

BENJAMIN R. GRAYBILL
609 3rd Avenue North
Great Falls, MT 59401

RECEIVED

2014 APR 25 A 9:18

COMMISSIONER OF
POLITICAL PRACTICES

POSTMARKED

APR 24 2014

April 21, 2014

CERTIFIED MAIL

John Motl

Commissioner of Political Practices

1205 8th Avenue

PO Box 202401

Helena, MT 59620-2401

Dear Mr. Motl:

This is a complaint against Parent Coalition for Accountability in Schools (PCAS). It is my understanding PCAS's address is PO Box 6126 Great Falls, Montana, 59406.

PCAS paid for a flyer distributed via the Great Falls Tribune on April 21, 2014. Ex. A, "Tribune Flyer". The Tribune Flyer does not sponsor the defeat of the Great Falls School District Levy, which is a ballot issue voters will decide on May 6, 2014. As such, in distributing that flyer, PCAS seemed not to be acting as a political committee as defined at § 13-1-101(22)(b), MCA.

However, a strikingly similar flyer was left at residences in Great Falls before the Tribune Flyer was distributed. Ex. B, "Door Flyer". Ex. C, Affidavits.

The Flyers are identical in several ways:

Tribune Flyer:



Door Flyer:

Did you know... Great Falls Public Schools will receive an additional \$961,763 from the state?

Tribune Flyer:

Last year GFPS received an additional \$971,131 from the state. Over the two year period they have received almost 2 million in additional revenue from the state. This was paid by your property taxes. District also receives over 34 million in Federal Funds for a total budget of 100 million.

Door Flyer:

Last year GFPS received an additional \$971,131 from the state. Over the two year period they have received almost \$2 million in additional revenue from the state. This was paid by your property taxes. The District also receives over \$34 million in Federal Funds for a total budget of \$100 million.

Tribune Flyer:

Due to Obamacare employer mandates starting October 2015, the District is expecting increases of approximately TWO MILLION DOLLARS per year. Superintendent Lacey said that this keeps her up at night worrying how they will pay for the increases. Obviously, this does NOT seem like the time to add 15 new positions with this unfunded mandate looming. Where is the common sense and long-range planning for future expenses?

Door Flyer:

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In addition, both flyers contain a list of 2013-2014 Great Falls School District administrative salaries, followed by a statement of the average per capita income in Cascade County. Both flyers state that a school levy “never expires. It stays on your taxes forever”. Both flyers underscore and capitalize the same words and phrases.

The flyers’ corresponding text and emphasis suggest PCAS created both. Moreover, the later Tribune Flyer was clearly intended to complement the Door Flyer and cause recipients to recall the Door Flyer’s overt anti-levy message. Both flyers, therefore, convert PCAS into a political committee, and subject it to Montana campaign practices law. § 13-1-101(22)(b), MCA.

It has undoubtedly been more than five days since PCAS expended money to create and distribute these flyers. Accordingly, PCAS has violated Montana campaign practices law by failing to file a certification, with your office, identifying its full name and address, the name and address of its officers, including its treasurer, the name and address of its depository, and the ballot issue it opposes. §§ 13-37-201 and 205, MCA, ARM 44.10.405.

Moreover, in violation of § 13-35-225(1)(b), the Door Flyer contains no attribution statement identifying PCAS, its treasurer, and the address of either.

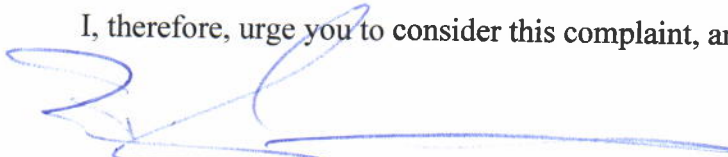
It’s implausible that a single person appropriated the Tribune Flyer and used it to create the Door Flyer. The Door Flyer was distributed at doors before or at the same time the Tribune Flyer was distributed. Ex. C.

This morning’s Great Falls Tribune contained an insert for Great Falls School Board candidate Cyndi Baker. Ex. D. The attribution reveals PCAS paid for the insert. So, for the Baker insert as well, PCAS appears to be in violation of §§ 13-37-201 and 205, MCA, ARM 44.10.405.

Because of PCAS has chosen not to file the required certification, it’s impossible to know when PCAS formed. Therefore, in addition to the above violations, PCAS may have violated periodic reporting requirements for contributions and expenditures. §§ 13-37-225 and 226, MCA. PCAS should be investigated for these compliance issues, and its treasurer’s reports, required by §§ 13-37-207(2) and 208, MCA, should be obtained and inspected.

The disclosure requirements still present in Montana’s campaign practices law promote “transparency [and] enables the electorate to make informed decisions and give proper weight to different speakers and messages.” *Citizens United v. Fed. Election Comm’n*, 558 U.S. 310, 371, 130 S.Ct. 876, 916, 175 L.Ed.2d 753 (2010).

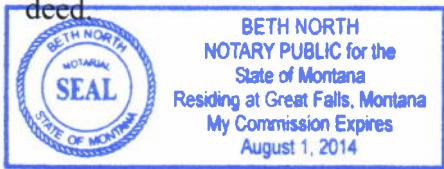
I, therefore, urge you to consider this complaint, and thank you for your attention to it.




Benjamin R. Graybill
attachments

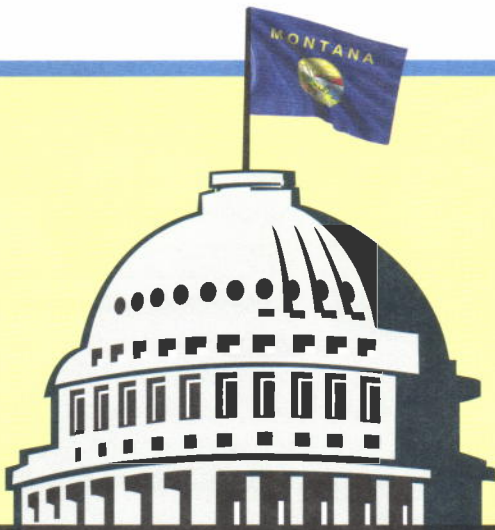
STATE OF MONTANA)
) ss.
County of Cascade)

On this 24th day of April, 2014, before me, a notary public of the State of Montana, personally appeared Benjamin R. Graybill, known to me to be the person named above, and acknowledged to me that he executed the same as his free act and deed.



(NOTARIAL SEAL)


Printed Name: Beth North
Notary Public for the State of Montana
Residing at Great Falls, Montana
My Commission Expires: 8-1-2014



Did you know... GFPS will receive an additional **\$961,763** from the state?

Last year GFPS received an additional \$971,131 from the state. Over the two year period they have received almost 2 million in additional revenue from the state. **This was paid by your property taxes.** District also receives over 34 million in Federal Funds for a total budget of 100 million.

Due to Obamacare employer mandates starting October 2015, the District is expecting increases of approximately **TWO MILLION DOLLARS** per year. Superintendent Lacey said that this keeps her up at night worrying how they will pay for the increases. Obviously, this does NOT seem like the time to add 15 new positions with this unfunded mandate looming. Where is the common sense and long-range planning for future expenses?

Where 2013 property tax dollars go

It's November, which not only heralds Thanksgiving Day, but it's also the month Montana property owners must pay their first-half property taxes. Montana ranked smack-dab in the middle for property tax burden during the years 2006 to 2010 — 25th out of 50 states for capita property taxes \$1,296 per year — according to a September report from the Tax Foundation. We decided to take a closer look at property taxes in Cascade County and the house on the Lower West Side of Great Falls that appraised for tax purposes at about \$126,000. That's higher than the usual \$100,000 home value we use in tax stories, but lower than the average sale price of a house in the Great Falls area for September of \$161,000. This older home falls in an average tax year, the largest single amount listed. The school figure does not include various state dollars for elementary and secondary education collected from this household that will be special assessments of \$84.88 for the boulevard district, \$124.38 for street lights and \$112.80 per year for street maintenance, such as mowing and tree trimming. City residents pay for both police and sheriff's protection on property tax bills; city residents do not pay county fees. Where the money is actually going, said Cascade County Commissioner Joe Briggs, "I personally like this new report. I think it's easier to answer the new-for-prompted questions to the public, which he's doing. Inquiries about this year's property tax can be directed to the county treasurer at 454-6850, or the commissioners' office at 454-6830. All bills are due on the second-half bills paid by June 2, 2014. Source: editorial board.

Great Falls schools will receive \$595.96 from these property owners for 2013 tax year, the largest single amount listed.

PH: (406) 454-6850

ECKE, RICHARD & GARY
Statement# 48839

LAND DESCRIPTION: LOT 13 BLOCK 247 GREAT FALLS ORIGINAL GREAT FALLS ORIGINAL

DESCRIPTION	AMOUNT	TOTAL DUE
BOULEVARD LIGHTING	62.29	62.29
STREET LIGHTS	56.40	56.40
ADULT JAIL BOND	6.54	6.54
BRIDGE FUND	18.72	18.72
CITY-GREAT FALLS	274.99	274.99
CITY-COMP INS	5.05	5.05
DISTRICT SCHOOL	297.98	297.98
ELEM EQUAL	52.70	52.70
ELEM RETIREMENT	44.46	44.46
ELEM MED SRVCE	1.01	1.01
ENTERTAINMENT	21.29	21.29
EXTENSION SRVCE	2.40	2.40
GENERAL FAIR	10.86	10.86
MISO CONTROL	42.46	42.46
GENERAL FUND	4.10	4.10
SOCCER PARK	23.86	23.86
HIGH SCH RETIRE	35.13	35.13
HIGH SCHOOL	10.54	10.54
JUDICIAL	1.02	1.02
MENTAL HEALTH	3.80	3.80
MISO CONTROL	2.88	2.88
MUSEUMS	10.80	10.80
PER MED COUNTY	32.04	32.04
PER MED OF PUBLIC SAFETY	61.06	61.06
BOH TRANSPORT	6.71	6.71
SEARCH AND RESCUE	9.48	9.48
SENIOR CITIZEN	2.84	2.84
SPEC TRANSPORT	1.50	1.50
ST EQUALIZATION	63.88	63.88
SWIMMING POOL	6.28	6.28
TRANSIT DISTRICT	32.33	32.33
UNIVERSITY	9.58	9.58
VO-TECH CENTER	2.45	2.45
WEED CONTROL	4.74	4.74
SCHOOL LEVY	\$1,257.33	\$1,257.33
CITY OF GREAT FALLS	\$1,257.33	\$2,514.66

DELINQUENT TAXES: YEAR AMOUNT

A complete legal description and tax breakdown is available at <http://itax.caa-inc.net/cascade/>

NO SECOND HALF NOTICE WILL BE SENT IF YOUR CHECK IS YOUR RECEIPT. STUBS BELOW MUST ACCOMPANY PAYMENT FOR A COPY OF YOUR TAX RECEIPT. INCLUDE A SELF-ADDRESSED STAMPED ENVELOPE.

PAY TO: DUE 12/02/2013 DUE 06/02/2014 OR PAY TOTAL

SEE REVERSE SIDE FOR IMPORTANT INFORMATION

THIS IS A BREAKDOWN OF WHERE YOUR GENERAL TAX DOLLARS GO:	STATE	COUNTY	SCHOOL	CITY	OTHER
	477.44	419.58	895.96	899.44	322.28

Sources: Cascade County; City of Great Falls; Great Falls School District; State of Montana

A SCHOOL LEVY

NEVER EXPIRES
It stays on your property taxes forever.

EXHIBIT

tabbles

A

"We believe we have the appropriate amount of administrators." Admin. Structure and Compensation Subcommittee of GFPS Board of Trustees – report released 2/24/2014

2013-14 Administrative Salaries

Principal MS	Anderson	110,206
Assoc. Principal HS	Barringer	90,112
Psychologist	Barringer	67,153
Assist. Field Sup., Food Service	Bautista	31,934
Principal Elem	Boyd	85,608
Principal Elem	Carlson	85,608
Coor. Student Services	Cline	67,812
Principal Elem	Corey	91,237
Community Connection Manager	Crum	87,785
Assoc. Principal MS	Culbertson	91,519
Assist. Supervisors of Bldng/Grnds.	Cutler	56,644
Principal Elem	Cutler	84,200
Coor. HPE/Athletics/DE	DeGooyer	96,569
Supervisor, Steno/Repr/Exec. Sec.	Fadhronc	53,498
Assoc. Principal HS	Gerhart	86,196
Coor. Early Childhood	Getten	67,812
Principal Elem	Gilbert	83,955
Principal HS	Gregoire	108,248
Supervisor of Bldng/Grnds	Hammatt	68,388
Principal Elem	Hart	81,141
Assoc. Principal MS	Held	78,608
Supervisor of Support Services	Houtz	55,603
Assoc. Principal HS	Hoyer	81,423
Principal Elem	Ingalls	89,830
Dir. Human Resources	Kiser	93,169
Principal HS	Kloppel	112,470
Principal Elem	Konen	81,692
Superintendent	Lacey	134,000
Dir. Student Services	Lambert	101,840
Principal Elem	Maki	91,237
Supervisor, Data Processing	McGregor	79,241
Principal Elem	McKittrick	91,237
Principal Elem	Meredith	88,423
Coor. Music w/Art	Molyneaux	77,754
Asst. Supt. Sec	Moore, T.	111,062
Speech & Language Pathologist	Nowak	68,532
Dir. Curriculum/Instruction	Oslzewski	90,313
Principal MS	Parsons	97,610
Dir. Bus Ops	Patrick	103,542
Dir. Technology	Patterson	101,840
Assoc. Principal HS	Quinn	87,297
Psychologist	Remsen	68,401
Assoc. Principal MS	Rosipal	80,595
Principal Elem	Salonen	92,644
Coor. Indian Ed.	Smith	76,229
Principal Elem	Smith	87,015
Supervisor, Food Services	Spellman	67,966
Principal Elem	Sprague	87,015
Assoc. Principal HS	Tramelli	87,297
Principal Alt HS /Adult Ed	Uecker	100,425
Asst. Supt. Elem	Uecker, R.	113,283
Coor. Student Services	Von Bergan	67,812
Principal Elem	Zobrak	87,015

CASCADE County average per capita income \$23,554

MONEY DIVERTED

Money specifically earmarked for the benefit of STUDENTS...was diverted by the School Board to pay for LEGAL FEES!

1/27/14 GFPS Minutes of the Regular Meeting:

"Approve Pepsi and Coke Agreements to provide beverages for the schools... This money will be deposited in the Revenue Enhancement Account. **The funds in this account have been designated for use for turf to be used on the football field.**"

Letter dated 11/15/13 from Supt. Lacey to a concerned citizen:

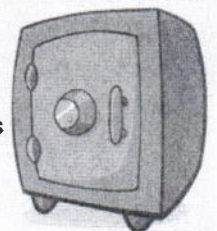
"As per your verbal request at the Board meeting on Monday, November 11, 2013, the legal fees associated with the merger of the Great Falls Scholarship Foundation and the Great Falls Public Schools Foundations will be paid from the following:

Revenue Enhancement Account

IS GFPS USING YOUR TAX DOLLARS WISELY?

The Human Resources position was advertised last year at \$80,000 and the new employee hired at \$93,169, a difference of \$13,169 which would have paid for 1,666 hours of aide time for students, the district insists it needs more aide time. Instead this money went to administration. When Superintendent Lacey was questioned about this by a board member she replied, "I have the authority to offer her more money" and in a letter to a concerned citizen who questioned the salary Lacey wrote "It was determined that...\$80,000 was not appropriate in honoring her experience." **WHAT ABOUT HONORING THE STUDENTS?**

GFPS has \$39,509,091 in reserve accounts according to the County Superintendent's Annual Statement of School Districts



These administrators received a 1.75% raise last year and will receive a 1.5% raise this year.

VOTE NO

on the school levy

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Principal Elem Boyd	\$85,608	Principal Elem McKittrick	\$91,237
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Coor. Student Services Cline	\$67,812	Coor. Music w/Art Molyneaux	\$77,754
Principal Elem Corey	\$91,237	Asst. Supt. Sec Moore, T.	\$111,062
Community Connection Manager Crum	\$87,785	Speech & Language Pathologist Nowak	\$68,532
Assoc. Principal MS Culbertson	\$91,519	Dir. Curriculum/Instruction Oslzewski	\$90,313
Assist. Supervisors of Bldng/Grnds. Cutler	\$56,644	Principal MS Parsons	\$97,610
Principal Elem Cutler	\$84,200	Dir. Bus Ops Patrick	\$103,542
Coor. HPE/Athletics/DE DeGooyer	\$96,569	Dir. Technology Patterson	\$101,840
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Principal Elem Ingalls	\$89,830	Asst. Supt. Elem Uecker, R.	\$113,283
Dir. Human Resources Kiser	\$93,169	Coor. Student Services Von Bergan	\$67,812
Principal HS Kloppel	\$112,470	Principal Elem Zobrak	\$87,015
Principal Elem Konen	\$81,692		

***CASCADE County average per capita income \$23,554 raise this year.

EXHIBIT


B

STATE OF MONTANA)
 : ss.
County of Cascade)

I, Jolene Bach, of Great Falls, Montana, being first duly sworn, upon her oath, depose and say:

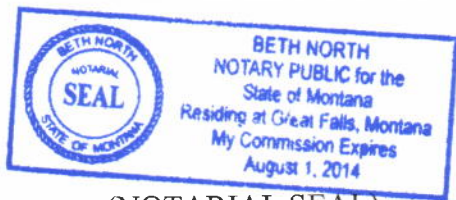
1. I am of legal age.
2. I reside at 124 13th Avenue South, Great Falls, Montana.
3. On or before Monday, April 21, 2014, I found the attached flyer taped to the front door of my residence.
4. The flyer is anonymous; I received no information regarding who created or distributed it.

DATED this 24th day of April, 2014.




Jolene Bach

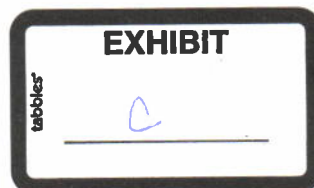
On this 24th day of April, 2014, before me, a notary public of the State of Montana, personally appeared Jolene Bach, known to me to be the person named above, and acknowledged to me that she executed the same as her free act and deed.



(NOTARIAL SEAL)



Printed Name: Beth North
Notary Public for the State of Montana
Residing at: Great Falls
My Commission Expires: 8-1-2014



VOTE NO

on the school levy

Did you know... Great Falls Public Schools will receive an additional \$961,763 from the state?

Last year GFPS received an additional \$971,131 from the state. Over the two year period they have received almost \$2 million in additional revenue from the state. This was paid by your property taxes. The District also receives over \$34 million in Federal Funds for a total budget of \$100 million.

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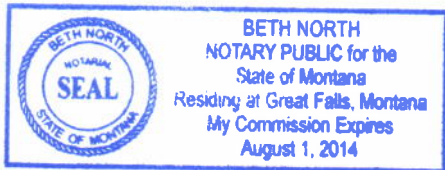
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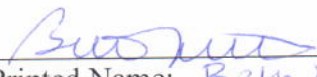


Carol Gamell

On this 24th day of April, 2014, before me, a notary public of the State of Montana, personally appeared Carol Gamell, known to me to be the person named above, and acknowledged to me that she executed the same as her free act and deed.



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Principal Elem Ingalls	\$89,830	Asst. Supt. Elem Uecker, R.	\$113,283
Dir. Human Resources Kiser	\$93,169	Coor. Student Services Von Bergan	\$67,812
Principal HS Kloppel	\$112,470	Principal Elem Zobrak	\$87,015
Principal Elem Konen	\$81,692		

*****CASCADE County average per capita income \$23,554 raise this year.**

BAKER FOR SCHOOL BOARD

Educated

- Graduate Great Falls High School
- Graduate University of Great Falls
B.S. Elementary Education

Informed

- Attended all school board meetings for past 3-1/2 years.
- Attended all school budget meetings for past 4 budget cycles

Involved

- Appointed by Tammy Lacey to Superintendent's Advisory Board
- Vice-Chair Neighborhood Council #3 (Riverview/Valleyview area)
- Three children who have graduated from Great Falls Public Schools
- 22 year small business owner in Great Falls

My Priorities

Accountability - for financial performance, parent satisfaction, teacher satisfaction and student safety

Community Engagement - holding Town Hall meetings, coffee meetings, focus groups, satisfaction surveys, and a school board facebook page to communicate with and hear from you - the public - about school issues and your ideas. Start a citizens academy.

Funding - start a 1:1 program that links neighborhood schools with neighborhood businesses in a mutually beneficial partnership

Advocacy - for the students in the classroom AND the taxpayers who fund their education.

Proactive on Issues - GFPS has an estimated 2 million dollar unfunded employer mandate that will kick in Oct '15 due to new ACA (ObamaCare) regulations. We can't wait to make decisions. Long range planning must begin NOW for this massive financial impact - also finding a balance that the community will support for aging school buildings and infrastructure improvements.



EXHIBIT

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"I have researched and exposed information that the school district and teacher's union would rather remain hidden from the voters, such as the amount of reserves, the outrageous administration salaries, funds that were earmarked for students needs being used to pay district legal fees, a school board member who voted to tax you more but is delinquent on her own property taxes, and more. Please be aware that a campaign to discredit me will be waged against me because I refuse to be silenced. You need a voice on the school board that will not be just another rubber stamp. I will be **YOUR** voice."


BAKER FOR SCHOOL BOARD



**Determined to improve
Great Falls Public Schools
while keeping our tax
burden low.**



**Committed to making
sure our children have
the best chance of
success.**



**Willing to approach each
decision with an open
mind.**

Call Cyndi: 406-781-4172 • Email: cyndiann101@hotmail.com

Paid for by Parent Coalition for Accountability in Schools, Chuck Henry Treasurer, Po Box 6126 GF MT 59406