FAIR POLITICAL PRACTICES COMMISSION
428 J Street • Suite 620 • Sacramento, CA 95814-2329
(916) 322-5660 • Fax (916) 322-0886

May 12, 2011

Ms. Marilyn J. Cleveland
Dannis Woliver Kellev
REDACTED

Mr. William B. Tunick
Dannis Woliver Kelley
REDACTED

RE: **Advisory Letter**
FPPC File No. 11/190; Tahoe-Truckee Unified School District; Stephen Jennings

Dear Ms. Cleveland and Mr. Tunick:

The Fair Political Practices Commission ("Commission") enforces the provisions of the Political Reform Act (the "Act") found in Government Code Section 81000, and following. The Act requires any person or persons who make expenditures for a political purpose to file campaign disclosure statements at specified times disclosing their contributions and expenditures. (Section 82013.)

The Enforcement Division of the Commission received a complaint alleging that your client, the Tahoe-Truckee Unified School District, sent a mailer to senior citizens that expressly advocated the passage of Measure A. If true, the mailing would be an expenditure for a political purpose.

After review of the evidence of this matter, we have determined that the mailing did not meet the express advocacy test and we are closing our file on this matter. We want to remind you that the District may qualify as a campaign committee under Section 82013 of the Act, subject to campaign reporting provisions, if it sends a mass mailing that unambiguously urges a particular result in an election. Remember to ensure that any District mass mailing contains only factual information and does not contain inflammatory or argumentative language. (Section 89001; Regulation 18901.1.)

In the future, please contact the Commission's Legal Division prior to sending a mass mailing to ensure compliance with the Act. Additionally, if you ever need guidance regarding your obligations, please call the FPPC's Technical Assistance Division at (916) 322-5660, Monday through Thursday, between 9:00 a.m. and 4:00 p.m. Please also visit our website at www.fppc.ca.gov.

If you have questions regarding this matter, please contact me at (916) 322-8194.

Sincerely

REDACTED

Jeanette E. Turvin
Political Reform Consultant
Enforcement Division

JT/jt
cc: Mr. Dennis A. Dickerson