



April 13, 2018

Micaiah Titus Ragins
Public Disclosure Commission
711 Capitol Way Room 206
Post Office Box 40908
Olympia, Washington 98504-0908

**Re: Heather Hiatt/Shoreline School District
PDC Case Number 33223**

Dear Mr. Ragins:

We represent Ms. Hiatt and the Shoreline School District in the above-referenced case and are providing this letter as the District's response to the allegations. The complaint alleges a violation of RCW 42.17A.555 for "using public facilities and staff to support student lobbying of SB 5050 for gun regulation in Washington State." The complaint should be dismissed for two independent reasons.

First, the complaint should be dismissed because the allegations, even if true, do not constitute a violation of RCW 42.17A.555. That statute prohibits the use of public facilities to support or oppose candidates for office or ballot propositions. It does not apply to supporting or opposing legislation pending before the state legislature (commonly called "lobbying"). The allegations made by Mr. Mount, the factual inaccuracies of which are further discussed below, only relate to supporting a bill pending before the legislature (SB 5050) and not a candidate for elective office or a ballot proposition. As such, the allegations cannot constitute a violation of RCW 42.17A.555.

Second, the complaint should be dismissed because it misstates what occurred on March 14, 2018. On that date, many students (including, at various points, two of Mr. Mount's children) walked out of classes at Kellogg Middle School and engaged in a protest march during school hours. The student walkout was intended to protest gun violence. Mr. Mount disagreed with the message or means of protest and filed a "formal complaint of professional misconduct" with the superintendent of the Shoreline School District on the evening of March 14. His complaint alleged misconduct by District personnel in how this student action was managed, including but not limited to actions taken by Ms. Hiatt, the principal at Kellogg Middle School. The complaint document alleged violations of various District policies and state laws, including but not limited to removal of children from campus without parent consent, endangering a child, and violations

of RCW 42.17A.555 and PDC guidelines. Based on the wide breadth of the allegations, the District engaged an independent investigator to determine the facts of what occurred on March 14. Although the investigator has not yet finalized her report, she has confirmed that the student walkout was neither organized nor supported by the District. The students who participated were warned in advance that normal attendance rules would apply to this day, and students leaving campus would receive an unexcused absence. The investigator found no evidence that Ms. Hiatt or any other District administrator encouraged students, including Mr. Mount's sons, to participate in the walkout.

Although Mr. Mount's complaint does not properly identify violations of other statutes related to lobbying, we also confirmed that the District neither engaged in activities which would constitute reportable lobbying, nor violated statutory limitations on public agency lobbying. As discussed above, the investigator confirmed that the student activity in this case was neither encouraged nor endorsed by the District. The District spent no public funds to support the legislation identified by Mr. Mount and did not engage in grassroots lobbying on behalf of this or other gun legislation.

Thank you for the opportunity to explain the District's position on this complaint. If you have any questions regarding the facts or positions discussed in this letter, please contact me directly at buzz@pfrwa.com or the phone number above.

Sincerely,

PORTER FOSTER RORICK LLP

A handwritten signature in blue ink that reads "Buzz Porter". The signature is written in a cursive, flowing style.

Lester "Buzz" Porter, Jr.

LPJR:ms

cc: Rebecca Miner

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