

So what did the State PDC Compliance Officer
Actually tell John Berg on 8-23-21?
Here is - "The Rest of the Story"

Note: This is the information I obtained by sending in request for public disclosure to the Public Disclosure Commission, it's rare, but I was intrigued by how John modified what the Officer told him in email from Compliance Officer dated on 8-23-21 with PDC. Berg stated he asked three questions, and that Compliance Officer answered his three questions in email he sent to PDC on 8-23-21. Specifically, PDC provided Berg with answers to Berg's three questions, and more, which Berg found not necessary to post on his web/blog/hit site. Berg failed to include a few important details in his post on this matter. He also stripped all of the school board election/candidate info from his website/web blog apparently as a precautionary matter to avoid the possibility of getting another PDC complaint filed against him. Which makes me wonder, wouldn't it seem prudent for Berg to strip and purge all his derogatory mutterings and **"character assassination posts"** from his web site since there is now an active civil action against Berg in his capacity as an SKSD Board Director? And just how educational is his efforts to 'dirty up' a fellow sitting board member? It speaks volumes about Berg's character. So if Berg is so concerned about possibly crossing paths with PDC again, doesn't it seem prudent that he'd stop with the mud slinging posts of recall, censure, etc for concerns that the next action could be to be held accountable civilly for his continued slamming, berating, belittling, chastising, insulting, libelous, slanderous posts?

In cliff note fashion
PDC found the following:

- The objectivity of Berg's web blog posting on campaign and election matters could be open to interoperation.
- That he should not refer the public to his website about candidates when discussing his communications with the community during school board meetings.
- Any such website should be dedicated to school board issues, not provide information about candidates for school board or other elected offices.
- Staff suggested that he reimburse his 2023 campaign committee for expenses of candidates site and take over site personally.

(I added these to hold your attention)




Here is part of what Berg posted on his website/web blog regarding what PDC told him. Notable here is what PDC did not state in their conclusions: 'He is now free to refer constituents to his website during Board meeting since it is no longer campaign related'. Berg just outright misrepresented what PDC actually said, and it was all in print! PDC never said it is now 'A-OK' for him to refer people to his website. That is not typically within the scope of what Washington State Public Disclosure Commission monitors. But it is sort of funny, Berg is actually talking to himself in the third person when he wrote this. Berg stripped the campaign data to avoid another compliant since tacitly he would be pointing website visitors to election and campaign information.

Berg appears extremely fixated on not being found wrong on anything, and certainly cannot tolerate being told he is wrong or being warned by higher authorities. One of his coping strategy appears to be 'splitting hairs' as evidenced when he states he was only reminded not to do that again, as if he did not do anything wrong. If not wrong then why did PDC tell him DON'T DO THAT AGAIN! I see another component in Berg's thought processes here, they are to minimize what is not happy fun stuff and just brag and slather self praise for himself.

Please note here, a reminder leads to a warning that leads to a violation and 'possible' hearing with PDC. This is known as 'progressive discipline'. This school board is very familiar with this process as one board member attempted to exercise this process with Director Daily. I believe he was invited to have 'a hot dog', they met beside the road and then the board chair stated: "This isn't going to work" and just drove off..

But to stay on point, PDC did say something similar to what Berg is claiming here: **'When staff does not conclude a formal written warning is warranted, but believes continuation of the activity could lead to a violation, a reminder is issued'**.

Here are the responses from the PDC Compliance Officer to the three questions asked by Mr. Berg

 Phil Stutzman replied
9 days ago (Mon, 23 Aug 2021 at 11:19 AM)

To: pdc@jb70.net Cc: sk@jb70.net, kim.bradford@pdc.wa.gov, sean.flynn@pdc.wa.gov

Hi John,

Thank you for your questions.

1. Because your website includes information about school board candidates, and the objectivity of such information is subject to interpretation by others, it is staff's view that you should not refer the public to your website about candidates when discussing your "communications with the community" during school board meetings. If you would like to refer the public to a website for communications with the community, it should be to a website dedicated to school board issues, not to a website providing information about candidates for school board or other elected offices.
2. Staff suggests you reimburse your 2023 campaign committee for the maintenance expenses of the website concerning candidates and take over the ownership of the site personally.
3. The case closure letters included a reminder, not a formal written warning. Staff does not have specific criteria for use of the terms "reminder" and "formal written warning" but generally, if staff believes there is evidence a violation may have occurred, but the activity does not warrant further investigation, staff will issue a formal written warning, and the Commission will consider the warning in deciding on further Commission action if there are future violations of PDC laws or rules.


Thank you for your attention to PDC laws and rules.

Phil Stutzman
Compliance Officer
(360) 664-8853

--
Washington State law established email as the PDC's official means of communication as of June 7th, 2018 (RCW 42.17A.055). Filers have a duty to amend their reports within 10 days of any material changes, such as new email addresses. Please ensure your email address is up to date.

To respond, please reply to this email.

Washington Public Disclosure Commission
<http://www.pdc.wa.gov>
1.360.753.1111



Just so Director Berg doesn't cry fowl, or make some claim that I modified his post; here is the specific parts that are relevant. Please bear in mind; this is Mr. Berg's version of what happened and what it all means to him. In retrospect, I have learned that Mr. Berg does spend a great deal of time trying to defend, minimize, or just plan misstate matters when they relate to him being wrong or if someone is challenging him. I am not sure what this psychological element would be, but he might know since he claims he to have a major in psychology. He posted this on his bio and his co-occupying Parliamentarian section his 'educational' website.

In the PDC dismissal link to PDC Complaint and Documents <https://www.pdc.wa.gov/browse/cases/95960> to the complaint, the PDC "reminded" Director Berg to ***"AVOID DISCUSSING CAMPAIGN RELATED MATTTTERS DURING SCHOOL BOARD MEETINGS:"***. Mr. Kimble, on his CSSKS website, characterizes this as a warning for first-time violators, noting that first time violators are always given a break by the PDC. Subsequently, Director Berg received the following clarification from the PDC Compliance Officer in an email of August 23, 2021, which stated (with emphasis added):

The case closure letters included a reminder, not a formal written warning. Staff does not have specific criteria for use of the terms "reminder" and "formal written warning" but generally, if staff believes there is evidence a violation may have occurred, but the activity does not warrant further investigation, staff will issue a formal written warning, and the Commission will consider the warning in deciding on further Commission action if there are future violations of PDC laws or rules. When staff does not conclude a formal written warning is warranted, but believes continuation of the activity could lead to a violation, a reminder is issued.

Berg states: "Thus the PDC reminder was clearly not a first time written warning since there was no evidence that a violation occurred".

After further clarification from the PDC, Director Berg revised this website on August 23, 2021 and removed material related to any current or future campaign and election activities for the ongoing school board election. So he now appears 'free' to refer constituents to his 'educational' website during Board meetings since it is no longer campaign related. When Berg states: "Thus the PDC reminder was clearly not a first time written warning since there was no evidence that a violation occurred". He is essentially saying ***'It was just a SMALL shark bite'!*** Always aspiring to be a master at minimization is yet another element in Berg's remarkable rucksack of behaviors that continue to entertain 'some' of us.



In January 2022 the current board president, Eric Gattenby will step down.
Mr. Berg can hardly contain his glee that no one else will volunteer to be the new SKSD Board Chair!



When Berg Becomes Board Chair!

Stay tuned for further 'Deep Dives' into s accountability, honesty, and
'Ethical Scruple' Adventures' with Board Director Berg