



STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
1102 Q Street • Suite 3050 • Sacramento, CA 95811

August 7, 2024

Grande for San Bernardino City School Board
Mary Ellen Grande
Via email: [REDACTED]

**Warning Letter Re: FPPC No. 2023-00474; Grande for San Bernardino City School Board,
Mary Ellen Grande**

Dear Respondent,

The Enforcement Division of the Fair Political Practices Commission enforces the provisions of the Political Reform Act (the “Act”).¹ This letter is in response to a referral from the County of San Bernardino alleging that the committee, Grande for San Bernardino City School Board (the “Committee”), failed to timely file certain pre-election statements. The Enforcement Division has completed its review of the facts in this case. Specifically, we found that the Committee failed to timely file a statement of organization, the first pre-election campaign statement, a semi-annual campaign statement, a 24-hour contribution report, and an officeholder campaign statement.

The Act requires candidates to file Form 410 to establish a candidate-controlled committee within 10 days of meeting the \$2,000 committee qualification threshold. For local candidate-controlled committees, the original Form 410 must be filed with the Secretary of State and a copy with the local filing officer.² Candidate-controlled committees must also file a Form 410 to terminate the committee.³ The Act requires candidate-controlled committees to file two-pre-election campaign statements at specified times prior to the election in which the candidate will be on the ballot, as well as semi-annual campaign statements each year no later than July 31 for the period ending June 30, and no later than January 31 for the period ending December 31.⁴ The obligation to file semi-annual campaign statements continues until the candidate or treasurer terminates the committee. Controlling candidates and committee treasurers are jointly and severally liable for violations by the committee.⁵ Additionally, the Act requires committees that make or receive a late contribution to file a late contribution report within 24 hours of making or receiving the contribution.⁶ A “late contribution” includes a contribution(s) aggregating \$1,000

¹ The Political Reform Act is contained in Government Code sections 81000 through 91014, and all statutory references are to this code. The regulations of the Fair Political Practices Commission are contained in Sections 18104 through 18998 of Title 2 of the California Code of Regulations, and all regulatory references are to this source.

² Section 84101.

³ Regulation 18404.

⁴ Sections 84200.5 and 84200.

⁵ Sections 83116.5 and 91006.

⁶ Section 84203.

or more that is made to or received by a committee primarily formed to support a candidate within 90 days before the date of the election, or on the date of the election, in which the pertinent candidate is to be voted on.⁷ If an officeholder does not have an open committee and does not plan to raise or spend \$2,000 or more in a non-election calendar year, they may file Form 470 covering the entire calendar year by July 31.⁸

Your actions violated the Act because the Committee failed to timely file the first pre-election campaign statement for the period ending September 24, 2022, the semi-annual campaign statement for the period ending December 31, 2022, and the Office-Holder Campaign Statement for 2023 by the applicable deadlines. In addition to this, the Committee failed to file a 24-hour contribution report after receiving a contribution of \$1,000 or more by the August 31, 2022 deadline and failed to timely file a statement of organization. However, we are closing this case with this warning letter because the violations at issue here caused minimal public harm, there was very little activity to report, and you and the Committee have no prior history of violating the Act.

This letter serves as a written warning. The information in this matter will be retained and may be considered should an enforcement action become necessary based on newly discovered information or future conduct. Failure to comply with the provisions of the Act in the future will result in monetary penalties of up to \$5,000 for each violation.

A warning letter is an Enforcement Division case resolution without administrative prosecution or fine. The Commission has adopted Regulation 18360.1 to authorize the Enforcement Division to issue warning letters to conclude cases in specified circumstances. However, the warning letter resolution does not provide your client with the opportunity for a probable cause hearing or hearing before an Administrative Law Judge or the Commission. If your client wishes to avail himself of these proceedings by requesting that his case proceed with prosecution rather than a warning, please notify us within ten (10) days from the date of this letter. Upon this notification, the Enforcement Division will rescind this warning letter and proceed with administrative prosecution of this case. If we do not receive such notification, this warning letter will be posted on the Commission's website ten (10) days from the date of this letter.

If you need forms or a manual, or guidance regarding your obligations, please call the Commission's Toll-Free Advice Line at 1-866-275-3772 or visit our website at www.fppc.ca.gov.

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⁷ Section 82036.

⁸ Section 84200 and 84206

Please feel free to contact me at jrivera@fppc.ca.gov or (279) 237-5913 with any questions you may have regarding this letter.

Sincerely,

Jonathan Rivera

Jonathan Rivera, Commission Counsel
Enforcement Division

cc: County of San Bernardino Paula.James@rov.sbcounty.gov