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BEFORE THE FAIR POLITICAL PRACTICES COMMISSION
STATE OF CALIFORNIA

In the Matter of:)	FPPC No. 2024-01211
)	
)	STIPULATION, DECISION, AND ORDER
)	
OCEANSIDE UNIFIED SCHOOL DISTRICT,)	Date Submitted to Commission:
)	November 20, 2025
)	
)	
Respondent.)	
)	
)	

INTRODUCTION

Respondent Oceanside Unified School District (“OUSD”) is a public school district based in Oceanside in San Diego County, California. There are 23 schools in the district, including 16 K-5 schools, 4 middle schools, 2 comprehensive high schools, and 1 alternative high school.

Under the Political Reform Act (the “Act”),¹ agencies are prohibited from sending mass mailings at public expense if they feature an elected officer of the agency. Respondent violated the Act by sending a mass mailing at public expense.

¹ The Act is contained in Government Code sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in Sections 18104 through 18998 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

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Need for Liberal Construction and Vigorous Enforcement of the Political Reform Act

One stated purpose of the Act is to abolish laws and practices that unfairly favor incumbents so elections may be conducted more fairly.⁴ Another purpose of the Act is to provide adequate enforcement mechanisms so the Act will be “vigorously enforced.”⁵

The Act prohibits sending a newsletter or other mailing at public expense.⁶ Specifically, newsletters and other mailings are prohibited if (1) the item is delivered, by any means, to the recipient at the recipient's residence, place of employment or business, or post office box. The item delivered to the recipient must be a tangible item, such as a videotape, record, or button, or a written document; (2) the item either: (A) features an elected officer affiliated with the agency that produces or sends the mailing, or (B) includes the name, office, photograph, or other reference to an elected officer affiliated with the agency that produces or sends the mailing, and is prepared or sent in cooperation, consultation, coordination, or concert with the elected officer; (3) any of the costs of distribution are paid for with public money or the costs of design, production, and printing exceeding fifty dollars (\$50) are paid with public moneys, and the design, production, or printing is done with the intent of sending the item other than as permitted by this section; and (4) more than 200 substantially similar items are sent in a single calendar month.⁷

⁷ Section 89002.

1 “Elected Officer” is defined as any person who holds an elective office or has been elected to an
2 elective office but has not yet taken office.⁸ “Features an elected officer” occurs when an item mailed
3 includes the elected officer’s photograph or signature or singles out the elected officer by the manner of
4 display of the elected officer’s name or office in the layout of the document, such as by headlines,
5 captions, type size, typeface, or type color.⁹

6 SUMMARY OF THE FACTS

7 OUSD Board of Trustees Mike Blessing, Stacy Begin, Eric Joyce, Eleanor Evans, and Raquel
8 Alvarez are elected officers. The aforementioned OUSD Board of Trustees members were featured on
9 an eight page, 8.375 inch by 10.875 inch, full color, two-sided newsletter (the “Newsletter”) sent to all
10 residences of the city of Oceanside on or around October 18, 2020 (See Exhibit A). Newsletter
11 contained information regarding OUSD, including how many schools are in the district, student/teacher
12 ratios, learning options available, various programs, and their social media information.

13 In a section titled, “Our OUSD Board of Trustees,” the Newsletter features each of the OUSD
14 Board of Trustees by including their names, titles, and photographs on the lower left corner of one
15 page. The OUSD Board Members were not aware of the newsletter prior to it being sent, and they were
16 not notified that their photos would be featured in the newsletter.

17 The OUSD Board of Trustees authorized two payments totaling \$40,132 from the “Revolving
18 Cash Fund” at the November 10, 2020 and December 15, 2020 Board Meetings. Specifically, on
19 consent agenda items titled “Ratification of Warrant List,” the OUSD Board of Trustees voted to ratify
20 the warrant lists as presented – which, over the course of those two Board Meetings, included 760
21 distinct line items over 24 pages and totaling \$14.74 Million in payments. The two payments for the
22 Newsletter were among the warrant lists.

23 According to an invoice from Alpha Graphics, the total cost for the Newsletter was \$40,132 for
24 77,782 copies to be sent to each residence in the city of Oceanside. The Newsletter was sent to all
25 households in the city of Oceanside, not just residences in the OUSD. According to the Executive
26

27 ⁸ Section 82020.

28 ⁹ Section 89002, subd. (c)(2).

Assistant to the Superintendent of OUSD, the Newsletter was sent to provide the community with information about OUSD such as, art programs, academic programs, athletic programs, and more. The intent was to familiarize the community with the exciting offerings within OUSD.

In short, the Newsletter was a tangible item delivered to residences, featured the OUSD Board of Trustees, who were elected officers, by including their photographs and titles and was sent by OUSD, paid for with public money exceeding \$50, and more than 200 substantially similar Newsletters were sent in a calendar month. Therefore, the Newsletter is a mass mailing sent a public expense in violation of Sections 89001 and 89002.

VIOLATIONS

Count 1: Prohibited Mass Mailing Sent at Public Expense

OUSD sent 77,782 prohibited newsletters at a \$40,132 public expense on or around October 18, 2020 that featured the OUSD Board of Trustees, who were elected officers, in violation of Government Code Sections 89001 and 89002.

PROPOSED PENALTY

This matter consists of one proposed count. The maximum penalty that may be imposed is \$5,000 per count. Thus, the maximum penalty that may be imposed for the count charged here is \$5,000.¹⁰

This matter does not qualify for the streamline program because it involves a mass mailing sent at public expense, a violation that is not included in the streamline program.

In determining the appropriate penalty for a particular violation of the Act, the Commission considers the facts of the case, the public harm involved, and the purpose of the Act. In particular, the Commission considers the factors codified in Regulation Section 18361.5(e)(1)-(8): (1) The extent and gravity of the public harm caused by the specific violation; (2) The level of experience of the violator with the requirements of the Political Reform Act; (3) Penalties previously imposed by the Commission in comparable cases; (4) The presence or absence of any intention to conceal, deceive or mislead; (5)

¹⁰ See Regulation 83116, subd. (c).

Whether the violation was deliberate, negligent or inadvertent; (6) Whether the violator demonstrated good faith by consulting the Commission staff or any other governmental agency in a manner not constituting complete defense under Government Code Section 83114(b); (7) Whether the violation was isolated or part of a pattern and whether the violator has a prior record of violations of the Political Reform Act or similar laws; and (8) Whether the violator, upon learning of a reporting violation, voluntarily filed amendments to provide full disclosure.¹¹

The public harm inherent in mass mailing at public expense violations is that the mailings may unfairly favor the featured elected officer. Mass mailing at public expense violations cause a high degree of public harm when the featured elected officer appears on the ballot for an upcoming election. Here, the public harm is slightly mitigated as none of the OUSD Board of Trustees were up for re-election in 2020. However, three of the OUSD Board of Trustees were up for re-election in 2022 and the remaining trustees were up for re-election in 2024. Four of the five OUSD Board of Trustees were successfully re-elected in their respective elections since the Newsletter was sent.

The Commission also considers the penalties in prior cases with comparable violations.

In the Matter of Compton Community College District; FPPC Case No. 22/795 (approved September 21, 2023). The Commission imposed a penalty in the amount of \$4,000 against the District for producing and sending a prohibited mass mailing at public expense. In October of 2022, the District produced and mailed an informational newsletter to students and residents of the District. The newsletter included a photograph of the District's Board President along with their name and title. The newsletter included other references to the District's Board President including a message from the President and the use of pronouns ("I") in the message. Also, the newsletter included photographs with captions of all five members of the District's Board of Trustees. Approximately 33,276 copies of the newsletter were produced and mailed for a total cost of \$36,767. The District's board members were not aware of the photographs being included in the newsletter and did not approve the newsletter. Three of the members of the District's Board of Trustees who appeared in the photographs also appeared on the November 8, 2022 General Election ballot for re-election to their District positions, each were successful.

¹¹ Regulation 18361.5, subd. (e)(1)-(8).

1 Here, OUSD produced and sent an informational newsletter to students and residents that also
2 included photographs with captions of all of OUSD's five elected Board of Trustees members. OUSD
3 sent almost twice as many copies of the Newsletter (77,782) than *Compton*, but for a similar cost
4 (\$40,132). The *Compton* newsletter was sent to students and residents of the District, whereas the OUSD
5 newsletter was sent to all residences in the city of Oceanside, not just within OUSD. Similar to *Compton*,
6 the OUSD Board of Trustees were not aware of the newsletter and were not notified that their photos
7 would be featured in the newsletter. Unlike in *Compton*, none of the OUSD Board of Trustees were in
8 an election the year the Newsletter was sent. However, four of the five OUSD Board of Trustees
9 successfully ran again for office since the Newsletter was sent. Consequently, a similar penalty of \$4,000
10 is warranted.

11 Neither the Respondent nor their counsel contacted the Commission seeking advice pertaining to
12 the regulations affecting public mailers. There is no prior record of any similar violations against OUSD.

13 OUSD was cooperative during the investigation, and their intent was to resolve the matter
14 expeditiously.

15 For the foregoing reasons and considering the seriousness of the violations, while considering the
16 mitigating and aggravating factors, a penalty of \$4,000 for Count 1 is recommended, for a total penalty
17 of \$4,000.

18 19 CONCLUSION

20 Complainant, the Enforcement Division of the Fair Political Practices Commission, and
21 Respondent OUSD hereby agree as follows:

22 1. OUSD, as indicated in the aforementioned count, violated the Act as described in the
23 foregoing pages, which are a true and accurate summary of the facts in this matter.

24 2. This stipulation will be submitted for consideration by the Fair Political Practices
25 Commission at the November 2025 meeting—or as soon thereafter as the matter may be heard.

3. This stipulation resolves all factual and legal issues raised in this matter—for the purpose of reaching a final disposition without the necessity of holding an administrative hearing to determine the liability of OUSD pursuant to Section 83116.

4. OUSD has consulted with their attorney and understands, and hereby knowingly and voluntarily waives, all procedural rights set forth in Sections 83115.5, 11503, 11523, and Regulations 18361.1 through 18361.9. This includes but is not limited to the right to appear personally at any administrative hearing held in this matter, to be represented by an attorney at OUSD's own expense, to confront and cross-examine all witnesses testifying at the hearing, to subpoena witnesses to testify at the hearing, to have an impartial administrative law judge preside over the hearing as a hearing officer, and to have the matter judicially reviewed.

5. OUSD agrees to the issuance of the decision and order set forth below. Also, OUSD agrees to the Commission imposing against them an administrative penalty in the amount of \$4,000. A cashier's check or money orders totaling said amount—to be paid to the General Fund of the State of California—is/are submitted with this stipulation as full payment of the administrative penalty described above, and same shall be held by the State of California until the Commission issues its decision and order regarding the matter.

6. If the Commission declines to approve this stipulation—then this stipulation shall become null and void, and within fifteen business days after the Commission meeting at which the stipulation is rejected, all payments tendered by OUSD in connection with this stipulation shall be reimbursed to OUSD. If this stipulation is not approved by the Commission, and if a full evidentiary hearing before the Commission becomes necessary, neither any member of the Commission, nor the Executive Director, shall be disqualified because of prior consideration of this Stipulation.

7. The parties to this agreement may execute their respective signature pages separately. A copy of any party's executed signature page including a hardcopy of a signature page transmitted via fax or as a PDF email attachment is as effective and binding as the original.

Dated: _____

Kendall L.D. Bonebrake, Chief of Enforcement
Fair Political Practices Commission

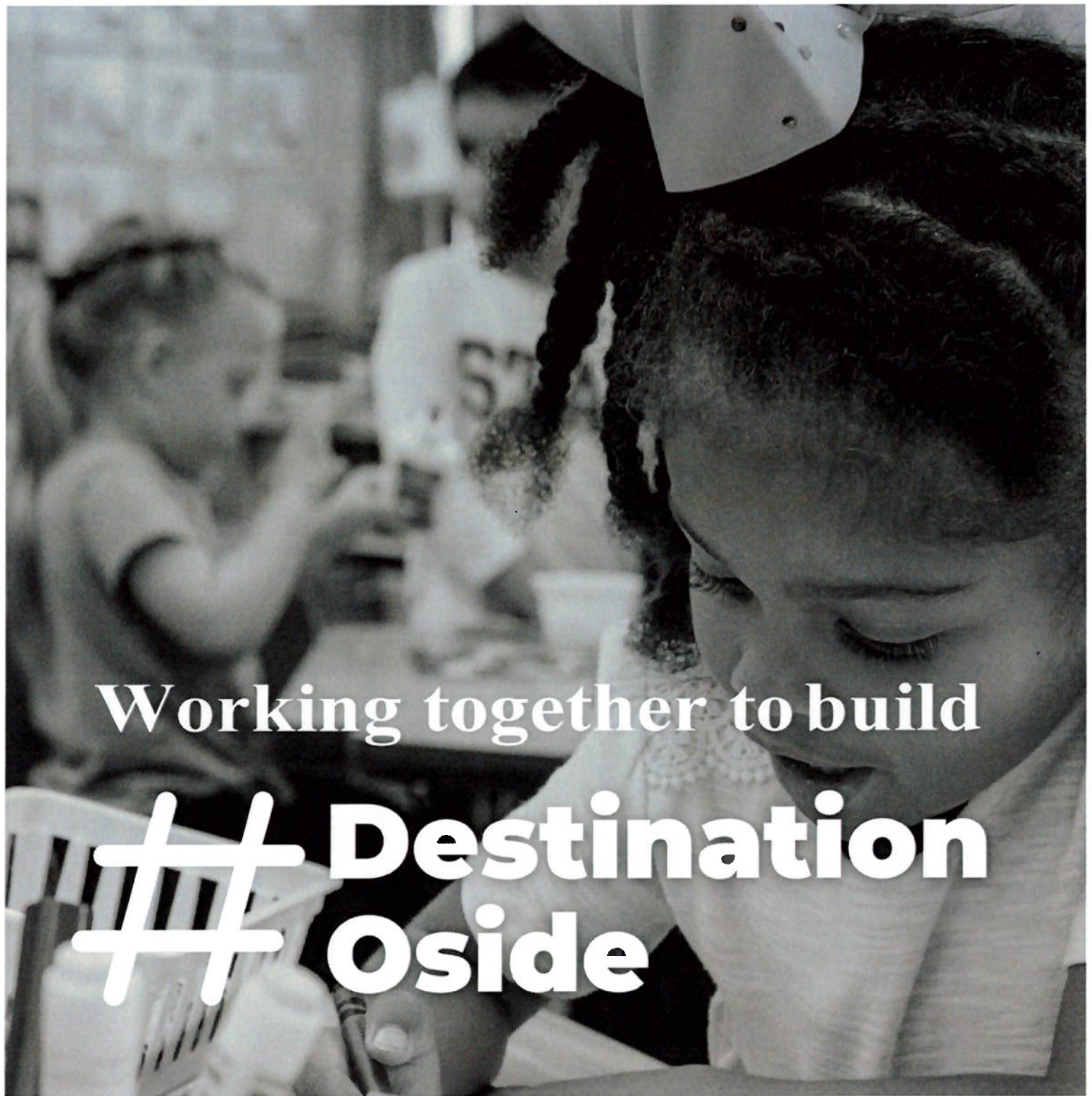
Dated: _____
Julie Vitale, OUSD Superintendent

The foregoing stipulation of the parties “In the Matter of the Oceanside Union School District,” FPPC No. 2024-01211, is hereby accepted as the final decision and order of the Fair Political Practices Commission, effective upon execution below by the Chair.

IT IS SO ORDERED.

Dated: _____

Adam E. Silver, Chair
Fair Political Practices Commission



Working together to build **# Destination Osido**



Great schools build and strengthen the bonds of great communities. Take a moment to learn more about our work to educate future leaders and support our community.



LETTER FROM OUR SUPERINTENDENT

At OUSD, we are committed to providing safe, equitable and inclusive learning environments. Although we have been facing unique challenges in recent months, this has brought opportunities to deliver high quality instruction in new and engaging ways. Our vision that all students graduate college and career ready, prepared to be responsible global citizens and ambitious future leaders, has not changed. Our dedicated and professional team will continue pursuing this vision using new tools and technology in innovative ways through immersive learning experiences, relevant curriculum, student devices, and options for students in the pursuit of their educational success.



Our commitment to you and our community is that your neighborhood school will inspire pride and provide an unparalleled first- class education. In support of that commitment, the options that we provide our students, families, and community this year will be as diverse as the very community that we so proudly serve. Thank you for all of your support of our Oceanside schools. To stay updated on communication from the district, as well as the incredible things happening around our schools, be sure to follow us on social media @ Oside USD on Twitter, Facebook, Instagram and YouTube.

Sincerely,
Julie A. Vitale, Ph. D
Superintendent



OSIDE AT A GLANCE

16,702 STUDENTS

12 ELEMENTARY SCHOOLS

3 K-8 SCHOOLS

4 MIDDLE SCHOOLS

2 HIGH SCHOOLS

2 ALTERNATIVE

BY THE NUMBERS



U.S. NEWS &
WORLD REPORT
BEST HIGH
SCHOOLS

3,511

MILITARY
IMPACTED
SCHOLARS

STUDENT/
TEACHER
RATIOS

24:1

TRANSITIONAL
KINDER-3RD

33:1

4TH-8TH

38:1

HIGH SCHOOL

31

NATIONAL BOARD
CERTIFIED TEACHERS



OUR VISION

At Oceanside Unified School District our vision is that all students graduate college and career ready, prepared to be responsible global citizens and ambitious future leaders. OUSD employs approximately 2,000 certificated and classified staff and is a National Board Accomplished district. We believe in offering a diverse range of options for our students.

OUR OUSD BOARD OF TRUSTEES



Mike Blessing
President



Stacy Begin Ed.D.
Vice President



Eric Joyce
Clerk of the Board



Eleanor Evans
Board Member



Raquel Alvarez
Board Member

WHAT DO LEARNING OPTIONS LOOK LIKE INSIDE OUSD?

Surfside Educational Academy

This summer, OUSD launched a new school designed to offer personalized learning. Parents and students looking for more online learning opportunities and a customized experience now can enroll at Surfside Educational Academy (SEA). SEA offers distance, blended or direct classroom instruction based upon student needs, alongside programs such as career technical instruction, on-site childcare, and an overall commitment to building positive relationships.

Two-Way Bilingual Immersion

The OUSD bilingual immersion program develops biliteracy in both native English and Spanish-speaking students from a young age. Upon high school graduation, students can earn a certificate of biliteracy. Dual-immersion classrooms are a unique environment uniting students with the goal of reading, writing and speaking in two languages, and exchanging their cultures.



SCAN ME

Adult Transition Program

The Adult Transition Program (ATP) serves students with disabilities ages 18 to 22 with the goal of helping them become more independent and be contributing members of their communities. ATP provides a bridge to post-secondary options including courses at local colleges, competitive integrated employment, and regional programs.

Advancing
the arts

Meet the
Masters
elementary
arts
curriculum

Instrumental
music at all
schools
elementary and
up

Award-
winning
bands and
choirs

Dance, visual arts,
graphic design, video
production and more



Educating the whole child starts early

- Expanded Day Kindergarten at all elementary schools
- Preschool programs and transitional kindergarten for younger children
- Teen parent childcare opportunities
- Expanded Enrichment



Preparing for careers

- High school students can choose career pathways covering 10 different job fields such as engineering, health sciences, computer science and public service
- Marine Corps Junior Reserve Officers' Training Corps develops leadership, citizenship and character



SCAN ME



Technology for teaching and learning

- Tech Roadmap defines our goals to provide the best infrastructure, software, devices for each student, and empowered, prepared teachers who can provide students with world-class educational experiences and foundations for success
- Tech Support available to students, staff and families during virtual learning
- More at bit.ly/tech-map



Personalizing educational experiences

- Surfside Educational Academy offers virtual, hybrid and other tailored learning models to meet student and family needs
- Special Education support offered from pre-K up to our Adult Transition Program, which helps graduates with disabilities enter careers and independent adult life



Serving our community

- Family and community engagement through parent advisory committees, workshops and more
- Local partnerships connect our families to resources



Supporting social emotional development

- On-staff counselors from elementary up
- In-class social emotional lessons regarding coping skills and other mental health areas
- Contracted partners provide counseling and other services



SCAN ME

Award- winning athletics

- Competitive teams from middle school up carrying championship titles and dedicated scholar-athletes
- 101 CIF championship wins combined at El Camino High and Oceanside High schools



Removing barriers to education

- Access to nutritious meals through free meal programs, school breakfasts, holiday break meal service, and continued meal offerings during virtual learning
- On-campus food pantries and food bank partnerships
- Fresh produce from school gardens served in cafeterias and distributed to community
- Staff connect families to need providers listed in Community Resource Guide



Thank you for continued support and partnership. Through Prop H, we've built:

- Oceanside High award-winning Performing Arts Center
- New updated playgrounds
- Modernized campuses
- And more ongoing projects: www.oside.us/bondabout



SCAN ME



COMMITTED TO CULTURAL PROFICIENCY

In Fall 2018, Oceanside Unified School District established a Culturally Proficient Educator Committee made up of administrators, teachers, staff and community members committed to shaping a more equitable learning environment. Their goal has been to design, build, review, and recommend appropriate resources, professional learning opportunities, and approaches aimed at implementing the Fair, Accurate, Inclusive and Respectful (FAIR) Education Act. Over the past two years, we have worked to provide unconscious bias workshops for staff district-wide, implement policies and resolutions, and more. And this 2020-21 school year, OUSD is proud to have launched a new high school Ethnic Studies course.

OUSD has adopted a growing number of schools designated No Place For Hate. Our Board of Education has adopted a number of resolutions serving as values statements including designating OUSD as a Safe Haven. In Spring 2020, passing a resolution declaring that "the lives of our Black students, the lives of our Black families matter, the lives of our Black teachers and staff matter, and that all Black lives matter."

Visit our website and follow us on social media to learn more!

Staying in touch with us on social media will keep you in the loop on the amazing things we are accomplishing together each day. It may also be a critical line of communication during emergencies and will be a great place for you to get up to date information. This fall we've also launched an official district Instagram and a Spanish social media feed!



www.oside.us



Follow us on social @OsideUSD.



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Oceanside, CA 92058

