



Dave Bond, Superintendent
Dr. Chuck Lybeck, Associate Superintendent, Curriculum
Greg Fancher, Assistant Superintendent, Elementary Education
Ron Williamson, Assistant Superintendent, Secondary Education
Dr. Doug Christensen, Assistant Superintendent, Human Resources
Ron Cone, Executive Director, Information Technology
Vic Roberts, Executive Director, Business Operations
Robyn Chastain, Director, Communications and Public Relations

April 13, 2018

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

Sent by email and regular mail

Re: Self-Disclosure of Possible Violation of RCW 42.17A.555

Dear Chair Levinson,

I am writing to self-report a situation I created that might constitute a violation of RCW 42.17A.555.

I have served on the Kennewick School District (KSD) Board of Directors for 17 years. Like my fellow board members, I serve on the Board because I love kids, and I believe in educating our youth. Every year, we board members waive all compensation associated with service, so I and my colleagues are volunteers in the truest sense of the word. The Kennewick School District is an amazing organization, and I am tremendously proud of all that it has accomplished on behalf of the children in our community.

That being said, even with my nearly two decades of experience and my very best of intentions, I am fallible. In the midst of an extremely harried effort to prepare for a trip to Japan for my employer, I was asked via email by Jan Fraley, a member of the Kennewick Citizens Bond and Levy Committee, if the Kennewick School Board would be willing to submit a letter to the Tri-City Herald in support of the District's upcoming Levy on February 13, 2018. Ms. Fraley offered the draft letter to me on January 28, 2018. I did not have an opportunity to see or respond to Ms. Fraley's request until February 1, 2018. At that time, I was working overtime to prepare for my two-week trip to Japan. I was scheduled to fly out on February 2, 2018. My trips to Japan involve a 14-hour flight and a complete changing of my body clock.

But I love kids. All five of the KSD directors believe in the KSD and the work we are doing to enhance the educational experience. All five of us either currently have children attending Kennewick schools or have adult children who have graduated from Kennewick schools. When asked to take action in support of KSD's Levy effort, I was all in, and I knew the others would be, too. Unfortunately, given my work circumstances, I did not have an opportunity to pause long enough to consider the technical aspects of obtaining Board approval of Ms. Fraley's letter. My thought process was, to my regret, streamlined and focused purely on the logistics of submitting the letter before boarding the plane.

To accomplish this objective, I sent individual text messages (not a group text) to each of the four board members. Each member responded directly to me, and only me, via text. The board members were not aware that I was texting each of them. I did send an email to Vice President Heather Kintzley on the evening of February 1, 2018 advising that I would ask each member if they were in agreement with submitting the letter, but Ms. Kintzley did not see my email before responding to my February 2, 2018 text message. Shortly after sending the individual texts, and before receiving a response to any of them, I boarded the plane to Japan.

1000 West Fourth Avenue • Kennewick, Washington 99336-5601
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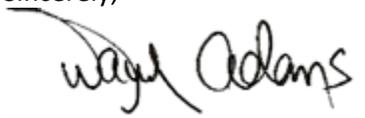
The text records and the email I sent to Ms. Kintzley are attached to substantiate my statements above.

I recognize that, by signing “KSD Board of Directors” to the letter authored by Ms. Fraley and published by the Tri-City Herald, one could argue that the District used District resources (i.e., KSD’s name) to support a ballot measure, which is prohibited by RCW 42.17A.555. I also recognize that, through the actions I decided to take, the matter was not brought on in an open public meeting to vote in support of the ballot proposition, which is allowed so long as (a) any required notice of the meeting includes the title and number of the ballot proposition, and (b) members of the board or the public are afforded an approximately equal opportunity for the expression of an opposing view.

My hope is that, by self-disclosing the circumstances to you, I can impress upon the Commission the fact that I am aware of my misstep, I am taking ownership of my misstep, and I am committed to ensuring that such missteps are not taken in the future. Upon returning from Japan and realizing that, in my haste, I might have run afoul of RCW 42.17A.555, I asked for a legal review of the action. The Board is also committed to additional refresher training on RCW 42.17A.555 and the Open Public Meetings Act (OPMA). Again, we are five volunteers with the interests of our students at heart; we want to get this right.

When I boarded the plane to Japan, I was aware that the Levy had been discussed in open public meetings on numerous occasions with plenty of opportunity for public input into the decision-making process. I am now fully aware that any collective expression of support from the Board must comply with the process identified in RCW 42.17A.555(1), and I anticipate no similar mistakes moving forward. I respectfully submit my self-disclosure to the Commission and ask for leniency.

Sincerely,

A handwritten signature in black ink that reads "Dawn Adams". The signature is written in a cursive style and is contained within a thin black rectangular border.

Dawn Adams, President
Board of Directors
Kennewick School District

From: [PDC Support](#)
To: [Dave Bond](#)
Cc: [Bronson Brown](#)
Subject: Re: PDC - PDC Self Report
Date: Tuesday, April 17, 2018 4:50:29 PM

Good evening Dave Bond,

Thank you for reaching out to us regarding this incident with Dawn Adams and your Board of Directors. Though the name of the Public Disclosure Commission came from similar legislation, we do not enforce potential violations of the [Open Public Meetings Act, Chapter 42.30 RCW](#), nor do we enforce potential violations of the [Public Records Act, Chapter 42.56 RCW](#).

The PDC does not accept self-reports of potential violations, and on your report's face, no evidence has been provided to suggest that public facilities were used to support or oppose the ballot propositions. Simply signing KSD Board of Directors in a newspaper editorial is not a sufficient nexus to offend the provisions of [RCW 42.17A.555](#), and all solicitation and statements of support appear to have been made through private e-mail and text communications--rather than public e-mails or offices.

PDC Staff recommends that your Board reads [PDC Interpretation 01-03, Guidelines for School Districts in Election Campaigns](#) regarding their rights in the process, and responsibilities for transparency and accountability to the people of Washington State. If a complaint is received regarding this issue, it will be processed according to our standard policies and procedures. [Chapter 390-37 WAC](#).

If you have any questions, please let me know.

Thank you,

Fox Blackhorn
Compliance Coordinator 2
360.753.1980 | 360.753.1111



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To respond, please reply to this email.

Washington Public Disclosure Commission
<http://www.pdc.wa.gov>
1.360.753.1111

On Fri, 13 Apr at 2:33 PM , Dave.bond <dave.bond@ksd.org> wrote:
Ms. Levinson,

Please accept this Self-Report on behalf of Kennewick School District Board President
Dawn Adams.

Dave Bond, Superintendent
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509-222-5020

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