

MEMORANDUM

March 16, 2011

Sorry, not interested
in re-opening. We
can discuss if you
like.

TO: FPPC File No. 10/589

FROM: Gary S. Winuk, Division Chief
Jeanette E. Turvill, Political Reform Consultant

RE: FPPC No. 10/589; Alameda Unified School District
Request to Send to Resolution Pending



We previously closed this matter against the Alameda Unified School District, but have received additional information from the complainant with a request to re-open this matter.

The Alameda Unified School District ("AUSD") sent a mailer to all Alameda Residents concerning Measure E. Measure E was a parcel tax measure on a special June 22, 2010 ballot. The complaint was reviewed and a recommendation to send the matter to full investigation was made. (See attachment.)

This case was closed with an advisory letter to AUSD advising that we determined that the mailer was sent with public monies and did contain some inflammatory language, but that the newsletter did not fall squarely within the parameters of a prohibited mailing, but the letter does not say in what manner. (Advisory letter in the file.)

The complainant is requesting we reconsider in that the mailing was not consistent with a typical communication pattern for the district. It was not sent to just parents of students, but the AUSD sent the mailer to 41,183 registered voters. Since we have already determined that mailer was sent with public monies, and contained inflammatory language concerning Measure E, the complainant has provided information to reconsider reopening this matter and pursuing an action against the AUSD.

I recommend this matter be re-opened and go to further investigation.

Dated: _____

Gary S. Winuk, Division Chief