



PDC Case 34601 - AWSP-WSPLEA's response to Mr. Morgan's Complaint

Regarding allegations of violation of RCW 42.17A.235, 220: After careful analysis, which we will detail out, it has come to our attention that internal process need to be tightened up. AWSP-WSPLEA reports all contributions and expenditures in ORCA and provide a description of each expenditure according to PDC guidelines.

Regarding C4 Reports:

Analysis of the list of C4 reports provided by Mr. Morgan indicates that the delinquency is due to human error, there is nothing "willful" or "malicious" or intentional in reporting. We will tighten up internal procedures to guarantee errors will not happen again.

Please note: when any reports are amended, C3 and C4, the date of amendment is the "received date" and will override the original posting date. Per PDC guidelines, reporters are allowed to amend any report at any time if there an inaccuracy in data is noticed.

Regarding C3 Reports:

Careful analysis of the C3 reports indicated in Mr. Morgan's complaint will be broken down according to category:

C3 – Bank Interest Reports

100741673 - **Appendix A**

100663857 – **Appendix B**

Bank interest is provided to our staff reporter by our accountant. At the end of each reporting year, if any interest amounts are missing, and our account balance doesn't match with ORCA, we gather that information and report accordingly. Internal practice indicates that we report the date the interest is accrued to keep accurate records in ORCA, regardless of when this information is submitted. If this is not a procedure that keeps our reporting in compliance with the PDC and the RCWs listed, we will alter our internal procedures accordingly.

C3-Amended Reports

100674526, 100678200 & 10678697 - These three entries account for data entry errors of one report. This report was amended to reflect correct date (year). 10678697 is the final report – **Appendix E**

100677049 - this entry was amended to reflect correct date (year) – **Appendix F**

100667265 - is the amended report for 100667322 –this report was amended for data entry error in reporting date. **Appendix J**

C3 – Other

100654772 – As documents show, we did not receive a July contribution until September due to technical issues of an electronic funds transfer of two \$10 contributions. For internal accounting purposes, it was recorded to reflect which month the contribution was for. If this is



not in compliance with the PDC, we will alter our internal process to maintain compliance-

Appendix L

100733642 - **Appendix C – Deposited in ORCA – deposit transmittal 1 day overdue**

100722063 - **Appendix D – Deposited in ORCA 9/16-deposit transmitted 9/20 – according to RCW/WAC rules, this complies with the 5-day turnaround.**

100667328 (listed as 7327 on complaint) – This is the only deposit dated 10/6/15 in our ORCA files for that year; please refer to documentation in Appendix G: this looks like a data entry error in “date received”. The deposit was recorded in our financial database on 11/4/15 and recorded in ORCA 11/5/15 with the wrong “date received” typed in the ORCA data entry field and was not noticed, so not amended - **Appendix G**

100667251- **Appendix I**

100667250 – **Appendix H**

100667253 – **Appendix K**

Analysis of these reports indicates that, unless otherwise noted, human error is responsible for the lateness of transmittal of the ORCA deposit record to PDC. This could be due to many factors such as office closure (due to weather or holidays), staff illness, overlooking submission to PDC of deposit entered into the ORCA software, or mis-scheduled deadlines. We will improve internal best practice procedures to address this issue.

1. Allegation of Violating RCW 42.17A.265:

In response to this allegation, AWSP-WSPLEA does not accept last minute cash or in-kind contributions of any amount. AWSP-WSPLEA is not associated with any candidate.

2. Allegation of Violating RCW 42.17A.205, see WAC 390-05-24:

C-1/C-1 PC is updated annually to reflect current committee officers and it is our belief it complies with all parameters as stated on the form. Committee membership does not consistently change. C-1/C-1pc lists all individuals who in conjunction with others, likely made, directed, or authorized expenditures, strategic or policy decisions on behalf of the committee.

AWSP-WSPLEA lists all committee members in line 4-7 of C1/C1 pc and files its C1/C1 pc prior to processing contributions or make expenditures. This task is completed through the PDC supplied software ORCA and is the first thing done when setting up a new campaign year. This document is submitted to the PDC via ORCA. Our records indicate all filings are current and comply with this requirement.

3. Allegations of violating RCW 42.17A.425



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Any expenditures are authorized by the committee members listed within lines 4-7 of the C1/C1-pc.

4. Allegations of violating RCW 42.17A.235 (6)

All books of account, bills, receipts and all other financial records are kept in our offices for 5 calendar years following the years during which the transaction occurred.

5. Allegations of violating RCW 42.17A.220 (1))

We do not run a campaign.

Line 6 of the C1-pc lists the name of the person responsible for Ministerial duties of WSPLEA contributions. Our legal understanding of the term “ministerial duties” defines it as: an act or a function that conforms to an instruction or a prescribed procedure”. The person listed on line 6, C1-pc is the person who performs the action of reporting PAC contributions and depositing contribution funds into the designated bank account.

6. Allegations of Violating RCW 42.17A.320

AWSP-WSPLEA does not produce political advertisements/independent expenditures, nor engage in any political advertisements in any medium (social media, mail, television, radio, etc.)

7. Allegations of Violating RCW 42.17A.255(2)

We do not have independent expenditures of any kind.