

ISSUE UPDATE

IS THE EDUCATION TRUTH PROJECT A NJEA-FUNDED, DARK MONEY SUPER PAC?

PARENTS RUNNING FOR SCHOOL BOARD MAY FACE A WALL OF NJEA MONEY

OCTOBER 5, 2022

IS THE EDUCATION TRUTH PROJECT A NJEA-FUNDED, DARK MONEY SUPER PAC?

PARENTS RUNNING FOR SCHOOL BOARD MAY FACE A WALL OF NJEA MONEY

Introduction

It sure looks like the NJEA is funding another dark money Super PAC, this time aimed squarely at parents running for school board this fall.

Sunlight Policy Center of New Jersey recently received several tips that New Jersey's most powerful special interest, the New Jersey Education Association (NJEA), is funding a new dark money Super PAC aimed at this fall's school board elections. This would make sense, as a dark money Super PAC would complement the other parts of the NJEA's multi-pronged, statewide campaign to fight the wave of parental activism in school districts across the state.

This post-pandemic upsurge of parents seeking greater control over what their children are taught threatens a NJEA-dominated status quo. Long ago, the NJEA figured out that if local NJEA affiliates could control school boards, they could rig the system and effectively elect their own bosses. NJEA-friendly school boards would then be able to negotiate NJEA-friendly contracts with local NJEA affiliates. Property taxpayers would pay the bill but would not have a seat at the bargaining table, just the way the NJEA wanted it. So now that this status quo is being challenged by parents, the NJEA is all-in. A dark money Super PAC would allow the NJEA to spend unlimited amounts of money to elect union-friendly candidates while hiding the source of the money.

After digging into the facts and connecting the dots, Sunlight believes that there is a strong case that there is indeed a new dark money Super PAC funded by the NJEA that is aimed at statewide school board races this fall. The NJEA wants New Jerseyans to think that the parents running for school board are "extremists" and "bad actors," but they're not. They are just parents who did not like what they saw when they got a close-up look at what their kids were being taught during remote learning. So, parents, beware! The NJEA is coming after you with TV ads, opposition research, union-friendly candidates trained and supported by the NJEA, and now with piles of dark money.

The Education Truth Project

Because the whole purpose of a dark money Super PAC is to hide its donors, Sunlight had to sift through the circumstantial evidence to try to determine who is likely funding ETP. There are six major indicators:

1. <u>Dark Money Super PAC.</u> The <u>Education Truth Project</u> (ETP) has all the hallmarks of a 501(c)(4) political action committee (PAC) that does not have to disclose its donors (hence the term "dark" money). According to ETP's filing with the Election Law Enforcement Commission (ELEC), which as of September 27, 2022 had not been

approved, ETP will engage in "only independent expenditure activity" and any New Jersey election-related activity will not be a "major purpose." This fits the <u>definition</u> of a 501(c)(4). Within these boundaries, ETP can spend unlimited amounts of money on issue advocacy (which is a form of lobbying) as well as in support of candidates, so long as the spending is independent of (i.e., not coordinated with) a political party or a candidate's campaign and constitutes less than 50% of the PAC's overall spending. Sunlight believes it is fair to conclude that ETP is a 501(c)(4), dark money Super PAC.

2. <u>Unusual Corporate Structure that Looks Like a Front.</u> ETP is described on the ELEC website as a "Republican" PAC and its sole officer is Matthew Kazmierczak, who appears to be running ETP from his private residence, with his home address provided to the FEC, ELEC, Facebook and Twitter as ETP's mailing address. Kazmierczak is a former-Chief of Staff for Republican Assemblyman Kevin O'Toole and -Deputy Chairman of the Bergen County Republican Organization.

But this looks like some sort of front. ETP is all-Democrat when it comes to its policy stances and its allies. ETP has recently retweeted Tweets for Vote4DemocratsThisNovember, Dems4Rights, Occupy Democrats and the Democratic Coalition. In addition, ETP's Twitter page originally had a donation link run by the Democratic fundraising group ActBlue but recently changed to a different platform. ETP's website makes clear its anti-Republican animus: "The 2021 election was a disaster for most of us because a vocal minority came out and voted. This "Red Wave" was not just organic and Education Truth Project was created to fight back in 2022." If ETP was created to fight back against a Republican wave, it's a Democratic PAC.

Perhaps some intrepid reporter can ask Kazmierczak how he came to run ETP and who is paying him.

3. New Jersey School Board Elections Focus. ETP has filed with the Federal Election Commission (FEC), indicating that it will support or oppose more than one federal candidate, so perhaps ETP will support both school board candidates as well as congressional candidates, but its website states: "Our specific goal is to support local school board candidates and causes that share our values ..." ETP's ELEC filing declares that it will engage in "election-related activities" and pay for "election work salaries," so it is quite clearly focused on school board elections.

It is true that in its ELEC filing, ETP estimates that only 25% of its spending will be in New Jersey, but this is just an "estimate to the best of your ability." It seems unlikely that such estimates would constitute meaningful limitations on what ETP can spend in New Jersey. In addition, we know that ETP is domiciled in New Jersey and run by a New Jersey citizen active in New Jersey politics. Furthermore, the above quote about a "Red Wave" references 2021, and the only major elections in 2021 were in New Jersey and Virginia. ETP's website makes no mention of events in Virginia, yet stories about New Jersey dominate the website. As far as ETP's actions are concerned, almost all the arrows point to New Jersey school board races.

- 4. <u>Deep-Pocketed New Jersey Funder</u>. We know that whoever is funding ETP has deep pockets. ETP has a <u>slick website</u>, with a slick, professionally produced digital ad and a slick logo. None of this comes cheap. Moreover, ETP plans to raise and spend hundreds of thousands of dollars. ETP's ELEC filing reveals that it will raise (and spend) \$100,000 in the fall of 2022 and another \$200,000 in 2023, with 90% of its funding to be raised in New Jersey. This constitutes a great deal of money for school board races, which are usually very low-budget affairs.
- 5. A Super PAC Fits Nicely into the Overall NJEA Anti-Parent Campaign. As with New Direction New Jersey and One New Jersey before that, having a dark money Super PAC is standard operating procedure for NJEA political campaigns. The NJEA can spend unlimited amounts of money without attribution. Here are the various elements of the NJEA's current political campaign to combat parents at the school board level:
 - Since the spring of 2022, NJEA headquarters has sent out dedicated teams (here and here) of Government Relations, Communications and UniServ staff to visit to local associations across the state to mobilize them to run and support union-friendly candidates for school board.
 - To augment this effort, the NJEA created the <u>Center for Honesty in Education</u> (CHE), which offers NJEA resources to assist locals, including a reporting tool for teachers to inform on parents speaking up at school board meetings. NJEA staff then monitors and investigates the parents who are reported. This is essentially NJEA opposition research against parents.
 - In the summer, the NJEA <u>ran programs to train teachers to become political activists</u> and push for radical education policies at the school district level.
 - Also over the summer, the NJEA <u>ran an ad campaign</u>, with TV and internet ads characterizing these parents as "extremists."
 - The NJEA <u>partnered with long-time ally New Jersey Working Families Alliance</u> to provide training for NJEA-friendly school board candidates. NJWFA even offers to help candidates gain the necessary signatures to run for school board and, like CHE, provides a reporting tool for teachers to inform on parents.

ETP's stated mission aligns perfectly with the NJEA's multi-pronged campaign. As ETP's website states: "Our specific goal is to support local school board candidates and causes that share our values ..." by "[h]elping candidates with the resources and support necessary to combat the toxic candidates."

More importantly, ETP is a dark money source that can spend hundreds of thousands of dollars (or more) without attribution to the NJEA. The NJEA had to <u>walk back</u> its TV ads labelling parents as "extremists" after broad push-back from the public. The NJEA is likely wary of being seen as opposing parents in local school districts because it could

put teachers in a difficult position and enflame the opposition. A dark money Super PAC would be an excellent complement to the NJEA's campaign.

- 6. <u>Same Words: "Extremists", "Mis/disinformation," and "Truth."</u> There is a noticeable overlap in terminology between the NJEA's campaign and ETP.
 - Extremists. Like the NJEA TV ads, ETP characterizes the parents who oppose them as "extremists." For example, on June 6, ETP tweeted: "Stop extremists from taking over our school board's [sic]. Now there's help on the way." ETP also headlines its digital ad with the word "extremists." (Again, ETP can paint opposition parents as "extremists" with plausible deniability for the NJEA.)
 - Mis/disinformation. One of ETP's main issues is: "Combatting misinformation in Public School Board elections." Here's the NJEA's Center for Honesty in Education's mission: to "combat disinformation ... by giving our [local] association leaders the tools ... to discredit bad actors..." Its partnership with NJ Working Families: "We encourage all local associations to ... prepare to organize against disinformation ..."
 - Truth. Nowhere is the use of the same words more evident than in the appropriation of the word "truth" to define the NJEA's anti-parent campaign. NJEA President Sean Spiller wrote an <u>op-ed</u> that used the word "truth" six times:

"But there are storm clouds gathering in the form of mean-spirited and dishonest attacks targeting efforts to teach New Jersey children the **truth**."

"Apparently, the **truth** is threatening to some people."

" ... our students' right to a comprehensive, truthful education."

"Because **truth** matters."

"... our students deserve the **truth**."

" ... we are confident that **truth** will prevail ... "

And now we have the Education **Truth** Project, a dark money Super PAC, joining in on the NJEA's side.

Conclusion

All of this circumstantial evidence points to the NJEA funding ETP. The NJEA is all-in on maintaining the school board status quo because it has so much to lose if school boards are not controlled by union-friendly board members. Sunlight has recordings that reveal NJEA staff trying to alarm local associations by saying that everything will

change if opposition parents get control: curriculum, oversight, collective bargaining, funding, work conditions and more. The NJEA sees it as an existential fight, and it is playing to win.

Of course, detailing all the circumstantial evidence and relying on anonymous sources could all be obviated by an intrepid reporter asking the NJEA if they are funding ETP.

Once again, Sunlight asks what New Jersey teachers would think of this. Would they approve of hundreds of thousands (or more) of their highest-in-the-nation dues being put to such purposes? Would they approve of the NJEA's combative stance against local parents? Would they embrace their union thrusting teachers into local political battles? The answer is that they don't even have a say. NJEA leadership has decided to go all-in and the teachers will be left to deal with the consequences.