

BEFORE THE WASHINGTON STATE
EXECUTIVE ETHICS BOARD

In the Matter of:

Tammis Doyle

Respondent.

No. 2020-070

STIPULATED FACTS,
CONCLUSIONS OF LAW AND
AGREED ORDER

THIS STIPULATION is entered into by Respondent, TAMMIS DOYLE, and Board Staff of the WASHINGTON STATE EXECUTIVE ETHICS BOARD (Board) through KATE REYNOLDS, Executive Director, pursuant to chapter 42.52 RCW, chapter 34.05 RCW, and WAC 292-100-090(1). The following stipulated facts, conclusions of law, and agreed order will be binding upon the parties if fully executed, and if accepted by the Board without modification(s), and will not be binding if rejected by the Board, or if the Respondent does not accept the Board's proposed modification(s), if any, to the stipulation. This stipulation is based on the following:

A. STIPULATED FACTS

1. In June of 2019, Bellevue College (BC) received a complaint alleging that Tammis Doyle (Ms. Doyle) had been supervising her wife (adjunct faculty member) and giving her more favorable treatment over the other Drama Department adjunct faculty members. BC conducted an internal investigation and found that Ms. Doyle was "exercising oversight and authority over her wife's employment creating a conflict of interest and the appearance of favoritism in violation of BC Affirmation of Inclusion and Family Relationship policies."

2. On December 2, 2020, the Executive Ethics Board (Board) received an anonymous complaint alleging that Ms. Doyle, a tenured Faculty Member in the Drama Department at Bellevue

College, may have violated the Ethics in Public Service Act. The complaint alleged that Ms. Doyle used Service and Activity (S&A) fees to support instructional programs and gave S&A fee-funded scholarships to students who then used the scholarship funds to enroll in their classes. The complaint further alleges that Ms. Doyle created a conflict of interest when she hired her wife and daughter into positions within the Drama Department.

3. At the May 14, 2021 Executive Ethics Board meeting, the Board made a determination to dismiss the allegation that Ms. Doyle was using S&A fees to fund scholarships for drama students as unfounded. The Board also dismissed the allegation of a conflict of interest and special privilege related to the initial hiring of Ms. Doyle's wife, Bradette Vines (Ms. Vines), in 2009 due to statute of limitations.

4. In October of 2019 BC retained a private law firm to assist in the investigation of the complaint received in June of 2019, alleging that Ms. Doyle may have violated BC policies related to the hiring of her wife and daughter.

5. Ms. Doyle has been employed at BC since March 1990. On September 1, 2005, she became a tenured-track faculty member and was granted tenure on September 1, 2008. On September 1, 2015, she was promoted to Senior Associate Professor and on September 3, 2019, she was promoted to Professor.

6. In October 2009, Ms. Doyle wrote a memo to the college disclosing her relationship with Ms. Vines and acknowledged the college's hiring of Ms. Vines may have violated BC policy 4450 – Family Relationship policy. BC policy 4450 states, *“that the College will not employ an employee's household or family member in circumstances where a College employee would be supervising, appointing, disciplining, or evaluating the household or family member or under any circumstance where the College determines that the working relationship will create a conflict of interest or the appearance of favoritism.”*

7. BC indicated in a response to Board staff that adjunct applications are obtained via a continually open pool obtained from solicitation of program faculty, (e.g., an email sent to a colleagues at other community colleges). The applicants are interviewed by the faculty program chair and the Dean. Once they are hired, they are assigned classes for future quarters going forward, there is only one official hiring.

8. Ms. Doyle first recommended to the college to hire her wife as an adjunct professor in the Drama Department in the fall of 2009.¹

9. As the Department Chair and sole, full-time faculty member in the Drama Department, Ms. Doyle had appointing and evaluating authority over adjunct professors working in the Department and exercised influence over which adjunct would receive special assignments. According to BC, Ms. Doyle resolved the issue by agreeing in 2009, that a dean or assistant dean would oversee class assignments and other supervision of Ms. Vines.

10. For the period of June 2016 through December 2019, the internal investigation also found two instances where Ms. Doyle contracted with Ms. Vines and her daughter, Alix Patt, for a special assignment. See details below:

Relationship to Ms. Doyle	Special Assignment/Play	Quarter	Payment
Ms. Vines, Wife	Singing/ The Maltese Sparrow	July 2018	\$500
Alix Patt, Daughter	Backstage Manager/ Carrie	March 2017	\$750

11. Based on the finding of the internal investigation, on February 14, 2020, BC notified Ms. Doyle of their intent to discipline and scheduled a Pre-Disciplinary meeting for February 18, 2020.

¹ Pursuant to RCW 42.52.540 – Limitations Period, any violation of the Act by Ms. Doyle regarding the hiring of her then-partner, now wife would be outside of the Board’s jurisdiction.

12. Based on the findings of the internal investigation, the college determined that Ms. Doyle had engaged in the improper hiring and oversight of family members in violation of BC policy.

13. Based on a finding that Ms. Doyle violated BC policy related to the improper hiring and oversight of a family member she was removed as the Drama Department Chair effective March 3, 2020. In addition, Ms. Doyle would be assigned a co-director that would report directly to the Dean for all stage production activities.

B. CONCLUSIONS OF LAW

1. The Ethics in Public Service Act, Chapter 42.52 RCW, prohibits state employees from securing Special Privileges. RCW 42.52.070 – Special privilege states:

Except as required to perform duties within the scope of employment, no state officer or state employee may use his or her position to secure special privileges or exemptions for himself or herself, or his or her spouse, child, parents, or other persons.

2. Based on the stipulated facts above, Ms. Doyle used her position to secure a special privilege for her spouse and daughter in violation of RCW 42.52.070.

3. The Board is authorized to impose sanctions for violations to the Ethics Act pursuant to RCW 42.52.360. The Board has set forth criteria in WAC 292-120-030 for imposing sanctions and consideration of any mitigating or aggravating factors.

C. AGGRAVATING AND MITIGATING FACTORS

In determining the appropriateness of the civil penalty, the Board reviewed the criteria in WAC 292-120-030. In the matter at hand, it is an aggravating factor these types of violations significantly reduce the public respect and confidence in state government employees and they were continuous in nature. In the matter at hand, it is a mitigating factor that Ms. Doyle was removed from her position as the Drama Department Chair.

D. STIPULATION AND AGREED ORDER

1. Pursuant to chapter 42.52 RCW, the Executive Ethics Board has jurisdiction over Tammis Doyle and over the subject matter of this complaint.
2. Under RCW 34.05.060, the Board can establish procedures for attempting and executing informal settlement of matters in lieu of more formal proceedings under the Administrative Procedures Act, including adjudicative hearings. The Board has established such procedures under WAC 292-100-090.
3. Pursuant to WAC 292-100-090(1), the parties have the authority to resolve this matter under the terms contained herein, subject to Board approval.
4. Tammis Doyle agrees that if any or all of the alleged violations were proven at a hearing, the Board may impose sanctions, including a civil penalty under RCW 42.52.480(1)(b) of up to \$5,000, or the greater of three times the economic value of anything received or sought in violation of chapter 42.52 RCW, for each violation found. The Board may also order the payment of costs, including reasonable investigative costs, under RCW 42.52.480(1)(c).
5. Tammis Doyle further agrees that the evidence available to the Board is such that the Board may conclude they violated the Ethics in Public Service Act. Therefore, in the interest of seeking an informal and expeditious resolution of this matter, the parties agree to entry of the stipulated findings of fact, conclusions of law and agreed order.
6. Tammis Doyle waives the opportunity for a hearing, contingent upon acceptance of this stipulation by the Board, or their acceptance of any modification(s) proposed by the Board, pursuant to the provisions of WAC 292-100-090(2).
7. If the Board accepts this stipulation, the Board agrees to release and discharge Tammis Doyle from all further ethics proceedings under chapter 42.52 RCW for any allegations arising out of the

facts in this matter, subject to payment of the full amount of the civil penalty due and owing, any other costs imposed, and compliance with all other terms and conditions of the stipulation. Tammis Doyle in turn agrees to release and discharge the Board, its officers, agents and employees from all claims, damages, and causes of action arising out of this complaint and this stipulation.

8. If the Board accepts this stipulation, it does not purport to settle any other claims between Tammis Doyle and the Washington State Executive Ethics Board, the State of Washington, or other third party, which may be filed in the future. No other claims of alleged violations are pending against Tammis Doyle at this time.

9. If the Board accepts this stipulation, it is enforceable under RCW 34.05.578 and any other applicable statutes or rules.

10. If the Board rejects this stipulation, or if Tammis Doyle does not accept the Board's proposed modification(s), if any, this matter will be scheduled for an administrative hearing before the Board. If an administrative hearing is scheduled before the Board, Tammis Doyle waives any objection to participation by any Board member at the hearing to whom this stipulation was presented for approval under WAC 292-100-090(2). Further, Tammis Doyle understands and agrees that this stipulation as well as information obtained during any settlement discussions between the parties shall not be admitted into evidence during the administrative hearing, unless otherwise agreed by the parties.

11. Tammis Doyle agrees to pay a civil penalty in the amount of five-hundred dollars (\$500.00) associated with violations of RCW 42.52. The Board agrees to suspend two-hundred and fifty dollars (\$250.00) on the condition that Tammis Doyle complies with all terms and conditions of this Stipulation and Order and commits no further violations of RCW 42.52 for a period of two years from the date this agreement is executed.


12. The civil penalty in the amount of two-hundred and fifty dollars (\$250.00) is payable in full to the Washington State Executive Ethics Board within forty-five (45) days after this stipulation is signed and accepted by the Board, or as otherwise agreed to by the parties.

I. CERTIFICATION

I, Tammis Doyle, hereby certify that I have read this stipulation in its entirety, that my counsel of record, if any, has fully explained the legal significance and consequence of it. I further certify that I fully understand and agree to all of it, and that it may be presented to the Board without my appearance. I knowingly and voluntarily waive my right to a hearing in this matter and if the Board accepts the stipulation, I understand that I will receive a signed copy.

 6/15/21
TAMMIS DOYLE Date
Respondent

Presented by:

 9/10/2021
KATE REYNOLDS Date
Executive Director

II. ORDER

Having reviewed the proposed stipulation, WE, THE STATE OF WASHINGTON EXECUTIVE ETHICS BOARD, pursuant to WAC 292-100-090, HEREBY ORDER that the Stipulation is

✓ ACCEPTED in its entirety;
_____ REJECTED in its entirety;
_____ MODIFIED. This stipulation will become the order of the Board if the Respondent approves* the following modification(s):

DATED this 10th day of September, 2021

Shirley Battan
Shirley Battan, Chair

Gerri Davis
Gerri Davis, Vice-Chair

not voting
Earl Key, Member

Jan Jutte
Jan Jutte, Member

* I, Tammis Doyle, accept/do not accept (circle one) the proposed modification(s).

Tammis Doyle, Respondent Date