

BEFORE THE WASHINGTON STATE  
EXECUTIVE ETHICS BOARD

In the Matter of:

Julie Bonner

Respondent.

No. 2021-025

STIPULATED FACTS,  
CONCLUSIONS OF LAW AND  
AGREED ORDER

This stipulation is entered into by Respondent, JULIE BONNER, 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. On June 16, 2020, the Executive Ethics Board (Board) received a complaint alleging that Julie Bonner (Ms. Bonner), Faculty Member at Central Washington University (CWU), may have violated the Ethics in Public Service Act. The complaint alleged that Ms. Bonner authored a text book, *Interpreting, Understanding, and Managing the Numbers*, and then required her students to purchase the book as the required textbook. In addition, the complaint alleges that Ms. Bonner influenced her colleagues to require the textbook in classes that they were instructing.

2. On May 3, 2021, CWU Faculty Senate Executive Committee received a complaint alleging Ms. Bonner violated RCW 42.52.030 – Financial Interest in a Transaction and CWU

policies related to Conflicts of Interest and Plagiarism. The allegations specifically alleged that Ms. Bonner published a textbook using the pseudonym(s) Thomas Markham and James Wilson for the purpose of receiving and keeping royalties from sales to her CWU students

3. Ms. Bonner was first hired by Central Washington University (CWU) as a tenure-track Assistant Professor in the Department of Information Technology and Administrative Management (ITAM) on September 16, 2015.

4. For the academic years 2017-2018 and 2018-2019 Ms. Bonner was the faculty coordinator for the MS-ITAM program. Ms. Bonner instructed ADMG 302 – Financial Analysis and ADMG 531 – Financial Analysis and Administrative Management.

5. Ms. Bonner was considered the “course lead” for ADMG-302. As the course lead she would have coordinated a common textbook for the course.

6. In the early spring of 2019, Ms. Bonner discussed writing a textbook with her colleague, Gloria Gauron (Ms. Gauron).

7. Ms. Gauron, CWU ITAM, non-tenure track faculty member, indicated in a response to Board staff that in the spring of 2019 Ms. Bonner told her that she wanted to write a book for the class they taught (ADMG-302) and that she was angry over CWU’s policy on having to give back royalties. In addition, Ms. Gauron indicated that Ms. Bonner told her that they should write the book using a pseudonym to avoid having to pay the royalties back to CWU.

8. Ms. Gauron indicated in her response that at the time of their discussion about writing the book she agreed to co-author the book with Ms. Bonner.

9. Ms. Gauron indicated that she was unaware that the book was going to be copyrighted and that she never gave her consent to do so. Ms. Gauron further indicated in her

response that she reviewed the book and provided Ms. Bonner with some suggestions on typos and that was it, she did not co-author the book.

10. Ms. Gauron indicated in her response that she agreed to assist Ms. Bonner with the book because she felt obligated since Ms. Bonner led her to believe that the only reason she got her job at CWU was due to Ms. Bonner's recommendation.

11. Ms. Gauron indicated in her response that over the summer of 2019, Ms. Bonner had contacted her a couple of times asking her if she had worked on the book. Ms. Gauron indicated that she informed Ms. Bonner that she was very busy teaching a summer class at CWU and hadn't had the time.

12. Ms. Gauron indicated that after Ms. Bonner made several requests for her to review the book she did eventually review a chapter or two and provide feedback on typos she had found. Ms. Gauron indicated that was the last time Ms. Bonner asked her about the book.

13. In late August 2019, Ms. Bonner informed her ITAM cohorts via email that she had found a new textbook for the upcoming ADMG – 302 and 531 courses. The book was "*Interpreting, Understanding, and Managing the Numbers*," authored by Thomas Markham and James Wilson. The email did not indicate that she was the author of the book.

14. On September 5, 2019, Ms. Bonner applied for copyright for "*Interpreting, Understanding, and Managing the Numbers*" to the U.S. Copyright Office.

15. On September 24, 2019, Ms. Bonner sent an email to Elizabeth Fountain (Ms. Fountain), ITAM FlexIT Program Coordinator. The email indicated that ADMG – 302 cohorts were considering making a change in the required textbook to "*Interpreting, Understanding, and Managing the Numbers*" and was requesting Ms. Fountain to consider using the textbook in the 302 FlexIT course.

16. Ms. Fountain indicated in a response to Board staff that in her role as the FlexIT Program Coordinator she would make formal book adaptations for all of the FlexIT courses.

17. Ms. Fountain indicated at that time, Ms. Bonner was considered the "course lead" for this class and would have been tasked with coordinating a common textbook(s) across all programs. Ms. Fountain further indicated that faculty would have the choice to opt out of the common textbook if they chose, although it would be typical to follow the recommendation from the course lead. It was her practice to always follow the recommendation of the course lead.

18. Ms. Fountain indicated in her response that Ms. Bonner had asked, via email, that the "Markham" book (*Interpreting, Understanding, and Managing the Numbers*) be used in the FlexIT program when taught by other faculty members, but by the time the book was implemented in the 2020 winter quarter, Ms. Bonner was assigned to teach the ADMG- 302 course for the FlexIT program.

19. Ms. Fountain indicated in her response that it wasn't until May 2021 that she found out that Ms. Bonner was the actual author of the Markham textbook.

20. Susan Rivera (Ms. Rivera), Senior Lecturer, ITAM department, indicated in her response to Board staff that Ms. Bonner was the ADGM – 302 course lead for the 2018 fall quarter and the 2019 winter quarter in which she taught ADMG – 302 Financial Analysis for Administrative and IT Support.

21. Ms. Rivera indicated that she first received a copy of the textbook in September of 2019 when Ms. Bonner sent all ADMG 302 instructors a copy asking them to evaluate it for inclusion in the course and, at the time, was not aware that Ms. Bonner had any part in it.

22. Ms. Rivera indicated in her response that she felt that Ms. Bonner, as the course lead, was attempting to influence other course instructors to adopt the new text for their sections

of ADGM – 302. Ms. Rivera further indicated that ITAM policy, at the time, required all instructors to use the same book across all sections.

23. Ms. Rivera indicated that due to other teaching obligations she did not teach ADMG – 302 during the 2019-2020 or the 2020-2021 academic year, but if she had she would have felt obligated to use the textbook recommended and integrated into the course by the course lead, Ms. Bonner.

24. Cathy Anderson (Ms. Anderson) Senior Lecturer/Advisor, ITAM, indicated in her response to Board staff that Ms. Bonner was the course lead for ADMG – 302, so she informed the instructors of book changes and course revisions.

25. Ms. Anderson indicated in her response that she was not aware of Ms. Bonner's involvement in writing the new textbook.

26. Board staff asked Ms. Anderson if she was influence by Ms. Bonner to use the new textbook for her class. Ms. Anderson replied, *"This is kind of a hard question to answer. Books are recommended for adoption but if a faculty wants to adopt another book they can. I am assuming this would be the case for this class but not entirely certain since I just adopted the book Dr. Bonner recommended as course lead. I guess that would be defined as influence as the course is structured around the readings in the textbook adopted for the course. To adopt a different book would require entirely revising the course."*

27. Ms. Bonner indicated in a response to Board staff that she wrote the book under the pseudonyms, Thomas Markham and James Wilson, because she had tried to write books before and thought there could be bias against women writing on this subject.

28. Ms. Bonner indicated in a response to Board staff that she did not feel that the University provided clear direction through policy and/or training in this area and she felt that if

she had been provided that direction/training she would not have violated policy and the ethics act in this area.

29. Ms. Bonner indicated in her response that she did request or recommend that the other ITAM instructors use her textbook as the required textbook for their classes.

30. Ms. Bonner indicated in her response that she received royalties for the sale of the textbook to students enrolled in ITAM courses. Ms. Bonner further indicated that she offered to pay them back.

31. Ms. Bonner indicated that not all of the sales were to CWU students, so she doesn't know the exact amount of royalties earned from sales to CWU students.

32. CWU Bookstore records show that from the first term of 2020 through third term of 2021, 115 new copies of "*Interpreting, Understanding, and Managing the Numbers*" were sold at \$19.99 each to CWU students.

33. The CWU Bookstore conducted a copyright inquiry to determine copyright status and authorship. As a result, the Bookstore determine the following:

- **Registration Number/Date:** TX0008800549/ September 5, 2019
- **Application Title:** Interpreting, Understanding, and Managing the Number: Financial Intelligence for IT Manages.
- **Copyright Claimant:** Julie Bonner and Gloria Gauron
- **Date of Publication:** 8/6/2019
- **Authorship on Application:** Thomas Markham., pseud. Julie Bonner: James Wilson, pseud. Gloria Gauron.
- **Rights and permissions:** Julie Bonner

34. Ms. Gauron indicated in her response that at no time did she ever write anything for the book, she was unaware that the book had been published, and that she has never received proceeds from the book.

35. Heidi Henschel-Pellett (Ms. Pellett), Associate Dean of College of Education and Professional Studies, indicated in her response that she was not aware that Ms. Bonner had written a book until a faculty member in the ITAM submitted a complaint to the Faculty Senate.

36. Ms. Pellett indicated that sometime after the Faculty Senate inquiry, Ms. Bonner wrote her to explain her issue and said that she would pay any royalties she received back to the university.

37. Ms. Pellett indicated in her response that Ms. Bonner admitted to the allegations that she was the author of the textbook and that she received royalty payments for the sale of the book to CWU student enrolled in ADMG – 302 and 531 courses.

38. Ms. Pellett indicated in her response that Ms. Bonner had recently showed her a receipt which indicated that she had donated her royalties back to the Student Success Foundation account.

39. Ms. Bonner provided Board staff with a letter from the CWU Foundation thanking her for her \$3,300 donation on August 24, 2021. The \$3,300 donation was divided into two groups, Dean of Student Success: \$1,650 and Student Emergency Fund \$1,650.

## **B. CONCLUSIONS OF LAW**

1. The Ethics in Public Service Act, Chapter 42.52 RCW, prohibits state employees from conducting activities incompatible with their public duty (conflict of interest). RCW 42.52.020 states:

No state officer or state employee may have an interest, financial or otherwise, direct or indirect, or engage in a business or transaction or professional activity, or incur an obligation of any nature, that is in conflict with the proper discharge of the state officer's or state employee's official duties.

2. The Ethics in Public Service Act, Chapter 42.52 RCW, prohibits state employees from having financial interests in a transaction. RCW 42.52.030 states in part:

No state officer or state employee, except as provided in subsection (2) of this section, may be beneficially interested, directly or indirectly, in a contract, sale, lease, purchase, or grant that may be made by, through, or is under the supervision of the officer or employee, in whole or in part, or accept, directly or indirectly, any compensation, gratuity, or reward from any other person beneficially interested in the contract, sale, lease, purchase, or grant.

3. The Ethics in Public Service Act, Chapter 42.52 RCW, prohibits state employees from securing special privileges. RCW 42.52.070 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.

4. Based on the stipulated facts above, Ms. Bonner required her student to purchase a textbook she co-authored resulting in a personal beneficial interest in violation of RCW 42.52.020 and 42.52.030. Additionally, Ms. Bonner secured a special privilege for herself in violation of RCW 42.52.070.

5. 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 that these types of violations significantly reduce the public respect and confidence in state government employees.



#### **D. STIPULATION AND AGREED ORDER**

1. Pursuant to chapter 42.52 RCW, the Executive Ethics Board has jurisdiction over Julie Bonner 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. Julie Bonner 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. Julie Bonner 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. Julie Bonner 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 Julie Bonner 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. Julie Bonner 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 Julie Bonner 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 Julie Bonner 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 Julie Bonner 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, Julie Bonner 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, Julie Bonner 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. Julie Bonner agrees to pay a civil penalty in the amount of two-thousand dollars (\$2,000) associated with violations of RCW 42.52. The Board agrees to suspend five-hundred dollars (\$500) on the condition that Julie Bonner 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 one-thousand, five-hundred dollars (\$1,500) 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.

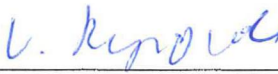
### I. CERTIFICATION

I, Julie Bonner, 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.

  
\_\_\_\_\_  
JULIE BONNER  
Respondent

11/21/21  
Date

Presented by:

  
\_\_\_\_\_  
KATE REYNOLDS  
Executive Director

1/14/2022  
Date

**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 14th day of January, 2022

Approved via Zoom

Shirley Battan, Chair

Approved via Zoom

Gerri Davis, Vice-Chair

Approved via Zoom

Jan Jutte, Member

Approved

Earl Key, Member

\* I, Julie Bonner, accept/do not accept (circle one) the proposed modification(s).

\_\_\_\_\_  
Julie Bonner, Respondent

\_\_\_\_\_  
Date