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7
8 BEFORE THE FAIR POLITICAL PRACTICES COMMISSION
9 STATE OF CALIFORNIA
10

11 In the Matter of) FPPC No. 16/009
12)
13 SALLINGS FOR SANTA CLARA) DEFAULT DECISION AND ORDER
14 SCHOOL BOARD 2014 and NOELANI)
SALLINGS,)
15) (Government Code Sections 11506 and 11520)
16 Respondents.)
17)

18 Complainant, the Enforcement Division of the Fair Political Practices Commission, hereby
19 submits this Default Decision and Order for consideration by the Fair Political Practices Commission at
20 its next regularly scheduled meeting.

21 Pursuant to the California Administrative Procedure Act,¹ Respondents Sallings for Santa Clara
22 School Board 2014 (the "Committee") and Noelani Sallings ("Sallings"), aka Noelani Hunt, have been
23 served with all documents necessary to conduct an administrative hearing regarding the above-captioned
24 matter, including the following:

- 25 1. An Order Finding Probable Cause;
26 2. An Accusation;

27
28 ¹ The California Administrative Procedure Act, which governs administrative adjudications, is contained in sections 11370 through 11529 of the Government Code.

- 1 3. A Notice of Defense (Two Copies per Respondent);
- 2 4. A Statement to Respondent; and,
- 3 5. Copies of Sections 11506, 11507.5, 11507.6 and 11507.7 of the Government Code.

4 Government Code section 11506 provides that failure of a respondent to file a Notice of Defense
5 within fifteen days after being served with an Accusation shall constitute a waiver of respondent's right
6 to a hearing on the merits of the Accusation. The Statement to Respondent, served on the Committee and
7 Sallings explicitly stated that a Notice of Defense must be filed in order to request a hearing. The
8 Committee and Sallings failed to file a Notice of Defense within fifteen days of being served with an
9 Accusation. Government Code Section 11520 provides that, if the respondent fails to file a Notice of
10 Defense, the Commission may take action, by way of a default, based upon the respondent's express
11 admissions or upon other evidence, and that affidavits may be used as evidence without any notice to the
12 respondent.

13 The Committee and Sallings violated the Political Reform Act as described in Exhibit 1, which is
14 attached hereto and incorporated by reference as though fully set forth herein. Exhibit 1 is a true and
15 accurate summary of the law and evidence in this matter. This Default Decision and Order is submitted to
16 the Commission to obtain a final disposition of this matter.

17
18 Dated: _____



Galena West, Chief of Enforcement
Fair Political Practices Commission

ORDER

The Commission issues this Default Decision and Order and imposes an administrative penalty of \$22,000 upon the Committee and Sallings, payable to the "General Fund of the State of California."

IT IS SO ORDERED, effective upon execution below by the Chair of the Fair Political Practices Commission at Sacramento, California.

Dated: _____

Alice T. Germond, Chair
Fair Political Practices Commission

EXHIBIT 1

INTRODUCTION

Respondent Noelani Sallings (“Sallings”), aka Noelani Hunt, was a successful candidate for the Santa Clara Unified School District Board of Trustees (the “Board”). Sallings for Santa Clara School Board 2014 (the “Committee”) is her candidate-controlled committee. Sallings is the Committee’s controlling candidate and treasurer. Sallings currently serves as a Governing Board Member but also served as a member of the Santa Clara Unified School District’s Measure J Oversight Committee (the “Oversight Committee”) from 2009 through 2014.

The Political Reform Act (the “Act”)¹ requires candidate-controlled committees to file semi-annual campaign statements to disclose their campaign contributions and expenditures. The Act also requires all designated officials to periodically file a Statement of Economic Interest (“SEI”) disclosing their relevant economic interests.

This matter arose out of referrals sent to the Fair Political Practices Commission’s (“Commission”) Enforcement Division by the Santa Clara County Registrar of Voters (the “ROV”) and the Santa Clara County Clerk of the Board (the “Clerk”). The ROV referred the Committee and Sallings for their failure to file semi-annual statements, and the Clerk referred Sallings for her failure to file her past due SEIs.

As a controlled committee, the Committee and Sallings had a duty to file semi-annual campaign statements. The Committee and Sallings failed to timely file four campaign statements for the reporting periods ending on December 31, 2015; June 30, 2016; December 31, 2016; and June 30, 2017.

The Santa Clara Unified School District’s Conflict of Interest Code designates the position of Measure J Oversight Committee Member and Governing Board Member as designated officials. As a designated official, Sallings had a duty to file Annual SEIs and a Leaving Office SEI. Sallings failed to file three Annual SEIs and one Leaving Office SEI.

DEFAULT PROCEEDINGS UNDER THE ADMINISTRATIVE PROCEDURE ACT

When the Commission determines that there is probable cause for believing that the Act has been violated, it may hold a hearing to determine if a violation has occurred.² Notice of the hearing, and the hearing itself, must be conducted in accordance with the Administrative Procedure Act (the “APA”).³ A hearing to determine whether the Act has been violated is initiated by the

¹ The Political Reform 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 (“Commission”) are contained in sections 18110 through 18997 of title 2 of the California Code of Regulations. All regulatory references are to that title unless otherwise indicated.

² Section 83116.

³ The California Administrative Procedure Act, which governs administrative adjudications, is contained in sections 11370 through 11529 of the Government Code.

filing of an accusation, which shall be a concise written statement of the charges, specifying the statutes and rules the respondent is alleged to have violated.⁴

Included among the rights afforded a respondent under the APA is the right to file the Notice of Defense with the Commission within 15 days after service of the accusation, by which the respondent may (1) request a hearing, (2) object to the accusation on the ground that it does not state acts or omissions upon which the agency may proceed, (3) object to the form of the accusation on the ground that it is so indefinite or uncertain that the respondent cannot identify the transaction or prepare a defense, (4) admit the accusation in whole or in part, or (5) present new matter by way of a defense, or (6) object to the accusation on the ground that, under the circumstances, compliance with a Commission regulation would result in a material violation of another department's regulation affecting substantive rights.⁵

The APA provides that a respondent's failure to file a Notice of Defense within 15 days after service of an accusation constitutes a waiver of the respondent's right to a hearing.⁶ Moreover, when a respondent fails to file a Notice of Defense, the Commission may take action based on the respondent's express admissions or upon other evidence, and affidavits may be used as evidence without any notice to the respondent.⁷

PROCEDURAL REQUIREMENTS AND HISTORY

A. Initiation of the Administrative Action

The service of the probable cause hearing notice, as required by Section 83115.5, upon the person alleged to have violated starts the administrative action.⁸

A finding of probable cause may not be made by the Commission unless the person alleged to have violated the Act is 1) notified of the violation by service of process or registered mail with return receipt requested; 2) provided with a summary of the evidence; and 3) informed of his or her right to be present in person and represented by counsel at any proceeding of the Commission held for the purpose of considering whether probable cause exists for believing the person violated the Act.⁹ The required notice to the alleged violator is deemed made on the date of service; the date the registered mail receipt is signed; or if the registered mail receipt is not signed, the date returned by the post office.¹⁰

No administrative action pursuant to Chapter 3 of the Act alleging a violation of any of the provisions of the Act may be commenced more than five years after the date on which the violation occurred.¹¹

⁴ Section 11503.

⁵ Section 11506, subd. (a)(1)-(6).

⁶ Section 11506, subd. (c).

⁷ Section 11520, subd. (a).

⁸ Section 91000.5, subd. (a).

⁹ Section 83115.5.

¹⁰ Section 83115.5.

¹¹ Section 91000.5.

Documents supporting the procedural history are included in the attached Certification of Records (“Certification”) filed herewith at Exhibit 1, A-1 through A-23, and incorporated herein by reference.

In accordance with Sections 83115.5 and 91000.5, the Enforcement Division initiated the administrative action against the Committee and Sallings in this matter by serving them with an Amended Report in Support of a Finding of Probable Cause (the “Report”) (Certification, Exhibit A-1) by personal service,¹² on January 1, 2018. (Certification, Exhibit A-2.) The administrative action commenced on January 1, 2018, and the five-year statute of limitations was effectively tolled on this date.

As required by Section 83115.5, the packet served on the Committee and Sallings contained a cover letter and a memorandum describing probable cause proceedings, advising that the Committee and Sallings had 21 days in which to request a probable cause conference and/or to file a written response to the Report. (Certification, Exhibit A-3.) The Committee and Sallings neither requested a probable cause conference nor submitted a written response to the Report.

B. Ex Parte Request for a Finding of Probable Cause

Because the Committee and Sallings failed to request a probable cause conference or submit a written response to the Report by the statutory deadline, the Enforcement Division submitted an Ex Parte Request for a Finding of Probable Cause and an Order that an Accusation Be Prepared and Served to the Hearing Officer of the Commission on March 13, 2018. (Certification, Exhibit A-4.)

On March 15, 2018, Hearing Officer John M. Freser Jr., Attorney IV, Legal Division, issued a Finding of Probable Cause and an Order to Prepare and Serve an Accusation on the Committee and Sallings. (Certification, Exhibit A-5.)

C. The Issuance and Service of the Accusation

Under the Act, if the Hearing Officer makes a finding of probable cause, the Enforcement Division must prepare an accusation, pursuant to Section 11503 of the APA, and have it served on the persons who are the subject of the probable cause finding.¹³

Section 11503 states:

A hearing to determine whether a right, authority, license, or privilege should be revoked, suspended, limited, or conditioned shall be initiated by filing an accusation or District Statement of Reduction in Force. The accusation or District Statement of Reduction in Force shall be a written statement of charges that shall set forth in ordinary and concise language the acts or omissions with which the respondent is charged, to the end that the respondent will be able to prepare his or her defense. It shall specify the statutes and rules

¹² Section 83115.5.

¹³ Reg. 18361.4, subd. (e).

that the respondent is alleged to have violated, but shall not consist merely of charges phrased in the language of those statutes and rules. The accusation or District Statement of Reduction in Force shall be verified unless made by a public officer acting in his or her official capacity or by an employee of the agency before which the proceeding is to be held. The verification may be on information and belief.

Upon the filing of the accusation, the agency must 1) serve a copy thereof on the respondent as provided in Section 11505, subdivision (c); 2) include a post card or other form entitled Notice of Defense that, when signed by or on behalf of the respondent and returned to the agency, will acknowledge service of the accusation and constitute a notice of defense under Section 11506; 3) include (i) a statement that respondent may request a hearing by filing a notice of defense as provided in Section 11506 within 15 days after service upon the respondent of the accusation, and that failure to do so will constitute a waiver of the respondent's right to a hearing, and (ii) copies of Sections 11507.5, 11507.6, and 11507.7.¹⁴ The APA also sets forth the language required in the accompanying statement to the respondent.¹⁵

The Accusation and accompanying information may be sent to the respondent by any means selected by the agency, but no order adversely affecting the rights of the respondent may be made by the agency in any case unless the respondent has been served personally or by registered mail as set forth in the APA.¹⁶

On April 25, 2018, the Commission's Chief of Enforcement, Galena West, issued an Accusation against the Committee and Sallings in this matter. (Certification, Exhibit A-6.) In accordance with Section 11505, the Accusation and accompanying information, consisting of a Statement to Respondent, two copies of a Notice of Defense Form for each respondent, copies of Government Code Sections 11506, 11507.5, 11507.6, and 11507.7, were personally served upon the Committee and Sallings on May 2, 2018. (Certification, Exhibit A-7.)

Along with the Accusation, the Enforcement Division served the Committee and Sallings with a "Statement to Respondent," which notified them that they could request a hearing on the merits and warned that, unless a Notice of Defense was filed within 15 days of service of the Accusation, they would be deemed to have waived the right to a hearing. (Certification, Exhibit A-8.) The Committee and Sallings did not file a Notice of Defense within the statutory time period, which ended on May 17, 2018.

As a result, on August 1, 2018, the Enforcement Division sent a letter to the Committee and Sallings advising that this matter would be submitted for a Default Decision and Order at the Commission's public meeting scheduled for August 16, 2018. (Certification, Exhibit A-23) A copy of the Default Decision and Order, and this accompanying Exhibit 1 with attachments, was included with the letter.

¹⁴ Section 11505, subd. (a).

¹⁵ Section 11505, subd. (b).

¹⁶ Section 11505, subd. (c).

SUMMARY OF THE LAW

The Act and its regulations are amended from time to time. The violations in this case occurred between 2013 and 2017. For this reason, all legal references and discussions of law pertain to the Act's provisions as they existed at that time.

An express purpose of the Act is to ensure voters are fully informed and improper practices are inhibited by requiring all candidates, as well as the committees that support or oppose them, to disclose all contributions and expenditures made throughout a campaign.¹⁷ In furtherance of this purpose, the Act requires candidate-controlled committees to file campaign statements at specific times, disclosing information regarding contributions received and expenditures made.¹⁸

Controlled committees must file semi-annual campaign statements each year no later than July 31 for the reporting period ending on June 30, and no later than January 31 of the following year for the reporting period ending on December 31.¹⁹ When a filing deadline falls on a Saturday, Sunday, or official state holiday, the filing deadline is extended to the next business day.²⁰

The Act also requires that every state and local agency develop a conflict of interest code.²¹ An agency's conflict of interest code must designate those officials that are required to file SEIs and require each designated official of the agency to file annual and leaving office SEIs at a specified time.²² The requirements of an agency's conflict of interest code have the force of law, and any violation of those requirements is deemed a violation of the Act.²³

The Santa Clara Unified School District's Conflict of Interest Code designates the position of Measure J Oversight Committee Member and Governing Board Member as positions that are required to file Annual SEIs by April 1 of each succeeding year and a Leaving Office SEI within 30 days of leaving office.

SUMMARY OF THE EVIDENCE

Delinquent Semi-Annual Campaign Statements

The Committee qualified as a candidate-controlled committee on or about August 19, 2014, upon receiving contributions of \$1,000 or more. Sallings was a successful candidate for the Board in the November 4, 2014 General Election and remains in office as the President of the Board.

The Committee and Sallings failed to timely file a semi-annual campaign statement for the period of July 1, 2015 through December 31, 2015 by February 1, 2016. On February 2, 2016, the ROV notified the Committee and Sallings in writing that they had failed to timely file that semi-

¹⁷ Section 81002, subd. (a).

¹⁸ Sections 84200 through 84225.

¹⁹ Section 84200, subd. (a).

²⁰ Regulation 18116.

²¹ Section 87300.

²² Section 87302, subd. (b).

²³ Section 87300

annual campaign statement. (Certification, Exhibit A-9.) After the Committee and Sallings did not file the required statement, the ROV referred the matter to the Enforcement Division.

The Committee and Sallings failed to timely file subsequent semi-annual campaign statements for the periods of January 1, 2016 through June 30, 2016 by August 1, 2016; July 1, 2016 through December 31, 2016 by January 31, 2017; and January 1, 2017 through June 30, 2017 by July 31, 2017. The ROV notified the Committee and Sallings in writing each time that they failed to timely file their semi-annual campaign statements. (Certification, Exhibits A-10, A-11, and A-12.)

The Enforcement Division contacted Sallings numerous times regarding the delinquent campaign statements. While concurrently working with the Enforcement Division, the Committee and Sallings continually failed to timely file her semi-annual campaign statements. The Committee and Sallings filed the semi-annual campaign statement for the reporting period covering July 1, 2015 through December 31, 2015 on June 8, 2016, and January 1, 2016 through June 30, 2016 on September 18, 2016. (Certification, Exhibits A-13 and A-14.)

The Committee and Sallings filed the semi-annual campaign statement for the period covering July 1, 2016 through December 31, 2016 on October 27, 2017 and then filed an amendment on January 26, 2018. (Certification, Exhibit A-15.) The Committee and Sallings filed the semi-annual campaign statement for the period covering January 1, 2017 through June 30, 2017 on October 27, 2017 and then filed amendments on December 15, 2017 and January 27, 2018. (Certification, Exhibit A-16.) For each of these reporting periods, the Committee and Sallings reported an ending cash balance of \$2,638.85.

Delinquent Annual SEIs

Sallings assumed office as a Committee Member for the Measure J Oversight Committee on January 1, 2009 and left that post on December 1, 2014. While serving as a Committee Member, Sallings failed to timely file a 2012 Annual SEI by April 1, 2013; 2013 Annual SEI by April 1, 2014; and Leaving Office SEI by December 31, 2014. After she assumed office as a Governing Board Member for the Board, she also failed to timely file her 2015 Annual SEI by April 1, 2016.

The Clerk notified Sallings in writing on June 22, 2015 and September 16, 2015 that she had failed to timely file her 2014 Annual SEI. (Certification, Exhibits A-17 and A-18.) After Sallings did not file her 2014 Annual SEI, the ROV referred the matter to the Enforcement Division.

The Enforcement Division contacted Sallings numerous times regarding her outstanding SEIs. Sallings filed all of the delinquent SEIs on May 9, 2016. (Certification, Exhibits A-19, A-20, A-21, and A-22.)

Summary of Contacts

Overall, the Committee and Sallings were contacted fifty-two times regarding their campaign statements and SEIs, as follows:

- June 22, 2015: letter from the Clerk regarding 2014 Annual SEI
- September 16, 2015: letter from the Clerk regarding 2014 Annual SEI
- January 12, 2016: letter from the Enforcement Division
- February 2, 2016: letter from the ROV regarding semi-annual campaign statement for the reporting period ending on December 31, 2015
- March 15, 2016: voicemail and email from the Enforcement Division
- March 16, 2016: voicemail and email from the Enforcement Division
- March 17, 2016: call from the Enforcement Division
- March 23, 2016: email from the Enforcement Division
- April 5, 2016: email from the Enforcement Division
- August 2, 2016: letter from the ROV regarding semi-annual campaign statement for the reporting period ending on June 30, 2016
- January 5, 2017: voicemail from the Enforcement Division
- January 6, 2018: email from the Enforcement Division
- January 11, 2017: email from the Enforcement Division
- February 2, 2017: letter from the ROV regarding semi-annual campaign statement for the reporting period ending on December 31, 2016
- February 7, 2017: email from the Enforcement Division
- March 1, 2017: email from the Enforcement Division
- March 2, 2017: email from the Enforcement Division
- March 21, 2017: email from the Enforcement Division
- May 10, 2017: email from the Enforcement Division
- May 31, 2017: email from the Enforcement Division
- June 14, 2017: email from the Enforcement Division
- July 12, 2017: email from the Enforcement Division
- August 2, 2017: letter from the ROV regarding semi-annual campaign statement for the reporting period ending on June 30, 2017
- August 7, 2017: email from the Enforcement Division
- August 14, 2017: email from the Enforcement Division
- October 3, 2017: email from the Enforcement Division
- October 10, 2017: email from the Enforcement Division
- November 2, 2017: email and call from the Enforcement Division
- December 22, 2017: email from the Enforcement Division
- January 1, 2018: Amended Report in Support of Probable Cause served on the Committee and Sallings
- January 11, 2018: email from the Enforcement Division
- January 31, 2018: email from the Enforcement Division
- February 2, 2018: email from the Enforcement Division
- February 12, 2018: email from the Enforcement Division

- March 2, 2018: email from the Enforcement Division
- March 13, 2018: email from the Enforcement Division
- March 15, 2018: copy of Ex Parte Request for a Finding of Probable Cause and an Order that an Accusation Be Prepared and Served mailed to the Committee and Sallings
- March 23, 2018: email from the Enforcement Division
- March 26, 2018: email from the Enforcement Division
- March 27, 2018: email from the Enforcement Division
- March 28, 2018: email from the Enforcement Division
- April 2, 2018: email from the Enforcement Division
- April 4, 2018: email from the Enforcement Division
- April 11, 2018: email from the Enforcement Division
- April 17, 2018: email from the Enforcement Division
- May 2, 2018: Accusation served upon the Committee and Sallings
- July 5, 2018: letter regarding the 1st Notice of Default Decision and Order from the Enforcement Division
- July 16, 2018: email from the Enforcement Division
- July 20, 2018: email from the Enforcement Division

VIOLATIONS

The Committee and Sallings committed four violations of the Act, as follows:

COUNT 1

Failure to Timely File a Semi-Annual Statement by February 1, 2016

The Committee and Sallings had a duty to file a semi-annual campaign statement for the period of July 1, 2015 through December 31, 2015 by February 1, 2016. By failing to timely file this statement, the Committee and Sallings violated Government Code Section 84200.

COUNT 2

Failure to Timely File a Semi-Annual Statement by August 1, 2016

The Defense Committee and Sallings had a duty to file a semi-annual campaign statement for the period of January 1, 2016 through June 30, 2016 by August 1, 2016. By failing to timely file this statement, the Committee and Sallings violated Government Code Section 84200.

COUNT 3

Failure to Timely File a Semi-Annual Statement by January 31, 2017

The Defense Committee and Sallings had a duty to file a semi-annual campaign statement for the period of July 1, 2016 through December 31, 2016 by January 31, 2017. By failing to timely file this statement, the Committee and Sallings violated Government Code Section 84200.

COUNT 4

Failure to Timely File a Semi-Annual Statement by July 31, 2017

The Defense Committee and Sallings had a duty to file a semi-annual campaign statement for the period of January 1, 2017 through June 30, 2017 by July 31, 2017. By failing to timely file this statement, the Committee and Sallings violated Government Code Section 84200.

Sallings individually committed four violations of the Act, as follows:

COUNT 5

Failure to Timely File a 2012 Annual SEI

Sallings had a duty to file a 2012 Annual SEI by April 1, 2013. By failing to timely file a 2012 Annual SEI, Sallings violated Section 87300.

COUNT 6

Failure to Timely File a 2013 Annual SEI

Sallings had a duty to file a 2013 Annual SEI by April 1, 2014. By failing to timely file a 2013 Annual SEI, Sallings violated Section 87300.

COUNT 7

Failure to Timely File a Leaving Office SEI

Sallings had a duty to file a Leaving Office SEI by December 31, 2014. By failing to timely file a Leaving Office SEI, Sallings violated Section 87300.

COUNT 8

Failure to Timely File a 2015 Annual SEI

Sallings had a duty to file a 2015 Annual SEI by April 1, 2016. By failing to timely file a 2015 Annual SEI, Sallings violated Section 87300.

CONCLUSION

This matter consists of 8 counts of violating the Act, which carry a maximum administrative penalty total of \$40,000.²⁴

²⁴ Section 83116, subd. (c).

In determining the appropriate penalty for a particular violation of the Act, the Enforcement Division considers the typical treatment of a violation in the overall statutory scheme of the Act, with an emphasis on serving the purposes and intent of the Act. Additionally, the Enforcement Division considers the facts and circumstances of the violation in the context of the following factors set forth in Regulation 18361.5, subdivision (d)(1) through (6): (1) The seriousness of the violations; 2) The presence or absence of any intention to conceal, deceive or mislead; 3) Whether the violation was deliberate, negligent, or inadvertent; 4) 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); 5) 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 6) Whether the violator, upon learning of a reporting violation, voluntarily filed amendments to provide full disclosure.

In this matter, the Committee and Sallings have no prior history of violating the Act. The Committee and Sallings filed all semi-annual statements and SEIs after receiving contact from the Enforcement Division. However, the Committee and Sallings failed to timely file semi-annual campaign statements while concurrently working with the Enforcement Division regarding the failure to file the previous periods' semi-annual campaign statements. The failure to comply with these obligations denied the public information about the Committee's activity and Sallings' relevant economic interests. The Committee and Sallings were aware of their obligations to file campaign statements and SEIs, as they had been contacted multiple times regarding this matter.

The Enforcement Division also considers previous cases that were approved by the Commission in determining penalties. In this matter, the following cases were used as guidelines:

Counts 1-4

- *In the Matter of Re-Elect Gary Mendez for Rio Hondo College Board 2011 and Gary Mendez*, FPPC No. 15/218. (The Commission approved a default decision on February 16, 2017.) The respondents, among other violations, failed to timely file three semi-annual campaign statements. The Commission imposed a penalty of \$2,500 per count for the campaign statement filed late. Like Sallings, Mendez reported minimal activity, remained in office during the time of the violations, and was aware of his filing obligations.

Counts 5-8

- *In the Matter of Claire Gottsdanker*, FPPC No. 15/1162. (Commission approved a default decision on February 16, 2017.) The respondent, a member of the Montecito Board of Architectural Review, failed to timely file a 2014 Annual SEI. The Commission imposed a penalty of \$3,000. Like Sallings, Gottsdanker eventually filed her SEI but well after the deadline.

PROPOSED PENALTY

After considering the factors of Regulation 18361.5 and the penalties imposed in prior cases, penalties of \$2,500 each for Counts 1-4; and \$3,000 for Counts 4-8 are recommended, for a total penalty of \$22,000.



**DECLARATION OF CUSTODIAN OF RECORDS
CALIFORNIA FAIR POLITICAL PRACTICES COMMISSION
Enforcement Division**

CERTIFICATION OF RECORDS

The undersigned declares and certifies as follows:

1. I am employed as a Associate Governmental Program Analyst by the California Fair Political Practices Commission (Commission). My business address is: California Fair Political Practices Commission, 1102 Q St, Ste 3000, Sacramento, CA 95811.
2. I am a duly authorized custodian of the records maintained by the Commission in the Enforcement Division. As such, I am authorized to certify copies of those records as being true and correct copies of the original business records which are in the custody of the Commission.
3. I have reviewed documents maintained in *FPPC Case No. 16/009; Sallings for Santa Clara School Board 2014 and Noelani Sallings*, and have caused copies to be made of documents contained therein. I certify that the copies attached hereto are true and correct copies of the documents prepared in the normal course of business and which are contained in files maintained by the Commission. The attached documents are as follows:

EXHIBIT A-1: Amended Report in Support of a Finding of Probable Cause, dated November 17, 2017

EXHIBIT A-2: Proof of Service for the Amended Report in Support of a Finding of Probable Cause and applicable statutes and regulations, dated November 20, 2017, and Return of Service from process server, dated January 1, 2018

EXHIBIT A-3: Cover letter to the Respondent regarding the Report in Support of a Finding of Probable Cause, memorandum describing Probable Cause Proceedings, and applicable statutes and regulations, dated November 17, 2017

EXHIBIT A-4: Ex Parte Request for a Finding of Probable Cause and an Order that an Accusation Be Prepared and Served, dated March 13, 2018

EXHIBIT A-5: Finding of Probable Cause and Order to Prepare and Serve an Accusation, dated March 15, 2018, and Proof of Service, dated March 15, 2018

- EXHIBIT A-6: Accusation, dated April 25, 2018
- EXHIBIT A-7: Proof of Service for Accusation and accompanying documents, dated May 1, 2018, and Proof of Service from process server, dated May 2, 2018
- EXHIBIT A-8: Statement to the Respondent, Notices of Defense, applicable statutes, and Proof of Service for Accusation and accompanying documents, dated April 25, 2018
- EXHIBIT A-9: Letter from the Santa Clara Registrar of Voters to the committee Sallings for Santa Clara School Board 2014, dated February 2, 2016
- EXHIBIT A-10: Letter from the Santa Clara Registrar of Voters to the committee Sallings for Santa Clara School Board 2014, dated August 2, 2016
- EXHIBIT A-11: Letter from the Santa Clara Registrar of Voters to the committee Sallings for Santa Clara School Board 2014, dated February 2, 2017
- EXHIBIT A-12: Letter from the Santa Clara Registrar of Voters to the committee Sallings for Santa Clara School Board 2014, dated August 2, 2017
- EXHIBIT A-13: Semi-annual campaign statement for the reporting period of July 1, 2015 through December 31, 2015, filed by the committee Sallings for Santa Clara School Board 2014 on June 8, 2016
- EXHIBIT A-14: Semi-annual campaign statement for the reporting period of January 1, 2016 through June 30, 2016, filed by the committee Sallings for Santa Clara School Board 2014 on September 18, 2016
- EXHIBIT A-15: Semi-annual campaign statement for the reporting period of July 1, 2016 through December 31, 2016, filed by the committee Sallings for Santa Clara School Board 2014 on January 26, 2018
- EXHIBIT A-16: Semi-annual campaign statement for the reporting period of January 1, 2017 through June 30, 2017, filed by the committee Sallings for Santa Clara School Board 2014 on January 27, 2018
- EXHIBIT A-17: Letter from the Santa Clara Office of the Clerk of the Board of Supervisors to Noelani Sallings, dated June 22, 2015
- EXHIBIT A-18: Letter from the Santa Clara Office of the Clerk of the Board of Supervisors to Noelani Sallings, dated September 16, 2015
- EXHIBIT A-19: Statement of Economic Interests for 2012, filed by Noelani Sallings on May 9, 2016


EXHIBIT A-20: Statement of Economic Interests for 2013, filed by Noelani Sallings on May 9, 2016

EXHIBIT A-21: Statement of Economic Interests for 2014, filed by Noelani Sallings on May 9, 2016

EXHIBIT A-22: Statement of Economic Interests for 2015, filed by Noelani Sallings on May 9, 2016

EXHIBIT A-23: Notice of Intent to Enter into Default Decision and Order, dated August 1, 2018

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on August 1, 2018, at Sacramento, California.



Dominika Wojenska
Associate Governmental Program Analyst
Enforcement Division
Fair Political Practices Commission

Exhibit A-1

DEFAULT DECISION AND ORDER FPPC NO. 16/009

1 GALENA WEST
Chief of Enforcement
2 RUTH YANG
Commission Counsel
3 **FAIR POLITICAL PRACTICES COMMISSION**
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6 Attorneys for Complainant
Enforcement Division of the Fair Political Practices Commission
7

8
9 **BEFORE THE FAIR POLITICAL PRACTICES COMMISSION**
10 **STATE OF CALIFORNIA**

11 In the Matter of) FPPC No. 16/009
12)
13) **AMENDED REPORT IN SUPPORT OF A**
14) **FINDING OF PROBABLE CAUSE**
15)
16) Conference Date: TBA
17) Conference Time: TBA
18) Conference Location: Commission Offices
19) 1102 Q Street, Suite 3000
20) Sacramento, CA 95811
21)
22) Respondent.)

23 **INTRODUCTION**

24 This Amended Report in Support of a Finding of Probable Cause amends and supersedes the
25 previous version signed on June 28, 2017.

26 Respondents Sallings for Santa Clara School Board 2014 (the "Committee") is a candidate-
27 controlled committee, and Noelani Sallings ("Sallings"), aka Noelani Hunt, was a successful candidate
28 for the Santa Clara Unified School District Board of Trustees (the "Board") and the Committee's
treasurer. Sallings currently serves as the Vice President of the Board but also served as a member of the
Santa Clara Unified School District's Measure J Oversight Committee (the "Oversight Committee") from
2009 through 2014.

1 The Political Reform Act (the "Act")¹ requires candidate-controlled committees to file semi-
2 annual campaign statements to disclose their contributions received and expenditures made. The Act also
3 requires all designated officials to periodically file a Statement of Economic Interests ("SEI") disclosing
4 their relevant economic interests. The Committee and Sallings violated the Act by failing to timely file
5 four campaign statements for the periods ending on December 31, 2015; June 30, 2016;
6 December 31, 2016; and June 30, 2017. Additionally, Sallings separately violated the Act by failing to
7 timely file four Annual SEIs for the years 2012, 2013, 2014, and 2015.

8 SUMMARY OF THE LAW

9 All legal references and discussions of law pertain to the Act's provisions as they existed in 2012
10 through 2017.

11 Jurisdiction

12 The Fair Political Practices Commission (the "Commission") has administrative jurisdiction to
13 enforce the provisions of the Act.²

14 Probable Cause Proceedings

15 Prior to the Enforcement Division commencing an administrative action, the General Counsel of
16 the Commission or her designee (the "hearing officer"), must make a finding that there is probable cause
17 to believe the respondent has violated the Act.³ After a finding of probable cause, the Commission may
18 hold a noticed hearing in accordance with the Administrative Procedure Act⁴ to determine whether
19 violations occurred, and levy an administrative penalty of up to \$5,000 for each violation.⁵

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21 ///

22 ///

23 ///

24 ¹ The Political Reform Act is contained in Government Code §§ 81000 through 91014, and all statutory references
25 are to this code. The regulations of the Fair Political Practice Commission are contained in §§ 18110 through 18997 of Title 2
of the California Code of Regulations, and all regulatory references are to this source.

26 ² Section 83116.

27 ³ Section 83115.5 and Regulations 18361 and 18361.4.

28 ⁴ Section 11500, et seq.

⁵ Section 83116 and Regulation 18361.4, subd. (e).

1 Standard for Finding Probable Cause

2 To make a finding of probable cause, the hearing officer must be presented with sufficient
3 evidence to lead a person of ordinary caution and prudence to believe, or entertain a strong suspicion,
4 that a respondent committed or caused a violation.⁶

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

6 When enacting the Political Reform Act, the people of the state of California found and declared
7 that previous laws regulating political practices suffered from inadequate enforcement by state and local
8 authorities.⁷ To that end, the Act must be liberally construed to achieve its purposes.⁸

9 There are many purposes of the Act. One purpose is to ensure voters are fully informed and
10 improper practices are inhibited by requiring all committees to disclose all contributions and expenditures
11 made throughout a campaign.⁹ Another is to increase transparency and decrease conflicts of interest in
12 the actions of public officials by requiring disclosure of their financial interests.¹⁰ The Act provides
13 adequate enforcement mechanisms so that it will be "vigorously enforced."¹¹

14 Semi-Annual Campaign Statements

15 The Act requires a candidate-controlled committee to file semi-annual statements twice per year
16 to disclose its campaign contributions and expenditures.¹² A committee must file a semi-annual statement
17 by January 31 for the period ending December 31 and by July 31 for the period ending June 30, or the
18 next business day if the deadline falls on a weekend or holiday.¹³

19 Candidate and Treasurer Liability

20 Under the Act, it is the duty of the candidate and the treasurer of a controlled committee to ensure
21 that the committee complies with all the requirements of the Act concerning the receipt, expenditure, and
22

23
24 ⁶ Section 18361.4, subd. (e).

⁷ Section 81001, subd. (h).

⁸ Section 81003.

⁹ Section 81002, subd. (a).

¹⁰ Section 81002, subd. (c).

¹¹ Section 81002, subd. (f).

¹² Section 84200.

¹³ Section 84200, subd. (a) and Regulation 18116, subd. (a).

1 reporting of funds.¹⁴ The candidate and treasurer may be held jointly and severally liable, along with the
2 committee, for violations committed by the committee.¹⁵

3 Conflict of Interest Codes

4 The Act requires every state and local agency to develop a Conflict of Interest Code.¹⁶ These
5 codes must designate those officials who participate in making decisions which may foreseeably have a
6 material financial effect on any financial interest belonging to that official and require those designated
7 officials to disclose all reportable interests on SEIs.¹⁷ The requirements of an agency's Conflict of Interest
8 Code have the force of law, and any violation of those requirements is deemed a violation of the Act.¹⁸

9 Santa Clara Unified School District Conflict of Interest Code

10 The Santa Clara Unified School District's Conflict of Interest Code designates the position of
11 Measure J Oversight Committee Member and Governing Board Member as positions that are required to
12 file Annual SEIs by April 1 of each succeeding year and a Leaving Office SEI within 30 days of leaving
13 office.

14 **SUMMARY OF THE EVIDENCE**

15 Delinquent Semi-Annual Campaign Statements

16 The Committee qualified as a candidate-controlled committee on or about December 2, 2013, the
17 date it filed its statement of organization. The Committee and Sallings failed to timely file a semi-annual
18 campaign statement for the period covering July 1, 2015 through December 31, 2015 by
19 February 1, 2016; for the period covering January 1, 2016 through June 30, 2016 by August 1, 2016; for
20 the period covering July 1, 2016 through December 31, 2016 by January 31, 2017; and for the period
21 covering January 1, 2017 through June 30, 2017 by July 31, 2017.

22 The Committee and Sallings filed a semi-annual campaign statement for the period ending on
23 December 31, 2016 on October 27, 2017, almost ten months past its due date, and marked it as a
24 termination statement. The form notified the Committee and Sallings that they also must file a separate

25 ¹⁴ Section 81004, 84100 84213, and Regulation 18427.

26 ¹⁵ Section 83116.5 and 91006.

27 ¹⁶ Section 87300.

28 ¹⁷ Section 87302, subd. (b).

¹⁸ Section 87300.

1 statement of organization indicating this intention to terminate. The Enforcement Division also reminded
2 the Committee and Sallings on November 2, 2017 that a separate statement of organization must be filed
3 to complete the termination of the Committee. The Committee and Sallings, as of November 15, 2017,
4 have not filed the requisite statement of organization to terminate the Committee.

5 Delinquent Annual SEIs

6 Sallings assumed office as a Committee Member for the Measure J Oversight Committee on
7 January 1, 2009 and left that post on December 1, 2014. While serving as a Committee Member, Sallings
8 failed to timely file a 2012 Annual SEI by April 1, 2013; 2013 Annual SEI by April 1, 2014; and Leaving
9 Office SEI by December 31, 2014. After she assumed office as a Governing Board Member for the Board,
10 she also failed to timely file her 2015 SEI by April 1, 2016. As of November 17, 2017, Sallings remains
11 in office as the Vice President of the Board.

12 Contact with Sallings

13 The Santa Clara County Clerk of the Board sent the Committee and Sallings notices of their
14 failure to file the semi-annual statement for the periods covering July 1, 2015 through
15 December 31, 2015; July 1, 2016 through December 31, 2016; and January 1, 2017 through
16 June 30, 2017. The Clerk of the Board also sent Sallings several written notices regarding her duty to file
17 her past due SEIs. The Committee and Sallings continued to neglect their filing obligations, so the Clerk
18 referred the matters to the Enforcement Division. The Enforcement Division contacted the Committee
19 and Sallings by email on March 15, 2016 and maintained contact through November 2017.

20 **VIOLATIONS**

21 Count 1: Failure to Timely File a Semi-Annual Campaign Statement

22 The Committee and Sallings failed to timely file the semi-annual campaign statement due on
23 February 1, 2016, in violation of Section 84200.

24 Count 2: Failure to Timely File a Semi-Annual Campaign Statement

25 The Committee and Sallings failed to timely file the semi-annual campaign statement due on
26 August 1, 2016, in violation of Section 84200.

1 Count 3: Failure to Timely File a Semi-Annual Campaign Statement

2 The Committee and Sallings failed to timely file the semi-annual campaign statement due on
3 January 31, 2017, in violation of Section 84200.

4 Count 4: Failure to Timely File a Semi-Annual Campaign Statement

5 The Committee and Sallings failed to timely life the semi-annual campaign statement due on
6 July 31, 2017, in violation of Section 84200.

7 Count 5: Failure to Timely File a 2012 Annual SEI

8 Sallings failed to timely file a 2012 Annual SEI by April 1, 2013, in violation of Section 87300.

9 Count 6: Failure to Timely File a 2013 Annual SEI

10 Sallings failed to timely file a 2013 Annual SEI by April 1, 2014, in violation of Section 87300.

11 Count 7: Failure to Timely File a Leaving Office SEI

12 Sallings failed to timely file a 2014 Annual SEI by December 31, 2014, in violation of Section
13 87300.

14 Count 8: Failure to Timely File a 2015 Annual SEI

15 Sallings failed to timely file a 2015 Annual SEI by April 1, 2016, in violation of Section 87300.

16 **EXCULPATORY OR MITIGATING INFORMATION**

17 Sallings filed her delinquent SEIs for the years 2012 through 2015 by May 9, 2016. Sallings
18 should have filed a Leaving Office SEI to report her economic interests from January 1, 2014 through
19 December 1, 2014, but she captured her economic interests for all of 2014 with an Annual SEI.

20 The Committee and Sallings also filed the semi-annual statement for the period covering
21 July 1, 2015 through December 31, 2015 on June 8, 2016; for the period covering January 1, 2016 through
22 June 30, 2016 on September 18, 2016; and for the period covering July 1, 2016 through
23 December 31, 2016 on October 27, 2017.

24 **OTHER RELEVANT INFORMATION**

25 The Committee and Sallings failed to timely file semi-annual campaign statements that were due
26 on August 1, 2016; January 31, 2017; and July 31, 2017 while concurrently working with the
27

1 Enforcement Division regarding their failure to file the previous periods' semi-annual campaign
2 statements.

3 **CONCLUSION**

4 Probable cause exists to believe that the Committee and Sallings violated the Act as detailed
5 above. The Enforcement Division respectfully requests an order finding probable cause pursuant to
6 Section 83115.5 and Regulation 18361.4.

7
8 Dated: 11/17/2017

9
10 Respectfully Submitted,

11 **FAIR POLITICAL PRACTICES COMMISSION**
12 Galena West
13 Enforcement Chief

14 
15 By: Ruth Yang
16 Commission Counsel
17 Enforcement Division

Exhibit A-2

DEFAULT DECISION AND ORDER FPPC NO. 16/009

PROOF OF SERVICE

At the time of service, I was over 18 years of age and not a party to this action. My business address is Fair Political Practices Commission, 1102 Q Street, Suite 3000, Sacramento, California 95811. On 11/20/2017, I served the following document(s):

1. Letter dated November 17, 2017 from Ruth Yang;
2. FPPC No. 16/009 Amended Report in Support of a Finding of Probable Cause;
3. Probable Cause Fact Sheet
4. Selected Sections of the California Government Code regarding Probable Cause Proceedings for the Fair Political Practices Commission; and
5. Selected Regulations of the Fair Political Practices Commission regarding Probable Cause Proceedings

By personal service. At 1:20 a.m./p.m.:

I personally delivered the document(s) listed above to the person(s) at the address(es) as shown on the service list below.

By providing the document(s) listed above with instructions for registered process server to personally deliver the envelope(s) to the person(s) at the address(es) set forth on the service list below. **The signed proof of service by the registered process server will be attached as soon as it is available.**

I am a resident or employed in the county where the mailing occurred. The envelope or package was placed in the mail in Sacramento County, California.

SERVICE LIST

Personal Service

Noelani Sallings
[REDACTED]

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on 11/20/2017.



Roone Peterson

RETURN OF SERVICE

State of

County of

Fair Political Practices
Commission Court

Case Number: 16/009

**In the Matter of Sallings for Santa Clara School Board 2014 and
Noelani Sallings**

For:

Galena West, Esq.
Fair Political Practices Commission
1102 Q Street, Ste 3000
Sacramento, CA 958111

Received by County Process Service, Inc. on the 21st day of November, 2017 at 12:56 pm to be served on
Noelani Sallings, [REDACTED]

I, Gary Genest, do hereby affirm that on the 1st day of January, 2018 at 6:00 pm, I:

I served the following documents **Letter Dated November 17, 2017; Amended Report in Support of a
Finding of Probable Cause; Probable Cause Fact Sheet; California Government Code Probable
Cause Statutes; Regulations of the Fair Political Practices Commission Title 2, Division 6 of the
California Code Regulations**

I personally served the following person at the address, date and time stated: **Noelani Sallings, 3208
Vinifera Dr, San Jose, CA 95135,**

Under penalty of perjury I certify that I am over the age of 18, have no interest in the above action, and am a
Registered Process Server, in good standing, in the State of California, County of Santa Clara.



Gary Genest
1560

County Process Service, Inc.
31 E. Julian Street
San Jose, CA 95112
(408) 297-6070

Our Job Serial Number: COP-2017017390
Service Fee: \$50.00

Exhibit A-3

DEFAULT DECISION AND ORDER FPPC NO. 16/009



FAIR POLITICAL PRACTICES COMMISSION
1102 Q Street • Suite 3000 • Sacramento, CA 95811

November 17, 2017

CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Noelani Sallings
[REDACTED]

**In the Matter of SALLINGS FOR SANTA CLARA SCHOOL BOARD 2014 and
NOELANI SALLINGS; FPPC No. 16/009**

Dear Ms. Sallings:

The Enforcement Division of the Fair Political Practices Commission (the "Commission") is proceeding with an administrative action against you for your failure to comply with the filing and disclosure provisions of the Political Reform Act (the "Act"), as described in our previous correspondence dated November 2, 2017. The enclosed Report in Support of a Finding of Probable Cause (the "Report") contains a summary of the alleged violations and the relevant law and evidence.

You have the right to file a written response to the Report. That response may contain any information you think is relevant and that you wish to bring to the attention of the Hearing Officer. In your response, please indicate whether you would like the Hearing Officer to make a determination of probable cause based on the written materials alone (the Report and your response) or request a hearing, during which you may orally present your case to the Hearing Officer. Probable cause conferences are held in our office, which is located at 428 J Street, Ste. 620, Sacramento, CA 95814. You may appear at the hearing in person or by telephone and you are entitled to be represented by counsel. *If you wish to submit a written response or request a probable cause hearing, it must be filed with the Commission Assistant at the address listed above or electronically at CommAsst@fppc.ca.gov within 21 days from the date of service of this letter.* You can call the Commission Assistant at (916) 322-5745.

Please note that probable cause hearings are not settlement conferences. The sole purpose of a probable cause hearing is to determine whether there is probable cause to believe that the Act was violated. However, settlement discussions are encouraged by the Commission and may take place at any time except during a probable cause hearing. *If you are interested in reaching a settlement in this matter, please contact me at (916) 322-7771 or ryang@fppc.ca.gov.*

Finally, you have the right to request discovery of the evidence in possession of, and relied upon

by, the Enforcement Division. *This request must also be filed with the Commission Assistant within 21 days from the date of service of this letter.* Should you request discovery, the Enforcement Division will provide the evidence by service of process or certified mail. From the date you are served with the evidence, you would have an additional 21 days to file a written response to the Report, just as described above.

Should you take no action within 21 days from the date of service of this letter, your rights to respond and to request a conference are automatically waived and the Enforcement Division will independently pursue the issuance of an accusation.

For your convenience, I have enclosed a fact sheet on probable cause proceedings and copies of the most relevant statutes and regulations.

Sincerely,



Ruth Yang
Commission Counsel
Enforcement Division

Enclosures

PROBABLE CAUSE FACT SHEET

INTRODUCTION

The Fair Political Practices Commission is required by law to determine whether probable cause exists to believe that the Political Reform Act (the "Act") was violated before a public administrative accusation may be issued.

The probable cause proceedings before the Fair Political Practices Commission are unique, and most respondents and their attorneys are unfamiliar with them. Therefore, we have prepared this summary to acquaint you with the process.

THE LAW

Government Code sections 83115.5 and 83116 set forth the basic requirement that a finding of probable cause be made in a "private" proceeding before a public accusation is issued and a public hearing conducted in accordance with the Administrative Procedure Act.

The Commission has promulgated regulations further defining the probable cause procedure and delegating to the General Counsel (the "Hearing Officer" for purposes of these proceedings) the authority to preside over such proceedings and decide probable cause. A copy of these statutes and regulations are attached for your convenience.

In summary, the statutes and regulations entitle you to the following:

- a) A written probable cause report containing a summary of the law alleged to have been violated, and a summary of the evidence, including any exculpatory and mitigating information and any other relevant material and arguments;
- b) The opportunity to request discovery, respond in writing, and to request a probable cause conference within 21 days of service of the probable cause report;
- c) If the Commission met to consider whether a civil lawsuit should be filed in this matter, a copy of any staff memoranda submitted to the Commission and a transcript of staff discussions with the Commission at any such meeting; and
- d) If a timely request was made, a non-public conference with the General Counsel and the Enforcement Division staff to consider whether or not probable cause exists to believe the Act was violated.

THE PROCEDURE

Probable Cause Report

Administrative enforcement proceedings are commenced with the service, by registered or certified mail or in person, of a probable cause report. The report will contain a summary of the law and the evidence, including any exculpatory and mitigating information of which the staff has knowledge and any other relevant material and arguments. It is filed with the Hearing Officer.

Discovery

Within 21 calendar days following the service of the probable cause report, you may request discovery of the evidence in the possession of the Enforcement Division. This is not a right to full discovery of the Enforcement Division file, but to the evidence relied upon by the Division along with any exculpatory or mitigating evidence¹.

This request must be sent by registered or certified mail to the Commission Assistant.

Response to Probable Cause Report

Within 21 calendar days following the service of the probable cause report (or, if you timely requested discovery, within 21 calendar days from the service of the evidence) you may submit a response to the Report. By regulation, the written response may contain, "... a summary of evidence, legal arguments, and any mitigating or exculpatory information." (Cal. Code Regs., tit. 2, § 18361.4, subd. (c).)

You must file your response with the Commission Assistant and provide a copy, by service of process or registered or certified mail with return receipt requested, to all other proposed respondents listed in the probable cause report.

Staff Reply

Within 10 calendar days following the date the response was filed with the Commission Assistant, Commission staff may submit any evidence or argument in rebuttal. You will be served with a copy of any such reply.

Probable Cause Conference

Probable cause conferences are held at the offices of the Fair Political Practices Commission, which is located at 428 J Street, Ste. 620, Sacramento, CA 95814. You may appear at the conference in person or by telephone. The proceedings are not public unless all proposed respondents agree to open the conference to the public. Otherwise, the probable cause report, any written responses, and the probable cause conference itself are confidential.

Unless the probable cause conference is public, the only persons who may attend are the staff of the Commission, any proposed respondent and his or her attorney or representative, and, at the discretion of the Hearing Officer, witnesses.

The Hearing Officer may, but need not, permit testimony from witnesses. Probable cause conferences are less formal than court proceedings. The rules of evidence do not apply. The conferences will be recorded and a copy of the recording will be provided upon request.

Since it has the burden of proof, the Enforcement Division is permitted to open and close the conference presentations. The Hearing Officer may also hold the record open to receive additional evidence or arguments.

Probable cause conferences are not settlement conferences. The sole purpose of a probable cause conference is to determine whether or not there is probable cause to believe that the

¹ But see Title 2, California Code of Regulations, Section 18362, which states that the Commission provides access to complaints, responses to complaints, and investigative files and information in accordance with the requirements of the Public Records Act. (Govt. Code § 6250, et seq.)

Political Reform Act was violated. Anyone who wishes to discuss settlement with the Enforcement Division may do so before or after the probable cause conference but not during the conference.

Pursuant to Title 2, California Code of Regulations, Section 18361.4, subdivision (e), the Hearing Officer will find probable cause "if the evidence is sufficient to lead a person of ordinary caution and prudence to believe or entertain a strong suspicion that a proposed respondent committed or caused a violation."

Ordinarily, probable cause determinations are made based upon the written probable cause report, any written response by the respondent, any written reply by the Enforcement Division, and the oral arguments presented at the conference. Timely written presentations are strongly recommended.

Probable Cause Order and Accusation

Once the matter is submitted to the Hearing Officer, the probable cause decision will normally be made within ten days. If the Hearing Officer finds probable cause, he will issue a Finding of Probable Cause, which will be publicly announced at the next Commission Meeting. An accusation will be issued soon after the Finding of Probable Cause is publicly announced.

Continuances

Every reasonable effort is made to accommodate the schedules of parties and counsel. However, once a date has been set it is assumed to be firm and will not be continued except upon the order of the Hearing Officer after a showing of good cause. Settlement negotiations will be considered good cause only if the Hearing Officer is presented with a fully executed settlement, or is convinced that settlement is imminent.

Settlements

Settlement discussions may take place at any time except during the probable cause conference. In order to open settlement discussions, a proposed respondent or his or her counsel or representative should present a written offer to settle stating, where appropriate, the violations to be admitted, and the monetary penalty or other remedy to be tendered.

The Enforcement Division attorney assigned to the case will negotiate any potential settlement on behalf of the Fair Political Practices Commission, and will draft the language of the settlement agreement. The Hearing Officer will not directly participate in the negotiations, but will be represented by Enforcement Division attorneys. Staff attorneys will present settlement offers to the Hearing Officer for his/her approval.

CONCLUSION

This fact sheet was intended to give you a brief summary of the probable cause process at the Fair Political Practices Commission. Such a summary cannot answer every question that might arise in such proceedings. Therefore, if you have any questions that are not addressed by this fact sheet or the copies of the law and regulations we have attached, feel free to contact the attorney whose name appears on the probable cause report.

Attachments: Relevant Sections of (1) California Government Code, and (2) Regulations of the Fair Political Practices Commission, Title 2, Division 6 of the California Code of Regulations.

CALIFORNIA GOVERNMENT CODE

Probable Cause Statutes

§ 83115.5. Probable cause; violation of title; notice of violation; summary of evidence; notice of rights; private proceedings

No finding of probable cause to believe this title has been violated shall be made by the commission unless, at least 21 days prior to the commission's consideration of the alleged violation, the person alleged to have violated this title is notified of the violation by service of process or registered mail with return receipt requested, provided with a summary of the evidence, and informed of his right to be present in person and represented by counsel at any proceeding of the commission held for the purpose of considering whether probable cause exists for believing the person violated this title. Notice to the alleged violator shall be deemed made on the date of service, the date the registered mail receipt is signed, or if the registered mail receipt is not signed, the date returned by the post office. A proceeding held for the purpose of considering probable cause shall be private unless the alleged violator files with the commission a written request that the proceeding be public.

§ 83116. Violation of title; probable cause; hearing; order

When the Commission determines there is probable cause for believing this title has been violated, it may hold a hearing to determine if a violation has occurred. Notice shall be given and the hearing conducted in accordance with the Administrative Procedure Act (Chapter 5 (commencing with Section 11500), Part 1, Division 3, Title 2, Government Code). The Commission shall have all the powers granted by that chapter. When the Commission determines on the basis of the hearing that a violation has occurred, it shall issue an order that may require the violator to do all or any of the following:

- (a) Cease and desist violation of this title.
- (b) File any reports, statements, or other documents or information required by this title.
- (c) Pay a monetary penalty of up to five thousand dollars (\$5,000) per violation to the General Fund of the state. When the Commission determines that no violation has occurred, it shall publish a declaration so stating.

**REGULATIONS OF THE FAIR POLITICAL PRACTICES COMMISSION
TITLE 2, DIVISION 6 OF THE CALIFORNIA CODE OF REGULATIONS**

Probable Cause Regulations

§ 18361 (b). Delegation by the Executive Director Pertaining to Enforcement Proceedings and Authority to Hear Probable Cause Proceedings.

Probable cause proceedings under Regulation 18361.4 shall be heard by the General Counsel or an attorney from the Legal Division. The General Counsel may delegate the authority to hear probable cause proceedings, in writing, to an administrative law judge.

§ 18361.4. Probable Cause Proceedings

(a) Probable Cause Report. If the Chief of the Enforcement Division decides to commence probable cause proceedings pursuant to Sections 83115.5 and 83116, he or she shall direct the Enforcement Division staff to prepare a written report, hereafter referred to as "the probable cause report." The probable cause report shall contain a summary of the law and evidence gathered in connection with the investigation, including any exculpatory and mitigating information of which the staff has knowledge and any other relevant material and arguments. The evidence recited in the probable cause report may include hearsay, including declarations of investigators or others relating the statements of witnesses or concerning the examination of physical evidence.

(b) No probable cause hearing will take place until at least 21 calendar days after the Enforcement Division staff provides the following, by service of process or registered or certified mail with return receipt requested, to all proposed respondents:

- (1) A copy of the probable cause report;
- (2) Notification that the proposed respondents have the right to respond in writing to the probable cause report and to request a probable cause conference at which the proposed respondent may be present in person and represented by counsel, and;
- (3) If the Commission met in executive session on this matter pursuant to Regulation 18361.2, a copy of any staff memoranda submitted to the Commission at that time along with the recording of any discussion between the Commission and the staff at the executive session as required in subdivision (b) of Regulation 18361.2.

(c) Response to Probable Cause Report.

- (1) Each proposed respondent may submit a written response to the probable cause report. The response may contain a summary of evidence, legal arguments, and any mitigating or exculpatory information. A proposed respondent who submits a response must file it with the Commission Assistant who will forward the response to the General Counsel or an attorney in the Legal Division (the "hearing officer") and provide a copy, by service of process or registered or certified mail with return receipt requested, to all other proposed respondents listed in the probable cause report not later than 21 days following service of the probable cause report.
- (2) Within 21 calendar days following the service of the probable cause report, a proposed

respondent may request discovery of evidence in the possession of the Enforcement Division. This request must be sent by registered or certified mail to the Commission Assistant. Upon receipt of the request, the Enforcement Division shall provide discovery of evidence relied upon by the Enforcement Division sufficient to lead a person of ordinary caution and prudence to believe or entertain a strong suspicion that a proposed respondent committed or caused a violation, along with any exculpatory or mitigating evidence. This is not a right to full discovery of the Enforcement Division file. The Enforcement Division shall provide access to documents for copying by the Respondent, or upon agreement among the parties, the Enforcement Division will provide copies of the requested documents upon payment of a fee for direct costs of duplication. The Enforcement Division shall provide such evidence by service of process or registered or certified mail with return receipt requested to all respondents, with a copy to the Commission Assistant. A respondent may submit a written response to the probable cause report described in subsection (1) no later than 21 calendar days after service of discovery.

- (3) The Commission staff may submit any evidence or argument in rebuttal to the response. When the Commission staff submits evidence or argument in rebuttal to the response, it shall provide a copy, by service of process or registered or certified mail with return receipt requested, to all proposed respondents listed in the probable cause report not later than 10 calendar days following the date the response was filed with the Commission Assistant. The hearing officer may extend the time limitations in this section for good cause. At any time prior to a determination of probable cause, the hearing officer may allow additional material to be submitted as part of the initial response or rebuttal.

(d) Probable Cause Conference. Any proposed respondent may request a probable cause conference. The request shall be served upon the Commission Assistant and all other proposed respondents not later than 21 days after service of the probable cause report unless the hearing officer extends the time for good cause. The Commission Assistant shall fix a time for the probable cause conference and the hearing officer shall conduct the conference informally. The conference shall be closed to the public unless a proposed respondent requests and all other proposed respondents agree to a public conference. If the conference is not public, only members of the Commission staff, any proposed respondent and his or her legal counsel or representative shall have the right to be present and participate. The hearing officer may allow witnesses to attend and participate in part or all of the probable cause conference. In making this determination, the hearing officer shall consider the relevancy of the witness' proposed testimony, whether the witness has a substantial interest in the proceedings, and whether fairness requires that the witness be allowed to participate. Representatives of any civil or criminal prosecutor with jurisdiction may attend the conference at the discretion of the hearing officer if they agree to respect the confidential nature of the proceedings. If the conference is not open to the public and none of the parties and the presiding officer object, the conference may be conducted in whole or in part by telephone. The probable cause conference shall be recorded. The hearing officer may determine whether there is probable cause based solely on the probable cause report, any responses or rebuttals filed and any arguments presented at the probable cause conference by the interested parties. If the hearing officer requires additional information before determining whether there is probable cause, he or she may permit any party to submit additional evidence at the probable cause conference.

(e) Finding of Probable Cause. The hearing officer may find there is probable cause to believe a violation has occurred if the evidence is sufficient to lead a person of ordinary caution and prudence to believe or entertain a strong suspicion that a proposed respondent committed or caused a violation. A finding of probable cause by the hearing officer does not constitute a finding that a violation has actually occurred. The hearing officer shall not make a finding of probable cause if he or she is presented with clear and convincing evidence that, at a time prior to the alleged violation, the violator consulted with the staff of the Commission in good faith, disclosed truthfully all the material facts, and committed the acts complained of either in reliance on the advice of the staff or because of the staff's failure to provide advice. If the hearing officer makes a finding of probable cause, the Enforcement Division shall prepare an Accusation pursuant to Section 11503 and have it served upon the person or persons who are subjects of the probable cause finding. The hearing officer shall publicly announce the finding of probable cause. The announcement shall contain a summary of the allegations and a cautionary statement that the respondent is presumed to be innocent of any violation of the Act unless a violation is proved in a subsequent proceeding. The Chief of the Enforcement Division shall be responsible for the presentation of the case in support of the Accusation at an administrative hearing held pursuant to Section 83116.

§ 18362. Access to Complaint Files

(a) Access to complaints, responses thereto, and investigative files and information shall be granted in accordance with the requirements of the Public Records Act (Government Code Section 6250, et seq.).

(b) When release of material is requested pursuant to subdivision (a), the Executive Director, or his or her designee, shall review the material prior to its release or prior to a claim of exemption to determine that the requirements of the Public Records Act have been satisfied.

(c) Any person requesting copies of material pursuant to subdivision (a) shall reimburse the Commission \$0.10 per page for each page copied or supply copying equipment and make copies in the offices of the Commission. Documents may not be removed from the offices of the Commission. If the request is for copies totaling ten pages or less, the copies shall be provided without charge for copying since the administrative costs do not warrant collection of \$1.00 or less. If the request is for copies totaling more than ten pages, reimbursements of copying costs shall include the cost for the first ten pages. Charges imposed pursuant to this subdivision are for the purpose of recovering the cost of copying.

(d) Requests for access and copies pursuant to subdivision (a) shall be made in writing and shall specifically identify the documents sought.

§ 18361.2. Memorandum Respecting Civil Litigation.

(a) If the Executive Director concludes civil litigation should be initiated, he or she shall submit to the Commission a written memorandum, which shall be first reviewed by the General Counsel, or an attorney from the Legal Division, summarizing the facts and the applicable law of the case and recommending the initiation of a lawsuit. The memorandum shall include all exculpatory and mitigating information known to the staff.

(b) The Commission shall review the memorandum at an executive session. The General Counsel, or an attorney from the Legal Division, and the Commission Assistant shall be in attendance. No other member of the staff may be present unless the Commission meets with a member of the staff for that person to answer questions. The Commission may not resume its deliberations until the person is no longer present. Any communication between the Commission and the person during the executive session shall be recorded. After review of the memorandum, the Commission may direct the Executive Director to do any of the following:

- (1) Initiate civil litigation.
- (2) Decide whether probable cause proceedings should be commenced pursuant to 2 Cal. Code of Regulations Section 18361.4.
- (3) Return the matter to the staff for further investigation.
- (4) Take no further action on the matter or take any other action it deems appropriate.

(c) If the Commission decides to initiate civil litigation, the Commission may then permit other members of the staff to attend the executive session.

(d) If the Executive Director deems it necessary, he or she may call a special meeting of the Commission to review a staff memorandum recommending the initiation of civil litigation.

(e) It is the intent of the Commission in adopting this section to preserve for the members of the Commission the authority to decide whether alleged violations should be adjudicated in administrative hearings or in civil litigation, while at the same time avoiding the possibility that discussions with members of the staff might cause members of the Commission to prejudge a case that might be heard by the Commission under Government Code Section 83116.

Exhibit A-4

DEFAULT DECISION AND ORDER FPPC NO. 16/009

1 GALENA WEST
Chief of Enforcement
2 RUTH YANG
Commission Counsel
3 **FAIR POLITICAL PRACTICES COMMISSION**
1102 Q Street, Suite 3000
4 Sacramento, CA 95811
5 Telephone: (916) 322-5660
Facsimile: (916) 322-1932
6 Attorneys for Complainant

7
8 **BEFORE THE FAIR POLITICAL PRACTICES COMMISSION**
9 **STATE OF CALIFORNIA**

10 In the Matter of) FPPC No. 16/009
11)
12 SALLINGS FOR SANTA CLARA) EX PARTE REQUEST FOR A FINDING OF
SCHOOL BOARD 2014 and NOELANI) PROBABLE CAUSE AND AN ORDER THAT
13 SALLINGS) AN ACCUSATION BE PREPARED AND
SERVED
14 Respondents.) Gov. Code § 83115.5
15)

16 **TO THE HEARING OFFICER OF THE FAIR POLITICAL PRACTICES COMMISSION:**

17 Pursuant to Section 83115.5 of the Political Reform Act (the "Act")¹ and Regulation 18361.4,
18 respondents Sallings for Santa Clara School Board 2014 (the "Committee") and Noelani Sallings
19 ("Sallings"), aka Noelani Hunt, were served with a copy of an Amended Report in Support of a Finding
20 of Probable Cause (the "Report") in the above-entitled matter.² The Report, attached as "Exhibit A," was
21 part of a packet of materials, including a cover letter and a memorandum describing probable cause
22 proceedings, which was personally served on and received by the Committee and Sallings on January 1,
23 2018. A copy of the proofs of service are attached as "Exhibit B."

24
25
26 ¹ The Political Reform Act is contained in Government Code §§ 81000 through 91014, and all statutory references are
27 to this code. The regulations of the Fair Political Practices Commission are contained in §§ 18110 through 18997 of Title 2 of
the California Code of Regulations, and all regulatory references are to this source.

28 ² Gov. Code § 83115.5; Cal. Code Reg., tit. 2, § 18361.4.

1 In the cover letter dated November 17, 2017 and in the attached materials, the Committee and
2 Sallings were advised that they could respond in writing to the Report and orally present the case to the
3 Hearing Officer at a probable cause conference to be held in Sacramento, California. The Committee and
4 Sallings were further advised that in order to have a probable cause conference, they needed to make a
5 written request for one on or before 21 days of the date they received the Report. Additionally, the
6 Committee and Sallings were advised that if they did not request a probable cause conference, such a
7 conference would not be held and probable cause would be determined based solely on the Report and
8 any written response that they submitted within 21 days of the date they were served with the Report. To
9 date, neither the Committee nor Sallings has submitted a written response or requested a probable cause
10 conference.

11 WHEREFORE, based on the attached Report, the Enforcement Division requests a finding by the
12 Hearing Officer that probable cause exists to believe that the Committee and Sallings committed four (4)
13 violation of the Act and Sallings severally committed four (4) violations of the Act, totaling eight (8)
14 violations, stated as follows:

15
16 Count 1: The Committee and Sallings failed to timely file the semi-annual campaign statement due
on February 1, 2016, in violation of Section 84200.

17
18 Count 2: The Committee and Sallings failed to timely file the semi-annual campaign statement due
on August 1, 2016, in violation of Section 84200.

19
20 Count 3: The Committee and Sallings failed to timely file the semi-annual campaign statement due
on January 31, 2017, in violation of Section 84200.

21
22 Count 4: The Committee and Sallings failed to timely life the semi-annual campaign statement due
on July 31, 2017, in violation of Section 84200.

23
24 Count 5: Sallings failed to timely file a 2012 Annual SEI by April 1, 2013, in violation of Section
87300.

25
26 Count 6: Sallings failed to timely file a 2013 Annual SEI by April 1, 2014, in violation of Section
87300.

27
28 Count 7: Sallings failed to timely file a 2014 Annual SEI by December 31, 2014, in violation of
Section 87300.

1 Count 8: Sallings failed to timely file a 2015 Annual SEI by April 1, 2016, in violation of Section
2 87300.

3 Additionally, after finding probable cause exists, the Enforcement Division requests an order by
4 the Hearing Officer that an accusation be prepared against the Committee and Sallings and served upon
5 them.³

6 A copy of this Request was mailed via U.S. Mail to the Committee and Sallings on
7 March 13, 2018, at the last known address, as follows:

8 Noelani Sallings
9 Sallings for Santa Clara School Board 2014
10 [REDACTED]

11
12 Dated: 3/13/2018

13 Respectfully Submitted,
14 **FAIR POLITICAL PRACTICES COMMISSION**
15 Galena West
16 Chief of Enforcement

17 

18 By: Ruth Yang
19 Commission Counsel
20 Enforcement Division

21
22
23
24
25
26
27
28 ³ Gov. Code § 11503.

EXHIBIT A

1 GALENA WEST
Chief of Enforcement
2 RUTH YANG
Commission Counsel
3 **FAIR POLITICAL PRACTICES COMMISSION**
1102 Q Street, Suite 3000
4 Sacramento, CA 95811f
Telephone: (916) 322-5660
5 Facsimile: (916) 322-1932

6 Attorneys for Complainant
Enforcement Division of the Fair Political Practices Commission
7

8
9 **BEFORE THE FAIR POLITICAL PRACTICES COMMISSION**
10 **STATE OF CALIFORNIA**

11 In the Matter of) FPPC No. 16/009
12)
13) **AMENDED REPORT IN SUPPORT OF A**
SALLINGS FOR SANTA CLARA) **FINDING OF PROBABLE CAUSE**
14 SCHOOL BOARD 2014 and)
NOELANI SALLINGS,)
15) Conference Date: TBA
16) Conference Time: TBA
Respondent.) Conference Location: Commission Offices
17) 1102 Q Street, Suite 3000
Sacramento, CA 95811

18 **INTRODUCTION**

19 This Amended Report in Support of a Finding of Probable Cause amends and supersedes the
20 previous version signed on June 28, 2017.

21 Respondents Sallings for Santa Clara School Board 2014 (the "Committee") is a candidate-
22 controlled committee, and Noelani Sallings ("Sallings"), aka Noelani Hunt, was a successful candidate
23 for the Santa Clara Unified School District Board of Trustees (the "Board") and the Committee's
24 treasurer. Sallings currently serves as the Vice President of the Board but also served as a member of the
25 Santa Clara Unified School District's Measure J Oversight Committee (the "Oversight Committee") from
26 2009 through 2014.

1 The Political Reform Act (the "Act")¹ requires candidate-controlled committees to file semi-
2 annual campaign statements to disclose their contributions received and expenditures made. The Act also
3 requires all designated officials to periodically file a Statement of Economic Interests ("SEI") disclosing
4 their relevant economic interests. The Committee and Sallings violated the Act by failing to timely file
5 four campaign statements for the periods ending on December 31, 2015; June 30, 2016;
6 December 31, 2016; and June 30, 2017. Additionally, Sallings separately violated the Act by failing to
7 timely file four Annual SEIs for the years 2012, 2013, 2014, and 2015.

8 **SUMMARY OF THE LAW**

9 All legal references and discussions of law pertain to the Act's provisions as they existed in 2012
10 through 2017.

11 Jurisdiction

12 The Fair Political Practices Commission (the "Commission") has administrative jurisdiction to
13 enforce the provisions of the Act.²

14 Probable Cause Proceedings

15 Prior to the Enforcement Division commencing an administrative action, the General Counsel of
16 the Commission or her designee (the "hearing officer"), must make a finding that there is probable cause
17 to believe the respondent has violated the Act.³ After a finding of probable cause, the Commission may
18 hold a noticed hearing in accordance with the Administrative Procedure Act⁴ to determine whether
19 violations occurred, and levy an administrative penalty of up to \$5,000 for each violation.⁵

20 ///
21 ///
22 ///
23 ///

24 _____
25 ¹ The Political Reform Act is contained in Government Code §§ 81000 through 91014, and all statutory references
26 are to this code. The regulations of the Fair Political Practice Commission are contained in §§ 18110 through 18997 of Title 2
of the California Code of Regulations, and all regulatory references are to this source.

27 ² Section 83116.
³ Section 83115.5 and Regulations 18361 and 18361.4.
⁴ Section 11500, et seq.
⁵ Section 83116 and Regulation 18361.4, subd. (e).

1 Standard for Finding Probable Cause

2 To make a finding of probable cause, the hearing officer must be presented with sufficient
3 evidence to lead a person of ordinary caution and prudence to believe, or entertain a strong suspicion,
4 that a respondent committed or caused a violation.⁶

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

6 When enacting the Political Reform Act, the people of the state of California found and declared
7 that previous laws regulating political practices suffered from inadequate enforcement by state and local
8 authorities.⁷ To that end, the Act must be liberally construed to achieve its purposes.⁸

9 There are many purposes of the Act. One purpose is to ensure voters are fully informed and
10 improper practices are inhibited by requiring all committees to disclose all contributions and expenditures
11 made throughout a campaign.⁹ Another is to increase transparency and decrease conflicts of interest in
12 the actions of public officials by requiring disclosure of their financial interests.¹⁰ The Act provides
13 adequate enforcement mechanisms so that it will be "vigorously enforced."¹¹

14 Semi-Annual Campaign Statements

15 The Act requires a candidate-controlled committee to file semi-annual statements twice per year
16 to disclose its campaign contributions and expenditures.¹² A committee must file a semi-annual statement
17 by January 31 for the period ending December 31 and by July 31 for the period ending June 30, or the
18 next business day if the deadline falls on a weekend or holiday.¹³

19 Candidate and Treasurer Liability

20 Under the Act, it is the duty of the candidate and the treasurer of a controlled committee to ensure
21 that the committee complies with all the requirements of the Act concerning the receipt, expenditure, and
22

23
24 ⁶ Section 18361.4, subd. (e).

⁷ Section 81001, subd. (h).

⁸ Section 81003.

⁹ Section 81002, subd. (a).

¹⁰ Section 81002, subd. (c).

¹¹ Section 81002, subd. (f).

¹² Section 84200.

¹³ Section 84200, subd. (a) and Regulation 18116, subd. (a).

1 reporting of funds.¹⁴ The candidate and treasurer may be held jointly and severally liable, along with the
2 committee, for violations committed by the committee.¹⁵

3 Conflict of Interest Codes

4 The Act requires every state and local agency to develop a Conflict of Interest Code.¹⁶ These
5 codes must designate those officials who participate in making decisions which may foreseeably have a
6 material financial effect on any financial interest belonging to that official and require those designated
7 officials to disclose all reportable interests on SEIs.¹⁷ The requirements of an agency's Conflict of Interest
8 Code have the force of law, and any violation of those requirements is deemed a violation of the Act.¹⁸

9 Santa Clara Unified School District Conflict of Interest Code

10 The Santa Clara Unified School District's Conflict of Interest Code designates the position of
11 Measure J Oversight Committee Member and Governing Board Member as positions that are required to
12 file Annual SEIs by April 1 of each succeeding year and a Leaving Office SEI within 30 days of leaving
13 office.

14 **SUMMARY OF THE EVIDENCE**

15 Delinquent Semi-Annual Campaign Statements

16 The Committee qualified as a candidate-controlled committee on or about December 2, 2013, the
17 date it filed its statement of organization. The Committee and Sallings failed to timely file a semi-annual
18 campaign statement for the period covering July 1, 2015 through December 31, 2015 by
19 February 1, 2016; for the period covering January 1, 2016 through June 30, 2016 by August 1, 2016; for
20 the period covering July 1, 2016 through December 31, 2016 by January 31, 2017; and for the period
21 covering January 1, 2017 through June 30, 2017 by July 31, 2017.

22 The Committee and Sallings filed a semi-annual campaign statement for the period ending on
23 December 31, 2016 on October 27, 2017, almost ten months past its due date, and marked it as a
24 termination statement. The form notified the Committee and Sallings that they also must file a separate

25 ¹⁴ Section 81004, 84100 84213, and Regulation 18427.

26 ¹⁵ Section 83116.5 and 91006.

27 ¹⁶ Section 87300.

28 ¹⁷ Section 87302, subd. (b).

¹⁸ Section 87300.

1 statement of organization indicating this intention to terminate. The Enforcement Division also reminded
2 the Committee and Sallings on November 2, 2017 that a separate statement of organization must be filed
3 to complete the termination of the Committee. The Committee and Sallings, as of November 15, 2017,
4 have not filed the requisite statement of organization to terminate the Committee.

5 Delinquent Annual SEIs

6 Sallings assumed office as a Committee Member for the Measure J Oversight Committee on
7 January 1, 2009 and left that post on December 1, 2014. While serving as a Committee Member, Sallings
8 failed to timely file a 2012 Annual SEI by April 1, 2013; 2013 Annual SEI by April 1, 2014; and Leaving
9 Office SEI by December 31, 2014. After she assumed office as a Governing Board Member for the Board,
10 she also failed to timely file her 2015 SEI by April 1, 2016. As of November 17, 2017, Sallings remains
11 in office as the Vice President of the Board.

12 Contact with Sallings

13 The Santa Clara County Clerk of the Board sent the Committee and Sallings notices of their
14 failure to file the semi-annual statement for the periods covering July 1, 2015 through
15 December 31, 2015; July 1, 2016 through December 31, 2016; and January 1, 2017 through
16 June 30, 2017. The Clerk of the Board also sent Sallings several written notices regarding her duty to file
17 her past due SEIs. The Committee and Sallings continued to neglect their filing obligations, so the Clerk
18 referred the matters to the Enforcement Division. The Enforcement Division contacted the Committee
19 and Sallings by email on March 15, 2016 and maintained contact through November 2017.

20 **VIOLATIONS**

21 Count 1: Failure to Timely File a Semi-Annual Campaign Statement

22 The Committee and Sallings failed to timely file the semi-annual campaign statement due on
23 February 1, 2016, in violation of Section 84200.

24 Count 2: Failure to Timely File a Semi-Annual Campaign Statement

25 The Committee and Sallings failed to timely file the semi-annual campaign statement due on
26 August 1, 2016, in violation of Section 84200.

1 Count 3: Failure to Timely File a Semi-Annual Campaign Statement

2 The Committee and Sallings failed to timely file the semi-annual campaign statement due on
3 January 31, 2017, in violation of Section 84200.

4 Count 4: Failure to Timely File a Semi-Annual Campaign Statement

5 The Committee and Sallings failed to timely life the semi-annual campaign statement due on
6 July 31, 2017, in violation of Section 84200.

7 Count 5: Failure to Timely File a 2012 Annual SEI

8 Sallings failed to timely file a 2012 Annual SEI by April 1, 2013, in violation of Section 87300.

9 Count 6: Failure to Timely File a 2013 Annual SEI

10 Sallings failed to timely file a 2013 Annual SEI by April 1, 2014, in violation of Section 87300.

11 Count 7: Failure to Timely File a Leaving Office SEI

12 Sallings failed to timely file a 2014 Annual SEI by December 31, 2014, in violation of Section
13 87300.

14 Count 8: Failure to Timely File a 2015 Annual SEI

15 Sallings failed to timely file a 2015 Annual SEI by April 1, 2016, in violation of Section 87300.

16 **EXCULPATORY OR MITIGATING INFORMATION**

17 Sallings filed her delinquent SEIs for the years 2012 through 2015 by May 9, 2016. Sallings
18 should have filed a Leaving Office SEI to report her economic interests from January 1, 2014 through
19 December 1, 2014, but she captured her economic interests for all of 2014 with an Annual SEI.

20 The Committee and Sallings also filed the semi-annual statement for the period covering
21 July 1, 2015 through December 31, 2015 on June 8, 2016; for the period covering January 1, 2016 through
22 June 30, 2016 on September 18, 2016; and for the period covering July 1, 2016 through
23 December 31, 2016 on October 27, 2017.

24 **OTHER RELEVANT INFORMATION**

25 The Committee and Sallings failed to timely file semi-annual campaign statements that were due
26 on August 1, 2016; January 31, 2017; and July 31, 2017 while concurrently working with the
27

1 Enforcement Division regarding their failure to file 'the previous periods' semi-annual campaign
2 statements.

3 **CONCLUSION**

4 Probable cause exists to believe that the Committee and Sallings violated the Act as detailed
5 above. The Enforcement Division respectfully requests an order finding probable cause pursuant to
6 Section 83115.5 and Regulation 18361.4.

7
8 Dated: 11/17/2017

9
10 Respectfully Submitted,
11 **FAIR POLITICAL PRACTICES COMMISSION**
12 Galena West
13 Enforcement Chief


14 
15 By: Ruth Yang
16 Commission Counsel
17 Enforcement Division

EXHIBIT B

PROOF OF SERVICE

At the time of service, I was over 18 years of age and not a party to this action. My business address is Fair Political Practices Commission, 1102 Q Street, Suite 3000, Sacramento, California 95811. On 11/20/2017, I served the following document(s):

1. Letter dated November 17, 2017 from Ruth Yang;
2. FPPC No. 16/009 Amended Report in Support of a Finding of Probable Cause;
3. Probable Cause Fact Sheet
4. Selected Sections of the California Government Code regarding Probable Cause Proceedings for the Fair Political Practices Commission; and
5. Selected Regulations of the Fair Political Practices Commission regarding Probable Cause Proceedings

By personal service. At 1:20 a.m./p.m.:

I personally delivered the document(s) listed above to the person(s) at the address(es) as shown on the service list below.

By providing the document(s) listed above with instructions for registered process server to personally deliver the envelope(s) to the person(s) at the address(es) set forth on the service list below. **The signed proof of service by the registered process server will be attached as soon as it is available.**

I am a resident or employed in the county where the mailing occurred. The envelope or package was placed in the mail in Sacramento County, California.

SERVICE LIST

Personal Service

Noelani Sallings
[REDACTED]

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on 11/20/2017.



Roone Peterson

RETURN OF SERVICE

State of

County of

Fair Political Practices
Commission Court

Case Number: 16/009

**in the Matter of Sallings for Santa Clara School Board 2014 and
Noelani Sallings**

For:
Galena West, Esq.
Fair Political Practices Commission
1102 Q Street, Ste 3000
Sacramento, CA 958111

Received by County Process Service, Inc. on the 21st day of November, 2017 at 12:56 pm to be served on
Noelani Sallings, [REDACTED]

I, Gary Genest, do hereby affirm that on the 1st day of January, 2018 at 6:00 pm, I:

I served the following documents **Letter Dated November 17, 2017; Amended Report in Support of a
Finding of Probable Cause; Probable Cause Fact Sheet; California Government Code Probable
Cause Statutes; Regulations of the Fair Political Practices Commission Title 2, Division 6 of the
California Code Regulations**

I personally served the following person at the address, date and time stated: **Noelani Sallings, 3208
Vinifera Dr, San Jose, CA 95135,**

Under penalty of perjury I certify that I am over the age of 18, have no interest in the above action, and am a
Registered Process Server, in good standing, in the State of California. County of Santa Clara.



Gary Genest
1560

County Process Service, Inc.
31 E. Julian Street
San Jose, CA 95112
(408) 297-6070

Our Job Serial Number. COP-2017017390
Service Fee: \$50.00

Exhibit A-5

DEFAULT DECISION AND ORDER FPPC NO. 16/009

1 BEFORE THE FAIR POLITICAL PRACTICES COMMISSION

2 STATE OF CALIFORNIA

3
4 In the Matter of) FPPC No. 16/009
5)
6 SALLINGS FOR SANTA CLARA) FINDING OF PROBABLE CAUSE AND AN
7 SCHOOL BOARD 2014 and) ORDER TO PREPARE AND SERVE AN
8 NOELANI SALLINGS,) ACCUSATION
9 Respondents.) Gov. Code § 83115.5
10)

11 By means of an Ex Parte Request for a Finding of Probable Cause and an Order that an Accusation
12 Be Prepared and Served, dated March 13, 2018, the Enforcement Division submitted the above-entitled
13 matter to the Hearing Officer for a determination of Probable Cause. As set forth in the Ex Parte Request
14 for a Finding of Probable Cause and an Order that an Accusation Be Prepared and Served (“Ex Parte
15 Request”), the Enforcement Division personally served an Amended Report in Support of a Finding of
16 Probable Cause (“PC Report”) on respondents Sallings for Santa Clara School Board 2014 (the
17 “Committee”) and Noelani Sallings (“Sallings”), aka Noelani Hunt, concerning this matter on
18 January 1, 2018. Accompanying the PC Report was a packet of materials that informed the Committee
19 and Sallings of their right to file a written response to the PC Report and to request a probable cause
20 conference within 21 days following service of the PC Report. During the 21 days that followed service
21 of the PC Report, the Committee and Sallings did not file a response to the PC Report or request a probable
22 cause conference. Pursuant to California Code of Regulations title 2, section 18361.4, determination of
23 probable cause may be made solely on papers submitted when the respondent does not request a probable
24 cause conference.¹

25 In making a probable cause determination, it is the duty of the Hearing Officer of the Fair Political
26 Practices Commission to determine whether probable cause exists to believe that a respondent violated

27
28 ¹ The Political Reform Act is contained in Government Code sections 81000 through 91014. The regulations of
the Fair Political Practices Commission are contained in Sections 18110 through 18997 of Title 2 of the California Code of
Regulations.

1 the Political Reform Act as alleged by the Enforcement Division in the PC Report served on the
2 respondent.

3 Probable cause to believe a violation has occurred can be found to exist when "the evidence is
4 sufficient to lead a person of ordinary caution and prudence to believe or entertain a strong suspicion that
5 the proposed respondent(s) committed or caused a violation."²

6 The PC Report served on the Committee and Sallings and the subsequent Ex Parte Request in this
7 matter alleges eight (8) violations of the Political Reform Act were committed, as follows:

8
9 Count 1: The Committee and Sallings failed to timely file the semi-annual campaign statement due
on February 1, 2016, in violation of Section 84200.

10 Count 2: The Committee and Sallings failed to timely file the semi-annual campaign statement due
11 on August 1, 2016, in violation of Section 84200.

12 Count 3: The Committee and Sallings failed to timely file the semi-annual campaign statement due
13 on January 31, 2017, in violation of Section 84200.

14 Count 4: The Committee and Sallings failed to timely file the semi-annual campaign statement due
on July 31, 2017, in violation of Section 84200.

15 Count 5: Sallings failed to timely file a 2012 Annual SEI by April 1, 2013, in violation of Section
16 87300.

17 Count 6: Sallings failed to timely file a 2013 Annual SEI by April 1, 2014, in violation of Section
18 87300.

19 Count 7: Sallings failed to timely file a 2014 Annual SEI by December 31, 2014, in violation of
Section 87300.

20 Count 8: Sallings failed to timely file a 2015 Annual SEI by April 1, 2016, in violation of Section
21 87300.

22 Based on the Ex Parte Request given to me, I find that notice has been given to the Committee and
23 Sallings.³ I further find, based on the PC Report and the Ex Parte Request, that there is probable cause to
24 believe the Committee and Sallings violated the Political Reform Act as alleged in Counts 1 through 6, as
25 identified above.

26
27
28 ² Cal. Code Reg., tit. 2, § 18361.4, subd. (e).

³ Government Code § 83115.5; Cal. Code Reg., tit. 2, § 18361.4, subd. (b).

1 I therefore direct that the Enforcement Division issue an accusation against the Committee and
2 Sallings in accordance with this finding.

3 IT IS SO ORDERED.

4
5 Dated:

3/15/18




6 John M. Feser, Jr., Hearing Officer
7 Fair Political Practices Commission
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**Fair Political Practices Commission
MEMORANDUM**

To: John Feser, Commission Counsel, Legal Division
From: Jack Woodside, General Counsel
Subject: Delegation of Authority to Conduct Probable Cause Hearing

I hereby delegate to you, for the reasons specified at 2 CCR Section 18361 (b), my full authority to conduct a Probable Cause Conference under 2 CCR Section 18361.4 in the matter of *FPPC v. Sallings for Santa Clara School Board 2014 and Noelani Sallings* case number FPPC No. 16/009 including full authority to make a final determination in that proceeding.

Dated 3-14-18



Jack Woodside
General Counsel

FPPC No. 16/009, In the matter of Sallings for Santa Clara School Board 2014 and Noelani Sallings

PROOF OF SERVICE

At the time of service, I was over 18 years of age and not a party to this action. My business address is Fair Political Practices Commission, 1102 Q Street, Suite 3000, Sacramento, CA 95811. On the date below, I served the following document:

FINDING OF PROBABLE CAUSE AND ORDER TO PREPARE AND SERVE AN ACCUSATION

MANNER OF SERVICE

(U.S. Mail) By causing a true copy thereof to be served on the parties in this action through the U.S. Mail and addressed as listed below. I am familiar with the procedure of the Fair Political Practices Commission for collection and processing of correspondence for mailing with the United States Postal Service, and the fact that the correspondence would be deposited with the United States Postal Service that same day in the ordinary course of business.

SERVICE LIST

Noelani Sallings
Sallings for Santa Clara School Board 2014

(By Personal Service) On Thursday, March 15, 2018, at approximately 12:15 p.m., I personally served:

Ruth Yang, Commission Counsel, at 1102 Q Street, Suite 3000, Sacramento, CA 95811.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct and that this document is executed at Sacramento, California, on March 15, 2018.



Sasha Linker

Exhibit A-6

DEFAULT DECISION AND ORDER FPPC NO. 16/009

1 GALENA WEST
Chief of Enforcement
2 RUTH YANG
Commission Counsel
3 **FAIR POLITICAL PRACTICES COMMISSION**
1102 Q St., Suite 3000
4 Sacramento, CA 95811
Telephone: (916) 322-5660
5 Facsimile: (916) 322-1932

6 Attorneys for Complainant
Enforcement Division of the Fair Political Practices Commission
7

8
9 **BEFORE THE FAIR POLITICAL PRACTICES COMMISSION**
10 **STATE OF CALIFORNIA**

11 In the Matter of) FPPC No. 16/009
12)
13 SALLINGS FOR SANTA CLARA) **ACCUSATION**
SCHOOL BOARD 2014 and)
14 NOELANI SALLINGS,)
15) (Gov. Code §11503)
16 Respondents.)
17

18 Complainant, the Enforcement Division of the Fair Political Practices Commission, after a finding
19 of probable cause pursuant to Government Code section 83115.5, alleges the following:

20 **JURISDICTION**

21 1. Complainant is the Enforcement Division of the Fair Political Practices Commission (the
22 "Commission") and makes this Accusation in its official capacity and in the public interest.

23 2. The authority to bring this action is derived from Title 2, California Code of Regulations,
24 Sections 18361 and 18361.4, subdivision (e), and the statutory law of the State of California, specifically
25 including, but not limited to, Government Code Sections 83111, 83116, and 91000.5, which assign to the
26 Enforcement Division the duty to administer, implement, and enforce the provisions of the Political
27 Reform Act, found at Government Code Sections 81000 through 91014.
28

1 **A. Duty to File Campaign Statements**

2 9. The Act requires a candidate-controlled committee to file semi-annual statements twice per
3 year to disclose its campaign contributions and expenditures.⁶

4 10. A committee must file a semi-annual statement by January 31 for the period ending
5 December 31 and by July 31 for the period ending June 30, or the next business day if the deadline falls
6 on a weekend or holiday.⁷

7 **B. Duty to File Statements of Economic Interests**

8 11. Every state and local government agency must adopt a conflict of interest code that requires
9 public officials whose positions are designated in the conflict of interest code to periodically file SEIs.⁸

10 **C. Santa Clara Unified School District Conflict of Interest Code**

11 12. An agency's conflict of interest code must designate those officials that are required to file
12 SEIs and require each designated official of the agency to file assuming office and annual SEIs at a time
13 specified in the agency's conflict of interest code.⁹ An agency's conflict of interest code may incorporate
14 Regulation 18730, which contains a model conflict of interest code, by reference. The Board incorporates
15 Regulation 18730. Therefore, annual statements are due no later than April 1 of the following year, or the
16 next business day if the deadline falls on a weekend or holiday.¹⁰

17 13. The requirements of an agency's conflict of interest code have the force of law, and any
18 violation of those requirements is deemed a violation of the Act.¹¹

19 14. The Board's Conflict of Interest Code designates Governing Board Member as a position
20 that is required to file SEIs.

21 15. The Santa Clara Unified School District's Conflict of Interest Code designates the position
22 of Measure J Oversight Committee Member and Governing Board Member as positions that are required
23 to file Annual SEIs by April 1 of each succeeding year and a Leaving Office SEI within 30 days of leaving
24 office.

25 _____
26 ⁶ Section 84200.

27 ⁷ Section 84200, subd. (a) and Regulation 18116, subd. (a).

28 ⁸ Sections 87300 and 87302.

⁹ Section 87302, subd. (b).

¹⁰ Regulation 18116 subd. (a).

¹¹ Section 87300.

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Count 4

Failure to Timely File a Semi-Annual Campaign Statement

49. Complainant incorporates paragraphs 1-48 of this Accusation, as though completely set forth here.

50. As a recipient committee and its candidate, the Committee and Sallings had a duty to file a semi-annual campaign statement for the reporting period of January 1, 2017 through June 30, 2017 by July 31, 2017.

51. The Committee and Sallings failed to file the semi-annual campaign statement for the reporting period of January 1, 2017 through June 30, 2017 by July 31, 2017.

52. By failing to file the semi-annual campaign statement by July 31, 2017, the Committee and Sallings violated Section 84200.

Count 5

Failure to Timely File a 2012 Annual SEI

53. Complainant incorporates paragraphs 1-52 of this Accusation, as though completely set forth here.

54. As an Oversight Committee Member, Sallings had a duty to file a 2012 Annual SEI by April 1, 2013.

55. Sallings failed to file a 2012 Annual SEI by April 1, 2013.

56. By failing to timely file a 2012 Annual SEI, Sallings violated Section 87300.

Count 6

Failure to Timely File a 2013 Annual SEI

57. Complainant incorporates paragraphs 1-56 of this Accusation, as though completely set forth here.

58. As an Oversight Committee Member, Sallings had a duty to file a 2013 Annual SEI by April 1, 2014.

59. Sallings failed to file a 2013 Annual SEI by April 1, 2014.

60. By failing to timely file a 2013 Annual SEI, Sallings violated Section 87300.

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Count 7

Failure to Timely File a Leaving Office SEI

61. Complainant incorporates paragraphs 1-60 of this Accusation, as though completely set forth here.

62. As an Oversight Committee Member, Sallings had a duty to file a Leaving Office SEI by December 31, 2014.

63. Sallings failed to file a Leaving Office SEI by December 31, 2014.

64. By failing to timely file a Leaving Office SEI, Sallings violated Section 87300.

Count 8

Failure to Timely File a 2015 Annual SEI

65. Complainant incorporates paragraphs 1-64 of this Accusation, as though completely set forth here.

66. As a Governing Board Member, Sallings had a duty to file a 2015 Annual SEI by April 1, 2016.

67. Sallings failed to file a 2015 Annual SEI by April 1, 2016.

68. By failing to timely file a 2015 Annual SEI, Sallings violated Section 87300.

MITIGATING OR EXCULPATORY FACTORS

69. The Committee and Sallings filed all semi-annual statements after receiving contact from the Enforcement Division.

70. Sallings filed her delinquent SEIs after receiving contact from the Enforcement Division.

AGGRAVATING FACTORS AND OTHER RELEVANT MATERIALS

71. The Committee and Sallings failed to timely file semi-annual campaign statements while concurrently working with the Enforcement Division regarding the failure to file the previous periods' semi-annual campaign statements so she was well aware of her filing obligations.

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PRAYER

WHEREFORE, Complainant prays as follows:

1. That the Commission hold a hearing pursuant to Section 83116 and Regulation 18361.5, and at such hearing find that the Sallings for Santa Clara School Board 2014 and Noelani Sallings violated the Act as alleged herein;

2. That the Commission, pursuant to Section 83116, subdivision (c), order the Committee and Sallings to pay a monetary penalty of up to \$5,000 for the violation of the Act alleged in **Count 1**;

3. That the Commission, pursuant to Section 83116, subdivision (c), order the Committee and Sallings to pay a monetary penalty of up to \$5,000 for the violation of the Act alleged in **Count 2**;

4. That the Commission, pursuant to Section 83116, subdivision (c), order the Committee and Sallings to pay a monetary penalty of up to \$5,000 for the violation of the Act alleged in **Count 3**;

5. That the Commission, pursuant to Section 83116, subdivision (c), order the Committee and Sallings to pay a monetary penalty of up to \$5,000 for the violation of the Act alleged in **Count 4**;

6. That the Commission, pursuant to Section 83116, subdivision (c), order the Committee and Sallings to pay a monetary penalty of up to \$5,000 for the violation of the Act alleged in **Count 5**;

7. That the Commission, pursuant to Section 83116, subdivision (c), order the Committee and Sallings to pay a monetary penalty of up to \$5,000 for the violation of the Act alleged in **Count 6**;

8. That the Commission, pursuant to Section 83116, subdivision (c), order the Committee and Sallings to pay a monetary penalty of up to \$5,000 for the violation of the Act alleged in **Count 7**;

9. That the Commission, pursuant to Section 83116, subdivision (c), order the Committee and Sallings to pay a monetary penalty of up to \$5,000 for the violation of the Act alleged in **Count 8**;

10. That the Commission, pursuant to Regulation 18361.5, subdivision (d), consider the following factors in framing a proposed order following a finding of a violation pursuant to Section 83116: (1) the seriousness of the violation; (2) the presence or absence of any intention to conceal, deceive or mislead; (3) whether the violation was deliberate, negligent or inadvertent; (4) whether the violator demonstrated good faith by consulting the Commission staff or any other government agency in a manner not constituting a complete defense under Section 83114, subdivision (b); (5) whether the violation was isolated or part of a pattern and whether the violator has a prior record of violations of the Act or similar

1 laws; and (6) whether the violator, upon learning of a reporting violation, voluntarily filed amendments to
2 provide full disclosure.

3 11. That the Commission grant such other and further relief as it deems just and proper.

4 Dated: 25 April 18

5 
6 Galena West
7 Chief of Enforcement
8 Fair Political Practices Commission

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Exhibit A-7

DEFAULT DECISION AND ORDER FPPC NO. 16/009

PROOF OF SERVICE

At the time of service, I was over 18 years of age and not a party to this action. My business address is Fair Political Practices Commission, 1102 Q Street, Suite 3000, Sacramento, California 95811.

On 05/01/2018, I served the following document(s):

- 1. Statement to Respondent;
- 2. FPPC Case No. 16/009: Accusation;
- 3. Notice of Defense (Two Copies);
- 4. Selected Sections of the California Government Code, Administrative Procedure Act.

By Personal Delivery. I personally delivered the document(s) listed above to the person(s) at the address(es) as shown on the service list below.

By personal service. At 12:50 a.m./p.m.:

I personally delivered the document(s) listed above to the person(s) at the address(es) as shown on the service list below.

By providing the document(s) listed above with instructions for registered process server to personally deliver the envelope(s) to the person(s) at the address(es) set forth on the service list below. **The signed proof of service by the registered process server will be attached as soon as it is available.**

I am a resident or employed in the county where the mailing occurred. The envelope or package was placed in the mail in Sacramento County, California.

SERVICE LIST

Personal Delivery

Sasha Linker, Commission
Assistant
Fair Political Practices Commission
1102 Q Street, Suite 3000
Sacramento, CA 95811

Personal Service

Noelani Hunt
Sallings for Santa Clara School Board 2014



I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on 05/01/2018.

Roone Peterson

GALENA WEST, CHIEF OF ENFORCEMENT FAIR POLITICAL PRACTICES COMMISSION 1102 Q ST. SUITE 3000 SACRAMENTO, CA 95811 ATTORNEY FOR: COMPLAINANT		(916) 322-8246	FOR COURT USE ONLY
BEFORE THE FAIR POLITICAL PRACTICES COMMISSION			
STATE OF CALIFORNIA			
IN RE: SALLINGS FOR SANTA CLARA SCHOOL BOARD 2014 AND NOELANI SALLINGS			
REFERENCE NO.:	PROOF OF SERVICE	CASE NUMBER:	
518484015		FPPC NO. 16/009	

At the time of service I was at least eighteen years of age and not a party to this action, and I served copies of the:
 ACCUSATION; STATEMENT TO RESPONDENT; NOTICE OF DEFENSE (RE: SALLINGS FOR SANTA CLARA SCHOOL BOARD 2014) X2; NOTICE OF DEFENSE (RE: NOELANI SALLINGS) X2; CALIFORNIA GOVERNMENT CODE SECTIONS 11506 THROUGH 11508

in the within action by personally delivering true copies thereof to the person served as follows:

Served : NOELANI HUNT
 By serving : NOELANI HUNT
 Address : [REDACTED]
 Date of Service : MAY 2, 2018
 Time of Service : 5:56 PM



31 N. SECOND STREET
 SUITE 200
 SAN JOSE, CA 95113

(408) 291-5000

Registered in Santa Clara County
 Registered California Process Server No. 1542

The fee for service was:
 Person serving: CHRISTOPHER ROMAN
 I am a registered California process server.
 Registration No.: 1576
 County: SANTA CLARA

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: MAY 2, 2018

Signature: _____

CHRISTOPHER ROMAN

Exhibit A-8

DEFAULT DECISION AND ORDER FPPC NO. 16/009



FAIR POLITICAL PRACTICES COMMISSION

1102 Q Street • Suite 3000 • Sacramento, CA 95811

STATEMENT TO RESPONDENT

[Government Code Section 11505, subdivision (b)]

Sallings for Santa Clara School Board 2014 and Noelani Sallings

FPPC Case No. 16/009

Enclosed is an Accusation, which was filed with the Fair Political Practices Commission (the "FPPC") and which is hereby served upon you, along with two copies of a Notice of Defense and Government Code Sections 11506 through 11508.

Unless a written request for a hearing signed by you or on your behalf is delivered or mailed to the FPPC within 15 days after the Accusation was served on you, the FPPC may proceed upon the Accusation without a hearing. The request for a hearing may be made by delivering or mailing the enclosed form entitled Notice of Defense, or by delivering or mailing a notice of defense as provided by Section 11506 of the Government Code to the Commission Assistant at the FPPC.

You may, but need not, be represented by counsel at any or all stages of these proceedings.

If you desire a list of the names and addresses of witnesses against you, or an opportunity to inspect and copy the items mentioned in Section 11507.6 of the Government Code that are in the possession, custody, or control of this agency, or if you wish to discuss the possibility of resolving this matter without a formal hearing, you may contact Ruth Yang, Commission Counsel, Enforcement Division, at (916) 322-7771 or at ryang@fppc.ca.gov.

The hearing may be postponed for good cause. If you have good cause, you are obliged to notify the FPPC or, if an administrative law judge has been assigned to the hearing, the Office of Administrative Hearings, within 10 working days after you discover the good cause. Failure to give notice within 10 days will deprive you of a postponement.

After a hearing, the FPPC will consider the following factors in determining whether to assess a penalty (Title 2, California Code of Regulations, Section 18361.5, subdivision (d).):

1. The seriousness of the violation;
2. The presence or absence of any intention to conceal, deceive, or mislead;
3. Whether the violation was deliberate, negligent, or inadvertent;
4. Whether the violator demonstrated good faith by consulting Commission staff or any other government agency in a manner not constituting a complete defense under Government Code Section 83114, subdivision (b);
5. Whether the violation was isolated or part of a pattern;
6. Whether the violator has a prior record of violations of the Political Reform Act or similar laws; and
7. Whether the violator, upon learning of a reporting violation, voluntarily filed amendments to provide full disclosure.



Before the Fair Political Practices Commission

State of California

In the Matter of)	NOTICE OF DEFENSE
)	(Pursuant to Gov. Code § 11506)
)	
SALLINGS FOR SANTA CLARA)	FPPC Case No. 16/009
SCHOOL BOARD 2014 and)	
NOELANI SALLINGS,)	
)	
)	
Respondents.)	
)	

Sallings for Santa Clara School Board 2014, a respondent named in the above entitled proceeding, hereby acknowledges receipt of the Accusation, a copy of the Statement to Respondent, a copy of Government Code Sections 11506 through 11508, and two copies of a *NOTICE OF DEFENSE*.

Pursuant to Government Code Section 11506, subdivision (a), you may file this *NOTICE OF DEFENSE* requesting a hearing on the grounds listed below. Failure to file this *NOTICE OF DEFENSE* shall constitute a waiver of your right to a hearing. If you waive your right to a hearing, you may file a statement of mitigation by separate letter that will be considered by the Commission in assessing any penalties for the violations alleged in the Accusation.

If you wish to file a *NOTICE OF DEFENSE*, please check **all** applicable grounds for the *NOTICE OF DEFENSE*, complete the remainder of the form, and mail to the Commission within fifteen (15) days of receipt of the Accusation.

GROUNDNS FOR NOTICE OF DEFENSE

- 1) I request a hearing;
- 2) I object to the Accusation upon the ground that it does not state acts or omissions upon which the agency may proceed;
- 3) I object to the form of the Accusation on the ground that it is so indefinite or uncertain that I cannot identify the transaction that is the subject of the Accusation or prepare my defense;
- 4) I admit the Accusation in whole or in part (check box "a" or "b");
 - a) I admit the Accusation in whole.
 - b) I admit the Accusation in part as indicated below:

- 5) I wish to present new matter by way of defense;
- 6) I object to the accusation upon the ground that, under the circumstances, compliance with the requirements of a regulation of the Fair Political Practices Commission would result in a material violation of another regulation enacted by another department affecting substantive rights.

Dated: _____

Respondent

Print Name

Mailing Address

City, State, Zip



Before the Fair Political Practices Commission

State of California

In the Matter of)	NOTICE OF DEFENSE
)	(Pursuant to Gov. Code § 11506)
)	
SALLINGS FOR SANTA CLARA)	FPPC Case No. 16/009
SCHOOL BOARD 2014 and)	
NOELANI SALLINGS,)	
)	
)	
Respondents.)	
)	

Sallings for Santa Clara School Board 2014, a respondent named in the above entitled proceeding, hereby acknowledges receipt of the Accusation, a copy of the Statement to Respondent, a copy of Government Code Sections 11506 through 11508, and two copies of a *NOTICE OF DEFENSE*.

Pursuant to Government Code Section 11506, subdivision (a), you may file this *NOTICE OF DEFENSE* requesting a hearing on the grounds listed below. Failure to file this *NOTICE OF DEFENSE* shall constitute a waiver of your right to a hearing. If you waive your right to a hearing, you may file a statement of mitigation by separate letter that will be considered by the Commission in assessing any penalties for the violations alleged in the Accusation.

If you wish to file a *NOTICE OF DEFENSE*, please check **all** applicable grounds for the *NOTICE OF DEFENSE*, complete the remainder of the form, and mail to the Commission within fifteen (15) days of receipt of the Accusation.

GROUND FOR NOTICE OF DEFENSE

- 1) I request a hearing;
- 2) I object to the Accusation upon the ground that it does not state acts or omissions upon which the agency may proceed;
- 3) I object to the form of the Accusation on the ground that it is so indefinite or uncertain that I cannot identify the transaction that is the subject of the Accusation or prepare my defense;
- 4) I admit the Accusation in whole or in part (check box "a" or "b");
 - a) I admit the Accusation in whole.
 - b) I admit the Accusation in part as indicated below:

- 5) I wish to present new matter by way of defense;
- 6) I object to the accusation upon the ground that, under the circumstances, compliance with the requirements of a regulation of the Fair Political Practices Commission would result in a material violation of another regulation enacted by another department affecting substantive rights.

Dated: _____

Respondent

Print Name

Mailing Address

City, State, Zip



Before the Fair Political Practices Commission

State of California

In the Matter of)
) NOTICE OF DEFENSE
) (Pursuant to Gov. Code § 11506)
)
 SALLINGS FOR SANTA CLARA) FPPC Case No. 16/009
 SCHOOL BOARD 2014 and)
 NOELANI SALLINGS,)
)
)
 Respondents.)
)

Noelani Sallings, aka Noelani Hunt, a respondent named in the above entitled proceeding, hereby acknowledges receipt of the Accusation, a copy of the Statement to Respondent, a copy of Government Code Sections 11506 through 11508, and two copies of a *NOTICE OF DEFENSE*.

Pursuant to Government Code Section 11506, subdivision (a), you may file this *NOTICE OF DEFENSE* requesting a hearing on the grounds listed below. Failure to file this *NOTICE OF DEFENSE* shall constitute a waiver of your right to a hearing. If you waive your right to a hearing, you may file a statement of mitigation by separate letter that will be considered by the Commission in assessing any penalties for the violations alleged in the Accusation.

If you wish to file a *NOTICE OF DEFENSE*, please check **all** applicable grounds for the *NOTICE OF DEFENSE*, complete the remainder of the form, and mail to the Commission within fifteen (15) days of receipt of the Accusation.

GROUNDNS FOR NOTICE OF DEFENSE

- 1) I request a hearing;
- 2) I object to the Accusation upon the ground that it does not state acts or omissions upon which the agency may proceed;
- 3) I object to the form of the Accusation on the ground that it is so indefinite or uncertain that I cannot identify the transaction that is the subject of the Accusation or prepare my defense;
- 4) I admit the Accusation in whole or in part (check box "a" or "b");
 - a) I admit the Accusation in whole.
 - b) I admit the Accusation in part as indicated below:

- 5) I wish to present new matter by way of defense;
- 6) I object to the accusation upon the ground that, under the circumstances, compliance with the requirements of a regulation of the Fair Political Practices Commission would result in a material violation of another regulation enacted by another department affecting substantive rights.

Dated: _____

Respondent

Print Name

Mailing Address

City, State, Zip



Before the Fair Political Practices Commission

State of California

In the Matter of)	NOTICE OF DEFENSE
)	(Pursuant to Gov. Code § 11506)
)	
SALLINGS FOR SANTA CLARA)	FPPC Case No. 16/009
SCHOOL BOARD 2014 and)	
NOELANI SALLINGS,)	
)	
)	
Respondents.)	
)	

Noelani Sallings, aka Noelani Hunt, a respondent named in the above entitled proceeding, hereby acknowledges receipt of the Accusation, a copy of the Statement to Respondent, a copy of Government Code Sections 11506 through 11508, and two copies of a *NOTICE OF DEFENSE*.

Pursuant to Government Code Section 11506, subdivision (a), you may file this *NOTICE OF DEFENSE* requesting a hearing on the grounds listed below. Failure to file this *NOTICE OF DEFENSE* shall constitute a waiver of your right to a hearing. If you waive your right to a hearing, you may file a statement of mitigation by separate letter that will be considered by the Commission in assessing any penalties for the violations alleged in the Accusation.

If you wish to file a *NOTICE OF DEFENSE*, please check all applicable grounds for the *NOTICE OF DEFENSE*, complete the remainder of the form, and mail to the Commission within fifteen (15) days of receipt of the Accusation.

GROUNDNS FOR NOTICE OF DEFENSE

- 1) I request a hearing;
- 2) I object to the Accusation upon the ground that it does not state acts or omissions upon which the agency may proceed;
- 3) I object to the form of the Accusation on the ground that it is so indefinite or uncertain that I cannot identify the transaction that is the subject of the Accusation or prepare my defense;
- 4) I admit the Accusation in whole or in part (check box "a" or "b");
 - a) I admit the Accusation in whole.
 - b) I admit the Accusation in part as indicated below:

- 5) I wish to present new matter by way of defense;
- 6) I object to the accusation upon the ground that, under the circumstances, compliance with the requirements of a regulation of the Fair Political Practices Commission would result in a material violation of another regulation enacted by another department affecting substantive rights.

Dated: _____

Respondent

Print Name

Mailing Address

City, State, Zip

California Government Code sections 11506 through 11508

§ 11506. Filing of notice of defense or notice of participation; Contents; Right to hearing on the merits

(a) Within 15 days after service of the accusation or District Statement of Reduction in Force the respondent may file with the agency a notice of defense, or, as applicable, notice of participation, in which the respondent may:

- (1) Request a hearing.
- (2) Object to the accusation or District Statement of Reduction in Force upon the ground that it does not state acts or omissions upon which the agency may proceed.
- (3) Object to the form of the accusation or District Statement of Reduction in Force on the ground that it is so indefinite or uncertain that the respondent cannot identify the transaction or prepare a defense.
- (4) Admit the accusation or District Statement of Reduction in Force in whole or in part.
- (5) Present new matter by way of defense.
- (6) Object to the accusation or District Statement of Reduction in Force upon the ground that, under the circumstances, compliance with the requirements of a regulation would result in a material violation of another regulation enacted by another department affecting substantive rights.

(b) Within the time specified the respondent may file one or more notices of defense, or, as applicable, notices of participation, upon any or all of these grounds but all of these notices shall be filed within that period unless the agency in its discretion authorizes the filing of a later notice.

(c) The respondent shall be entitled to a hearing on the merits if the respondent files a notice of defense or notice of participation, and the notice shall be deemed a specific denial of all parts of the accusation or District Statement of Reduction in Force not expressly admitted. Failure to file a notice of defense or notice of participation shall constitute a waiver of respondent's right to a hearing, but the agency in its discretion may nevertheless grant a hearing. Unless objection is taken as provided in paragraph (3) of subdivision (a), all objections to the form of the accusation or District Statement of Reduction in Force shall be deemed waived.

(d) The notice of defense or notice of participation shall be in writing signed by or on behalf of the respondent and shall state the respondent's mailing address. It need not be verified or follow any particular form.

(e) As used in this section, "file," "files," "filed," or "filing" means "delivered or mailed" to the agency as provided in Section 11505.

HISTORY: Added Stats 1945 ch 867 § 1. Amended Stats 1963 ch 931 § 1; Stats 1982 ch 606 § 1; Stats 1986 ch 951 § 20; Stats 1995 ch 938 § 29 (SB 523), operative July 1, 1997; Stats 2013 ch 90 § 5 (SB 546), effective January 1, 2014.

§ 11507. Amended or supplemental accusation or District Statement of Reduction in Force; Objections

At any time before the matter is submitted for decision, the agency may file, or permit the filing of, an amended or supplemental accusation or District Statement of Reduction in Force. All parties shall be notified of the filing. If the amended or supplemental accusation or District Statement of Reduction in Force presents new charges, the agency shall afford the respondent a reasonable opportunity to prepare his or her defense to the new charges, but he or she shall not be entitled to file a further pleading unless the agency in its discretion so orders. Any new charges shall be deemed controverted, and any objections to the amended or supplemental accusation or District Statement of Reduction in Force may be made orally and shall be noted in the record.

HISTORY: Added Stats 1945 ch 867 § 1. Amended Stats 2013 ch 90 § 6 (SB 546), effective January 1, 2014; Stats 2014 ch 71 § 69 (SB 1304), effective January 1, 2015.

§ 11507.3. Consolidated proceedings; Separate hearings

(a) When proceedings that involve a common question of law or fact are pending, the administrative law judge on the judge's own motion or on motion of a party may order a joint hearing of any or all the matters at issue in the proceedings. The administrative law judge may order all the proceedings consolidated and may make orders concerning the procedure that may tend to avoid unnecessary costs or delay.

(b) The administrative law judge on the judge's own motion or on motion of a party, in furtherance of convenience or to avoid prejudice or when separate hearings will be conducive to expedition and economy, may order a separate hearing of any issue, including an issue raised in the notice of defense or notice of participation, or of any number of issues.

HISTORY: Added Stats 1995 ch 938 § 30 (SB 523), operative July 1, 1997. Amended Stats 2013 ch 90 § 7 (SB 546), effective January 1, 2014.

///

§ 11507.5. Exclusivity of discovery provisions

The provisions of Section 11507.6 provide the exclusive right to and method of discovery as to any proceeding governed by this chapter.

HISTORY: Added Stats 1968 ch 808 § 3.

§ 11507.6. Request for discovery

After initiation of a proceeding in which a respondent or other party is entitled to a hearing on the merits, a party, upon written request made to another party, prior to the hearing and within 30 days after service by the agency of the initial pleading or within 15 days after the service of an additional pleading, is entitled to (1) obtain the names and addresses of witnesses to the extent known to the other party, including, but not limited to, those intended to be called to testify at the hearing, and (2) inspect and make a copy of any of the following in the possession or custody or under the control of the other party:

(a) A statement of a person, other than the respondent, named in the initial administrative pleading, or in any additional pleading, when it is claimed that the act or omission of the respondent as to this person is the basis for the administrative proceeding;

(b) A statement pertaining to the subject matter of the proceeding made by any party to another party or person;

(c) Statements of witnesses then proposed to be called by the party and of other persons having personal knowledge of the acts, omissions or events which are the basis for the proceeding, not included in (a) or (b) above;

(d) All writings, including, but not limited to, reports of mental, physical and blood examinations and things which the party then proposes to offer in evidence;

(e) Any other writing or thing which is relevant and which would be admissible in evidence;

(f) Investigative reports made by or on behalf of the agency or other party pertaining to the subject matter of the proceeding, to the extent that these reports (1) contain the names and addresses of witnesses or of persons having personal knowledge of the acts, omissions or events which are the basis for the proceeding, or (2) reflect matters perceived by the investigator in the course of his or her investigation, or (3) contain or include by attachment any statement or writing described in (a) to (e), inclusive, or summary thereof.

For the purpose of this section, "statements" include written statements by the person signed or otherwise authenticated by him or her, stenographic, mechanical, electrical or other recordings, or transcripts thereof, of oral statements by the person, and written reports or summaries of these oral statements.

Nothing in this section shall authorize the inspection or copying of any writing or thing which is privileged from disclosure by law or otherwise made confidential or protected as the attorney's work product.

HISTORY: Added Stats 1968 ch 808 § 4. Amended Stats 1985 ch 1328 § 5; Stats 1995 ch 938 § 31 (SB 523), operative July 1, 1997.

§ 11507.7. Motion to compel discovery; Order

(a) Any party claiming the party's request for discovery pursuant to Section 11507.6 has not been complied with may serve and file with the administrative law judge a motion to compel discovery, naming as respondent the party refusing or failing to comply with Section 11507.6. The motion shall state facts showing the respondent party failed or refused to comply with Section 11507.6, a description of the matters sought to be discovered, the reason or reasons why the matter is discoverable under that section, that a reasonable and good faith attempt to contact the respondent for an informal resolution of the issue has been made, and the ground or grounds of respondent's refusal so far as known to the moving party.

(b) The motion shall be served upon respondent party and filed within 15 days after the respondent party first evidenced failure or refusal to comply with Section 11507.6 or within 30 days after request was made and the party has failed to reply to the request, or within another time provided by stipulation, whichever period is longer.

(c) The hearing on the motion to compel discovery shall be held within 15 days after the motion is made, or a later time that the administrative law judge may on the judge's own motion for good cause determine. The respondent party shall have the right to serve and file a written answer or other response to the motion before or at the time of the hearing.

(d) Where the matter sought to be discovered is under the custody or control of the respondent party and the respondent party asserts that the matter is not a discoverable matter under the provisions of Section 11507.6, or is privileged against disclosure under those provisions, the administrative law judge may order lodged with it matters provided in subdivision (b) of *Section 915 of the Evidence Code* and examine the matters in accordance with its provisions.

(e) The administrative law judge shall decide the case on the matters examined in camera, the papers filed by the parties, and such oral argument and additional evidence as the administrative law judge may allow.

(f) Unless otherwise stipulated by the parties, the administrative law judge shall no later than 15 days after the hearing make its order denying or granting the motion. The order shall be in writing setting forth the matters the moving party is entitled to discover under Section 11507.6. A copy of the order shall forthwith be served by mail by the administrative law judge upon the parties. Where the order grants the motion in whole or in part, the order shall not become

effective until 10 days after the date the order is served. Where the order denies relief to the moving party, the order shall be effective on the date it is served.

HISTORY: Added Stats 1968 ch 808 § 5. Amended Stats 1971 ch 1303 § 8; Stats 1980 ch 548 § 2; Stats 1995 ch 938 § 32 (SB 523), operative July 1, 1997.

§ 11508. Time and place of hearing

(a) The agency shall consult the office, and subject to the availability of its staff, shall determine the time and place of the hearing. The hearing shall be held at a hearing facility maintained by the office in Sacramento, Oakland, Los Angeles, or San Diego and shall be held at the facility that is closest to the location where the transaction occurred or the respondent resides.

(b) Notwithstanding subdivision (a), the hearing may be held at either of the following places:

(1) A place selected by the agency that is closer to the location where the transaction occurred or the respondent resides.

(2) A place within the state selected by agreement of the parties.

(c) The respondent may move for, and the administrative law judge has discretion to grant or deny, a change in the place of the hearing. A motion for a change in the place of the hearing shall be made within 10 days after service of the notice of hearing on the respondent.

Unless good cause is identified in writing by the administrative law judge, hearings shall be held in a facility maintained by the office.

HISTORY: Added Stats 1945 ch 867 § 1. Amended Stats 1963 ch 710 § 1; Stats 1967 ch 17 § 39; Stats 1987 ch 50 § 1; Stats 1995 ch 938 § 33 (SB 523), operative July 1, 1997; Stats 2005 ch 674 § 22 (SB 231), effective January 1, 2006.

Exhibit A-9

DEFAULT DECISION AND ORDER FPPC NO. 16/009

County of Santa Clara

Registrar of Voters

1555 Berger Drive, Bldg 2
San Jose, CA 95112
Mailing Address: P.O. Box 611360, San Jose, CA 95161-1360
(408) 299-8639 FAX: (408) 998-7356
www.sccvote.org



February 2, 2016

Ms. Noelani Sallings
[REDACTED]

**Reference Committee: Sallings for Santa Clara School Board 2014
ID#1362259
Santa Clara Unified School District**

Dear Ms. Sallings:

Your semi-annual campaign disclosure statement has not been filed electronically. It covers the following period and deadline:

7/1/2015-12/31/2015, due 2/1/2016

County of Santa Clara Ordinance Code Section A34-22 states that any person who files an electronic copy of a campaign disclosure statement after the deadline imposed by the California Political Reform Act shall be liable in the same amount and on the same terms as set forth in the Act for late filing of the written copy of the disclosure statement. Government Code Section 91013 of the Political Reform Act imposes a fine of \$10 per day after the filing deadline until the statement is filed. The liability is limited to the cumulative amount of the contributions or expenditures for the period covered by the late statement or \$100, whichever is greater. However, if you file your electronic campaign disclosure statement within 10 days and have a valid reason for filing late, all or part of the fine can be waived.

Your immediate attention to this matter is required. File your campaign disclosure statement and reason for filing late within 10 days of the date of this letter. The law mandates that the fine cannot be waived if the statement is filed after this time. You will be referred to the District Attorney and the FPPC Enforcement Division if the statement is not filed by February 12, 2016.

If you have any questions or need assistance, please contact Patricia Lopez at 408-282-3042.

Best Regards,

Shui Ling Chu
Election Division Coordinator
Candidate Services Division

Exhibit A-10

DEFAULT DECISION AND ORDER FPPC NO. 16/009

County of Santa Clara

Registrar of Voters

1555 Berger Drive, Bldg. 2
San Jose, CA 95112
Mailing Address P.O. Box 611360, San Jose, CA 95161-1360
(408) 299-8639 FAX (408) 998-7356
www.seccola.org



August 2, 2016

Ms. Noelani Sallings
[REDACTED]

Reference Committee: Sallings for Santa Clara School Board 2014,
ID#1362259
Santa Clara Unified School District

Dear Ms. Sallings:

Your semi-annual campaign disclosure statement has not been filed electronically. It covers the following periods and deadlines:

1/1/2016-6/30/2016, due 8/1/2016

County of Santa Clara Ordinance Code Section A34-22 states that any person who files an electronic copy of a campaign disclosure statement after the deadline imposed by the California Political Reform Act shall be liable in the same amount and on the same terms as set forth in the Act for late filing of the written copy of the disclosure statement. Government Code Section 91013 of the Political Reform Act imposes a fine of \$10 per day after the filing deadline until the statement is filed. The liability is limited to the cumulative amount of the contributions or expenditures for the period covered by the late statement or \$100, whichever is greater. However, if you file your electronic campaign disclosure statement within 10 days and have a valid reason for filing late, all or part of the fine can be waived.

Your immediate attention to this matter is required. File your campaign disclosure statement and reason for filing late within 10 days of the date of this letter. The law mandates that the fine cannot be waived if the statement is filed after this time. You will be referred to the District Attorney and the FPPC Enforcement Division if the statement is not filed by August 20, 2015.

If you have any questions or need assistance, please contact Patricia Lopez at 408-282-3042.

Best Regards,

Shui Ling Chu
Election Division Coordinator
Candidate and Public Services Division



Exhibit A-11

DEFAULT DECISION AND ORDER FPPC NO. 16/009

County of Santa Clara

Registrar of Voters

1555 Berger Drive, Bldg. 2
San Jose, CA 95112
Mailing Address: P.O. Box 611360, San Jose, CA 95161-1360
(408) 299-8639 FAX: (408) 998-7356
www.sccvote.org



February 2, 2017

Ms. Noelani Sallings
[REDACTED]

**Reference Committee: Sallings for Santa Clara School Board 2014, ID#1362259
Santa Clara Unified School District TA 2**

Dear Ms. Sallings:

Your semi-annual campaign disclosure statement has not been filed electronically. It covers the following period and deadline:

07/01/2016-12/31/2016, due 1/31/2017

County of Santa Clara Ordinance Code Section A11-11 states that any person who files an electronic copy of a campaign disclosure statement after the deadline imposed by the California Political Reform Act shall be liable in the same amount and on the same terms as set forth in the Act for late filing of the written copy of the disclosure statement.

Government Code Section 91013 of the Political Reform Act imposes a fine of \$10 per day, in addition to any other penalties or remedies imposed by the act, after the filing deadline until the statement is filed. The liability is limited to the cumulative amount of the contributions or expenditures for the period covered by the late statement or \$100, whichever is greater. However, if you file your electronic campaign disclosure statement within 10 days and have a valid reason for filing late, all or part of the fine can be waived under certain circumstances.

Your immediate attention to this matter is required. File your campaign disclosure statement and reason for filing late within 10 days of the date of this letter. The law mandates that the fine cannot be waived if the statement is filed after this time. In addition, you will be referred to the District Attorney and the FPPC Enforcement Division if the statement is not filed by February 12, 2017.

If you have any questions or need assistance, please contact Patricia Lopez at 408-282-3042.

Best Regards,


Shui Ling Chu
Election Division Coordinator
Candidate Services Division

Exhibit A-12

DEFAULT DECISION AND ORDER FPPC NO. 16/009

County of Santa Clara

Registrar of Voters

1555 Berger Drive, Bldg 2
San Jose, CA 95112
Mailing Address: P.O. Box 611360, San Jose, CA 95161-1360
(408) 299-8639 FAX: (408) 998-7356
www.socvote.org



August 2, 2017

Ms. Noelani Sallings
[REDACTED]

**Reference Committee: Sallings for Santa Clara School Board 2014
ID#1362259, Santa Clara Unified School District TA 2**

Dear Ms. Sallings:

Your semi-annual campaign disclosure statement has not been filed electronically. It covers the following period and deadline:

1/1/2017-6/30/2017, due 7/31/2017

County of Santa Clara Ordinance Code Section A11-11 states that any person who files an electronic copy of a campaign disclosure statement after the deadline imposed by the California Political Reform Act shall be liable in the same amount and on the same terms as set forth in the Act for late filing of the written copy of the disclosure statement.

Government Code Section 91013 of the Political Reform Act imposes a fine of \$10 per day, in addition to any other penalties or remedies imposed by the act, after the filing deadline until the statement is filed. The liability is limited to the cumulative amount of the contributions or expenditures for the period covered by the late statement or \$100, whichever is greater. However, if you file your electronic campaign disclosure statement within 10 days and have a valid reason for filing late, all or part of the fine can be waived under certain circumstances.

Your immediate attention to this matter is required. File your campaign disclosure statement and reason for filing late within 10 days of the date of this letter. The law mandates that the fine cannot be waived if the statement is filed after this time. In addition, you will be referred to the District Attorney and the FPPC Enforcement Division if the statement is not filed by August 20, 2017.

If you have any questions or need assistance, please contact Patricia Lopez at 408-282-3042.

Best Regards,

Shui Ling Chu
Election Division Coordinator
Candidate Services Division

Exhibit A-13

DEFAULT DECISION AND ORDER FPPC NO. 16/009

Recipient Committee Campaign Statement Cover Page

(Government Code Sections 84200-84216.5)

COVER PAGE

CALIFORNIA
FORM
460

Page 1 of 5

For Official Use Only

Date Stamp

E-Filed
06/08/2016
09:59:10
Filing ID:
160613216

Date of election if applicable:
(Month, Day, Year)

Statement covers period

from 07/01/2015

through 12/31/2015

SEE INSTRUCTIONS ON REVERSE

1. Type of Recipient Committee: All Committees - Complete Parts 1, 2, 3, and 4.

- Officeholder, Candidate Controlled Committee
 State Candidate Election Committee
 Recall
(Also Complete Part 5)
 General Purpose Committee
 Sponsored
 Small Contributor Committee
 Political Party/Central Committee
- Primarily Formed Ballot Measure Committee
 Controlled
 Sponsored
(Also Complete Part 6)
 Primarily Formed Candidate/Officeholder Committee
(Also Complete Part 7)

2. Type of Statement:

- Preelection Statement
 Semi-annual Statement
 Termination Statement
(Also file a Form 410 Termination)
 Amendment (Explain below)
- Quarterly Statement
 Special Odd-Year Report
 Supplemental Preelection Statement - Attach Form 495

3. Committee Information

I.D. NUMBER
1362259

COMMITTEE NAME (OR CANDIDATE'S NAME IF NO COMMITTEE)
Sallings for Santa Clara School Board 2014

Treasurer(s)

NAME OF TREASURER
Noelani Sallings
MAILING ADDRESS

STREET ADDRESS (NO P.O. BOX)

CITY STATE ZIP CODE AREA CODE/PHONE
Santa Clara CA 95051 (408) 480-8671

MAILING ADDRESS (IF DIFFERENT) NO. AND STREET OR P.O. BOX

CITY STATE ZIP CODE AREA CODE/PHONE

OPTIONAL: FAX / E-MAIL ADDRESS

noelani@sallings.org

4. Verification

I have used all reasonable diligence in preparing and reviewing this statement and to the best of my knowledge the information contained herein and in the attached schedules is true and complete. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on 06/08/2016
Date

By Noelani Sallings
Signature of Treasurer or Assistant Treasurer

Executed on 06/08/2016
Date

By Noelani Sallings
Signature of Controlling Officerholder, Candidate, State Measure Proponent or Responsible Officer of Sponsor

Executed on _____
Date

By _____
Signature of Controlling Officerholder, Candidate, State Measure Proponent

Executed on _____
Date

By _____
Signature of Controlling Officerholder, Candidate, State Measure Proponent

FPPC Form 460 (Jan/2016)

FPPC Advice: advice@fppc.ca.gov (866)275-3772

www.fppc.ca.gov

**Recipient Committee
Campaign Statement
Cover Page — Part 2**

5. Officeholder or Candidate Controlled Committee

NAME OF OFFICEHOLDER OR CANDIDATE
 Noelani Sallings
 OFFICE SOUGHT OR HELD (INCLUDE LOCATION AND DISTRICT NUMBER IF APPLICABLE)
 Board of Education District 2
 RESIDENTIAL/BUSINESS ADDRESS (NO. AND STREET) CITY STATE ZIP
 Santa Clara CA 95051

Related Committees Not Included in this Statement: *List any committees not included in this statement that are controlled by you or are primarily formed to receive contributions or make expenditures on behalf of your candidacy.*

COMMITTEE NAME	I.D. NUMBER
NAME OF TREASURER	CONTROLLED COMMITTEE? <input type="checkbox"/> YES <input type="checkbox"/> NO
COMMITTEE ADDRESS	STREET ADDRESS (NO P.O. BOX)
CITY	STATE ZIP CODE AREA CODE/PHONE
COMMITTEE NAME	I.D. NUMBER
NAME OF TREASURER	CONTROLLED COMMITTEE? <input type="checkbox"/> YES <input type="checkbox"/> NO
COMMITTEE ADDRESS	STREET ADDRESS (NO P.O. BOX)
CITY	STATE ZIP CODE AREA CODE/PHONE

6. Primarily Formed Ballot Measure Committee

NAME OF BALLOT MEASURE

BALLOT NO. OR LETTER	JURISDICTION	<input type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSE
----------------------	--------------	---

Identify the controlling officeholder, candidate, or state measure proponent, if any.

NAME OF OFFICEHOLDER, CANDIDATE, OR PROponent

OFFICE SOUGHT OR HELD

DISTRICT NO. IF ANY

7. Primarily Formed Candidate/Officeholder Committee *List names of officeholder(s) or candidate(s) for which this committee is primarily formed.*

NAME OF OFFICEHOLDER OR CANDIDATE	OFFICE SOUGHT OR HELD	<input type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSE
NAME OF OFFICEHOLDER OR CANDIDATE	OFFICE SOUGHT OR HELD	<input type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSE
NAME OF OFFICEHOLDER OR CANDIDATE	OFFICE SOUGHT OR HELD	<input type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSE
NAME OF OFFICEHOLDER OR CANDIDATE	OFFICE SOUGHT OR HELD	<input type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSE

Attach continuation sheets if necessary

Campaign Disclosure Statement Summary Page

Amounts may be rounded
to whole dollars.

SUMMARY PAGE

Statement covers period
from 07/01/2015
through 12/31/2015

CALIFORNIA
FORM **460**

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER

Sallings for Santa Clara School Board 2014

Page 3 of 5

I.D. NUMBER
1362259

Contributions Received

	Column A TOTAL THIS PERIOD (FROM ATTACHED SCHEDULES)	Column B CALENDAR YEAR TOTAL TO DATE
1. Monetary Contributions	Schedule A, Line 3 \$ 0.00	\$ 0.00
2. Loans Received	Schedule B, Line 3 0.00	0.00
3. SUBTOTAL CASH CONTRIBUTIONS	Add Lines 1 + 2 0.00	0.00
4. Nonmonetary Contributions	Schedule C, Line 3 0.00	0.00
5. TOTAL CONTRIBUTIONS RECEIVED	Add Lines 3 + 4 0.00	0.00

Calendar Year Summary for Candidates Running in Both the State Primary and General Elections

1/1 through 6/30 7/1 to Date

20. Contributions Received \$ _____

21. Expenditures Made \$ _____

Expenditures Made

6. Payments Made	Schedule E, Line 4 \$ 0.00	\$ 2,155.00
7. Loans Made	Schedule H, Line 3 0.00	0.00
8. SUBTOTAL CASH PAYMENTS	Add Lines 6 + 7 0.00	2,155.00
9. Accrued Expenses (Unpaid Bills)	Schedule F, Line 3 99.00	252.00
10. Nonmonetary Adjustment	Schedule C, Line 3 0.00	0.00
11. TOTAL EXPENDITURES MADE	Add Lines 8 + 9 + 10 99.00	2,407.00

Expenditure Limit Summary for State Candidates

22. Cumulative Expenditures Made* (If Subject to Voluntary Expenditure Limit)

Date of Election (mm/dd/yy) _____ Total to Date _____

_____ \$ _____

_____ \$ _____

Current Cash Statement

12. Beginning Cash Balance	Previous Summary Page, Line 16 \$ 2,638.85
13. Cash Receipts	Column A, Line 3 above 0.00
14. Miscellaneous Increases to Cash	Schedule I, Line 4 0.00
15. Cash Payments	Column A, Line 8 above 0.00
16. ENDING CASH BALANCE	Add Lines 12 + 13 + 14, then subtract Line 15 \$ 2,638.85

If this is a termination statement, Line 16 must be zero.

17. LOAN GUARANTEES RECEIVED	Schedule B, Part 2 \$ 0.00
Cash Equivalents and Outstanding Debts	
18. Cash Equivalents	See instructions on reverse \$ 0.00
19. Outstanding Debts	Add Line 2 + Line 9 in Column B above \$ 252.00

To calculate Column B, add amounts in Column A to the corresponding amounts from Column B of your last report. Some amounts in Column A may be negative figures that should be subtracted from previous period amounts. If this is the first report being filed for this calendar year, only carry over the amounts from Lines 2, 7, and 9 (if any).

*Amounts in this section may be different from amounts reported in Column B.

Schedule F Accrued Expenses (Unpaid Bills)

Amounts may be rounded to whole dollars.

Statement covers period from 07/01/2015 through 12/31/2015

SEE INSTRUCTIONS ON REVERSE

NAME OF FILER

Sallings for Santa Clara School Board 2014

Page 4 of 5

I.D. NUMBER

1362259

CALIFORNIA FORM

460

CODES: If one of the following codes accurately describes the payment, you may enter the code. Otherwise, describe the payment.

- | | | |
|---|---|---|
| <ul style="list-style-type: none"> OMP campaign paraphernalia/misc. CNS campaign consultants CTB contribution (explain nonmonetary)* CVC civic donations FL candidate filing/ballot fees FND fundraising events IND independent expenditure supporting/opposing others (explain)* LEG legal defense LIT campaign literature and mailings | <ul style="list-style-type: none"> MBR member communications MTG meetings and appearances OFC office expenses PET petition circulating PHO phone banks POL polling and survey research POS postage, delivery and messenger services* PRO professional services (legal, accounting) PRT print ads | <ul style="list-style-type: none"> RAD radio airtime and production costs RFD returned contributions SAL campaign workers' salaries TEL t.v. or cable airtime and production costs TRC candidate travel, lodging, and meals TRS staff/spouse travel, lodging, and meals TSF transfer between committees of the same candidate/sponsor VOT voter registration WEB information technology costs (internet, e-mail) |
|---|---|---|

NAME AND ADDRESS OF CREDITOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CODE OR DESCRIPTION OF PAYMENT	(a) OUTSTANDING BALANCE BEGINNING OF THIS PERIOD	(b) AMOUNT INCURRED THIS PERIOD	(c) AMOUNT PAID THIS PERIOD (ALSO REPORT ON E)	(d) OUTSTANDING BALANCE AT CLOSE OF THIS PERIOD
Nationbuilder Los Angeles, CA 90071	LIT	0.00	99.00	0.00	99.00
Nationbuilder Los Angeles, CA 90071	LIT	99.00	0.00	0.00	99.00
Mailchimp Atlanta, GA 30318	LIT	27.00	0.00	0.00	27.00
SUBTOTALS \$		126.00	99.00	0.00	225.00

* Payments that are contributions or independent expenditures must also be summarized on Schedule D.

Schedule F Summary

- Total accrued expenses incurred this period. (Include all Schedule F, Column (b) subtotals for accrued expenses of \$100 or more, plus total unitemized accrued expenses under \$100.) **INCURRED TOTALS \$** 99.00
- Total accrued expenses paid this period. (Include all Schedule F, Column (c) subtotals for payments on accrued expenses of \$100 or more, plus total unitemized payments on accrued expenses under \$100.) **PAID TOTALS \$** 0.00
- Net change this period. (Subtract Line 2 from Line 1. Enter the difference here and on the Summary Page, Column A, Line 9.) **NET \$** 99.00
May be a negative number

Schedule F (Continuation Sheet) Accrued Expenses (Unpaid Bills)

Amounts may be rounded
to whole dollars.

SCHEDULE F (CONT.)

Statement covers period

from 07/01/2015

CALIFORNIA
FORM **460**

through 12/31/2015

Page 5 of 5

NAME OF FILER

Sallings for Santa Clara School Board 2014

I.D. NUMBER

1362259

CODES: If one of the following codes accurately describes the payment, you may enter the code. Otherwise, describe the payment.

CMP campaign paraphernalia/misc.
 CNS campaign consultants
 CTB contribution (explain nonmonetary)*
 CVC civic donations
 FIL candidate filing/ballot fees
 FND fundraising events
 IND independent expenditure supporting/opposing others (explain)*
 LEG legal defense
 LIT campaign literature and mailings

MBR member communications
 MTG meetings and appearances
 OFC office expenses
 PET petition circulating
 PHO phone banks
 POL polling and survey research
 POS postage, delivery and messenger services
 PRO professional services (legal, accounting)
 PRT print ads

RAD radio airtime and production costs
 RFD returned contributions
 SAL campaign workers' salaries
 TEL t.v. or cable airtime and production costs
 TRC candidate travel, lodging, and meals
 TRS staff/spouse travel, lodging, and meals
 TSF transfer between committees of the same candidate/sponsor
 VOT voter registration
 WEB information technology costs (internet, e-mail)

* Payments that are contributions or independent expenditures must also be summarized on Schedule D.

NAME AND ADDRESS OF CREDITOR (IF COMMITTEE, ALSO ENTER I.D. NUMBER)	CODE OR DESCRIPTION OF PAYMENT	(a) OUTSTANDING BALANCE BEGINNING OF THIS PERIOD	(b) AMOUNT INCURRED THIS PERIOD	(c) AMOUNT PAID THIS PERIOD (ALSO REPORT ON E)	(d) OUTSTANDING BALANCE AT CLOSE OF THIS PERIOD
Mailchimp Atlanta, GA 30318	LIT	27.00	0.00	0.00	27.00
SUBTOTALS \$		27.00 \$	0.00 \$	0.00 \$	27.00

Exhibit A-14

DEFAULT DECISION AND ORDER FPPC NO. 16/009

Recipient Committee Campaign Statement Cover Page

(Government Code Sections 84200-84216.5)

COVER PAGE

CALIFORNIA FORM 460

Date Stamp
E-Filed
09/18/2016
11:58:39
Filing ID:
161586629

Page 1 of 4
For Official Use Only

Date of election if applicable:
(Month, Day, Year)
11/04/2014

Statement covers period
from 01/01/2016
through 06/30/2016

1. Type of Recipient Committee: All Committees - Complete Parts 1, 2, 3, and 4.

Officeholder, Candidate Controlled Committee
 State Candidate Election Committee
 Recall
(Also Complete Part 5)

General Purpose Committee
 Sponsored
 Small Contributor Committee
 Political Party/Central Committee

Primarily Formed Ballot Measure Committee
 Controlled
 Sponsored
(Also Complete Part 6)

Primarily Formed Candidate/Officeholder Committee
(Also Complete Part 7)

2. Type of Statement:

Preelection Statement
 Semi-annual Statement
 Termination Statement
(Also file a Form 410 Termination)
 Amendment (Explain below)

Quarterly Statement
 Special Odd-Year Report
 Supplemental Preelection Statement - Attach Form 495

3. Committee Information

I.D. NUMBER 1362259

COMMITTEE NAME (OR CANDIDATE'S NAME IF NO COMMITTEE)
Sallings for Santa Clara School Board 2014

Treasurer(s)

NAME OF TREASURER
Noelani Sallings

MAILING ADDRESS

STREET ADDRESS (NO P.O. BOX)

CITY STATE ZIP CODE AREA CODE/PHONE
Santa Clara CA 95051

MAILING ADDRESS (IF DIFFERENT) NO. AND STREET OR P.O. BOX

CITY STATE ZIP CODE AREA CODE/PHONE

OPTIONAL: FAX / E-MAIL ADDRESS
noelani@sallings.org

OPTIONAL: FAX / E-MAIL ADDRESS

4. Verification

I have used all reasonable diligence in preparing and reviewing this statement and to the best of my knowledge the information contained herein and in the attached schedules is true and complete. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on 09/18/2016 Date
By Noelani Sallings Signature of Treasurer or Assistant Treasurer

Executed on 09/18/2016 Date
By Noelani Sallings Signature of Controlling Officeholder, Candidate, State Measure Proponent or Responsible Officer of Sponsor

Executed on _____ Date
By _____ Signature of Controlling Officeholder, Candidate, State Measure Proponent

Executed on _____ Date
By _____ Signature of Controlling Officeholder, Candidate, State Measure Proponent

**Recipient Committee
Campaign Statement
Cover Page — Part 2**

5. Officeholder or Candidate Controlled Committee

NAME OF OFFICEHOLDER OR CANDIDATE
Noelani Sallings

OFFICE SOUGHT OR HELD (INCLUDE LOCATION AND DISTRICT NUMBER IF APPLICABLE)
Board of Education District 2

RESIDENTIAL/BUSINESS ADDRESS (NO. AND STREET) CITY STATE ZIP
Santa Clara CA 95051

Related Committees Not Included in this Statement: *List any committees not included in this statement that are controlled by you or are primarily formed to receive contributions or make expenditures on behalf of your candidacy.*

COMMITTEE NAME	I.D. NUMBER
NAME OF TREASURER	CONTROLLED COMMITTEE? <input type="checkbox"/> YES <input type="checkbox"/> NO
COMMITTEE ADDRESS	STREET ADDRESS (NO P.O. BOX)
CITY	STATE ZIP CODE AREA CODE/PHONE
COMMITTEE NAME	I.D. NUMBER
NAME OF TREASURER	CONTROLLED COMMITTEE? <input type="checkbox"/> YES <input type="checkbox"/> NO
COMMITTEE ADDRESS	STREET ADDRESS (NO P.O. BOX)
CITY	STATE ZIP CODE AREA CODE/PHONE

6. Primarily Formed Ballot Measure Committee

NAME OF BALLOT MEASURE

BALLOT NO. OR LETTER	JURISDICTION	<input type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSE
----------------------	--------------	---

Identify the controlling officeholder, candidate, or state measure proponent, if any.

NAME OF OFFICEHOLDER, CANDIDATE, OR PROPONENT

OFFICE SOUGHT OR HELD

DISTRICT NO. IF ANY

7. Primarily Formed Candidate/Officeholder Committee *List names of officeholder(s) or candidate(s) for which this committee is primarily formed.*

NAME OF OFFICEHOLDER OR CANDIDATE	OFFICE SOUGHT OR HELD	<input type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSE
NAME OF OFFICEHOLDER OR CANDIDATE	OFFICE SOUGHT OR HELD	<input type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSE
NAME OF OFFICEHOLDER OR CANDIDATE	OFFICE SOUGHT OR HELD	<input type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSE
NAME OF OFFICEHOLDER OR CANDIDATE	OFFICE SOUGHT OR HELD	<input type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSE

Attach continuation sheets if necessary

Campaign Disclosure Statement Summary Page

Amounts may be rounded
to whole dollars.

SUMMARY PAGE

Statement covers period
from 01/01/2016
through 06/30/2016

Page 3 of 4

I.D. NUMBER
1362259

CALIFORNIA
FORM
460

SEE INSTRUCTIONS ON REVERSE
NAME OF FILER

Sallings for Santa Clara School Board 2014

Contributions Received

	Column A TOTAL THIS PERIOD (FROM ATTACHED SCHEDULES)	Column B CALENDAR YEAR TOTAL TO DATE
1. Monetary Contributions	Schedule A, Line 3 \$ 0.00	\$ 0.00
2. Loans Received	Schedule B, Line 3 \$ 0.00	\$ 0.00
3. SUBTOTAL CASH CONTRIBUTIONS	Add Lines 1 + 2 \$ 0.00	\$ 0.00
4. Nonmonetary Contributions	Schedule C, Line 3 \$ 0.00	\$ 0.00
5. TOTAL CONTRIBUTIONS RECEIVED	Add Lines 3 + 4 \$ 0.00	\$ 0.00

Calendar Year Summary for Candidates Running in Both the State Primary and General Elections

1/1 through 6/30 7/1 to Date

20. Contributions Received \$ _____

21. Expenditures Made \$ _____

Expenditures Made

6. Payments Made	Schedule E, Line 4 \$ 0.00	\$ 0.00
7. Loans Made	Schedule H, Line 3 \$ 0.00	\$ 0.00
8. SUBTOTAL CASH PAYMENTS	Add Lines 6 + 7 \$ 0.00	\$ 0.00
9. Accrued Expenses (Unpaid Bills)	Schedule F, Line 3 \$ 252.00	\$ 252.00
10. Nonmonetary Adjustment	Schedule C, Line 3 \$ 0.00	\$ 0.00
11. TOTAL EXPENDITURES MADE	Add Lines 8 + 9 + 10 \$ 0.00	\$ 252.00

Expenditure Limit Summary for State Candidates

22. Cumulative Expenditures Made*
(If Subject to Voluntary Expenditure Limit)

Date of Election (mm/dd/yy) _____ Total to Date _____

_____ / _____ / _____ \$ _____

_____ / _____ / _____ \$ _____

Current Cash Statement

12. Beginning Cash Balance	Previous Summary Page, Line 16 \$ 2,638.85
13. Cash Receipts	Column A, Line 3 above \$ 0.00
14. Miscellaneous Increases to Cash	Schedule I, Line 4 \$ 0.00
15. Cash Payments	Column A, Line 8 above \$ 0.00
16. ENDING CASH BALANCE	Add Lines 12 + 13 + 14, then subtract Line 15 \$ 2,638.85

If this is a termination statement, Line 16 must be zero.

To calculate Column B, add amounts in Column A to the corresponding amounts from Column B of your last report. Some amounts in Column A may be negative figures that should be subtracted from previous period amounts. If this is the first report being filed for this calendar year, only carry over the amounts from Lines 2, 7, and 9 (if any).

17. LOAN GUARANTEES RECEIVED

17. LOAN GUARANTEES RECEIVED	Schedule B, Part 2 \$ 0.00
------------------------------------	----------------------------

Cash Equivalents and Outstanding Debts

18. Cash Equivalents	See instructions on reverse \$ 0.00
19. Outstanding Debts	Add Line 2 + Line 9 in Column B above \$ 252.00

*Amounts in this section may be different from amounts reported in Column B.

**Additional Comments
For Form 460**

ADDITIONAL COMMENTS

**CALIFORNIA
FORM 460**

Page 4 of 4

I.D. NUMBER

1362259

NAME OF FILER

Sallings for Santa Clara School Board 2014

Late Filing because I thought I had closed my account.

Exhibit A-15

DEFAULT DECISION AND ORDER FPPC NO. 16/009

**Recipient Committee
Campaign Statement
Cover Page**
(Government Code Sections 84200-84216.5)

Date Stamp
E-Filed
01/26/2018
19:17:28
Filing ID:
168236259

Date of election if applicable:
(Month, Day, Year)
01/26/2018

Statement covers period
from 07/01/2016
through 12/31/2016

SEE INSTRUCTIONS ON REVERSE

1. Type of Recipient Committee: All Committees – Complete Parts 1, 2, 3, and 4.

- Officeholder, Candidate Controlled Committee
- State Candidate Election Committee
- Recall (Also Complete Part 5)
- General Purpose Committee
- Sponsored
- Small Contributor Committee
- Political Party/Central Committee
- Primarily Formed Ballot Measure Committee
- Controlled
- Sponsored (Also Complete Part 6)
- Primarily Formed Candidate/Officeholder Committee (Also Complete Part 7)

2. Type of Statement:

- Preelection Statement
- Semi-annual Statement
- Termination Statement (Also file a Form 410 Termination)
- Amendment (Explain below) error
- Quarterly Statement
- Special Odd-Year Report
- Supplemental Preelection Statement - Attach Form 495

3. Committee Information

COMMITTEE NAME (OR CANDIDATE'S NAME IF NO COMMITTEE)
Sallings for Santa Clara School Board 2014

I.D. NUMBER
1362259

Treasurer(s)

NAME OF TREASURER
Noelani Sallings
MAILING ADDRESS

STREET ADDRESS (NO P.O. BOX)

CITY STATE ZIP CODE AREA CODE/PHONE
Santa Clara CA 95051 (408) 480-8671
MAILING ADDRESS (IF DIFFERENT) NO. AND STREET OR P.O. BOX

CITY STATE ZIP CODE AREA CODE/PHONE

CITY STATE ZIP CODE AREA CODE/PHONE
Santa Clara CA 95051
NAME OF ASSISTANT TREASURER, IF ANY
MAILING ADDRESS
CITY STATE ZIP CODE AREA CODE/PHONE

OPTIONAL: FAX / E-MAIL ADDRESS
noelani@sallings.org

OPTIONAL: FAX / E-MAIL ADDRESS

4. Verification

I have used all reasonable diligence in preparing and reviewing this statement and to the best of my knowledge the information contained herein and in the attached schedules is true and complete. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on 01/26/2018 Date
By Noelani Sallings Signature of Treasurer or Assistant Treasurer
Executed on 01/26/2018 Date
By Noelani Sallings Signature of Controlling Officerholder, Candidate, State Measure Proponent or Responsible Officer of Sponsor
Executed on _____ Date
By _____ Signature of Controlling Officerholder, Candidate, State Measure Proponent
Executed on _____ Date
By _____ Signature of Controlling Officerholder, Candidate, State Measure Proponent

**Recipient Committee
Campaign Statement
Cover Page — Part 2**

5. Officeholder or Candidate Controlled Committee

NAME OF OFFICEHOLDER OR CANDIDATE
 Noelani Sallings
 OFFICE SOUGHT OR HELD (INCLUDE LOCATION AND DISTRICT NUMBER IF APPLICABLE)
 Board of Education District 2
 RESIDENTIAL/BUSINESS ADDRESS (NO. AND STREET) CITY STATE ZIP
 Santa Clara CA 95051

Related Committees Not Included in this Statement: *List any committees not included in this statement that are controlled by you or are primarily formed to receive contributions or make expenditures on behalf of your candidacy.*

COMMITTEE NAME	I.D. NUMBER
NAME OF TREASURER	CONTROLLED COMMITTEE? <input type="checkbox"/> YES <input type="checkbox"/> NO
COMMITTEE ADDRESS	STREET ADDRESS (NO P.O. BOX)
CITY	STATE ZIP CODE AREA CODE/PHONE
COMMITTEE NAME	I.D. NUMBER
NAME OF TREASURER	CONTROLLED COMMITTEE? <input type="checkbox"/> YES <input type="checkbox"/> NO
COMMITTEE ADDRESS	STREET ADDRESS (NO P.O. BOX)
CITY	STATE ZIP CODE AREA CODE/PHONE

6. Primarily Formed Ballot Measure Committee

NAME OF BALLOT MEASURE

BALLOT NO. OR LETTER	JURISDICTION	<input type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSE
----------------------	--------------	---

Identify the controlling officeholder, candidate, or state measure proponent, if any.

NAME OF OFFICEHOLDER, CANDIDATE, OR PROponent

OFFICE SOUGHT OR HELD

DISTRICT NO. IF ANY

7. Primarily Formed Candidate/Officeholder Committee *List names of officeholder(s) or candidate(s) for which this committee is primarily formed.*

NAME OF OFFICEHOLDER OR CANDIDATE	OFFICE SOUGHT OR HELD	<input type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSE
NAME OF OFFICEHOLDER OR CANDIDATE	OFFICE SOUGHT OR HELD	<input type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSE
NAME OF OFFICEHOLDER OR CANDIDATE	OFFICE SOUGHT OR HELD	<input type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSE
NAME OF OFFICEHOLDER OR CANDIDATE	OFFICE SOUGHT OR HELD	<input type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSE

Attach continuation sheets if necessary

Campaign Disclosure Statement Summary Page

Amounts may be rounded
to whole dollars.

SUMMARY PAGE

Statement covers period
from 07/01/2016
through 12/31/2016

Page 3 of 3

I.D. NUMBER
1362259

SEE INSTRUCTIONS ON REVERSE
NAME OF FILER
Sallings for Santa Clara School Board 2014

Amounts may be rounded
to whole dollars.

Amounts may be rounded
to whole dollars.

Statement covers period from 07/01/2016 through 12/31/2016	Page 3 of 3
I.D. NUMBER 1362259	

Contributions Received

	Column A TOTAL THIS PERIOD (FROM ATTACHED SCHEDULES)	Column B CALENDAR YEAR TOTAL TO DATE
1. Monetary Contributions Schedule A, Line 3	\$ 0.00	\$ 0.00
2. Loans Received Schedule B, Line 3	0.00	0.00
3. SUBTOTAL CASH CONTRIBUTIONS Add Lines 1 + 2	\$ 0.00	\$ 0.00
4. Nonmonetary Contributions Schedule C, Line 3	0.00	0.00
5. TOTAL CONTRIBUTIONS RECEIVED Add Lines 3 + 4	\$ 0.00	\$ 0.00

Expenditures Made

6. Payments Made Schedule E, Line 4	\$ 0.00	\$ 0.00
7. Loans Made Schedule H, Line 3	0.00	0.00
8. SUBTOTAL CASH PAYMENTS Add Lines 6 + 7	\$ 0.00	\$ 0.00
9. Accrued Expenses (Unpaid Bills) Schedule F, Line 3	0.00	0.00
10. Nonmonetary Adjustment Schedule C, Line 3	0.00	0.00
11. TOTAL EXPENDITURES MADE Add Lines 8 + 9 + 10	\$ 0.00	\$ 0.00

Current Cash Statement

12. Beginning Cash Balance Previous Summary Page, Line 16	\$ 2,638.85
13. Cash Receipts Column A, Line 3 above	0.00
14. Miscellaneous Increases to Cash Schedule I, Line 4	0.00
15. Cash Payments Column A, Line 8 above	0.00
16. ENDING CASH BALANCE Add Lines 12 + 13 + 14, then subtract Line 15	\$ 2,638.85

If this is a termination statement, Line 16 must be zero.

Cash Equivalents and Outstanding Debts

17. LOAN GUARANTEES RECEIVED Schedule B, Part 2	\$ 0.00
18. Cash Equivalents See instructions on reverse	\$ 0.00
19. Outstanding Debts Add Line 2 + Line 9 in Column B above	\$ 0.00

Calendar Year Summary for Candidates Running in Both the State Primary and General Elections

1/1 through 6/30 7/1 to Date

20. Contributions Received \$ _____ \$ _____

21. Expenditures Made \$ _____ \$ _____

Expenditure Limit Summary for State Candidates

22. Cumulative Expenditures Made*
(if Subject to Voluntary Expenditure Limit)

Date of Election _____ Total to Date _____
(mm/dd/yy) _____ \$ _____

*Amounts in this section may be different from amounts reported in Column B.

To calculate Column B, add amounts in Column A to the corresponding amounts from Column B of your last report. Some amounts in Column A may be negative figures that should be subtracted from previous period amounts. If this is the first report being filed for this calendar year, only carry over the amounts from Lines 2, 7, and 9 (if any).

Exhibit A-16

DEFAULT DECISION AND ORDER FPPC NO. 16/009

Recipient Committee Campaign Statement Cover Page

(Government Code Sections 84200-84216.5)

COVER PAGE

CALIFORNIA
FORM

Date Stamp

E-Filed
01/27/2018
12:15:40
Filing ID:
168237963

Page 1 of 3

For Official Use Only

Date of election if applicable:
(Month, Day, Year)

11/04/2014

Statement covers period
from 01/01/2017
through 06/30/2017

SEE INSTRUCTIONS ON REVERSE

1. Type of Recipient Committee: All Committees - Complete Parts 1, 2, 3, and 4.

- Officeholder, Candidate Controlled Committee
- State Candidate Election Committee
- Recall (Also Complete Part 5)
- General Purpose Committee
- Sponsored
- Small Contributor Committee
- Political Party/Central Committee
- Primarily Formed Ballot Measure Committee
- Controlled
- Sponsored (Also Complete Part 6)
- Primarily Formed Candidate/Officeholder Committee (Also Complete Part 7)

2. Type of Statement:

- Preelection Statement
- Semi-annual Statement
- Termination Statement (Also file a Form 410 Termination)
- Amendment (Explain below)
- Quarterly Statement
- Special Odd-Year Report
- Supplemental Preelection Statement - Attach Form 495

error

3. Committee Information

I.D. NUMBER

1362259

COMMITTEE NAME (OR CANDIDATE'S NAME IF NO COMMITTEE)

Sallings for Santa Clara School Board 2014

Treasurer(s)

NAME OF TREASURER

Noelani Sallings

MAILING ADDRESS

STREET ADDRESS (NO P.O. BOX)

CITY

STATE

ZIP CODE

AREA CODE/PHONE

Santa Clara

CA

95051

(408) 480-8671

MAILING ADDRESS (IF DIFFERENT) NO. AND STREET OR P.O. BOX

CITY

STATE

ZIP CODE

AREA CODE/PHONE

CITY

STATE

ZIP CODE

AREA CODE/PHONE

OPTIONAL: FAX / E-MAIL ADDRESS

noelani@sallings.org

OPTIONAL: FAX / E-MAIL ADDRESS

4. Verification

I have used all reasonable diligence in preparing and reviewing this statement and to the best of my knowledge the information contained herein and in the attached schedules is true and complete. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on 01/27/2018
Date

By Noelani Sallings

Signature of Treasurer or Assistant Treasurer

Executed on 01/27/2018
Date

By Noelani Sallings

Signature of Controlling Officerholder, Candidate, State Measure Proponent or Responsible Officer of Sponsor

Executed on _____
Date

By _____

Signature of Controlling Officerholder, Candidate, State Measure Proponent

Executed on _____
Date

By _____

Signature of Controlling Officerholder, Candidate, State Measure Proponent

**Recipient Committee
Campaign Statement
Cover Page — Part 2**

5. Officeholder or Candidate Controlled Committee

NAME OF OFFICEHOLDER OR CANDIDATE
 Noelani Sallings
 OFFICE SOUGHT OR HELD (INCLUDE LOCATION AND DISTRICT NUMBER IF APPLICABLE)
 Board of Education District 2
 RESIDENTIAL/BUSINESS ADDRESS (NO. AND STREET) CITY STATE ZIP
 Santa Clara CA 95051

Related Committees Not Included in this Statement: *List any committees not included in this statement that are controlled by you or are primarily formed to receive contributions or make expenditures on behalf of your candidacy.*

COMMITTEE NAME	I.D. NUMBER
NAME OF TREASURER	CONTROLLED COMMITTEE? <input type="checkbox"/> YES <input type="checkbox"/> NO
COMMITTEE ADDRESS	STREET ADDRESS (NO P.O. BOX)
CITY	STATE ZIP CODE AREA CODE/PHONE
COMMITTEE NAME	I.D. NUMBER
NAME OF TREASURER	CONTROLLED COMMITTEE? <input type="checkbox"/> YES <input type="checkbox"/> NO
COMMITTEE ADDRESS	STREET ADDRESS (NO P.O. BOX)
CITY	STATE ZIP CODE AREA CODE/PHONE

6. Primarily Formed Ballot Measure Committee

NAME OF BALLOT MEASURE

BALLOT NO. OR LETTER	JURISDICTION	<input type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSE
----------------------	--------------	---

Identify the controlling officeholder, candidate, or state measure proponent, if any.
 NAME OF OFFICEHOLDER, CANDIDATE, OR PROPONENT

OFFICE SOUGHT OR HELD

DISTRICT NO. IF ANY

7. Primarily Formed Candidate/Officeholder Committee *List names of officeholder(s) or candidate(s) for which this committee is primarily formed.*

NAME OF OFFICEHOLDER OR CANDIDATE	OFFICE SOUGHT OR HELD	<input type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSE
NAME OF OFFICEHOLDER OR CANDIDATE	OFFICE SOUGHT OR HELD	<input type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSE
NAME OF OFFICEHOLDER OR CANDIDATE	OFFICE SOUGHT OR HELD	<input type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSE
NAME OF OFFICEHOLDER OR CANDIDATE	OFFICE SOUGHT OR HELD	<input type="checkbox"/> SUPPORT <input type="checkbox"/> OPPOSE

Attach continuation sheets if necessary

Campaign Disclosure Statement Summary Page

Amounts may be rounded
to whole dollars.

SUMMARY PAGE

SEE INSTRUCTIONS ON REVERSE NAME OF FILER Sallings for Santa Clara School Board 2014	Statement covers period from <u>01/01/2017</u> through <u>06/30/2017</u> Page <u>3</u> of <u>3</u> I.D. NUMBER 1362259
--	---

CALIFORNIA FORM 460

Contributions Received

	Column A TOTAL THIS PERIOD (FROM ATTACHED SCHEDULES)	Column B CALENDAR YEAR TOTAL TO DATE
1. Monetary Contributions Schedule A, Line 3	\$ 0.00	\$ 0.00
2. Loans Received Schedule B, Line 3	0.00	0.00
3. SUBTOTAL CASH CONTRIBUTIONS Add Lines 1 + 2	\$ 0.00	\$ 0.00
4. Nonmonetary Contributions Schedule C, Line 3	0.00	0.00
5. TOTAL CONTRIBUTIONS RECEIVED Add Lines 3 + 4	\$ 0.00	\$ 0.00

Calendar Year Summary for Candidates Running in Both the State Primary and General Elections

	1/1 through 6/30	7/1 to Date
20. Contributions Received \$		\$
21. Expenditures Made \$		\$

Expenditures Made

6. Payments Made Schedule E, Line 4	\$ 0.00	\$ 0.00
7. Loans Made Schedule H, Line 3	0.00	0.00
8. SUBTOTAL CASH PAYMENTS Add Lines 6 + 7	\$ 0.00	\$ 0.00
9. Accrued Expenses (Unpaid Bills) Schedule F, Line 3	0.00	0.00
10. Nonmonetary Adjustment Schedule C, Line 3	0.00	0.00
11. TOTAL EXPENDITURES MADE Add Lines 8 + 9 + 10	\$ 0.00	\$ 0.00

Expenditure Limit Summary for State Candidates

22. Cumulative Expenditures Made*
(If Subject to Voluntary Expenditure Limit)

Date of Election (mm/dd/yy) Total to Date

____/____/____ \$ _____

____/____/____ \$ _____

Current Cash Statement

12. Beginning Cash Balance Previous Summary Page, Line 16	\$ 2,638.85
13. Cash Receipts Column A, Line 3 above	0.00
14. Miscellaneous Increases to Cash Schedule I, Line 4	0.00
15. Cash Payments Column A, Line 8 above	0.00
16. ENDING CASH BALANCE Add Lines 12 + 13 + 14, then subtract Line 15	\$ 2,638.85

If this is a termination statement, Line 16 must be zero.

To calculate Column B, add amounts in Column A to the corresponding amounts from Column B of your last report. Some amounts in Column A may be negative figures that should be subtracted from previous period amounts. If this is the first report being filed for this calendar year, only carry over the amounts from Lines 2, 7, and 9 (if any).

17. LOAN GUARANTEES RECEIVED

Schedule B, Part 2	\$ 0.00
--------------------	---------

Cash Equivalents and Outstanding Debts

18. Cash Equivalents See instructions on reverse	\$ 0.00
19. Outstanding Debts Add Line 2 + Line 9 in Column B above	\$ 0.00

Exhibit A-17

DEFAULT DECISION AND ORDER FPPC NO. 16/009

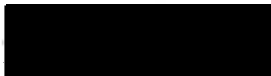
County of Santa Clara

Office of the Clerk of the Board of Supervisors
County Government Center, East Wing
70 West Hedding Street, 10th Floor
San Jose, California 95110-1770
Website: <https://www.southtechhosting.com/SantaClara/eDisclosure/>



Megan Doyle
Clerk of the Board of Supervisors
June 22, 2015

Noelani Sallings



Subject: Annual Statement of Economic Interests - Statement not Filed by April 1, 2015
FIRST NON-FILER NOTIFICATION

Dear Noelani Sallings:

According to our records, we have not received your 2014 Annual Statement of Economic Interests (Form 700) for your position of Measure J Oversight Committee Member with the Santa Clara Unified School District which was due on April 1, 2015. Please file immediately. The deadline cannot be extended.

You may file online using our eDisclosure system at: <https://www.southtechhosting.com/SantaClara/eDisclosure/>

If you need assistance with eDisclosure or you need to have your password reset, please contact us at (408)299-6441 or form700@cob.sccgov.org.

If you do not file online using eDisclosure, you must submit your Form 700 in hardcopy with an original signature to the address below. You may download a Form 700 at: <http://www.fppc.ca.gov/index.php?id=500>

If you have questions regarding filing requirements, please refer to the Form 700 Statement of Economic Interests Reference Pamphlet on the FPPC website at: <http://www.fppc.ca.gov/index.php?id=500>.

For legal questions, please contact your agency's counsel or you may call the Fair Political Practices Commission (FPPC) toll free at 1-866-275-3772, or access the FPPC website at <http://www.fppc.ca.gov>.

Government Code Section 91013 provides that any person who files a statement after its deadline shall be liable in the amount of \$10.00 per day, up to a maximum of \$100.00, in addition to any administrative penalty (up to \$5,000) imposed by the Fair Political Practices Commission (FPPC).

Hard copy Form 700 Statement of Economic Interests should be mailed to:

Office of the Clerk of the Board of Supervisors
Attention Form 700
70 West Hedding Street, East Wing, 10th Floor
San Jose, CA 95110

If you have questions concerning this matter, please call (408)299-6441 and Records staff will be happy to assist you.

Sincerely,

A handwritten signature in black ink, appearing to read "Dusty Christopherson".

Dusty Christopherson
Records Manager, Office of the Clerk of the Board of Supervisors

Exhibit A-18

DEFAULT DECISION AND ORDER FPPC NO. 16/009

County of Santa Clara

Office of the Clerk of the Board of Supervisors

County Government Center, East Wing

70 West Hedding Street, 10th Floor

San Jose, California 95110-1770

Website: <https://www.southtechhosting.com/SantaClara/eDisclosure/>



Megan Doyle

Clerk of the Board of Supervisors

September 16, 2015

Noelani Sallings

Subject: Statement of Economic Interests - Annual Statement Not Filed By April 1, 2015
SECOND NON-FILER NOTIFICATION

Dear Noelani Sallings:

According to our records, we have not received your 2014 Annual Form 700 Statement of Economic Interests for your position with Santa Clara Unified School District, which was due on April 1, 2015. On June 19, 2015, we sent you written notification to file within 30 days, however, we have not received your statement. This letter is your second and final notice. You must file immediately. If we have not received your filing within 10 business days from the date of this notice, this matter will be referred to the appropriate enforcement authority.

Government Code Section 91013 provides that any person who files a statement after its deadline shall be liable in the amount of \$10.00 per day, up to a maximum of \$100.00, in addition to any administrative penalty (up to \$5,000) imposed by the Fair Political Practices Commission (FPPC). If we do not receive your statement, we are required to report you as a non-filer to the District Attorney and the FPPC for enforcement.

Therefore, please remit to our office your check or money order in the amount of \$100.00 made payable to the County of Santa Clara. In addition, please submit your Statement of Economic Interests, Form 700 immediately. Downloadable forms and a link to our online eDisclosure system are available at <http://www.sccgov.org/form700>. We recommend that you prepare and submit your form via eDisclosure. You may also fill it out by hand, but please be aware that your paper form must have an original signature on the cover page, and must be submitted to our office in hard copy.

Please return your form and payment to:

Clerk of the Board of Supervisors
Attn: Form 700
70 West Hedding Street, East Wing, 10th Floor
San Jose, CA 95110

If you have any questions or need assistance regarding this notice, please contact Form 700 Personnel at (408)299-6441.

If you have questions regarding filing requirements, please refer to the Form 700 Statement of Economic Interests Reference Pamphlet on the FPPC website at <http://www.fppc.ca.gov/index.php?id=500>.

For legal questions, please contact your agency's counsel or you may call the Fair Political Practices Commission (FPPC) toll free at 1-866-275-3772, or access the FPPC website at <http://www.fppc.ca.gov>.

Sincerely,

Dusty Christopherson
Records Manager, Office of the Clerk of the Board of Supervisors

Exhibit A-19

DEFAULT DECISION AND ORDER FPPC NO. 16/009

Filed Date: 05/09/2016 02:51 PM
 SAN: 021300015-STH-0015

Please type or print in ink.

NAME OF FILER (LAST) (FIRST) (MIDDLE)
 Sallings Noelani

1. Office, Agency, or Court

Agency Name
 Santa Clara Unified School District
 Division, Board, Department, District, if applicable
 Your Position
 Measure J Oversight Committee Member

► If filing for multiple positions, list below or on an attachment.

Agency: _____ Position: _____

2. Jurisdiction of Office (Check at least one box)

- State
- Multi-County _____
- City of _____
- Judge or Court Commissioner (Statewide Jurisdiction)
- County of _____
- Other Santa Clara County

3. Type of Statement (Check at least one box)

- Annual: The period covered is January 1, 2012, through December 31, 2012.
- or-
- The period covered is _____, through December 31, 2012.
- Assuming Office: Date assumed _____
- Leaving Office: Date Left _____ (Check one)
- The period covered is January 1, 2012, through the date of leaving office.
- The period covered is _____, through the date of leaving office.
- Candidate: Election year _____ and office sought, if different than Part 1: _____

4. Schedule Summary

- Check applicable schedules or "None." ► Total number of pages including this cover page: 1
- Schedule A-1 - Investments - schedule attached
 - Schedule A-2 - Investments - schedule attached
 - Schedule B - Real Property - schedule attached
 - Schedule C - Income, Loans, & Business Positions - schedule attached
 - Schedule D - Income - Gifts - schedule attached
 - Schedule E - Income - Gifts - Travel Payments - schedule attached
- or-
- None - No reportable interests on any schedule

5. Verification

MAILING ADDRESS STREET CITY STATE ZIP CODE
 (Business or Agency Address Recommended - Public Document)
 P.O. Box 397 Santa Clara CA 95052
 DAYTIME TELEPHONE NUMBER E-MAIL ADDRESS (OPTIONAL)
 () nsallings@scusd.net

I have used all reasonable diligence in preparing this statement. I have reviewed this statement and to the best of my knowledge the information contained herein and in any attached schedules is true and complete. I acknowledge this is a public document.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date Signed 05/09/2016 02:51 PM Signature Electronic Submission
 (month, day, year) (File the originally signed statement with your filing official.)

Exhibit A-20

DEFAULT DECISION AND ORDER FPPC NO. 16/009

COVER PAGE

Filed Date: 05/09/2016 02:53 PM
SAN: 021300015-STH-0015

Please type or print in ink.

NAME OF FILER (LAST) (FIRST) (MIDDLE)
Sallings Noelani

1. Office, Agency, or Court

Agency Name (Do not use acronyms)

Santa Clara Unified School District

Division, Board, Department, District, if applicable

Your Position

Measure J Oversight Committee Member

► If filing for multiple positions, list below or on an attachment. (Do not use acronyms)

Agency: _____ Position: _____

2. Jurisdiction of Office (Check at least one box)

- State
- Multi-County _____
- City of _____
- Judge or Court Commissioner (Statewide Jurisdiction)
- County of _____
- Other Santa Clara County

3. Type of Statement (Check at least one box)

- Annual: The period covered is January 1, 2013, through December 31, 2013.
-or-
The period covered is _____, through December 31, 2013.
- Assuming Office: Date assumed _____
- Candidate: Election year _____ and office sought, if different than Part 1: _____
- Leaving Office: Date Left _____ (Check one)
○ The period covered is January 1, 2013, through the date of leaving office.
○ The period covered is _____, through the date of leaving office.

4. Schedule Summary

Check applicable schedules or "None."

► Total number of pages including this cover page: 1

- Schedule A-1 - Investments - schedule attached
- Schedule A-2 - Investments - schedule attached
- Schedule B - Real Property - schedule attached
- Schedule C - Income, Loans, & Business Positions - schedule attached
- Schedule D - Income - Gifts - schedule attached
- Schedule E - Income - Gifts - Travel Payments - schedule attached

-or-

None - No reportable interests on any schedule

5. Verification

MAILING ADDRESS STREET CITY STATE ZIP CODE
(Business or Agency Address Recommended - Public Document)

P.O. Box 397 Santa Clara CA 95052

DAYTIME TELEPHONE NUMBER E-MAIL ADDRESS (OPTIONAL)
() nsallings@scusd.net

I have used a reasonable diligence in preparing this statement. I have reviewed this statement and to the best of my knowledge the information contained herein and in any attached schedules is true and complete. I acknowledge this is a public document.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date Signed 05/09/2016 02:53 PM
(month, day, year)

Signature Electronic Submission
(File the originally signed statement with your filing official)

Exhibit A-21

DEFAULT DECISION AND ORDER FPPC NO. 16/009

COVER PAGE

Filed Date: 05/09/2016 02:52 PM
SAN: 021300015-STH-0015

Please type or print in ink.

NAME OF FILER (LAST) (FIRST) (MIDDLE)
Sallings Noelani

1. Office, Agency, or Court

Agency Name (Do not use acronyms)

Santa Clara Unified School District

Division, Board, Department, District, if applicable

Your Position

Measure J Oversight Committee Member

► If filing for multiple positions, list below or on an attachment. (Do not use acronyms)

Agency: _____ Position: _____

2. Jurisdiction of Office (Check at least one box)

- State
- Multi-County _____
- City of _____
- Judge or Court Commissioner (Statewide Jurisdiction)
- County of _____
- Other Santa Clara County

3. Type of Statement (Check at least one box)

- Annual: The period covered is January 1, 2014, through December 31, 2014.
-or-
The period covered is _____ through December 31, 2014.
- Assuming Office: Date assumed _____
- Candidate: Election year _____ and office sought, if different than Part 1: _____
- Leaving Office: Date Left _____ (Check one)
○ The period covered is January 1, 2014, through the date of leaving office.
○ The period covered is _____ through the date of leaving office.

4. Schedule Summary

Check applicable schedules or "None."

► Total number of pages including this cover page: 1

- Schedule A-1 - Investments - schedule attached
- Schedule A-2 - Investments - schedule attached
- Schedule B - Real Property - schedule attached
- Schedule C - Income, Loans, & Business Positions - schedule attached
- Schedule D - Income - Gifts - schedule attached
- Schedule E - Income - Gifts - Travel Payments - schedule attached

-or-

None - No reportable interests on any schedule

5. Verification

MAILING ADDRESS STREET CITY STATE ZIP CODE
 (Business or Agency Address Recommended - Public Document)
 P.O. Box 397 Santa Clara CA 95052
 DAYTIME TELEPHONE NUMBER E-MAIL ADDRESS
 () nsallings@scusd.net

I have used all reasonable diligence in preparing this statement. I have reviewed this statement and to the best of my knowledge the information contained herein and in any attached schedules is true and complete. I acknowledge this is a public document.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date Signed 05/09/2016 02:52 PM
(month, day, year)

Signature Electronic Submission
(File the originally signed statement with your filing official)

Exhibit A-22

DEFAULT DECISION AND ORDER FPPC NO. 16/009

COVER PAGE

Filed Date: 05/09/2016 02:57 PM
SAN: 021300015-STH-0015

Please type or print in ink.

NAME OF FILER (LAST) (FIRST) (MIDDLE)
Sallings Noelani

1. Office, Agency, or Court

Agency Name (Do not use acronyms)

Santa Clara Unified School District

Division, Board, Department, District, if applicable

Your Position

Governing Board Member

► If filing for multiple positions, list below or on an attachment. (Do not use acronyms)

Agency: SEE ATTACHED LIST

Position:

2. Jurisdiction of Office (Check at least one box)

State

Judge or Court Commissioner (Statewide Jurisdiction)

Multi-County

County of

City of

Other Santa Clara County

3. Type of Statement (Check at least one box)

Annual: The period covered is January 1, 2015, through December 31, 2015.

Leaving Office: Date Left ____/____/____
(Check one)

-or-

The period covered is 12 / 11 / 2014 through December 31, 2015.

The period covered is January 1, 2015, through the date of leaving office.

-or-

Assuming Office: Date assumed ____/____/____

The period covered is ____/____/____, through the date of leaving office.

Candidate: Election year ____ and office sought, if different than Part 1: ____

4. Schedule Summary (must complete) ► Total number of pages including this cover page: 2

Schedules attached

Schedule A-1 - Investments - schedule attached

Schedule C - Income, Loans, & Business Positions - schedule attached

Schedule A-2 - Investments - schedule attached

Schedule D - Income - Gifts - schedule attached

Schedule B - Real Property - schedule attached

Schedule E - Income - Gifts - Travel Payments - schedule attached

-or-

None - No reportable interests on any schedule

5. Verification

MAILING ADDRESS STREET CITY STATE ZIP CODE
(Business or Agency Address Recommended - Public Document)

P.O. Box 397

Santa Clara

CA

95052

DAYTIME TELEPHONE NUMBER

E-MAIL ADDRESS

()

nsallings@scusd.net

I have used all reasonable diligence in preparing this statement. I have reviewed this statement and to the best of my knowledge the information contained herein and in any attached schedules is true and complete. I acknowledge this is a public document.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date Signed 05/09/2016 02:57 PM

Signature Electronic Submission

(month, day, year)

(File the originally signed statement with your filing official.)

Exhibit A-23

DEFAULT DECISION AND ORDER FPPC NO. 16/009



FAIR POLITICAL PRACTICES COMMISSION

1102 Q Street • Suite 3000 • Sacramento, CA 95811

August 1, 2018

Noelani Sallings
Sallings for Santa Clara School Board 2014

NOTICE OF INTENT TO ENTER DEFAULT DECISION AND ORDER

**Re: FPPC No. 16/009
In the Matter of Sallings for Santa Clara School Board 2014, and Noelani Sallings**

Dear Ms. Hunt:

On May, 2 2018 you were personally served with an accusation in the above referenced matter. Pursuant to the Administrative Procedure Act, you were required to file a notice of defense within 15 days after service of the accusation to request an administrative hearing. You did not file a notice of defense. **As a result, you have waived your right to an administrative hearing.**¹

The Fair Political Practices Commission (the "Commission") will proceed with a default, decision and order ("default") against you. The initial notice of this default appeared on the published agenda for the Commission's public meeting on **July 19, 2018**. The Commission will be asked to adopt the default at its public meeting scheduled for **August 16, 2018** and impose an administrative penalty of \$22,000 against you. A copy of the default, decision, and order and accompanying exhibits the Commission will consider at its meeting on August 16, 2018 is enclosed with this letter.

You may, but you are not required to, provide a response brief, along with any supporting materials, no later than five calendar days before the Commission hearing at which the default is scheduled to be heard. Your response brief must be served on the Commission Assistant, at the above address.

Following the issuance of the default order and imposition of the administrative penalty, we will commence legal proceedings to collect this fine, which may include converting the Commission's order to a court judgment. Please be advised that administrative penalties for violations of the Political Reform Act cannot be discharged in bankruptcy proceedings.

¹ Government Code section 11505.

This letter is your last opportunity to resolve this matter informally by way of a stipulated settlement, before the default proceedings are commenced. If we do not reach a resolution, the enclosed documents will be placed on the Commission's agenda for the August 16, 2018 meeting. Please contact me at (916) 322-7771 or ryang@fppc.ca.gov if you wish to enter into a negotiated settlement.

Sincerely,

A handwritten signature in blue ink, appearing to be 'Ruth Yang', written in a cursive style.

Ruth Yang
Commission Counsel
Enforcement Division

Enclosures