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7 **BEFORE THE PUBLIC DISCLOSURE COMMISSION**
8 **OF THE STATE OF WASHINGTON**

9 In re the Matter of Enforcement Action
10 Against:

PDC CASE NO. 38939

FINAL ORDER

11 John Bosche,

Respondent.

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13 **I. INTRODUCTION**

14 This matter was heard by the Washington State Public Disclosure Commission
15 (Commission) on October 25, 2018, at the Public Disclosure Commission Office, 711 Capitol
16 Way, Room 206, Olympia, Washington 98504. The hearing was held pursuant to Chapter 34.05
17 RCW, Chapter 42.17A RCW, and Chapter 390-37 WAC.

18 Commissioners present were Anne Levinson, Commission Chair (presiding); David
19 Ammons, Commission Vice-Chair; and Commissioner William Downing. Also present were
20 Assistant Attorney General John S. Meader representing the Commission; Fox Blackhorn-
21 Delph, PDC Compliance Coordinator; Tabatha Blacksmith, PDC Compliance Coordinator; and
22 Assistant Attorney General Chad Standifer on behalf of PDC Staff. Respondent John Bosche
23 participated telephonically. The proceeding was open to the public and recorded.

24 The Commissioners had before them the following materials:

- 25 • Enforcement Hearing Memorandum prepared by PDC Compliance Coordinator Tabatha
26 Blacksmith dated October 17, 2018;

- 1 • Freshdesk ticket log dated August 8, 2018 describing the initial complaint;
- 2 • Email sent by PDC Staff to Respondent regarding the missing Personal Financial Affairs
- 3 Statement (F-1 report), dated August 17, 2018, and providing notice of the Brief
- 4 Adjudicative Proceeding on September 24, 2018;
- 5 • Emails between PDC staff and the Respondent between August 22, 2018, and September 21,
- 6 2018, regarding the Respondent's resignation and filing obligations;
- 7 • Email to Respondent dated October 8, 2018, notifying him of the outcome of the Brief
- 8 Adjudicative Proceeding held September 24, 2018;
- 9 • Email from Respondent requesting an appeal of the Initial Order dated October 11, 2018;
- 10 • Email from PDC staff dated October 15, 2018, providing notice to the Respondent of the
- 11 Review Hearing on October 25, 2018.
- 12 • PDC Case No. 39053 cover letter and Order Imposing Fine against Respondent John Bosche
- 13 dated October 5, 2018;
- 14 • Letter dated October 11, 2018, from Respondent John Bosche correcting the record and
- 15 requesting vacation of the Order imposing Fine.

16 The hearing concerned allegations that Respondent violated RCW 42.17A.700 by failing
17 to file a Personal Financial Affairs Statement (F-1 report) for calendar year 2017 no later than
18 April 16, 2018.

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20 After reviewing the record, including the testimony by PDC Staff and the Respondent,
21 the Commission HEREBY ORDERS that the following Findings of Fact, Conclusions of Law,
22 and Final Order of the Commission be entered:

23 24 **II. FINDINGS OF FACT**

- 25 1. Respondent John Bosche was a School Director for Meridian School District 505 from
26

1 2011 until his resignation in June, 2017.

2 2. The Respondent was required to file an F-1 report disclosing financial activities in
3 calendar year 2017 no later than April 16, 2018 and did not timely do so.

4 3. From April to June 2018, PDC staff sent seven e-mail reminders to the Respondent
5 concerning the F-1 filing requirement.

6 4. On July 16, 2018, PDC staff sent a warning letter by U.S. Mail, concerning the
7 Respondent's failure to file the F-1 report.

8 5. On August 16, 2018, PDC staff served Respondent John Bosche by U.S. Mail at the
9 address provided by Meridian School District 505, with a hearing notice for a Brief
10 Adjudicative Proceeding to be held on September 24, 2018, concerning failure to file the F-1
11 report. This address was also disclosed on the July 21, 2017, F-1 report.

12 6. On August 17, 2018, PDC staff served the Respondent by e-mail at
13 jbosche@meridian.wednet.edu, the email address provide by Meridian School District 505,
14 with a hearing notice for a Brief Adjudicative Proceeding to be held on September 24, 2018,
15 concerning failure to file the F-1 report. This is not he email address disclosed on the July 21,
16 2017, F-1 report.

17 7. On August 22, 2018, Respondent John Bosche contacted PDC staff by telephone and
18 email indicating that the F-1 report would be filed immediately, that he had resigned from his
19 position at Meridian School District 505 in June, 2017, and requested notification of additional
20 actions to remedy the non-compliance.

21 8. On August 22, 2018 Mr. Bosche filed the missing F-1 report for calendar year 2017.

22 9. On September 21, 2018, at 4:25 p.m., Mr. Bosche requested either to participate in the
23 adjudicative hearing by telephone, be granted a continuance, or to be allowed to submit a written
24 statement for the record. The hearing notice deadline for this request was September 21, 2018,
25 at 12:00, and PDC staff were unaware of his request until after the September 24, hearing.
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1 acknowledged responsibility for a good faith uncertainty about reporting requirements, was
2 served reminders of his obligations to a de-activated e-mail address, and filed the F-1 report
3 before the initial hearing.

4 2. Respondent John Bosche will file all required PDC reports in accordance with RCW
5 42.17A.755(4) and have no further violations of Chapter 42.17A RCW or Title 390 WAC within
6 four years of this order.

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8 The Executive Director or General Counsel is authorized to enter this Order on behalf of
9 the Commission.

10 So ORDERED this 26th day of October, 2018.

11 WASHINGTON STATE PUBLIC
12 DISCLOSURE COMMISSION

13 FOR THE COMMISSION:

14 
15 Peter Lavalley
16 Executive Director

17 *A copy of this Order mailed and/or emailed to:*

18 John Bosche, Respondent
19 6571 Lunde Rd.
20 Everson, WA 98247

21 Phil Stutzman, PDC Staff (phil.stutzman@pdc.wa.gov)

22 Chad Standifer, Assistant Attorney General (ChadS@atg.wa.gov)

23 I, Ashley Miller, certify that I mailed a copy of
24 this order to the Respondent/ Applicant at his/her respective
25 address postage pre-paid on the date stated herein.

26 Ashley Miller 10/26/2018
Signed Date

1 **NOTICE: RECONSIDERATION**

2 Pursuant to the provisions of RCW 34.05.470 and WAC 390-37-150, you may file a Petition for
3 Reconsideration with the PDC within ten (10) days from the date this Final Order is served upon
4 you. Any Request for reconsideration must state the specific grounds for the relief requested.
5 Petitions must be delivered or mailed to the Washington State Public Disclosure Commission,
6 711 Capitols Way, Room 206, Box 40908, Olympia WA 98504-0908.
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8 **NOTICE: PETITION FOR JUDICIAL REVIEW**

9 You have the right to appeal this Final Order to Superior Court, pursuant to the Petition for
10 Judicial Review provisions of RCW 34.05.542. Any Petition for Judicial Review of this Final
11 Order must be filed with the court and also served upon both the Commission and the Office of
12 the Attorney general within thirty (30) days after the date this Final Order is served upon you.
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