



**RECENT CORRESPONDENCE
BETWEEN SCHOOL BOARD DIRECTORS BERG, DIEHL, DAILY
&
THE ASPEN GROUP**

Newly elevated Board Director's John Berg and Rebecca Deihl are now President and Vice-Presidents of SKSD Board. Here is the synopsis distilled from the email exchanges they have had with the Aspen Group who has "trained" them on Coherent Governance. Unfortunately, President Berg continues to ignore the Aspen Group training that to date has cost the District (us) over \$55,000. On several instances during board meetings when Aspen Group training has been ignored. Why, because on several of these occasions both Directors - Berg and Sebren have chose to ignore this 'vital' training. The reasons they have both given: **"BECAUSE WE ARE THE BOARD!"**

There are several email exchanges between Director Berg and the Aspen Group. Note the replies/comments from the Aspen Group. Aspen Group is the training and facilitation group that the school district has so far spent more that \$55,000 (or our tax dollars) to teach this school board how to run a Board, a Board that is presently impossible to teach. The Aspen Group owns and trains school boards with their "Coherent Governance" model.

Also, find an email from Director Daily interjecting his views of what is being attempted by one school board member, Director Berg who is now Board Chair, along with Director Diehl, now Board Vice-Chair. The emails going back and forth were the preview of what Vice Chair Berg was intending to do to change current board polices & bylaws strictly to serve his interests in seizing more power on the board. He has specifically changed polices and created bylaws that are designed to **SILENCE** Board Director Daily.

This author believes Mr. Berg is acting, and doing his 'political hit work' as a "**Board Chair Provocateur**". His personal and political goals remain to be to influence the newly elected board directors to take up where he failed in his first efforts to censure Director Daily. So buckle up, we now will all be "treated" to yet another foolhardy "ramped up" effort to censure Director Daily. Yes, and all being sponsored again by the newly anointed Board Chair J.R. Berg.

Looking through the most current Board Policies and Bylaw changes drafted by Mr. Berg, are a few not so subtle changes that they could effect if adopted. It is very clear that Mr. Berg has drafted these changes in order for him to continue to pursue his discriminatory and politically corrupt personal objectives. Some clearly aimed again at Director Daily.

Yes, Mr. Berg will again commence to bait, berate, then ambush and attack Director Daily as the opportunist he is. He hopes to be using his very own newly crafted board policies and bylaws to accomplish this. So please standby to suffer yet more of Mr. Berg's "most precious" Parliamentarian "Hocus Pocus" Roberts Rules of Order.

Mr. Berg's newest draft changes to both Board and District policies were not a team effort by the others on the school board. Mr. Berg's new policies and bylaws are strictly his own personal and political agendas and efforts. Now that Mr. Berg has newly "anointed" board powers, he is again bent on pursuing his past personal and political grudges against Director Daily. Make no mistake about it; we are headed now for "**Censure Board Director 2.0**" since Mr. Berg now considers himself Lord and Master of the Board. This will be just more of the same from Mr. Berg. Just more of the same corrupted politics and personal vendettas brought by Mr. Berg.

Jeff, the remainder of this document after inserting possible board and district changes and whatever comes up during tomorrows board meeting will be inserting all of the emails changes with Aspen Group re: Berg arguing his positions.

Here are the back and forth exchanges and slams directed toward Berg by Aspen Group.

On Oct 19, 2021, at 11:19 PM, Berg, John <berg@skschools.org> wrote:

Ginger:

Rebecca Diehl and I went over the GC & B/SR documents and made slight modifications. We can discuss these Thursday morning on our conference call. I combined them into two files for ease of navigation.

We should have a date for our January training after our board meeting Wednesday night.

While you had recommended putting the former documents relating to the conduct of our meeting, elections, and board organization into separate documents to which you referred as "bylaws", we decided against that and added them to the GC policies. There were a number of reasons for that. (1) Our state law authorizing school boards to enact policies for the management of itself as a board and for the district refers to all such as bylaws, so we did not want to create a separate set of documents called bylaws that might cause confusion; (2) Your definition of Governance Culture (p. 5 of Art of Governing Coherently) describes what from a parliamentary perspective would be called bylaws; (3) In developing four sets of policies (Results, OE, B/SR, & GC) we did not want to create a fifth set of policies that could cause conflict, particularly since many items in your GC's were also "bylaws" in nature relating to the conduct of officers and meetings.

Other than minor formatting, we made no changes to the B/SR's except for B/SR-5-E where we filled in blanks and deleted the reference to the CEO, leaving as just Superintendent.

In GC-2, we took out your references to the details of the consent agenda in 5 and 6 because these are covered later under our new GC-11 on meetings. We also clarified the process to amend policies in 7 to provide for more stability. We deleted your addition of 8 simply because a retreat or workshop can be handled informally if the board so desires without the need to throw out Robert's Rules of Order Newly Revised.

In GC-4, we deleted 7 because it is covered later under our new GC-11, and because your wording required the president and superintendent to develop the agenda "in concert" which means in agreement, and if there were a disagreement between the superintendent and the president on the proposed agenda, the president would prevail and the board would make the final decision. We deleted the references to election and terms of the Legislative Representative, and the WSSDA Delegate and WIAA Representative since this is covered later.

Under GC-5, we decided to leave the Instructional Materials Committee (IMC) and the Facilities Planning Advisory Committee in as permanent board committee. The IMC is

mandated by state law and reports to the Board. The Facilities Planning Advisory Committee is appointed by the Board and reports to the Board and the Superintendent has no jurisdiction over that committee. (It can also be used for external monitoring on behalf of the board.)

GC-9 was replaced by our existing GP-12 without any changes. This is because there is pending litigation regarding the application of this policy; Director Daily is suing the remainder of the Board to get the court to force the Board to modify this policy to his liking. Your recommended GC-9 will be addressed when the lawsuit is over.

GC-10 is a compilation of organizational matters previously in GP-1 and GP-2.

GC-11 contains policies on the conduct of our meetings and agenda planning. The details of the prescribed agenda was deleted to provide more Board flexibility in its agenda. The voting process was clarified to specify which vote counts are included in the minutes and to allow a board member to have his or her abstention (such as in the case of a conflict of interest) or negative vote (in the case of a strong opposition to the action) recorded in the minutes.

GC-12 is our current policy of School Board Student Representatives and GC-13 is our compensation policy. These are both policies under the direct control of the Board and not the Superintendent.

I looking forward to discussing these on Thursday morning.

John R. Berg
South Kitsap School District
Director Position 2
Acting Board President

Email: Berg@SKSchools.org
Voice mail: 206-317-3785
District Website: www.SKSchools.org
Personal Website: www.SKSchools.info
2689 Hoover Ave
Port Orchard, WA 98366

DISCLAIMER: In identifying himself as a member of the SK School Board, this email represents Mr. Berg's personal thoughts and opinions and should not be construed as his speaking for the Board unless specifically stated. This email, and others linked in a chain, may be subject to public disclosure under State Law.

**Aspen Group Associate Ginger Hopkin's
Reply to SKSD Board of Directors**

From: Ginger Hopkins <ginger@aspengroup.org>
Sent: Thursday, October 21, 2021 10:01:19 AM
To: Berg, John; Diehl, Rebecca; Sebren, Liz; Daily, Jeff; Winter, Tim
Cc: Bell, Robbie; Linda Dawson; Randy Quinn
Subject: Re: South Kitsap School District GC & B/SR compilation

Dear John, Rebecca, Jeff, Liz, and Tim,

We received the below email and have reviewed and discussed it. We believed the work we did on Friday, October 8th, was good work, reflecting the values of the full board. It is fundamental in Coherent Governance[®] that the board govern as a whole. So, it is disappointing to learn that the work we collectively did on that day does not reflect the policy product some of you prefer. The whole purpose of spending that amount of time with the full board was to invite the personal opinions of every member about the content of your policies, then compile those views into a product that represents the shared values of all members. It seems that we failed in our attempts to create policy statements that represent those shared values of all members.

That said, we readily acknowledge that your policies are your policies; they are not ours. All we are able to do for any client we serve is to offer our best advice and counsel, and hope it is valued enough that the client will accept our offer to help improve the board's governance performance. While some of the changes that have been made are relatively insignificant, we fundamentally disagree with others, specifically:

1. We strongly discourage you from including your GC-10 through 13 as policies. Again, our recommendation is that you retain these as stand alone documents which we classify as by-laws. Policies are the high-level, distilled values of the board, and serve as performance standards for the board, the superintendent, the district, and the students. By-laws, on the other hand, are simply procedures the board follows to organize itself and to get work done. It is incoherent to mix the two and call them all policies.
2. The addition of permanent committees is unjustified. While Washington law requires that you have a policy that establishes an instructional materials committee, this committee is not a board committee doing board work. OE-11.9 already establishes that the superintendent must reasonably involve stakeholders in significant instructional decisions and OE-1 requires the superintendent to obey the law. We believe these are sufficient, however, if you feel the need to be more explicit we would recommend that OE-11 be amended to address this requirement. With respect to the facilities committee, we believe this work to be the superintendent's work and any advisory group should be

- convened at the superintendent's request. Again, OE-12 addresses facilities. Should you desire to be more explicit, this would be the place to provide that direction to the superintendent. Again, we caution against becoming too prescriptive.
3. Deleting GC-4.7 leaves the responsibility for the development of the meeting agenda ambiguous. We urge you to retain this element. Since "in concert" means "jointly", you may want to replace the problematic language with this term. Again, the agenda is the board's agenda, so developing it in concert, or jointly, merely acknowledges that the superintendent will have items he or she desires to bring before the board.

The changes addressed above, along with the other changes you have made, challenge the underlying principles on which Coherent Governance® is built, and in the process compromise the integrity and purity of CG as a governance system. While you have every right to make whatever changes you desire, if these are adopted by the full board, we ask that you not refer to your governance system as Coherent Governance®. Call it what you will, but this is not CG.

A review of our contract with the district indicates that all components of the agreement that involve the school board have now been completed, with the exception of the additional training session following the election to overview the basics of Coherent Governance® and hopefully provide a solid foundation for the newly elected board members. We are prepared to finish that one remaining part of the agreement that involves the board and have offered three dates in January to complete that work. After that session, the balance of the agreement provides support for the superintendent and administration throughout the 2022 calendar year.

It remains our sincerest hope that students in South Kitsap are better off as a result of this work. Our experience is conclusive. Implementing Coherent Governance® with fidelity can significantly impact results for students. The importance of adhering to the underlying principles cannot be overstated. Please thoughtfully consider these matters.

Linda J. Dawon, Senior Partner
Randy Quinn, Senior Partner
Ginger Hopkins, Associate

P.O Box 3788 Gulf Shores AL 36547
(864) 784-8648
ginger@aspengroup.org
www.aspengroup.org

Wisdom Sharing 2022

Sept 28 - Oct 1
Hilton Head SC

J.R. Berg's Rely to Aspen Group Associate Ginger Hopkins

On Oct 22, 2021, at 9:11 AM, Berg, John <berg@skschools.org> wrote:

Ginger:

This is in response to your email to the Board of October 21, 2021. I cannot do a "reply to all" including the full Board because our state law prohibits a majority of the board from discussing district business outside of a public meeting, and this prohibition includes any series of emails, text, or telephone calls.

The drafting of our GC policies was left incomplete after our workshop on October 8th and Rebecca and I took it upon ourselves to draft finishing touches before they were presented to the Board for final approval. This involved only two of us because of the aforementioned state law.

Part of our difficulty appears to be in the definition of bylaws. The SK School Board does not have bylaws, per se, meaning a governing document that defines the organization and function of the board. Bylaws typically include such things as the name, purpose, membership, election and duties of officers, meetings, and how members are disciplined. Bylaws are not simply procedures or parliamentary rules of order, they constitute a basic governing document for an organization, outranked only by law and any charter or articles of incorporation. Our former GP policies were, in effect, our bylaws. When you refer to bylaws, it appears that you are referring to what would be termed rules of order under parliamentary law, which rank below bylaws and above standing rules or policies.

My understanding is that the GP policies under Policy Governance correspond to the GC policies under Coherent Governance. When our contract with AGI, specifically 1.2, called for a review and redrafting of our current policies, it was Rebecca's and my understanding that AGI would revise our current GP policies to conform with Coherent Governance principles. You did not revise our former GP-2 policies regarding the functioning of the Board itself but relegated that to another document you called bylaws. Nevertheless, your GC policies addressed many items that would properly be included in bylaws, such as board committees, board job description, officers' duties, how votes were taken, members disciplined, and agendas prepared.

I support the principles of your Coherent Governance to the extent that I wanted to elevate the GC policies to the status of bylaws as we had done with the existing GP policies. Normally policies rank below bylaws so that if there is any conflict between the two, the provisions of the bylaws prevail. If we are to have a separate set of bylaws, as you have recommended, we would need to take some of the provisions of your GC policies and move them to the bylaws in order to avoid duplication and conflict.

I realize that your expertise is in board governance, the relationship between the board and the CEO and ultimately the organization, as opposed to parliamentary procedure which is how the board itself is organized and functions as a deliberative assembly. That may be why you did not address our current GP-2 policies.

I would like to get this resolved by the end of November because three new board members will come on board in December and the direction of the board may change dramatically. One solution would be for the Board to re-enact our former GP2 and designate it as “bylaws” before adopting your proposed GC policies.

I am speaking for myself and not for the Board.

John R. Berg

South Kitsap School District

Board President

Director Position 2

Email: Berg@SKSchools.org

Voice mail: 206-317-3785

District Website: www.SKSchools.org

Personal Website: www.SKSchools.info

2689 Hoover Ave

Port Orchard, WA 98366

DISCLAIMER: In identifying himself as a member of the SK School Board, this email represents Mr. Berg's personal thoughts and opinions and should not be construed as his speaking for the Board unless specifically stated. This email, and others linked in a chain, may be subject to public disclosure under State Law.

Email from Jeff Daily to Aspen Group Principal Ginger Hopkins

From: Daily, Jeff

Sent: Sunday, **October 24, 2021** 9:03 PM

To: Ginger Hopkins

Subject: Re: South Kitsap School District GC & B/SR compilation

Ms Hopkins-

This is the way that Berg, Sebren, and Diehl operate. Berg's sole intent all along has been to integrate his RROO into the board policies. He just doesn't get it as he wants to be able to control all facets of the meeting versus understand how a board works. To him, running a meeting "correctly" is the same as running a board.

You folks have felt that I am the issue on this board. The issue is purely the three remaining directors. I have been seeing this since I came on the board. They have no clue how your system works and have no interest in it. Paying you folks \$50K for what Diehl and I spent 8 months writing out of the Racine documents (your work) was thrown away in 10 minutes. I guess having you write the same thing we have somehow makes it better.

They passed your OEs in two minutes back in late August and now want to rewrite them since they don't like them as they don't do what Berg wants which is to amend them for his own purposes of making Roberts Rules of Order policies instead of guidelines.

I brought up your exact points at our last meeting regarding the committees. Both were soundly defeated by the other three. Comments from Berg such as "the board does what it wants" shows no concern for the work you folks have done to help this board. They don't want help. This has been an exercise just to show folks that we are doing something knowing that there is no real problem other than myself and my intent to expose what has been wrong for decades. I told you I am the only one who understands your system, has used it, and believe in it.

At the same board meeting, we "discussed" the superintendents OE- 10. They had nothing to say other than ok. I produced three pages of comments for the superintendent which they totally disregarded and did not include in the comments. They took less than 5 minutes to discuss 6+ hours of work by the superintendent for his report. In the end, we did not follow your process for discussing even parts of it and in the end, they made NO comments on the form. No thank you, no good job, no appreciation for his work. Where I come from, a blank remarks section of "concur" is a kiss of death evaluation. So, they have no idea how to treat our most valued (and only) employee. Just want to follow the timeline (schedule) of what to do when and get the meeting over. They want the good ole days when the meeting was done in 45 minutes with a "concur" on everything.

I wrote my letters of non-concurrence that we discussed at the training. While there, they agreed to it. At the meeting, they didn't want to include them since "the board" acts as a unit and there is no place of individual thoughts (even though that is all they do).

I am very glad to see that you do not want your name on the work the others are doing to change your stuff. I would recommend you not take any more comments from

them as they are not the chosen ones to represent the board. Berg has moved in so he can move forward with his agenda now that Gattenby has left. I would also recommend you just refund the board's money (if any is left) and cancel any remaining association with our board.

In summary, while we all might still need to go through the rest of the work per the contract, there is no interest from the others to change anything other than to do their own agenda (particularly Berg and Diehl). It was good for 30 years and will be good for another 30 years. I am glad you sent this out as it is a typical end around from Berg and company. They will again listen, fake appreciation and understanding, and then leave and forget what you said. I have no interest in not doing what you have recommended. I am sickened that we spent \$50K in taxpayer money and do not want to use what you have recommended.

You can't help people that don't want to change.

Cordially,

J Daily

Aspen Group Replies to SKSD Board of Directors 10-25 2021

From: Aspen <aspen@aspengroup.org>
Sent: Monday, October 25, 2021 12:36 PM
To: Berg, John
Cc: Diehl, Rebecca; Daily, Jeff; Sebren, Liz; Winter, Tim
Subject: Your Policy Changes

John:

This acknowledges receipt of your note following our message to the board after we received the policy changes drafted by you and Rebecca. It is neither our intent nor desire to engage with you on the topic of parliamentary procedure. You are a recognized expert in that field, and we are not. However, we do believe we hold a measure of expertise in the field of organizational governance that just possibly might be worthy of some acknowledgment.

Regardless of whatever label you attach to them, the policies that were recorded in your amended policies as GC-10, GC-11, GC-12 and CG-13 have no place in the board's Coherent Governance® policy manual. Most clients we serve memorialize matters addressed in those policies just as you were encouraged to do: place them in your manual as a Section 5 and call them By-Laws. If the label By-Laws is offensive, you are free to call them whatever you choose, but in no case are they policies. At least part of

the disconnect here could be that you are viewing the concept of “policy” the same way it was understood in your older, traditional board policies. If those policies are typical of most traditional board policies we see, they are full of procedure and great detail. Not so with Coherent Governance policies, which are leaner, broader and more value-based. That is why your last four GC policies are completely out of character with the other GC policies.

Someone said that the board initially lifted policies from Racine, WI as an example of what South Kitsap policies should look like. Borrowing another board’s work is not a good practice. We have not seen the Racine board in more than 10 years. During the interim, we have had no opportunity to advise the board about the content of its policies. A quick look at Racine’s current policies shows that the board has taken significant liberties with the work we did with them several years ago. This would not be an example we would recommend to you.

You indicate that in your opinion, certain portions of your newly revised policies, including board committees (more about those momentarily), board job description, officers' duties, how votes are taken (?), members disciplined and agendas prepared, are more By-Laws than policies. This is where we have a fundamental disagreement. It is true that some organizations’ By-Laws do contain elements related to officers and committees, and perhaps other of these topics as well. Our position is that the board has greater control over those matters if they are imbedded in policy rather than in By-Laws, which typically are more difficult to amend and therefore less agile.

As for committees and other positions that are identified in your version of the amended GC policies, let me offer these observations: the Legislative Representative, WSSDA Delegate and WIAA Representative listed in GC-4 are not officers of the board. They are liaisons or delegates, perhaps, but they are not board officers.

Your GC-5 policy on Committees says this: *“The Board may create committees if they are deemed helpful to the Board in the performance of its responsibilities. If committees are established, they will be used exclusively to support the work of the Board as described in Policy GC-3 and will never be created or used to assist the Superintendent in any operational area.”* Using this definition of a board committee, it is difficult to comprehend how the Instructional Materials Committee qualifies as a board committee, as opposed to a superintendent committee. You have delegated instruction to your superintendent by virtue of your having an Instructional Program OE policy. The board is holding the superintendent accountable for performance in that area. The same applies to the Facilities Long-Range Planning Advisory Committee. Your OE policy on Facilities obligates the superintendent to develop and maintain a facilities plan. These committees appear to support the superintendent’s work more than they support the board’s work. By listing them as board committees, while still holding the superintendent accountable for organizational performance in the areas these

committees focus on, confuses roles and creates the same dissonance CG is intended to fix.

John, the solution to this dilemma seems to be the following:

1. Clean up GC-4 by removing the three non-officer positions from the policy, since they are not officers of the board. If the board believes the three positions should be listed somewhere, you might consider changing the title of GC-5 to something like “Board Committees, Liaisons and Delegates” and listing the positions there, under separate sub-heads.
2. Remove the last four GC policies, create a separate stand-alone document that encompasses their essential elements, and call that document whatever the board chooses. You probably would not agree to call it By-Laws, nor would we agree that it should be called policies. Maybe Board Operating Procedures?

If something like this is acceptable to the board, we’re all on board. If not, we maintain that the product is not Coherent Governance and should not be called that.

Linda J. Dawson, Senior Partner
Randy Quinn, Senior Partner
Ginger Hopkins, Associate
Aspen Group International LLC
P.O. Box 3788
Gulf Shores, AL 36547
aspen@aspengroup.org

