

STATE OF SOUTH CAROLINA  
STATE ETHICS COMMISSION

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FOR COMMISSION USE ONLY:  
CASE NUMBER  
C 2023-040

COMPLAINT FORM

COMPLAINANT: State Ethics Commission  
ADDRESS: 201 Executive Center Drive  
Suite 150

RESPONDENT: Workday Education  
ADDRESS: [REDACTED]

Columbia, SC 29210  
TELEPHONE NUMBER: (803) 253-4192

TELEPHONE NUMBER: [REDACTED]  
TITLE: Lobbyist's Principal

In accordance with Section 2-17-35, South Carolina Code of Laws, 1976, as amended, each lobbyist's principal must file disclosure statements no later than June thirtieth and January thirty-first of each year covering expenditures attributable to lobbying during that filing period.

The Respondent registered with the State Ethics Commission on January 6, 2020 as a Lobbyist's Principal for calendar year 2020. Records of the State Ethics Commission indicate that a Lobbyist's Principal Disclosure Statement for the reporting period of June 30, 2020 through December 31, 2020 was due no later than January 31, 2021.

Respondent was reminded of the filing requirement by letters dated July 8, 2022 and December 19, 2022 as described in the attached. In addition, an email reminder was sent thirty days prior to the deadline. To date, a properly completed January 31, 2021 Lobbyist's Principal Disclosure Statement has not been received. All in violation of Section 2-17-35, S.C. Code Ann., 1976, as amended.

If there is a finding of probable cause, the following documents become public record: the complaint, the response (if any) by respondent, and the notice of hearing. If a hearing is to be held, the final order and all exhibits become public record. If no hearing is held following a finding of probable cause, the final disposition of the matter becomes public record.

STATE OF SOUTH CAROLINA  
COUNTY OF Richland

Personally appeared before me Meghan L. Walker who, first being duly sworn, says that she has read and knows the contents of the above complaint and that the allegations contained therein, are true and correct to the best of her own knowledge, except for those matters therein based upon information and belief, and as to those she believes them to be true.

Sworn to and subscribed before me this  
24th day of March, 2023

[REDACTED]  
Meghan L. Walker, Executive Director

[REDACTED]  
Notary Public for South Carolina  
My Commission expires 01/22/26

SEC-7 (Revised 3/2022)

REPLY TO: 201 Executive Center Drive, Suite 150, Columbia, South Carolina 29210 (803)253-4192  
ELECTRONIC COPIES WILL NOT BE ACCEPTED

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STATE OF SOUTH CAROLINA	)	
COUNTY OF RICHLAND	)	BEFORE THE STATE ETHICS COMMISSION
	)	
IN THE MATTER OF:	)	
	)	
Complaint C2023-040	)	
	)	
State Ethics Commission	)	<b>NOTICE OF HEARING</b>
Complainant.	)	
	)	
Workday Education	)	
Respondent.	)	
_____	)	

The State Ethics Commission has determined that there is probable cause pursuant to Section 8-13-320(10)(i), Code of Laws, South Carolina, 1976, as amended, in the above-captioned complaint. The Commission will convene a formal hearing into the matter in accordance with Section 8-13-320(10)(i) & (j), Code of Laws, South Carolina, 1976, as amended, and State Ethics Commission Regulations, S.C. Code Ann. Regs. 52-707 (1997 Cum. Supp.) on Thursday, April 18, 2024 at 9:30 a.m. at the Commission Hearing Room located at: 201 Executive Center Drive, Suite 150, Columbia, South Carolina 29210.

The following allegation will be heard:

**COUNT ONE**  
**FAILURE TO FILE A LOBBYIST’S PRINCIPAL’S REPORT**  
**SECTION 2-17-35, S.C. CODE ANN., 1976, AS AMENDED**

That Workday Education, did in Richland County, fail to file a 2021 Lobbyist’s Principal Report, in violation of Section 2-17-35.

You have the right to be represented by counsel, the right to call and examine witnesses, the right to introduce exhibits, and the right to cross-examine opposing witnesses. This hearing will be open to the public as required by Section 8-13-320(10)(j), Code of Laws, South Carolina, 1976, as amended. The procedures to be followed are set forth in the Administrative Procedures

Act, Section 1-23-10, et seq., Code of Laws, South Carolina, 1976, as amended, the State Ethics Act, Section 8-13-100, et seq., Code of Laws, South Carolina, 1976, as amended, and State Ethics Commission Regulations, S.C. Code Ann. Regs. 52-707 (1997 Cum. Supp.).

A pre-hearing conference may be scheduled prior to the hearing to allow exchange of witness lists and evidence, marking of exhibits, and disposition of motions or pleadings. In the event you fail to appear, judgment by default will be rendered against you. If there are any questions concerning the above notice or hearing times, please contact the State Ethics Commission.



Meghan Walker Dayson, Executive Director  
State Ethics Commission

Dated this 8<sup>th</sup> day,  
of August 2023.

**Certificate of Service by Certified Mail**

I hereby certify that a copy of this **NOTICE OF HEARING** was duly served on the RESPONDENT Workday Education, 6230 Stoneridge Mall Road, Pleasanton, CA 94588 by depositing said **NOTICE OF HEARING** in the United States mail, Columbia, South Carolina on this 9<sup>th</sup> day of August 2023, by **CERTIFIED MAIL, E-RETURN RECEIPT REQUESTED**, appropriate postage affixed, and a return address clearly indicated on said envelope.



**Rachael O'Bryan, Administrative Assistant**

State Ethics Commission

(803) 253-4192

Columbia, South Carolina

STATE ETHICS COMMISSION  
FILED 03/26/24 10:24 AM  
COLUMBIA, SOUTH CAROLINA

STATE OF SOUTH CAROLINA )  
COUNTY OF RICHLAND )  
IN THE MATTER OF: )  
COMPLAINT C2023-040 )  
State Ethics Commission, )  
Complainant, )  
Workday Education, )  
Respondent. )

BEFORE THE STATE ETHICS COMMISSION

**CONSENT ORDER**

This matter comes before the State Ethics Commission (Commission) by way of a Complaint filed on March 24, 2023. Pursuant to Section 8-13-320(10)(i) of the South Carolina Ethics, Government Accountability, and Campaign Reform Act (Ethics Act), the complaint against Workday Education (Respondent) was considered by the Commission and probable cause was found to warrant an evidentiary hearing on one (1) violation of Section 2-17-35 for failing to file a 2021 Lobbyist’s Principal (LP) Disclosure Report. Prior to the call of the case, Respondent agreed to the following:

**STATEMENTS OF FACT**

1. On January 6, 2020, Respondent registered with the Commission as a LP.
2. On July 10, 2020, Respondent filed a June 30, 2020 LP Disclosure Statement.
3. Respondent did not subsequently file a January 31, 2021 LP Disclosure Statement.
4. In a July 8, 2022 letter, the Commission assessed a \$100.00 late-filing penalty for Respondent’s failure to file a January 31, 2021 LP Disclosure Statement.
5. In a December 19, 2022 certified letter, the Commission advised Respondent that it had failed to file a January 31, 2021 LP Disclosure Statement and provided Respondent with a Notice to Cease and Desist Lobbying Activities.
6. According to the United States Postal Service, the certified letter was delivered to

Respondent's address of record on December 28, 2022 at 9:23 a.m.

7. On January 7, 2022, penalties began accruing at \$10.00 per day.
8. On January 17, 2023, penalties begin accruing at \$100.00 per day.
9. On May 8, 2023, following contact from a Commission Investigator, Respondent came into compliance by filing a January 31, 2021 LP Disclosure Statement having accrued \$5,000.00 in late-filing penalties.

### CONCLUSIONS OF LAW

Based upon the Statements of Fact, the Commission concludes, as a matter of law:

1. At all times relevant, Respondent was a lobbyist's principal pursuant to Section 2-17-10(14).

Therefore, the Commission has personal and subject matter jurisdiction.

2. Section 2-17-35(A) provides, in relevant part:

Except as otherwise provided by Section 2-17-90(E), each lobbyist's principal, no later than June thirtieth and January thirty-first of each year, must file a report with the State Ethics Commission covering that lobbyist's principal's expenditures attributable to lobbying during that filing period. The filing periods are from January first to May thirty-first for the June thirtieth report, and are from June first to December thirty-first for the January thirty-first report. Any lobbying activity not reflected on the June thirtieth report and not reported on a statement of termination pursuant to Section 2-17-25(C) must be reported no later than January thirty-first of the succeeding year. Each report must be in a form prescribed by the State Ethics Commission . . .

3. Section 2-17-50(A) provides, in relevant part:

The State Ethics Commission shall (1) require a person to submit information pursuant to the requirements of this chapter; (2) in addition to any other penalty in this chapter, require a person who files a late statement or fails to file a required statement to be assessed a civil penalty as follows: (a) a fine of one hundred dollars if not filed within ten days after the established deadline provided in this chapter; and (b) after notice has been given by certified or registered mail that a required statement has not been filed, a fine of ten dollars per calendar day for the first ten days after notice has been given, and one hundred dollars for each additional calendar day in which the required statement or report is not filed, not exceeding five thousand dollars.

4. Section 8-13-130 allows the Commission to "levy an enforcement or administrative fee on a

person who is in violation” of the Ethics Act.

### **DISCUSSION**

The Commission found probable cause to charge Respondent with one (1) count of violating Section 2-17-35 for failing to file a January 31, 2021 LP Disclosure Report. In mitigation, Respondent states that Robert Stoker, the individual listed as the LP’s contact in the Commission’s filing system, registered Respondent with the Commission without the knowledge of any other person on Respondent’s staff. Respondent further states that Mr. Stoker left Respondent’s employment sometime in the summer of 2021 and Respondent received none of the Commission’s communications until the Complaint was filed. Respondent states, and the Commission acknowledges, that Respondent engaged in no lobbying during the second half of 2021.

### **DISPOSITION**

1. The Commission finds Respondent in violation of one (1) count of Section 2-17-35.
2. The Commission adopts the Statements of Fact, Conclusions of Law, Discussion, and Disposition as agreed upon by the Respondent.

THEREFORE, the Commission orders Respondent to pay the Commission, within sixty (60) days from receipt of this Order, a reduced late-filing penalty of \$3,000.00 and an administrative fee of \$350.00, for a total of \$3,350.00. The Commission declines to assess the remaining \$2,000.00 in late-filing penalties.

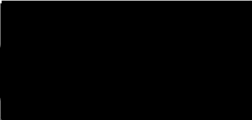
By executing this Consent Order, Respondent understands that it is not only admitting to a violation of the Ethics Act, but also confessing to a judgment of \$5,000.00 in the event it does not make payment as provided for in this Order, in which case the Commission shall file a Judgment against Respondent with the County Clerk of Court in Respondent’s last known County of business

or residence, who shall enter this Order in the amount of \$5,000.00 (less any money paid) in its Judgment Rolls, without cost to the Commission.

AND IT IS SO ORDERED THIS 26<sup>th</sup> DAY OF January 2024.

STATE ETHICS COMMISSION

  
SCOTT E. FRICK, CHAIR

  
CHANDLER MORSE  
VICE PRESIDENT OF PUBLIC POLICY  
WORKDAY