

Read during Governance Agenda
Oconomowoc Area School District Board Meeting
Tuesday, January 15, 2019

I am about to read comments that I wrote during the holidays. These extensive comments will result in the request for an agenda item to be placed on future Board meetings. These comments reflect my opinions supported by facts. I am reading them, so they are clearly stated. A copy will be sent to the newspapers, the District and all Board members following this meeting. Please respect the fact that I will not be available for comment beyond what I am writing. I believe everything that I have to say is included in this document.

Again, an agenda item request will be made and please respect my wishes by not attempting to contact me.

During the holidays, I had some time to reflect on the School District that I have proudly served for the last seventeen years through tough decisions and celebrations of success. Throughout the last two years, transparency has been important to the community. Both individual Board Members and the District have been criticized for their lack of transparency. It has been reported that the community wants complete transparency. One should not pick and choose the topics for transparency. Everything should be transparent per the recent elections.

So, here I go.

During 2018, a Board Member has demonstrated questionable judgement and behavior. As a veteran Board member, it seems to be my responsibility to inform the Board and the Oconomowoc community of these known concerns. I suspect more issues may exist for which I am not aware.

Let's start in Spring...

Campaign Endorsement

On March 26, 2018, sitting Board Member Dan Raasch signed and mailed letters to most certified teachers eligible to vote in the School Board election for the Oconomowoc Area School District School. Since this mailing included teachers from other school districts, I question the sources of the teacher's names, spouse's names and addresses. It seems that the most likely source would be WEAC, Wisconsin Education Association Council, commonly referred to as the Teachers Union. This organization would have access to all the names and addresses. Use of the Teachers Union database might indicate collusion.

The form letter was endorsed by Mr. Raasch in handwriting where he states, "Hi (followed by the teacher and spouse names). He also personally signed the letter by handwriting "I am listening, Dan".

I will now read the letter.

Hi

Thank you for supporting the Oconomowoc Area School District and voting in elections to make your voice heard.

There are many choices for school board including a number of write in candidates that have answered the call to service. Each offer unique skills and background.

With that in mind I would like to share that Juliet Steitzer and Jessica Karnowski (both on the ballot) and Jason Laatsch (a registered write in and yes spelling counts) are individuals of **high character**. These are candidates focused on students, **transparency**, fiscal responsibility and in favor of creating a more responsive district. They will demand all of the information before making decision, listen to multiple views and encourage discussions. Thank you and please vote on April 3rd or early vote at your clerk's office.

Thank you,
Dan Raasch

As the letter indicates, Mr. Raasch endorsed three candidates. It my understanding that Mr. Raasch never contacted Mrs. Jessica Karnowski before including her name in the letter. Mrs. Karnowski deserved to have knowledge of the endorsement prior to the mailing of the letter.

Mr. Raasch was selective and did not mail the letters to teachers who might support incumbent Board Members on the ballot, Don Wiemer and John Suttner. This indicates a clear understanding of his intentions.

By the way, who paid for the printing and postage? Were campaign finance laws regarding reporting of expenditures followed?

Let's go back to the endorsement of three candidates. This is a bigger problem. It appears that Mr. Raasch was attempting to create a quorum alliance of the Board. This would allow him to control the actions of the Board and interfere with the democratic process. Let me restate this, if all three endorsed candidates had been elected and with Mr. Raasch, this group of four like-thinking people would be the majority on the seven-member Board. This control would have severely interfered with the democracy that forms the cornerstone of our country. I question the ethics of a seated Board Member that would openly campaign for three candidates in a single election.

Let's move on...

Contact with WEA Trust

Annually, the District reviews the insurance benefits received by our employees, retirees and their families. The process starts with the Board providing several general guidelines. The Administration and our benefits consultants create a Request for Proposal (RFP) which included several options. The RFPs are requested from multiple carriers. The Administration then works with our benefits consultants to determine the best options for our employees and taxpayers from bids received. This process has been used for many years.

To be properly prepared for meetings, Board Members receive information on the Thursday prior to the upcoming Tuesday Board Meeting. In other words, the bid information and recommendation were available to Board Members on Thursday, April 26th prior to May 1st Board meeting or six days in advance.

The following information comes from a Memo to the Board written by Superintendent Dr. Roger Rindo on May 14th. More details are found in this memo which is attached to this document.

After receiving the bidding results and prior to the May 1st Board meeting, Mr. Raasch directly contacted WEA (Wisconsin Education Association Trust) and asked if they had been given "a fair shake". It should be noted that WEA was not the lowest bidder. After that phone call, WEA provided a new bid which was substantially lower, \$300,000 lower, than their previous best and final offer. Ironically, this new offer matched the low bid from WCA (Wisconsin Counties Association).

Interference in this bidding process shows an appearance of partiality and potentially violated the integrity of the process. As a former President of the Oconomowoc Chapter of WEAC, Mr. Raasch should understand that his involvement demonstrates an unfair advantage for the WEA Trust. The Board represents the public not suppliers.

What other times has Mr. Raasch shown partiality? What other times has Mr. Raasch interfered in the democratic process?

On to Topic #3...

Conflict of Interest

I would like to read from the Wisconsin State Statute titled “Code of ethics for local government officials, employees and candidates”. It reads.

“No local public official may use his or her public position or office to obtain financial gain or anything of substantial value for the private benefit of himself or herself or his or her immediate family, or for an organization with which he or she is associated.”

Please note that Mr. Raasch and his wife are both retired teachers from Oconomowoc Area School District. As retired teachers, they receive retirement benefits which include health insurance and OPEB (Other Post-Employment Benefits) distributions. Therefore, Mr. Raasch should not participate in any discussion or vote regarding these benefits since either could impact them personally.

For historical perspective, past-President Don Wiemer would recuse himself from all discussion and vote on the Administrative Assistant’s compensation because his wife was employed in this group.

However, on April 16th, Mr. Raasch discussed both topics at the Finance, Operations & Advancement (FOA) Committee meeting. Per practice, the topics were moved to the next Board Meeting. Mr. Raasch asked the same and more detailed questions at the Regular Board Meeting on May 1st. At the May 15th Regular Board Meeting and after two Code of Ethics violations at the two previous meetings, I asked Mr. Raasch to recuse himself from both the discussion and the vote on these topics. Mr. Raasch indicated that he had a right to discuss the material. I explained that his discussion could influence other Board Members’ votes. Without regard for my warning and for several minutes, Mr. Raasch continued to discuss the topics. He did not vote.

If you question my interpretation of these discussions, please review the FOA minutes or watch the Board Meetings on the District website. The May 15th Board Meeting would provide great insight into this topic.

In summary, Mr. Raasch’s arrogant disregard for ethics was obvious during the May 15th meeting.

To summarize, OASD Board Policy #165 (Board Member Conduct/Ethics) indicates eleven expectations of Board Member when striving to improve public education and fairly representing the citizenship of the District. Two significant expectations are

1st – Avoid being placed in a position of conflict of interest, and refrain from using their Board positions for personal gain, and

2nd – Take no private action that will compromise the Board or administration and respect the confidentiality of information that is privileged under applicable law.

Do these three examples of
campaign endorsement,
interference in the insurance bidding process, and
discussion of topics with personal gain
violate our Board Policy?

Do they also demonstrate very questionable judgement by a standing Board Member?

These judgements ride the line of legality, imply his legal conscience, demonstrate his level of integrity and start to define the morality of Mr. Raasch.

December 21, 2001 Incident

But more disturbing information was found during an Open Records request of Mr. Raasch's OASD teacher's personnel record. For the past year, Dan Raasch has indicated that while teaching he would create his own methods of teaching the required curriculum. For example, he indicated that rather than using the District's spelling curriculum, he created his own program. I questioned whether the District supported his departure from the program or not. After receiving my Open Records on this issue, I found little documentation about his alterations to the curriculum, but a letter of discipline was discovered.

Please note that since this was a personnel issue, it was never shared with the School Board in 2002.

On December 21, 2001, an incident occurred at a Parklawn Elementary School boys' bathroom. The disciplinary letter dated March 25th alleges sexual harassment by Mr. Raasch. This discipline was handled by Superintendent Dr. Gregory Maass and Human Resource Director Pam Casey. I would like to read Mrs. Casey's notes from her conversation with the alleged victim. To protect their identities, I am going to call the alleged victim Jane Doe and a cognitive disabilities teacher, Sue Smith. The conversation occurred on March 13th at 12:30 pm and reads as follows.

Jane Doe alleges that on Friday, December 21, 2001, the last day of school before winter break, the following happened. She was in the boys' bathroom assisting a small group

of cognitively disabled male students around 7:50 am. She specifically was assisting a boy use the urinal and wash his hands. A male teacher Dan Raasch, then came into the bathroom. Jane explained that she needed to be there to assist the boys. Dan then proceeded to walk to the urinals and use the urinal closest to her. He made a comment to the effect of, "Do you believe in the European way?" Jane felt uncomfortable and did not know what to say. She said something like, "I guess." Jane had her back to Dan and had to look at the floor so that she would not be able to see him in the mirror.

As this was occurring, a special education teacher, Sue Smith walked into the bathroom to give Jane a Christmas present, not knowing that a male was in the bathroom. When she saw Dan, Sue says that she was surprised and backed out of the bathroom.

Jane ended the conversation by stating that she feels like a victim. She believes that if she does not pursue this, he will have won.

Mrs. Casey also interviewed the cognitive disabilities teacher. I will use the same fictitious names as I read the report.

I met with Sue Smith, cognitive disabilities teacher, along with Jan Weigman and Jim Olson after my meeting with Dan that same day.

Sue verified Jane's story. She said she walked in to give Jane a present without know a male teacher was in the bathroom. She saw Jane helping a student pull up his pants at the first urinal. She says Dan was right next to her. She was so shocked that she backed up and walked out, telling Jane she'd meet her across the hall.

When Dan walked out, Sue remembers him saying something like, "Now Jane got two presents in the bathroom today." He also referenced a European bathroom. Sue says that Dan later apologized to her.

Mrs. Casey concluded that "In my professional judgment, Dan violated the District's Sexual Harassment Board policy. His action created an intimidating, hostile, offensive work environment."

This December day documents a man whose moral compass does not display ethical choices regarding behavior around co-workers. The fact that a student was near makes his behavior more inappropriate.

If the Department of Public Instruction (DPI) had been notified in 2002, would Mr. Raasch have been allowed to continue teaching?

Should this behavior be tolerated?

Should Mr. Raasch be allowed to participate in activities with our most precious children in the Oconomowoc Area School District?

I have provided a great deal of material and I would like to provide the following conclusion.

Conclusion

As a veteran of over seventeen years on the Oconomowoc Area School Board, I have served with 22 different Board Members. A Board should be comprised of people with varied opinions, outlooks, and passions who work together for the best interest of the School District where the main goal is the output of successful students. Throughout those years, I have agreed with most Board members and disagreed with many Board members. Each topic brought its own dynamics. I fully support that Boards should disagree at times because many of the best ideas come from differences of opinions followed by compromise.

I believe in transparency and have always lived my life as if I lived in a fishbowl. My parents taught me about commitment, hard work and treating others appropriately. For years, I have lived my life so that I am proud of my actions and don't have to look back with regret.

The greater Oconomowoc community expects a person to live with moral values. As an elected official, these values are more important. So, I ask...

- Does Dan Raasch meet these community expectations?
- Should Dan Raasch, a person of questionable values, as described earlier, be making decisions for our District?
- Does Dan Raasch demonstrate a disregard for personal and organizational conflict of interest?
- As a School Board member, we have access to visiting classrooms and children without a high level of scrutiny. Should Dan Raasch be around our most precious children?
- Did Dan Raasch commit any campaign or ethic violations?

As stated at the beginning of my reading, I believe everything that I have to say is included in this document. Please respect my wishes by not attempting to contact me.

Finally, I would like to add an agenda item to the next scheduled Board Meeting. This agenda item would be to authorize an outside legal firm that is currently not involved in the District to investigate Dan Raasch regarding campaign and ethics violations. I am recommending that our District counsel, Mark Olson, not be involved because he has relationships with all Board members. These relationships could provide conflict.

Therefore, I ask that an agenda item be placed on the February 7th Governance Board meeting to discuss hiring an attorney to review potential campaign and ethics violations by Dan Raasch. I also ask that an update agenda with possible actions be placed on the February 19th Regular Board meeting.

Does anyone have a problem with investigating these allegations?

Can I expect these agenda items to be on the February meetings?

Submitted by
Sandy Schick
OASD Vice President

References

- March 26, 2018 – Endorsement Letter written by Dan Raasch (attached)
- May 14, 2019 – Insurance Concern Memo written by Dr. Roger Rindo (attached)
- Open Records – Sexual Harassment Interview by Pam Casey (attached)
- OASD Board Policy 165 – Board Member Conduct/Ethics
- Wisconsin State Statute, Chapter 19, Subchapter III, Section 19.59 (1)(a) titled “Code of ethics for local government officials, employees and candidates” – available on-line
- FOA Meeting Minutes and Regular Board Meeting videos – available on the Oconomowoc Area School District – School Board website

March 26, 2018

Hi

Thank you for supporting the Oconomowoc Area School District and voting in elections to make your voice heard.

There are many choices for school board including a number of write in candidates that have answered the call to service. Each offer unique skills and background.

With that in mind I would like to share that Juliet Steitzer and Jessica Karnowski (both on ballot) and Jason Laatsch (a registered write in and yes spelling counts) are individuals of high character. These are candidates focused on students, transparency, fiscal responsibility and in favor of creating a more responsive district. They will demand all of the information before making decisions, listen to multiple views and encourage discussions. Thank you and please vote on April 3rd or early vote at your clerk's office.

Thank you,
Dan Raasch

"The greatest compliment that was ever paid me was when one asked me what I thought, and attended to my answer."

Henry David Thoreau

*I am listening,
Dan*

TO: School Board Members
FROM: Roger J. Rindo, Ed.D.
DATE: Monday, May 14, 2018
RE: Insurance Concern

I am writing here to provide notice to the Board about an issue I have become aware of regarding our recent insurance bidding process. Our benefits consultant, Associated Benefits Risk Consulting (ABRC) informed me that they received an email from a representative from the Wisconsin Education Association Trust (WEA) who informed them that one of our Board members, Dan Raasch, had contacted her prior to the Board meeting on May 1st at which the proposed insurance changes were presented for initial discussion. In that email, LeAnn Austinson, the sales representative from WEA who quoted our bid, reported that she was asked by Mr. Raasch if WEA was given “a fair shake” at the bidding process. She stated that he had many questions about the differences between WEA and WCA. Ms. Austinson confirmed in her email that WEA was provided a fair chance. She also stated that Mr. Raasch “appeared a little cautious toward their consultant.”

I asked Andy O’Halek, our ABRC representative, to have a follow up conversation with WEA to confirm who made the call from our Board. He contacted Kyle Humphrey, WEA VP of Sales, who stated that Mr. Raasch had called customer service and was transferred to Ms. Austinson. It was reported during the phone conversation that Mr. Raasch asked if there was anything misrepresented by ABRC about WEA’s quote. It was also reported during that call that Ms. Austinson reportedly stated that John Manthey from ABRC was a good representative and that ABRC is a good company. It was further reported that she stated that WEA has better customer service than the Wisconsin Counties Association (WCA), our low bidder. Finally, during that call, Mr. O’Halek was informed by Mr. Humphrey that the WEA Trust was now be able to match the current low bid from WCA. No good answer was provided for the substantially lower quote, which was over \$300,000 dollars less than WEA’s best and final offer, other than a comment about their cancer treatment protocols.

As superintendent, I am recommending that you not consider that offer from WEA Trust, and I need to provide full disclosure of the potential problems associated here:

- I asked ABRC to contact the other bidders (WPS Arise and Anthem) to inquire whether either of them were contacted by any Board members to discuss the bidding process or their quotes. It was reported to me that no other contacts were made other than this contact with WEA Trust. By these actions, we have not provided the same opportunity for follow up to all bidders as a part of the bidding process and it does not give the appearance of impartiality. The effect of the District potentially violating the integrity of the bid process should be a consideration.

- Insurance carriers bidding on the contract must follow the process as it is defined. Failure to comply with the process could result in their bid being rejected. All carriers were previously requested to provide their “best and final” offer to ABRC. WEA lowered their quote from a 16% increase to 10.6%. WCA lowered their quote from 7.5% to 5%. Should the Board entertain a new quote from WEA Trust to match WCA’s current low offer after their “best and final” offer of 10.6% had been provided, and after a conversation with a school board member, I believe the district risks exposure for interfering with the fair bid process established by the District. The potential also exists for the District to be accused of possibly disclosing information obtained as a part of the bidding process to unfairly influence the result.
- The Wisconsin ethics statute states that no public official may use or attempt to use the public position held by the public official to influence or gain advantages personally or for others. Because Mr. Raasch is a retiree who currently receives a post-retirement benefit from the Oconomowoc Area School District for health insurance, his phone call as a Board member to one of the health insurance providers bidding on the contract here could be viewed as a potential ethics violation.

SEXUAL HARASSMENT INVESTIGATION

Summary of Events

I received a complaint on March 13, 2002, from [REDACTED] a teacher assistant at Park Lawn Elementary. She came to my office at 12:30 p.m. with [REDACTED] Teamster steward for the teacher assistants.

Conversation with [REDACTED]

[REDACTED] alleges that on Friday, December 21, 2001, the last day of school before winter break, the following happened. She was in the boys' bathroom assisting a small group of cognitively disabled male students around 7:50 a.m. She specifically was assisting a boy use the urinal and wash his hands.. A male teacher, Dan Raasch, then came into the bathroom. [REDACTED] explained that she needed to be there to assist the boys. Dan then proceeded to walk to the urinals and use the urinal closest to her. He made a comment to the effect of, "Do you believe in the European way?" [REDACTED] felt uncomfortable and did not know what to say. She said something like, "I guess." [REDACTED] had her back to Dan and had to look at the floor so that she would not be able to see him in the mirror.

As this was occurring, a special education teacher, [REDACTED] walked into the bathroom to give [REDACTED] a Christmas present, not knowing that a male was in the bathroom. When she saw Dan, [REDACTED] says that she was surprised and backed out of the bathroom.

[REDACTED] ended the conversation by stating that she feels like a victim. She believes that if she does not pursue this, he will have won.

Conversation with Dan Raasch

I met with Dan Raasch at Park Lawn on March 18, 2002, at 1:00 p.m. Present were Jan Weigman, principal, and Jim Olson, OEA representative. I presented Dan with a copy of the Sexual Harassment Board policy and discussed the allegations with him. Dan verified that he did go into the bathroom as [REDACTED] stated. He says that he used the urinal furthest away from her, not right next to her as she alleges. He sensed she was embarrassed, so she says he tried to let her know it was okay with him. He says he did make reference to the European way. He remembers [REDACTED] walking in but cannot remember what he said to her. He later offered to apologize to [REDACTED] after Jan spoke with him about the incident. Jan felt that was not necessary at that time.

Dan has gone from feeling embarrassed to being angry that he is being charged.

Conversation with [REDACTED]

I met with [REDACTED] cognitive disabilities teacher, along with Jan Weigman and Jim Olson after my meeting with Dan that same day.

[REDACTED] verified [REDACTED]'s story. She said she walked in to give [REDACTED] a present without knowing a male teacher was in the bathroom. She saw [REDACTED] helping [REDACTED] (a student) pull up his pants at the first urinal. She says Dan was right next to her. She was so shocked that she backed up and walked out, telling [REDACTED] she'd meet her across the hall.

When Dan walked out, [REDACTED] remembers him saying something like, "Now [REDACTED] got two presents in the bathroom today." He also referenced a European bathroom. [REDACTED] says that Dan later apologized to her.

Findings

There are conflicting statements made by [REDACTED] and Dan, specifically about the proximity of Dan to [REDACTED] while using the urinals. Dan claims, "I'm not an idiot. I didn't stand next to her." [REDACTED] verified [REDACTED]'s statement that Dan was right next to her. [REDACTED] claims that they were no further apart than three to four feet.

Questions were raised by Jim Olson as to why [REDACTED] was there in the first place or why she didn't leave when she saw that Dan needed to use the bathroom. [REDACTED] maintains that [REDACTED] probably did not think it was a good idea to leave the bathroom without the students to wait for Dan to finish. She has never been instructed to leave the bathroom if this happens.

I believe that Dan did not intend to harm [REDACTED]. He did say, however, that he sensed she was uncomfortable. [REDACTED] says that she was embarrassed and now feels like a victim. She wishes that she would have asked him to wait, but she said it all happened so quickly and she was so shocked that she couldn't say much. I do think this was a lapse of judgment on Dan's part. He did receive sexual harassment training in November, 1995, and should have realized that this was inappropriate behavior.

Conclusion

In my professional judgment, Dan violated the District's Sexual Harassment Board policy. His action created an intimidating, hostile or offensive work environment. I am recommending that a written letter of warning be issued for placement in his personnel file. I do not believe that Dan will retaliate in any way or engage in this behavior in the future.

Type: Policy

Descriptor Code: 165

Title: Board Member Conduct/Ethics

Status: ADOPTED



BOARD MEMBER CONDUCT/ ETHICS

As members of the Board of Oconomowoc Area School District, Board members will strive to improve public education and fairly represent the citizenship of the District. To that end, they will:

- A. Attend all regularly scheduled Board meetings insofar as possible, and become informed concerning the issues to be considered at those meetings;
- B. Recognize that they should endeavor to make policy decisions only after full discussion at publicly held Board meeting
- C. Render all decisions based on the available facts and independent judgment, and refuse to surrender that judgment to individuals or special interest groups
- D. Encourage the free expression of opinion by all Board members, and seek systematic communications between the Board and students, staff and all elements of the community;
- E. Work with other Board members to establish effective Board policies and to delegate authority for the administration of the District to the Superintendent;
- F. Communicate to other Board members and the Superintendent expressions of public reaction to Board policies and school programs;
- G. Inform themselves about current educational issues by individual study and through participation in programs providing needed information;
- H. Support the employment of those persons best qualified to serve as school staff, and insist on a regular and impartial evaluation of all staff;
- I. Avoid being placed in a position of conflict of interest, and refrain from using their Board positions for personal partisan gain;
- J. Take no private action that will compromise the Board or administration, and respect the confidentiality of information that is privileged under applicable law;

K. Remember always that their first and greatest concern must be for the educational welfare of the students attending the public schools.

Source: Board of Directors, National School

Boards Association

Furthermore, it is recognized that in a representative democracy, Board members are drawn from society and therefore, cannot be without personal and economic interest in the decisions and policies of government. Citizens who serve as Board members retain their rights as citizens to interests of a personal or economic nature.

Nothing in this policy shall deny the rights of Board members under the constitutions of the United States of America and of this state, the Wisconsin statutes or any other laws of this state.

LEGAL REF: **Wisconsin Statutes**
 Section 19.59 [code of ethics for local government officials]
 Section 946.12 [misconduct in public office]
 Section 946.13 [private interest in public contract prohibited]

CROSS REF: Board Policy 165.1, Board Member Conflicts of Interest

Revised: Regular Board of Education Meeting May 21, 2013
Final Approval Regular Board of Education Meeting of February 21, 1989

Last Revised Date: 5/21/2013

Oconomowoc Area School District Original Adopted Date: 2/21/1989