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

April 26, 2011

Mr. Robert Swirsky
REDACTED

Re: FPPC File No. 11/277; Cupertino Union School District; Steve Burrell and Joaquin Miller Middle School; Sal Gumina

Dear Mr. Swirsky:

This letter is in response to the sworn complaint you submitted to the Enforcement Division of the Fair Political Practices Commission ("FPPC") regarding the above-named persons. After review of your complaint, we found no violation of the Political Reform Act. The factual statement that the board of education placed Measure C on the ballot, which does not contain inflammatory or argumentative language for or against the measure, is not a campaign related mailing sent at public expense. (Regulation 18901.1.)

If you are able to provide additional related facts and evidence to support your allegations, please consider re-submitting your complaint with reference to the FPPC File Number at the top of this letter

Note that the use of public resources is not addressed by the Political Reform Act. Accordingly, the Commission has no jurisdiction to initiate an investigation into that matter.

If you have any questions, or if you wish to speak with someone in the Enforcement Division about your correspondence, you may call us at (916) 322-5660. Thank you for your interest in the FPPC.

Sincerely,

REDACTED

Roman G. Porter
Executive Director

RGP/jt
cc: Mr. Steve Burrell
Mr. Sal Gumina