11 B) “Pro/Con Committee for Voters’ Guide” (appointments to the Committees advocating approval or disapproval of the February 13, 2018 Enrichment Levy under RCW 29A.32.280). **EXHIBIT 8** is a true and accurate copy of that agenda. A video of that Study session is located at <https://www.youtube.com/watch?v=WUUrGhNhwM4>.

⁵ Respondent Schulte conducted a survey with the sole purpose to determine what taxation level the public would support on the February 13, 2018 Levy election.

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The Board considered Policy 4222 *“The Senior Citizens' Gold Card Program”* (generally elapsed time 1:14:15-1:24:40). Devised by Respondents' Superintendents, the purpose of the program was to create a reciprocal benefit to senior citizens of Kennewick, Pasco and Richland, with the idea of “engaging” those senior citizens⁶. Although ten (10) School Districts exist in Benton and Franklin Counties, only Respondent School Districts supporting the *“Tri-Cities School Levy”* Marketing Campaign enumerated above were involved and planned to promote the program. Board members expressed concern about potential public expenditures that would be associated with the program. Concern was also raised about providing free access cards absent any security checks. It was noted by multiple Board members that the *“Gold Card”* program:

“is good for our Bonds and Levies...makes it harder to vote against students and teachers you know” (emphasis added).

The Board approved the new *“Gold Card”* program. Clearly, the timing of the new *“Gold Card”* program coincided with the *“Tri-Cities School Levy”* marketing campaign jointly sponsored by Respondent Districts.

Later, at the same meeting, the Board considered “Pro/Con Committee for Voters’ Guide” (generally elapsed time 1:27:50-1:37:40). The Board again made derogatory comments about the Opposition Committee, indicating that telling the public that “maybe they should vote for the levy because of who is writing the statement in opposition”⁸.

The activities enumerated herein are not “(a)ctivities which are part of the normal and regular conduct of the office or agency.

⁶ On November 2, 2017, Kennewick School District No. 17 Director of Communications and Public Relations, Robyn Chastain asserted *“It’s the senior citizens that keep us in business.”* (Emphasis added).

⁷ Elapsed time 1:22:30-1:22:55.

⁸ As noted in PDC Case 13-097, prior to 2013, Pasco School District No. 1 would fail to follow the provisions of RCW 29A.32.280, only administratively appointing a proponent committee. When Complainant requested to write an opposition statement for a proposed 2013 Bond, former Superintendent Hill, WSBA No. 31016, advised her staff “If he wants to write an opposition, I think it’s up to him”, and failed to communicate back regarding the request.

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LAW AND REGULATIONS

RCW 42.17A.555 - Use of public office or agency facilities in campaigns—Prohibition— Exceptions.

No elective official nor any employee of his or her 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 purpose of assisting a campaign for election of any person to any office or for the promotion of or opposition to any ballot proposition. Facilities of a public office or agency include, but are not limited to, use of stationery, postage, machines, and equipment, use of employees of the office or agency during working hours, vehicles, office space, publications of the office or agency, and clientele lists of persons served by the office or agency. However, this does not apply to the following activities:

- (1) Action taken at an open public meeting by members of an elected legislative body or by an elected board, council, or commission of a special purpose district including, but not limited to, fire districts, public hospital districts, library districts, park districts, port districts, public utility districts, school districts, sewer districts, and water districts, to express a collective decision, or to actually vote upon a motion, proposal, resolution, order, or ordinance, or to support or oppose a ballot proposition so long as (a) any required notice of the meeting includes the title and number of the ballot proposition, and (b) members of the legislative body, members of the board, council, or commission of the special purpose district, or members of the public are afforded an approximately equal opportunity for the expression of an opposing view;
- (2) A statement by an elected official in support of or in opposition to any ballot proposition at an open press conference or in response to a specific inquiry;
- (3) Activities which are part of the normal and regular conduct of the office or agency.
- (4) This section does not apply to any person who is a state officer or state employee as defined in RCW 42.52.010.

CONCLUSION

Naturally, one would not expect to find an agenda topic or budget line item titled “Public Expenditures for a Campaign to Adopt a Levy”. As such, the public must rely on the actions, statements and documents as the only transparent means of determining the basis or purpose of administrative and Board actions.

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Based on the revealing facts, actions, statements and documents provided herein, Respondents expended public funds, utilizing public paid time, equipment and resources, for the purpose of assisting campaigns for the promotion of levy propositions placed on the February 13, 2018 Special Election Ballot.

As Respondents historically waged their own informational campaign, this combined/coordinated campaign shows that Respondents engaged in “(a)ctivities which are (not) part of the normal and regular conduct of the office or agency.”

Respondents, utilizing public resources, public staff and public equipment, established, designed and and rolled out the “*Tri-Cities School Levy*” marketing” campaign. This program was directed towards and sought February 13, 2018 levy approval, especially from the senior citizen population.

In a parallel, and supporting the “*Tri-Cities School Levy*” campaign, Respondents created the Kennewick, Pasco and Richland “*Gold Card*” Program. This program, created with public resources, public time and public equipment, provided a targeted group, senior citizens which “*keep us in business*”, free access to all school activities (ASB, sports, plays, etc. - all events normally subject to entrance fees) and free meals (breakfast and lunches).

Utilizing public resources, Respondents created a two prong partisan campaign seeking approval on Enhancement Levies propositions placed on the February 13, 2018 Special Election Ballot. The campaigns were directed towards:

“the senior citizens that keep us in business”

With the understanding that the campaigns were:

“good for bonds and levies”, “mak(ing) it harder to vote against students and teachers you know”. (Emphasis added).

And:

“so that when the districts DO (emphasis in original) seek funding through future levies, they have a chance (emphasis added)”

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Moreover, both Respondents Pasco and Richland conducted surveys with the purpose: 1) to determine the public's preference for the date of a future levy measure (Pasco); and 2) to determine what taxation level the public would support in the February 13, 2018 Levy election (Richland).

Respondents violated RCW 42.17A.555, by utilizing public resources in the creation of these two (2) programs, designed to seek approval from a sympathetic voting block, as well as conducting surveys to determine when a future election should be held, and what level of levy is acceptable.

CERTIFICATION

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the facts set forth in this complaint are true and correct.

Best Regards,

A handwritten signature in black ink, appearing to read "Roger E. Lenk", written in a cursive style.

Roger E. Lenk

Exhibits (8)

EXHIBIT 1

From: [Dave Bond](#)
To: ["rick.schulte@rsd.edu"](mailto:rick.schulte@rsd.edu); [Michelle I. Whitney](#)
Subject: Draft Minutes
Date: Sunday, October 8, 2017 2:43:33 PM
Attachments: [SC Minutes 10 06 2017.docx](#)

Michelle, Rick,

Here is what I recorded for minutes on Friday. Let me know if I missed anything big. Thanks.

Dave Bond, Superintendent

Kennewick School District

1000 West Fourth Ave

Kennewick, WA 99336

509-222-5020

www.ksd.org



Minutes

Superintendents Council

Friday, October 6, 2017 – 7:30 AM

Richland High School (location change)

1. **Tour** – We took a tour of the new 12 classroom building at Richland High and talked about its construction and features.
2. **Approval of Minutes** – The minutes were approved as presented.
3. **Budget Report** – Michelle Dearlove presented a nearly final Delta budget report. She still has a couple of final invoices to reconcile with Pasco and needs a final CTE number. She will schedule a meeting with Howard to do a final handoff.
4. **Principal Report - Update on AP/Instructional Coach** – Jenny was unable to attend but reports that Tania Gauman has been hired as the new AP. Rick reported that Ms. Gauman is still teaching first period at Richland High and will until a replacement is found. Once first period is over, she heads to Delta for her duties there.
5. **STEM Education Foundation Update** – Rick shared a handout from the Foundation that shows all the financial benefits that the STEM Foundation has created for STEM-related pursuits in the Tri-Cities over the last two years.
6. **Updating Inter-Local Agreement due to Funding Formula Changes.** We will tackle this in more depth in January-February.
7. **Other Topics / Superintendent Forum**
 - a. **Bargaining with Principals** – Rick confirmed that Richland had given the same percentage increase to principals as teachers. Michelle talked about the difficulty of bargaining due to the medical package provided to Pasco principals. We talked about the use of stipends for administrators to account for extra duties such as boundary committees, etc. Since most deals are for one year, we will get to repeat a lot of this next year
Hermiston joining middle school athletic league – Dave presented a letter to sign welcoming Hermiston to the middle school league. Everyone signed, and Dave will send it to Hermiston and to superintendents.

- b. **Legislative Stuff** (Levy, Tech levy, etc.). Dave and Rick want to meet with Sharon Brown sometime during October. Dave will try and set up a meeting. Dave thanked Rick for sharing the information regarding Richland's potential tech levy. The KSD is also considering a tech levy.
- c. **Bussing – MS Students** – 1-mile v. 1.5 miles – Dave shared that the KSD is likely to change its middle school mileage pickup to 1 mile from the current 1.5, joining Pasco in that mileage number. This will be voted on by the Board on October 25, and would go into effect next school year.
- d. **Technology – 1-1 implementation and challenges**. Rick talked about the issue that came up in the newspaper and the challenge of filtering for images. Richland and Libby have a new process where students can leave their Chromebook at the school if parents are concerned about what they might access on the internet.
- e. **Leadership Tri-Cities date** – Michelle is still checking to see if the date got changed/traded.
- f. **WARNs assessment** – Dave shared a copy of the ACES assessment. Benton/Franklin Juvenile Justice has approved the ACES assessment for use in place of the WARNs.
- g. **HS staffing**. No notes???
- h. **District office staffing**. Michelle shared some conversations where principals have questioned central office staffing and we talked about how we deal with those concerns.
- i. **District websites – OCR complaints**. Dave shared the complaint the KSD had received. Richland received a similar complaint. Dave shared the response letter they had sent to OCR.
- j. **3 Hour Delays** – We agreed on the following:
 - i. **If we call a two-hour delay, it will only be a two-hour delay or a cancellation if the weather doesn't improve.**
 - ii. **If we call a three-hour delay, it will only be a three-hour delay or a cancellation if the weather doesn't improve.**
 - iii. **We will never change from a two-hour delay to a three-hour delay.**
- k. **Levy video explaining state-imposed changes**. We decided that we would talk with our Communications staffs and see if they could work together to create a general video explaining the changes from Levies in the past to the new Levies.

Future Supt Council Meetings

| | |
|-------|------------------------------------|
| Oct 6 | Oct 20 |
| Nov 3 | Nov 17 WSSDA Conference |

Dec 1

Dec 15

Jan 5

Jan 19

Future STEM Foundation Meeting

Sept 19 - Rick

Nov 21 - Dave

Jan 16 - Rick

Mar 20 - Michelle

May 15 - Dave

July 17 - Michelle

EXHIBIT 2



DATE: October 17, 2017
BID EXPIRES: November 17, 2017

OFFICIAL PROJECT ESTIMATE – School Levy PSA Campaign

BACKGROUND: Kennewick School District (KSD) is looking for a partner to develop an integrated PSA campaign on the recent legislative changes to school funding in Washington State. Representing all of the school districts in Tri-Cities for this project, KSD wants the PSA to clearly communicate the legislative changes, articulating the various adjustments to taxes, tax rates and just what is covered under the existing levies. As most school districts will experience a budget shortfall due to these changes, districts will likely need to seek additional funding through future levies to recoup the funding. **This PSA campaign will serve to educate our community on the changes so that when the districts DO seek funding through future levies, they have a chance.**

Scope of Work: FPM will create animated infographic-style 30-second (for TV) and 60-second (for web/social media) video ads educating the general public on the changes to school funding in Washington. **The client has requested a “trusting voice”, perhaps someone that sounds like a concerned mother of school-age children.** Final videos will be closed-captioned, in both English and Spanish. Audio from the videos will be repurposed for radio. KSD is looking to have the first TV ads run starting in December 2017, with the web videos launched mid-November.

TIMING: Once this contract is signed, FPM will develop a timeline with the client for production.

COST:

MULTIMEDIA COLLATERAL BID

| PRODUCT | COST | INITIAL |
|---|----------------|---------|
| Production of Animated Commercials – 30-second & 60-second Versions (English) | \$3,500 | |
| Rework Animated Commercials in Spanish | \$1,500 | |
| Export Audio for Radio (same as television) | no charge | |
| Music, Narration, Stock Graphics | \$1,000 | |
| Duplication to Broadcasters | \$400 | |
| TOTAL: | \$6,400 | |



AGREEMENT: This Agreement will set forth the terms and conditions on which Kennewick School District ("you", "your" or "client") agree to employ Focal Point Marketing, LLC ("we", "us" or "FPM") and we agree to produce marketing materials for said client.

PROOFING: Your bid includes two rounds of revisions. Please gather all your changes/revisions and submit them in writing. If more than two rounds of revisions are necessary, they will be billed at our standard hourly rate.

CHANGE ORDERS: Work change orders (WCO's) will be issued for additional work and changes requested after approvals or commencement of work. WCO's include a description of the change/addition requested, estimated additional costs, and changes, and changes to work schedules/project completion. Client's signature is required on WCO's to proceed with changes/additions.

COMPENSATION: Our compensation for services provided are set forth in the cost section of this agreement (see above).

BILLABLE ITEMS: In addition to the fees and costs estimated herein, costs incurred for outside services (TBD), travel expenses, print, duplication fees, etc. are billable at cost. Wherever applicable, state and local sales taxes will be included in Billable Items. All purchases made on client's behalf will be billed to the client. Charges for sales tax, shipping and handling are additional to the price of each purchase. In the event the client purchases or requests use of materials, services, or any items other than those specified by FPM, FPM is not liable for the cost, quality, workmanship, condition, or appearance of such items.

SCHEDULE OF PAYMENT: For hourly-billing clients, there will be a regular monthly billing based on hours consumed or periodic approval points. For fee billing, Focal Point Marketing requires a 25% deposit before the first meeting for development of the project, another 25% at 50% completion of the project, 75% after 2nd proof and 100% upon completion of the project. Invoices are payable upon receipt. There will be a 3% added fee if client chooses to pay with credit card.

TRADEMARK, TITLE, TRADE DRESS, SLOGAN USER LIABILITY: Should you request the use of a trademark, title, trade dress, or slogan (not developed by FPM) in/on marketing collateral developed by FPM, it will be your responsibility to ensure that you have permission to use the said logo/trademark, title, trade dress, or slogan and that there are not any restrictions. Should you want a trademark, title, trade dress, or slogan search completed to insure that there are no possible infringements, FPM can provide that service for you at an additional fee.

COPYRIGHT, PLAGIARISM, PIRACY OR MISAPPROPRIATION OF IDEAS: For content delivered for use by client (not developed by FPM), you will ensure that said content is not an infringement on copyrights nor a result of plagiarism, piracy or misappropriation of ideas of another entity.

SPECIFIC TO VIDEO PROJECTS: For Video projects, all media/content that is



delivered by the client for use in the project must be in an approved, ready-to-use, electronic format and you are responsible for all releases of media content not developed by FPM. Hourly fees will be incurred for any editing, modifications, touch-ups, formatting, file conversions, scanning, or media preparation necessary to complete the project per the original agreement.

NATIVE FILE USAGE: Clients may request native files, raw footage, or photos developed by FPM be used in other projects that FPM produces at no additional charge. Native files, raw footage, or photos will not be loaned or sold for use by other persons or entities.

BASIC SERVICES: Our services to you shall include services customarily performed by a general marketing and multimedia-advertising agency.

GENERAL: FPM will obtain your written authorization before making any substantial expenditure(s) on your behalf. We are authorized to act on your behalf as an agent for a disclosed principal in connection with our services hereunder provided that such services are in connection with a job or project, which has been (or such services have otherwise been) authorized by you.

As between you and us, any plan, advertising material or special material that we produce on your behalf will become your property when you have paid our invoices. Any material or ideas prepared or submitted to you, which you have chosen not to produce or for which you have not paid our corresponding production invoices, will remain our property (regardless of whether the physical embodiment of creative work is in your possession in the form of copy, artwork, plates, recordings, films, tapes, etc.) may be submitted to other clients for their use, provided that such submission or use does not involve the release of any confidential information regarding your business or methods of operation. For purposes hereof, "produce" shall be defined as any material which is created in tangible form pursuant to a signed production estimate.

We hereby agree to indemnify and hold you harmless from and against any and all claims, demands, regulatory proceedings and all damages, costs (including, without limitation, settlement costs) and expenses (including, without limitation, reasonable attorneys' fees) arising from any claim pertaining to libel, slander, defamation, copyright infringement, invasion of privacy, piracy and/or plagiarism arising from your use consistent with releases and agreements with third parties of any materials we create or supply to you, except to the extent that such claims arises from materials created or supplied by you.

Other than that for which we agree to indemnify and hold you harmless pursuant to the above, you hereby agree to indemnify and hold us harmless from and against any and all claims, demands, regulatory proceedings and all damages, costs (including, without limitation, settlement costs) and expenses (including, without limitation, reasonable attorneys' fees) arising from or relating to any activities undertaken by us on your behalf, the use by you, your retailers or dealers, or anyone else of any materials we create or supply to you, or your products or services.



We will use our reasonable best efforts to guard against any loss to you caused by the failure of media, suppliers or others to perform in accordance with their commitments, but we will not be responsible for any such loss or failure on their part, or any destruction or unauthorized use by others of your property.

You have the right at any time to direct us to cancel any plans, schedules or work in progress, but you agree to indemnify us against any loss, cost or liability we may sustain as a result of such action. We will be entitled to our commissions, fees and payments for services performed prior to your instructions to cancel, and for advertising and materials placed or delivered thereafter if we are unable to halt such placement or delivery. Under no circumstances will we be obliged to breach any lawful contractual commitment to others. At reasonable times and on reasonable notice to us, you may examine our files and records that pertain specifically to your advertising.

TERMINATION POLICY: You and/or FPM may terminate the project based upon mutually agreeable terms to be determined in writing, either prior to signing of this proposal or within the final Client-FPM Contract. Focal Point Marketing, LLC reserves the right to charge for work already in progress or completed to that point of termination.

We shall continue to serve as your advertising agency until you or we shall terminate our services with or without cause, or with respect to specified products or services assigned to us by giving not less than sixty days prior written notice by registered mail to the principal place of business of the other. Notice of termination shall become effective upon receipt of such notice by the party to whom it is addressed.

Our rights and duties hereunder shall continue in full force during the sixty-day notice period, but our responsibilities shall be limited to supervising and administering then existing advertising campaigns. Any reservation, contract or arrangement made by us for you prior to the termination date which continues beyond the termination date will be carried to completion by us and paid for by you in accordance with this agreement unless you direct us to transfer such reservation, contract or arrangement to another entity and you release and indemnify us, in which event we will attempt to make such transfer, subject to obtaining any necessary consent of third parties. We will be entitled to our commissions, fees and payments for services performed prior to accomplishing the transfer. Upon termination, provided that you have no outstanding indebtedness to us and you assume any third-party obligations, we shall transfer in accordance with your instructions all property and materials owned by you, which are under our control. All indemnification obligations shall survive the termination of our services or the termination or expiration of this agreement.

MISCELLANEOUS: This agreement contains the entire understanding between the parties and may not be altered or waived except by a written agreement signed by both parties. No waiver by either party of the breach of any term or condition of this agreement will constitute a waiver of, or consent to, any subsequent breach of the same or any other term or condition of this agreement. Please indicate your acceptance of the terms and conditions by signing the enclosed copy of this letter and returning it to us.



Client Acknowledgement & Confirmation:

I hereby approve the terms and conditions of this official project estimate, and give consent for Focal Point Marketing to begin working on the stated project.

Signature (CLIENT)

Date

Signature (FOCAL POINT MARKETING, LLC)
Date



OUR TEAM:

THERESA LONG | Co-Founder – Marketing Strategist

Theresa has been breaking the mold in the marketing industry for over 18 years. She earned her degree in Marketing & Accounting with a Masters in Business Administration from Washington State University. Theresa has served as vice-president for a market research and strategy firm, as well as director of business development and marketing in the healthcare industry.

Theresa's client list covers every corner of the marketing world, including Fortune 100's, start-ups, business-2-businesses, nonprofit organizations and many others. Her extensive field experience includes market research, strategic planning, design & brand development and commercialization of products and services. Theresa's ability to provide our clients with strategic counseling, a clear vision, and up-to-date insight into the latest consumer trends is well proven.

MITCH LEWIS | Partner – Production Director

Mitch has been producing video/audio in the Tri-Cities since 1987. Mitch has accumulated much of his experience working at KNDU-TV, KEPR-TV, FOX-TV, Charter Media, Imageworks Digital, and Managing Partner with PS Media. He has won numerous local, regional and national awards for both his television and radio commercials, as well as corporate and instructional videos for marketing and training purposes.

As the man behind the lens of the camera, Mitch's strength is his versatility, both creatively and technically. Even when faced with limited resources, he can still produce a high quality final product that looks polished and professional.

THOMAS MANLEY | Partner – Creative Director

Thomas Manley has been crafting successful brands for a decade, specializing in art direction, brand development and strategy, copywriting, and graphic and web design. He combines strategy, creativity, design and technology to provide high-impact solutions to meet client objectives.

Thomas' ability to steer visual artistic direction while staying true to our clients' brand is second to none. He is our maestro on all things creative and draws from his experiences in Seattle and Spokane markets to conjure up new and exciting solutions that get results. Did we mention he has a knack for pleasing clients? His work has been known to have clients high-fiving and chest-bumping when all was said and done. And as for accolades, Thomas has won numerous awards for his work, including ADDYs, Hermes, Paragons, and Asters.

DEREK NELSON | Partner – Director of Digital Media

Derek joined the FPM team after spending two years as a successful freelance designer. Derek has a bevy of creative influence that is unique and stands out from a sea of look-a-likes and been-there-done-that's. He has exceptional creative talent, a problem-solver's mentality and is highly versatile. And he's fluent in multiple languages (web languages, that is). Since earning his BA from WSU Tri-Cities in Digital Technology and Culture, Derek's experience as a freelance designer and front-end developer has been essential to his growth as a creative professional.

BETHANY LEE | Digital Marketing Strategist

She may be tiny, but Bethany's professional background comes up anything but short. This Washington State University alumni double-majoring in Journalism and Comparative Ethnic Studies and uses her reporting skills to dig deep into her client's details to determine their best marketing interests.



Bethany has built strong community ties through her career in journalism and non-profit work. Managing accounts, creating data-driven reports, and designing marketing campaigns is where she shines and will bring value. She seeks a good challenge, meaning no mountain is too high - and the view from 5'2" is incredibly bright.

KATI TOMS | Media Buyer

Kati is the very definition of an account executive. She's organized, detail-oriented, an effective communicator, and most importantly, she's a multi-tasking whiz! With more than 20 years of administration and management experience under her belt, she is an expert at interpreting and analyzing expectations. And best of all, this foodie and wine lover does an exceptional job at making our clients feel at home.

Her past experience in the publishing industry includes extensive work maintaining budgets, scheduling and coordinating meetings and events, analyzing reports and research materials, hands-on customer service, and much more. And that was just on Mondays! Kati loves spending time with her family, looks for an excuse to grill meat, and brings a sunny disposition to our office (her other family). But don't let her sweet demeanor fool you, she means business and always, ALWAYS, meets a deadline.

STEVE DOBBS | Web Production Artist

Steve is the quintessential "yes" man in our office – whatever we need of him, he does, and does it well. The Yakima native and Perry Technical Institute grad has the chops to be great in this industry. With a background in print design and production, his design work paves the way for tangible results in the form of trendy and attractive visual marketing materials.

Steve's energetic demeanor is infectious and he's always good for a laugh, which might be why his favorite hobby is doing stand-up comedy...this guy is funny, and that's no joke! But in all seriousness, Steve is a consummate professional and is a great asset to our team.

ALMA CARRILLO | Admin/Account Executive

Alma Carrillo's bright aura and sunny disposition is what makes her a cut above the rest. Her silent confidence shines through in her attention to detail, disciplined work ethic, and eagerness to increase her skillsets. A true team player, her patience and flexibility while under pressure is essential to the overall positive dynamic of the team.

On the flip-side of the coin, if you could bottle Alma's sassiness, you could build an empire. Her mischievous sense of humor is one of her best traits, for not only keeping the team in line, but on their toes.



1&1 Internet Inc.
701 Lee Road
Suite 300
Chesterbrook, PA 19087
USA

Kelsey McMahon
Kennewick School District
1000 W 4th Ave

Kennewick, WA 99336
UNITED STATES

Copy

Invoice Date: 11/10/2017
Customer ID: 544158420
Product ID: 66865883
Invoice No.: 202018896128

Need help? help.1and1.com
Your 1&1 Control Panel: my.1and1.com/invoices

Phone support: 1-877-300-8316
E-mail support: billing@1and1.com
Service hours: 24/7

Please have your personal phone PIN available for quick and secure authentication when speaking with our agents. You can set and manage this in the [1&1 Control Panel](#).

Invoice Summary (1&1 Basic)

Billing period starting: 11/09/2017

| Item | Service | Charges | Usage | Total |
|------------------|--|---|--------|-----------|
| 1 | .org Domain 10/17/2017-10/17/2018 waschoollevy.org | \$20.17 per year (incl. \$0.18 ICANN Fee) | 12 mo. | \$ 20.17 |
| 2 | Special Offer Discount for line-item 1, 10/17/2017-10/17/2018 | Special Offer | | \$ -17.00 |
| 3 | .com Domain 10/17/2017-10/17/2018 waschoollevy.com | \$15.17 per year (incl. \$0.18 ICANN Fee) | 12 mo. | \$ 15.17 |
| 4 | Special Offer Discount for line-item 3, 10/17/2017-10/17/2018 | Special Offer | | \$ -6.00 |
| Total amount due | | | | \$ 12.34 |

The total amount due will be charged to your credit card. Thank you.

Do you have questions regarding this invoice?

Please refer to your [1&1 Help Center](#) or your personal [1&1 Control Panel](#) for further information.



CLIENT: Client
 CAMPAIGN: December
 STATION: Overview \$1,500 Radio
 BUDGET: \$6,000 \$4,500 TV
 DATE:

| KEPR | LENGTH | DAYPART | PROGRAM | RATE | 11/27 | 12/4 | 12/11 | 12/18 | SPOTS | TOTAL |
|-------------|--------|-------------|----------------------|-------|-------|------|-------|-------|-------|----------|
| M-F | :30 | 4:00p-5:00p | Judge Judy | \$45 | 0 | 3 | 0 | 0 | 3 | \$135.00 |
| M-F | :30 | 5:00p-5:30p | KEPR Action News @ 5 | \$130 | 2 | 0 | 2 | 0 | 4 | \$520.00 |
| KEPR Totals | | | | | 2 | 3 | 2 | 0 | 7 | \$655.00 |

| KUNW | LENGTH | DAYPART | PROGRAM | RATE | 11/27 | 12/4 | 12/11 | 12/18 | SPOTS | TOTAL |
|-------------|--------|--------------|--|------|-------|------|-------|-------|-------|----------|
| M-F | :30 | 7:00a-11:00a | Despierta America (News/Talk/Variety) | \$15 | 2 | 0 | 2 | 0 | 4 | \$60.00 |
| M-F | :30 | 4:00p-5:00p | El Gordo y La Flaca (Entertainment Magazine) | \$40 | 0 | 3 | 0 | 0 | 3 | \$120.00 |
| M-F | :30 | 6:00p-6:30p | KUNW Local News | \$60 | 2 | 0 | 2 | 0 | 4 | \$240.00 |
| KUNW Totals | | | | | 4 | 3 | 4 | 0 | 11 | \$420.00 |

| KNDU | LENGTH | DAYPART | PROGRAM | RATE | 11/27 | 12/4 | 12/11 | 12/18 | SPOTS | TOTAL |
|-------------|--------|-------------|---------------------------------------|-------|-------|------|-------|-------|-------|------------|
| M-F | :30 | 5:00a-6:00a | Wake Up NW | \$20 | 3 | 3 | 3 | 0 | 9 | \$180.00 |
| M-F | :30 | 6:00p-6:30p | NBC Night Now @ 6 | \$155 | 2 | 2 | 2 | 0 | 6 | \$930.00 |
| W | :30 | 8:00p-9:00p | Annual Christmas in Rockefeller 11/29 | \$150 | 1 | 0 | 0 | 0 | 1 | \$150.00 |
| KNDU Totals | | | | | 6 | 5 | 5 | 0 | 16 | \$1,260.00 |

| KVEW | LENGTH | DAYPART | PROGRAM | RATE | 11/27 | 12/4 | 12/11 | 12/18 | SPOTS | TOTAL |
|-------------|--------|-------------|-----------------------|------|-------|------|-------|-------|-------|----------|
| M-F | :30 | 5:30a-7:00a | Good Morning NW | \$20 | 2 | 2 | 2 | 0 | 6 | \$120.00 |
| M-F | :30 | 6:30p-7:00p | Local News @ 6:30 | \$60 | 2 | 2 | 2 | 0 | 6 | \$360.00 |
| M-F | :30 | 7:00p-7:30p | Entertainment Tonight | \$65 | 2 | 2 | 2 | 0 | 6 | \$390.00 |
| KVEW Totals | | | | | 6 | 6 | 6 | 0 | 18 | \$870.00 |

| FOX | LENGTH | DAYPART | PROGRAM | RATE | 11/27 | 12/4 | 12/11 | 12/18 | SPOTS | TOTAL |
|------------|--------|-------------|-------------------|------|-------|------|-------|-------|-------|----------|
| M-F | :30 | 5:00p-6:00p | Last Man Standing | \$15 | 3 | 0 | 3 | 0 | 6 | \$90.00 |
| M-F | :30 | 7:30p-8:00p | Two Broke Girls | \$55 | 2 | 2 | 2 | 0 | 6 | \$330.00 |
| FOX Totals | | | | | 5 | 2 | 5 | 0 | 12 | \$420.00 |

| 25 Days of Christmas Package | | | | | | | | | | |
|------------------------------|---------|---------|--|-----------|-------|------|-------|-------|-------|----------|
| SPECTRUM REACH | LENGTH | DAYPART | PROGRAM | RATE | 11/27 | 12/4 | 12/11 | 12/18 | SPOTS | TOTAL |
| M Su | Various | Various | 25 Days of Christmas (12/1 - 12/25) TRI-CITIES | Flat Rate | 33 | 33 | 34 | 0 | 100 | \$875.00 |
| SPECTRUM Ttl | | | | | 33 | 33 | 34 | 0 | 100 | \$875.00 |

\$4,500.00

TOTAL MONTHLY TV CAMPAIGN: 56 52 56 0 164 \$4,500.00

| Townsquare Media | LENGTH | DAYPART | PROGRAM | RATE | 11/27 | 12/4 | 12/11 | 12/18 | SPOTS | TOTAL |
|------------------|--------|--------------|------------------------------------|------|-------|------|-------|-------|-------|----------|
| M-F | :30 | 6:00a-10:00a | The KEYW 98.3 (Adult Contemporary) | \$18 | 2 | 3 | 2 | 0 | 7 | \$126.00 |
| M-F | :30 | 4:00p-7:00p | The KEYW 98.3 (Adult Contemporary) | \$18 | 2 | 2 | 3 | 0 | 7 | \$126.00 |
| TSM Ttl | | | | | 4 | 5 | 5 | 0 | 14 | \$252.00 |

| Townsquare Media | LENGTH | DAYPART | PROGRAM | RATE | 11/27 | 12/4 | 12/11 | 12/18 | SPOTS | TOTAL |
|------------------|--------|--------------|-------------------------|------|-------|------|-------|-------|-------|----------|
| M-F | :30 | 6:00a-10:00a | KORD-FM 102.7 (Country) | \$18 | 2 | 3 | 2 | 0 | 7 | \$126.00 |
| M-F | :30 | 4:00p-7:00p | KORD-FM 102.7 (Country) | \$18 | 3 | 2 | 3 | 0 | 8 | \$144.00 |
| Sa | :30 | 10:00a-4:00p | KORD-FM 102.7 (Country) | \$18 | 2 | 3 | 2 | 0 | 7 | \$126.00 |
| TSM Ttl | | | | | 7 | 8 | 7 | 0 | 22 | \$396.00 |

Demo 50+ Very Strong station

| RADIO TRI-CITIES | LENGTH | DAYPART | PROGRAM | RATE | 11/27 | 12/4 | 12/11 | 12/18 | SPOTS | TOTAL |
|------------------|--------|--------------|--------------------------------------|------|-------|------|-------|-------|-------|----------|
| M-F | :30 | 6:00a-10:00a | KEGX-FM The Eagle 106.5 Classic Rock | \$30 | 3 | 2 | 3 | 0 | 8 | \$240.00 |
| M-F | :30 | 3:00p-7:00p | KEGX-FM The Eagle 106.5 Classic Rock | \$30 | 2 | 3 | 2 | 0 | 7 | \$210.00 |
| RTC Ttl | | | | | 5 | 5 | 5 | 0 | 15 | \$450.00 |

Demo 50+ Very Strong station

| Cherry Creek Radio - T | LENGTH | DAYPART | PROGRAM | RATE | 11/27 | 12/4 | 12/11 | 12/18 | SPOTS | TOTAL |
|------------------------|--------|--------------|---|------|-------|------|-------|-------|-------|----------|
| M-F | :30 | 6:00a-10:00a | KZHR-FM Mi Favorita 92.5 (Mexican Regional) | \$16 | 4 | 4 | 4 | 0 | 12 | \$192.00 |
| M-F | :30 | 4:00p-7:00p | KZHR-FM Mi Favorita 92.5 (Mexican Regional) | \$16 | 4 | 4 | 4 | 0 | 12 | \$192.00 |
| Ttl | | | | | 8 | 8 | 8 | 0 | 24 | \$384.00 |

TOTAL MONTHLY RADIO CAMPAIGN: 24 26 25 0 75 \$1,482.00

TOTAL MONTHLY TV/ RADIO CAMPAIGN: 80 78 81 0 239 \$5,982.00



8551 Gage Blvd, Suite K
Kennewick, WA 99336
(509) 378-3018
focalpointmarketing.com

Invoice

01-264-000-9400-015-0700
Ref: Tri-Cities Levy
Changes Video

Kennewick School District
Attn: Robyn Chaistain
1000 W. Fourth Ave.
Kennewick, WA 99336

| Date | Invoice No. | P.O. Number | Terms | Project |
|----------|-------------|-------------|--------|---------|
| 12/06/17 | 4999 | | Net 20 | |

| Item | Description | Quantity | Rate | Amount |
|------------------------------|---|----------|--------|------------|
| Video Editing (Hourly) | Video Editing-School Levy PSA Campaign 30&90 (Spanish) | 5 | 150.00 | 750.00 |
| Video Graphics (Hourly) | Video Graphics | 5 | 150.00 | 750.00 |
| Thank you for your business. | | | Total | \$1,500.00 |



8551 Gage Blvd, Suite K
 Kennewick, WA 99336
 (509) 378-3018
 focalpointmarketing.com

Invoice

01-JUL-000-9700-015-0700
 Ref: Tri-Cities Levy Charges
 Video.

Kennewick School District
 Attn: Robyn Chaistain
 1000 W. Fourth Ave.
 Kennewick, WA 99336

| Date | Invoice No. | P.O. Number | Terms | Project |
|----------|-------------|-------------|--------|---------|
| 12/06/17 | 4998 | | Net 20 | |

| Item | Description | Quantity | Rate | Amount |
|------------------------------|---|----------|-----------|------------|
| Scripting/Creative (Hourly) | Scripting/Creative-School Levy PSA Campaign-30&90 (English) | 2 | 150.00 | 300.00 |
| Video Graphics (Hourly) | Video Graphics | 17.5 | 150.00 | 2,625.00 |
| Video Editing (Hourly) | Video Editing | 41.25 | 150.00 | 6,187.50 |
| needle drop fee | Purchase of Music | | 150.00 | 150.00 |
| Narration Session (Hourly) | Narration | | 410.00 | 410.00 |
| Stock Photography | Stock Images | | 240.00 | 240.00 |
| Duplication | Dubs to Broadcasters | | 400.00 | 400.00 |
| Client Discount | Fixed Price Contract | | -5,412.50 | -5,412.50 |
| Thank you for your business. | | | Total | \$4,900.00 |

EXHIBIT 3

**ICANN WHOIS**

waschoollevy.org

Lookup

Showing results for: WASCHOOOLLEVY.ORG

Original Query: waschoollevy.org

Contact Information

Registrant Contact

Name: Kelsey McMahon

Organization: Kennewick School District

Mailing Address: 1000 W 4th Ave, Kennewick WA 99336 US

Phone: +1.5092226580

Ext:

Fax:

Fax Ext:

Email:kelsey.mcmahon@ksd.org

Admin Contact

Name: Kelsey McMahon

Organization: Kennewick School District

Mailing Address: 1000 W 4th Ave, Kennewick WA 99336 US

Phone: +1.5092226580

Ext:

Fax:

Fax Ext:

Email:kelsey.mcmahon@ksd.org

Tech Contact

Name: Hostmaster ONEANDONE

Organization: 1&1 Internet Inc.

Mailing Address: 701 Lee Rd., Chesterbrook PA 19087 US

Phone: +1.8774612631

Ext:
Fax: +1.6105601501
Fax Ext:
Email: hostmaster@1and1.com

Registrar

WHOIS Server:
URL: <http://registrar.1und1.de>
Registrar: 1&1 Internet SE
IANA ID: 83
Abuse Contact Email: abuse@1and1.com
Abuse Contact Phone: +1.6105601459

Status

Domain Status: clientTransferProhibited <https://icann.org/epp#clientTransferProhibited>
Domain Status: serverTransferProhibited <https://icann.org/epp#serverTransferProhibited>

Important Dates

Updated Date: 2017-10-17
Created Date: 2017-10-17
Registry Expiry Date: 2018-10-17

Name Servers

NS1073.UI-DNS.DE
NS1074.UI-DNS.BIZ
NS1114.UI-DNS.COM
NS1083.UI-DNS.ORG

Raw WHOIS Record

Domain Name: WASCHOOALLEVY.ORG
Registry Domain ID: D402200000003944984-LROR
Registrar WHOIS Server:
Registrar URL: <http://registrar.1und1.de>
Updated Date: 2017-10-17T21:38:12Z
Creation Date: 2017-10-17T14:49:14Z
Registry Expiry Date: 2018-10-17T14:49:14Z
Registrar Registration Expiration Date:
Registrar: 1&1 Internet SE
Registrar IANA ID: 83
Registrar Abuse Contact Email: abuse@1and1.com
Registrar Abuse Contact Phone: +1.6105601459
Reseller:
Domain Status: clientTransferProhibited
<https://icann.org/epp#clientTransferProhibited>
Domain Status: serverTransferProhibited
<https://icann.org/epp#serverTransferProhibited>
Registry Registrant ID: C198169474-LROR
Registrant Name: Kelsey McMahon
Registrant Organization: Kennewick School District
Registrant Street: 1000 W 4th Ave
Registrant City: Kennewick
Registrant State/Province: WA
Registrant Postal Code: 99336
Registrant Country: US
Registrant Phone: +1.5092226580
Registrant Phone Ext:
Registrant Fax:
Registrant Fax Ext:
Registrant Email: kelsey.mcmahon@ksd.org
Registry Admin ID: C198169480-LROR
Admin Name: Kelsey McMahon
Admin Organization: Kennewick School District
Admin Street: 1000 W 4th Ave
Admin City: Kennewick
Admin State/Province: WA
Admin Postal Code: 99336
Admin Country: US
Admin Phone: +1.5092226580
Admin Phone Ext:
Admin Fax:
Admin Fax Ext:
Admin Email: kelsey.mcmahon@ksd.org
Registry Tech ID: C2304964-LROR
Tech Name: Hostmaster ONEANDONE
Tech Organization: 1&1 Internet Inc.
Tech Street: 701 Lee Rd.
Tech Street: Suite 300
Tech City: Chesterbrook
Tech State/Province: PA
Tech Postal Code: 19087

Tech Country: US
Tech Phone: +1.8774612631
Tech Phone Ext:
Tech Fax: +1.6105601501
Tech Fax Ext:
Tech Email: hostmaster@1and1.com
Name Server: NS1073.UI-DNS.DE
Name Server: NS1074.UI-DNS.BIZ
Name Server: NS1114.UI-DNS.COM
Name Server: NS1083.UI-DNS.ORG
DNSSEC: unsigned
URL of the ICANN Whois Inaccuracy Complaint Form:
<https://www.icann.org/wicf/>
>>> Last update of WHOIS database: 2017-12-06T01:29:48Z <<<

For more information on Whois status codes, please visit
<https://icann.org/epp>

Access to Public Interest Registry WHOIS information is provided to assist persons in determining the contents of a domain name registration record in the Public Interest Registry registry database. The data in this record is provided by Public Interest Registry for informational purposes only, and Public Interest Registry does not guarantee its accuracy. This service is intended only for query-based access. You agree that you will use this data only for lawful purposes and that, under no circumstances will you use this data to: (a) allow, enable, or otherwise support the transmission by e-mail, telephone, or facsimile of mass unsolicited, commercial advertising or solicitations to entities other than the data recipient's own existing customers; or (b) enable high volume, automated, electronic processes that send queries or data to the systems of Registry Operator, a Registrar, or Afilias except as reasonably necessary to register domain names or modify existing registrations. All rights reserved. Public Interest Registry reserves the right to modify these terms at any time. By submitting this query, you agree to abide by this policy.

Submit a Complaint for WHOIS
[WHOIS Inaccuracy Complaint Form](#)
[WHOIS Service Complaint Form](#)

[WHOIS Compliance FAQs](#)

NOTICE, DISCLAIMERS AND TERMS OF USE:

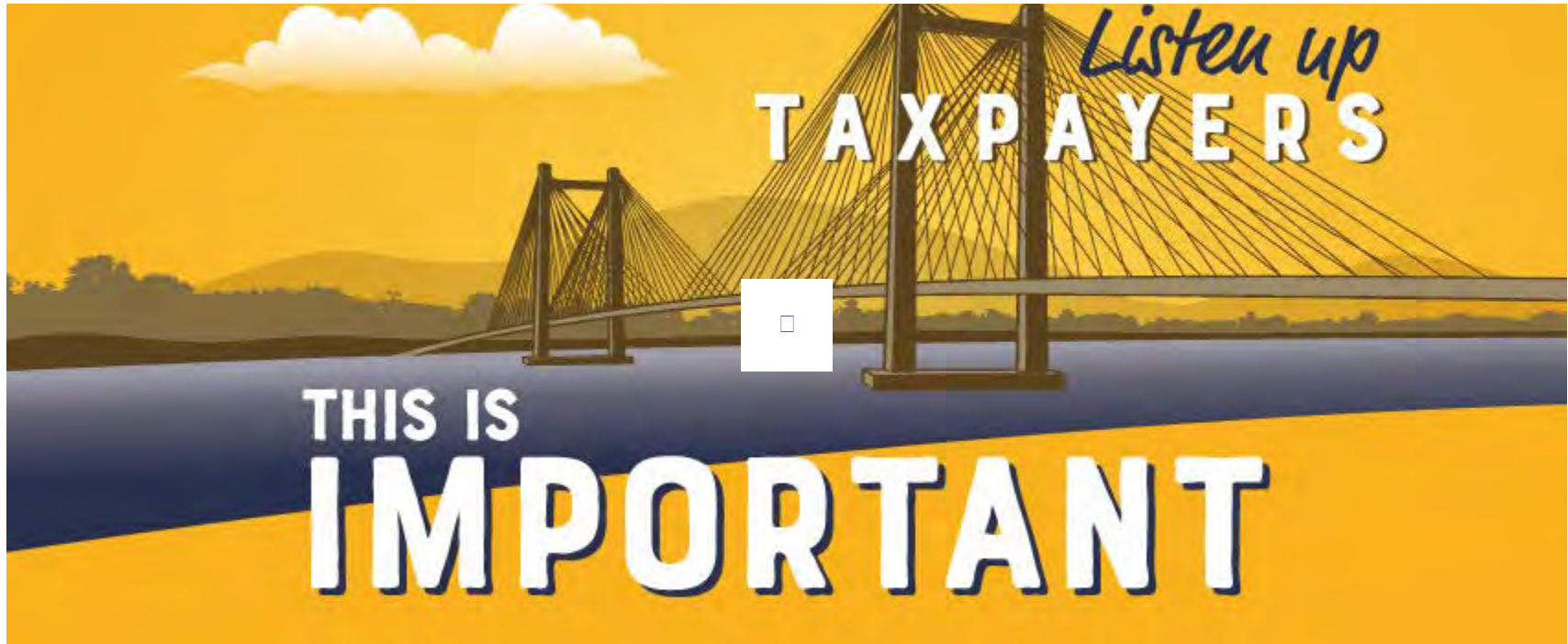
All results shown are captured from registries and/or registrars and are framed in real-time. ICANN does not generate, collect, retain or store the results shown other than for the transitory duration necessary to show these results in response to real-time queries.* These results are shown for the sole purpose of

EXHIBIT 4

Tri-Cities
SCHOOL LEVY SCHOOL LEVY SCHOOL LEVY SCHOOL LEVY



What's New?



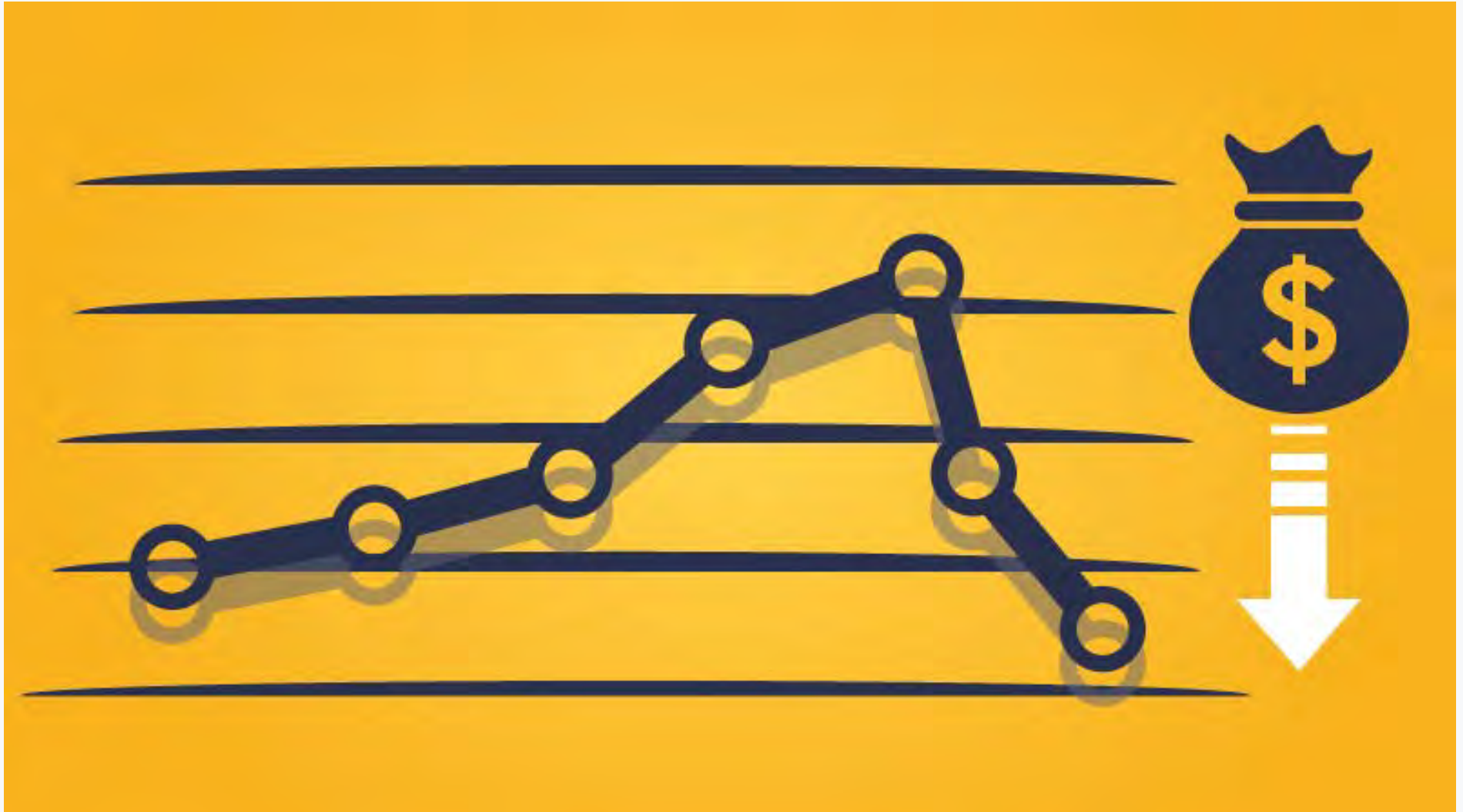
How do the changes
affect taxes?

How do the changes affect taxes?



State School Taxes
Going Up

- Increase by an average of \$0.81 per \$1,000 of assessed property value
- Helps pay teacher salaries and other basic education needs



Local School Levy Taxes Going Down

- Drops to \$1.50 per \$1,000 of assessed property value

- Local school districts will collect fewer levy dollars
- Replaces Maintenance & Operations Levy and is now called an “Educational Programs” Levy
- KSD, PSD and RSD will run 4-year levies on February 13, 2018
- State limits on how the money can be used. For example, funds cannot be used for operating expenses, such as transportation or grounds and building maintenance

What's Next



Kennewick, Pasco and Richland school districts will be running Educational Programs levies February 13, 2018



Kennewick and Richland school districts also plan to run technology levies on February 13 to help cover programs that the state no longer funds

FAQ

Contact



(509) 222-5000 | robyn.chastain@ksd.org

[Learn More](#)



(509) 543-6700 | sedinger@psd1.org

[Learn More](#)



(509) 967-6000 | steve.aagaard@rsd.edu

[Learn More](#)

EXHIBIT 5

From: [Robyn Chastain](#)
To: [Thomas Manley](#)
Cc: [Mitch Lewis](#)
Subject: RE: School District Levy PSA
Date: Thursday, November 2, 2017 3:05:44 PM
Attachments: [KSD-Levy-PSA-\(60-sec\)_V1rev.doc](#)
[image001.gif](#)

Thomas,

Attached is a revised script. I revised the first sentence. The target audience is general taxpayers, not parents. **We know that parents don't vote. It's the senior citizens that keep us in business.**

We also removed anything negative in the script out because facts need to be presented in a neutral way and we don't want to come across as if we are bashing the state legislature that provides our funding.

We don't know if we will have any "cuts to education" at this point and the legislature may help us out in the next session, by restoring some of the funding we would lose in 2019. Not as exciting I know, but we need to keep it educational and less persuasive in nature.

I would like to hear some of the voice-over talent you are considering for the spot before a selection is made. I want to make sure it has the right tone.

Thank you.

Robyn Chastain

Director of Communications and Public Relations

Kennewick School District

(509) 222-7424

www.ksd.org

From: Thomas Manley [mailto:thomas@fpm.agency]

Sent: Tuesday, October 31, 2017 2:48 PM

To: Robyn Chastain

Cc: Mitch Lewis

Subject: Re: School District Levy PSA

Hello Robyn,

Attached is the first draft of the script for the School Districts Levy PSA (long format) video. I figured we'd start here, then chip away to shorten this down to 30-seconds. Right now, this will time out somewhere between 60 and 90 seconds.

Let me know your thoughts and what edits you'd like to see made. Once we refine this version, we can create the 30-second, made for TV version using the most vital info.

If you have any questions or concerns, please send them our way.

Cheers,



THOMAS MANLEY | *Partner – Creative Director*

8551 Gage Boulevard, Suite K | Kennewick, WA 99336

office (509) 378-3015 | **fax** (509) 378-3018

www.focalpointmarketing.com

On 10/26/17, 9:20 AM, "Mitch Lewis" <mitch@fpm.agency> wrote:

Here's more info for the KSD video and commercial....

Mitch Lewis | Focal Point Marketing

8551 W Gage Blvd., Suite K, Kennewick, WA 99336

w: 509.378.3016 | c: 509.628.7042

Client: KSD/PS/RSD
Title: Levy Changes PSA (60-sec)

Date: November 2, 2017
Length: 60 seconds

| Video | Audio |
|--|---|
| <p>Graphics: (animation to match narration)</p> <p>Silhouettes of children of all ages (K-12) with backpacks, on playground, in front of school. (Brightly colored background)</p> <p>WA state outline containing a public school building (front). Icons for funding/financing, taxes, and vote/ballot box animate on screen.</p> <p>Magnifying glass transitions to next sequence...</p> <p>Show a typical Tri-Cities home with infographics to indicate the increase in property tax (upward arrow, 81¢ per \$1,000 of property value).</p> <p>Illustration of home flips to show the infographics indicating the cap in the levy tax rate.</p> <p>School grounds transition back on screen. Show school bus and icons for things like maintenance, landscaping,</p> | <p>Narrator: Okay taxpayers in the Tri-Cities, listen up – this might be the most important thing you hear today.</p> <p>The Washington State legislature made big changes to K-12 education funding that take effect in 2018. These changes will affect your taxes and dictate what districts can use local levy dollars for.</p> <p>Let's look at what changed...</p> <p>The Legislature INCREASED the statewide property tax by an average of 81 cents per \$1,000 of assessed value. This helps pay teacher salaries and other basic education needs.</p> <p>However, our local school levy tax rate drops significantly to \$1.50 per \$1,000 of assessed property value. This newly titled "educational programs" levy replaces the old levy, is limited on what it covers and can no longer fund operating expenses, like transportation or grounds and building maintenance.</p> |



KSD, PSD, RSD logos with levy icon with background graph showing the loss of education funding (arrow going downward).

Show side-by-side graphs of education funding BEFORE and AFTER changes, indicating that districts will need to make up for lost funds to pay for necessities.

Icons showing ways to follow their local districts (social media, TV, radio, newspaper, etc.)

TITLE SCREEN:
KSD, PSD, RSD logos

waschoollevy.org

Kennewick, Pasco and Richland school districts will be running “educational programs” levies in 2018 to compensate for the change in the new funding model.

Many districts may also seek to run additional levies to help fund technology and other programs that are not fully covered in the state’s basic education funding.

Stay tuned for more information from your local district on the levies that will affect you and your children.

This message is sponsored by Kennewick, Pasco and Richland school districts.



focalpointmarketing.com

On 10/26/17, 6:16 AM, "Robyn Chastain" <robyn.chastain@ksd.org> wrote:

Please forward to Thomas.

<http://www.tri-cityherald.com/opinion/editorials/article180928251.html>

Robyn Chastain

Director of Communications & Public Relations

Kennewick School District

(509)222-7424

www.ksd.org

EXHIBIT 6

From: [Dave Bond](#)
To: ["rick.schulte@rsd.edu"](mailto:rick.schulte@rsd.edu); [Michelle I. Whitney](#)
Subject: Meeting notes
Date: Sunday, November 5, 2017 2:45:15 PM
Attachments: [SC Minutes 11 03 2017.docx](#)

Michelle, Rick,

Here are my notes from Friday's meeting.

Dave Bond, Superintendent

Kennewick School District

1000 West Fourth Ave

Kennewick, WA 99336

509-222-5020

www.ksd.org



MINUTES

Superintendents Council

Friday, November 3, 2017 – **8:30 AM**

Delta High School

1. **Approval of Minutes**. The Minutes from October 6, 2017 were approved as presented.
2. **Principal Report** – Jenny was out until Monday, so she will report at the next meeting.
3. **Updating Inter-Local Agreement due to Funding Formula Changes** – This will be addressed beginning in February/March.
4. **Other Topics / Superintendent Forum**
 - a. **Levy, Tech levy, Capital bond**. Michelle reported that she is feeling cautiously optimistic about the Pasco bond. Dave reported that the KSD is going to join Richland in running a \$0.50 per thousand technology levy.
 - b. **Tri-Cities Area Reciprocal Senior Gold Card**. All are in favor of having a gold card that can be used in all three districts. Richland and Kennewick have policies that would need to be tweaked. Pasco has a practice of issuing gold cards as well. Michelle will check to see if Pasco has a policy. Dave will send some potential language to the other districts.
 - c. **Delta Rotating Schedule – impact on Running Start / Tri-Tech**. Dave asked that this be postponed until the next meeting as Jenny needs to participate in the discussion. Students are unable to do both Running Start and Delta or Tri-Tech and Delta, and this has caused some loss in the junior and senior classes at Delta as students have left Delta to take advantage of other opportunities..
 - d. **Budget**. Rick asked about the budgeting process in other districts and whether either Pasco or Kennewick did zero based budgeting. We talked about the process for passing the annual budget including the timelines and how often budget presentations were done for the Board. We also talked about whether we were concerned about the overall department budget or the individual line items within a budget.
 - e. **SRO contracts & funding**. Rick asked about what other districts pay for SROs. Richland gets good response from calling 911 and wonders if paying to have for SROs is really a district responsibility. Benton

County passed a safety tax, so we may want to talk to the County Commissioners about paying for SRO's with some of that funding. Rick thinks that funding SROs should be a county or city responsibility, not a school district responsibility. That's how it was in Oak Harbor.

- f. **Pre-school grant.** Both Rick and Michelle met recently with Frank Ordway from the Department of Early Learning to talk about pre-school slots. They learned about some application issues with the ESD. They also learned about districts who are starting kindergarteners as soon as they turn five, no matter when it is during the school year. It could be in March. It is being called transitional kindergarten in Central Valley. CV gets BEA funding for the kindergarteners and the students get a few extra months of schooling. Rick will contact Bellingham and Central Valley to learn more about how they do it.
- g. **Meeting with local legislators.** Dave and Rick will have Patty and Nancy work on scheduling something with our three legislators between now and the Holiday Break.
- h. **Technology – 1-1 implementation and challenges.** Richland is now sending out hot spots to students without internet at home. We will have Rick bring Libby staff to a future meeting to talk about implementation challenges (or we could meet at Libby).
- i. **Principal Bargaining.** Dave reported that Kennewick has settled with its principals and has matched Richland's salary schedule but not the \$1500 stipend. Rather, Kennewick does longevity pay, so it works out pretty close. Michelle said that Pasco is still talking, with the cost of health insurance still an issue when making comparisons.
- j. **Leadership Tri-Cities date – Michelle – Did it get changed/traded?** Michelle reported that it doesn't look like the date can be changed. If it doesn't get changed, Dave will miss it.
- k. **3 Hour Delays - logistics and contingencies?** We agreed that three (3) hour delays would be very rare as they cause problems for districts on Wednesday and Friday. A two (2) hour delay will still be the standard.
- l. **Levy video script - explaining state-imposed changes.** We reviewed the script and a couple of minor suggestions were made. Dave will check with Robyn to see if any more changes can be incorporated.
- m. **Foundation.** Dave will not be able to make the November Foundation meeting. We questioned whether or not it is important for us to continue to attend. We will not have anyone at this meeting.

Future Supt Council Meetings

| | |
|-------|------------------------------------|
| Nov 3 | Nov 17 WSSDA Conference |
| Dec 1 | Dec 15 |
| Jan 5 | Jan 19 |

Future STEM Foundation Meeting

| | |
|---------------------------|--------------------|
| Sept 19 - Rick | Nov 21 - Dave |
| Jan 16 - Rick | Mar 20 - Michelle |
| May 15 - Dave | July 17 - Michelle |

EXHIBIT 7

From: [Microsoft Outlook](#) on behalf of [Dave Bond](#)
To: ["rick.schulte@rsd.edu"](mailto:rick.schulte@rsd.edu); [Michelle I. Whitney](#)
Subject: Friday's Meeting Notes
Date: Sunday, December 3, 2017 10:02:25 AM
Attachments: [Friday's Meeting Notes.msg](#)

Sender: dave.bond@ksd.org
Subject: Friday's Meeting Notes
Message-Id: <fb5a7caa6bb04485807bba426c207b4a@ksd.org>
To: rick.schulte@rsd.edu
To: MWhitney@psd1.org



Minutes
Superintendents Council
Friday, December 1, 2017 – **7:30 AM**
Delta High School

1. **Approval of Minutes** – The minutes were approved as presented.
2. **Updating Inter-Local Agreement due to Funding Formula Changes.** We will tackle this issue in January/February.
3. **Other Topics / Superintendent Forum**
 - a. **Celebrate Pasco's bond approval success and their next steps.**

Michelle mentioned that she was now sleeping through the night again now that the bond has passed by seven votes. 😊 We discussed long range planning and looked over Kennewick's Ten-Year Plan. Michelle asked about project management, and we also discussed having projects shovel ready, and other school construction topics.
 - b. **Levy, Tech levy – Review PSA and website.** Rick commented that he has used the PSA already with a PTA group, and his parents are more concerned about the District providing great schools than the cost. All of us are pleased with what the Communications folks have produced. We are all in agreement that we should find a way to combine a presentation for the Retired Teachers. Dave will send out a copy of the KSD Levy presentation. Dave mentioned that he did the presentation for every school staff as well as community groups. Michelle talked about the past practice in Pasco around Levy publicity.
 - c. **Tri-Cities Area Reciprocal Senior Gold Card.** Dave handed out the sample policies and gold card mock-ups. Rick will be talking to his Board Chairman on Tuesday and will inquire about adding this item to a December agenda. If Richland is ready to move forward, Kennewick will present it on December 13, and Pasco will determine when it wants to move forward.
 - d. **Meeting with local legislators – 16th District.** Dave shared that he attended a meeting at the ESD with the three 16th District Legislators (Walsh, Nealey, Jenkin) and the Superintendents from the 16th District area. About 10% of the KSD is in the 16th District; the rest is in the 8th District. The group focused on Staff Mix, Levy flexibility, and regionalization.

- e. **Meeting with local legislators – All at Tri-Tech.** Dave reviewed the agenda for the meeting and format at Tri-Tech with Legislators from all three districts.
- f. **Legislative advocacy: EHB 2242 priorities.** More flexibility with levy funds seems to be the priority.
- g. **Technology – 1-1 implementation and challenges.** Rick mentioned that Richland has three middle schools with 1-1 Chromebooks and will be implementing at Chief Joseph next week. There haven't been any additional parental issues of any note since the beginning of the year. Rick mentioned that they were doing way more parent preparation, explaining how the internet filters work, and providing the option to leave the Chromebook at school and that seemed to resolve all the issues. He mentioned that most parents were enthusiastic about the Chromebooks as they solved computer issues at home.
- h. **Principal Bargaining.** Michelle mentioned that they settled with their principals and decided to issue supplemental contracts for curriculum work and PBIS work rather than put the additional money on the salary schedule.
- i. **Celebrate making it through November without any snow days or delays.** Last year, our first two-hour delay was December 9, and our first cancellation was December 12. The two-week forecast doesn't show any snow between now and December 15. We are keeping our fingers crossed.
- j. **3 Hour Delays - logistics and contingencies.** All of us are continuing to communicate that this option will only be used if we have already cancelled several days and are in a situation similar to last year.
- k. **Transitional Kindergarten (for 5-year-olds before they start K).** Rick has attempted to contact Districts doing this, but a key person at one of the Districts is dealing with personal issues. We identified several questions for Rick to ask, such as –
 - i. Do they start as soon as they turn five or do they bring groups in at the beginning of a month?
 - ii. Do they add them to an existing class or start a new class?
 - iii. Do all buildings do this or only low(er) income schools?
- l. **Leadership Tri-Cities date – Michelle – Did it get changed/traded?** We didn't discuss this.
- m. **Delta Rotating Schedule – impact on Running Start / Tri-Tech.** This is on hold until Jenny can join us.

Future Supt Council Meetings

~~Dec 1~~

Dec 15

Jan 5

Jan 19

Future STEM Foundation Meeting

Jan 16 - Rick

Mar 20 - Michelle

May 15 - Dave

July 17 - Michelle

EXHIBIT 8



PASCO SCHOOL DISTRICT NO. 1
Board of Directors' Regular Meeting
Tuesday, December 12, 2017

C. L. Booth Education Service Center, 1215 W. Lewis Street, Pasco, WA 99301

A G E N D A

- STUDY SESSION – 4:30 p.m. College and Career Initiative Mrs. Suzanne Hall
1. CALL TO ORDER Mr. Scott Lehrman
 2. FLAG SALUTE
 3. ROLL CALL Steve Christensen Sherry Lancon Scott Lehrman Amy Phillips
Aaron Richardson Christana Craig Vanesa Quiroz Izabel Stohel
 4. SPECIAL RECOGNITION – Pasco School Board WSSDA Foundation Excellence in Equity Award Mr. Shane Edinger
 5. APPROVAL OF MINUTES Regular Meeting of November 14, 2017
 6. AGENDA REVIEW
 7. AUDIENCE COMMENTS
 8. COMMUNICATIONS
 9. ANNUAL ELECTION OF BOARD OFFICERS Mr. Scott Lehrman
 10. REPORTS/DISCUSSION
 - A. WSSDA Report – Equity & Unity Student Representatives
 - B. Outrageous Outcome Graduation Mrs. Michelle Whitney
 - C. District Policy Revisions – Deletions 6110, 6120, 6122; New 1620 Board Superintendent Relationship, 1630 Evaluation of the Superintendent Mrs. Sarah Thornton
 - D. Policy 4222 – Senior Citizens' Gold Card (new) Mrs. Sarah Thornton
 11. ACTION ITEMS
 - A. 2018 Legislative Priorities Mrs. Sarah Thornton
 - B. Pro/Con Committee for Voters' Guide Mr. Howard Roberts
 12. CONSENT AGENDA
 - A. Personnel Mrs. Robin Hay
 - B. Warrants Mr. Howard Roberts
 - C. Salary Schedules Mrs. Susana Reyes and Mrs. Robin Hay

- | | |
|---|---|
| D. Lease of Kids World Facility | Mr. Erich Bolz and Mrs. Sarah Thornton |
| E. Board Policy 3300 Corrective Action and Discipline (2 nd Reading) | Mrs. Sarah Thornton |
| F. Resolution 948 – Acceptance of the Commissioning Report for the Pasco High Phase III Project | Mr. Randy Nunamaker |
| G. Approval of Architect and Engineering Selection for Elementary #17 | Mr. Randy Nunamaker |
| H. Approval of Architect and Engineering Selection for Stevens Middle School | Mr. Randy Nunamaker |
| I. Approval of Architect and Engineering Selection for Middle School #4 Design and Construction | Mr. Randy Nunamaker |
| J. Approval to Request for the City of Pasco to Vacate the City Right of Way for the East Duluth Street in East Pasco | Mr. Randy Nunamaker |
| K. Approval to Relocate 2 Portables, One Each to Emerson and McClintock Elementary Schools | Mr. Randy Nunamaker |
| L. Resolution 949 – Adopt Order Dispensing with Records Index | Mrs. Sarah Thornton |

13. FUTURE AGENDA ITEMS

14. EXECUTIVE SESSION – RCW 42.30.110 (1)(g) Personnel - Superintendent Evaluation

15. AJDOURNMENT

EXHIBIT 9

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