

Discrimination Complaint
Wisconsin Fair Employment Law
Wis. Stat. §§ 111.31-111.395

ERD Case #
CR

For office use only

Authorization for this form is provided under Wis. Stat. § 111.39(1).

Personal information you provide may be used for secondary purposes [Privacy Law, Wis. Stat. § 15.04(1)(m)].

READ instructions on page two FIRST then type or print in black ink.

1. Complainant Information

First Name Jeff		
Middle Initial G.		
Last Name Peterson		
Street Address/PO Box 2725 Bunting Court		
City Racine	State WI	Zip Code 53402
Telephone Number (262) 880-8097		
E-Mail Address jeffpeterson8097@gmail.com		

2. Respondent Information

The company , agency, or union you believe discriminated against you. Name only ONE Respondent per form. <i>Do not name an individual person as Respondent.</i>		
Name Raymond Board of Education, Raymond School District		
Street Address/PO Box 2659 76th Street		
City Franksville	State WI	Zip Code 53126
Telephone Number (262) 835-2929		
In what Wisconsin county did the violation take place? Racine		

3. CHECK ONLY THE BOXES THAT WERE THE REASON FOR DISCRIMINATION

If you checked a box with an *, the statement in that box **must** be completed.

I believe the Respondent discriminated or took action against me **because**

☐ of my race * which is _____	☐ of my age (40 or older) * my date of birth is _____	☐ of my marital status * which is _____
☐ of my color * which is _____	☐ of my conviction record	☐ of my military service
☐ of my national origin/ancestry * which is _____	☐ of my arrest record	☐ of my use or nonuse of lawful products
☒ of my sex * which is Male	☒ of my sexual orientation * which is Gay	☐ of genetic testing
☐ of my pregnancy or maternity	☐ of my creed (religion) * which is _____	☐ of polygraph testing
☐ of my disability * which is _____	☐ I declined to attend a meeting or to participate in a communication about religious matters or political matters.	☐ I filed a previous discrimination complaint with Equal Rights or testified or assisted with a discrimination complaint. Enter Case # CR _____
☐ I opposed discrimination in the workplace (refer to instruction 2(c) on page 2 of this form)		
☐ The Respondent printed or circulated, advertised or published a discriminatory statement	☐ The Respondent used a discriminatory application or made a discriminatory inquiry about prospective employment	

4. Dates of discrimination (Required; estimate if unsure)

Date the discrimination began? mm/dd/yyyy 05/01/2023	Date of the most recent discrimination? mm/dd/yyyy 9/28/2023 ongoing
☐ My employment was terminated on _____ (if applicable)	

¹ This form covers discriminatory actions alleged under §§ 111.322(1), (2), and (3) of the Wisconsin Fair Employment Law. Discriminatory actions alleged under § 111.322(2m) must be filed using form ERD-18359, "Retaliation Complaint."

Instructions for Completing Your Statement of Discrimination:

1. This form is intended for discriminatory actions alleged under §§ 111.322(1), (2), and (3) of the Wisconsin Fair Employment Law. If you are alleging you were retaliated against, this form should only be used if you mean to allege your employer retaliated against you after you complained of discrimination, or filed a previous complaint with the Division. If you mean to allege your employer retaliated against you for any other reason, specifically, those reasons found at Wis. Stat. Sec. 111.322(2M) listed below, please use the "Retaliation Complaint" form (ERD-18359).
 - a) Wage Claim Law (Wis. Stat. § 109.03)
 - b) Overtime Law (Wis. Stat. § 103.02)
 - c) Illegal Wage Deduction Law (Wis. Stat. § 103.455)
 - d) Minimum Wage Law (Wis. Stat. § 104.12)
 - e) Employment of Minors Laws (Wis. Stat. §§ 103.28, 103.32, & 103.63-103.82)
 - f) Wisconsin Family and Medical Leave Law (Wis. Stat. § 103.10)
 - g) Open Personnel Records Law (Wis. Stat. § 103.13)
 - h) Health Care Worker Protection Law (Wis. Stat. § 146.997)
 - i) Employee Right to Know Law (Wis. Stat. §§ 101.58 – 101.599)
 - j) Public or Tribal Employees Reporting Fraudulent Activities Laws (Wis. Stat. §§ 49.197(6)(d) & 49.485(4)(d))
 - k) Wisconsin Bone Marrow and Organ Donation Leave Law (Wis. Stat. § 103.11)
 - l) Social Media Law, as it pertains to Employers and Educational Institutions (Wis. Stat. §§ 995.55(1) & (2))
 - m) Mergers, Liquidations, Dispositions, Relocations or Cessation of Operations Affecting Employees Law – Advanced Notice Required Law (Wis. Stat. § 109.70)
 - n) Cessation of Health Care Benefits Affecting Employees, Retirees and Dependents Law (Wis. Stat. § 109.75)
 - o) Regulation of Traveling Sales Crew Law (Wis. Stat. § 103.34)
2. Provide all information requested. TYPE OR PRINT IN BLACK INK. Write a short, clear statement explaining how the Respondent (employer, agency, or union) discriminated against you. You cannot name more than one Respondent per complaint form. When writing your statement, please include the following:
 - a) Give your job title and date of hire. If the company did not hire you, state the job(s) you applied for and the date(s) you applied.
 - b) Describe the event that you think was discrimination. If you were harassed, identify the harasser(s) and describe what was done to you. If you complained to the company, identify the person(s) you complained to and describe the company response to your complaint(s). Include the date(s), if known. If you were fired or were forced to quit for a discriminatory reason, make this clear in your statement.
 - c) For **each box** you checked in section #3, explain why you think the employer's actions were motivated by the reason checked. If you checked the 'disability' box you must identify the medical name of your disability. If you checked the '**opposed discrimination in the workplace**' box you must explain how your employer retaliated against you for making an internal complaint about discrimination based on any of the other boxes in section #3. Retaliation because you complain about anything not connected to one of these boxes is not addressed by the anti-discrimination law.
 - d) If other employees in similar situations were treated better than you were, please give their names, state what happened to them, and describe how they differ from you in terms of the box(es) you checked in section #3.
 - e) If you need more space, please continue your statement on a separate piece of 8 ½ x 11 paper.
 - f) Do not use whiteout to make corrections. Draw a line through errors and initial each change.
 - g) You will have a chance to give the investigator more information during the investigation of your complaint. If you send supporting documents with your complaint do not refer to them in your statement.
3. Sign this complaint on page 3, and fill out the Process Information Sheet on page 4 before submitting your complaint to the Equal Rights Division.

If you have questions or if you need help completing this form, please call the Equal Rights Division at (414) 227-4384 (Milwaukee) or (608) 266-6860 (Madison) and ask to speak to a Civil Rights Investigator.

For violations in Milwaukee, Waukesha, Ozaukee, Washington, Kenosha, Racine, Sheboygan and Walworth Counties, mail your completed and signed complaint to: EQUAL RIGHTS DIVISION, 819 N 6th ST, ROOM 723; MILWAUKEE, WI 53203 OR Fax your completed and signed complaint to: 414-227-4084

For all other counties in Wisconsin: EQUAL RIGHTS DIVISION, PO BOX 8928, MADISON, WI 53708-8928 OR Fax your completed and signed complaint to: 608-267-4592

5. Statement of discrimination:

Write a brief, concise statement explaining how you were discriminated against. Give the **date** each action occurred and the **name** of the person who took the action. Explain how each action(s) was related to the box (es) you checked in section #3 on page one.

see attached

6. Certification and Signature

By my signature below, I certify that I have read the above complaint, and, under penalties of law, I declare that this complaint is true and correct to the best of my knowledge and belief. I understand that this complaint is an open record and may be provided to the employer or others under the provisions of Wisconsin's Open Records Law.

Signature of Complainant or authorized representative

Date signed

Please complete Equal Rights Process Information Sheet on Page 4

EQUAL RIGHTS COMPLAINT PROCESS INFORMATION SHEET

Please complete and return this sheet with your completed complaint. This information is necessary to process your complaint effectively.

Complainant First Name Jeff	Middle Initial G	Last Name Peterson
Current Date 9/28/2023	Complainant Date of Birth (requested for identification purposes) mm/dd/yyyy 8/26/1970	

Contact Information (Important! The Complainant must notify the Equal Rights Division, if there is a change of address or telephone number. If we are unable to locate the Complainant, the complaint may be dismissed.)

Is there a telephone number where you can be reached between 7:45 a.m. & 4:30 p.m.? ☒ Yes ☐ No	If yes, provide the area code and telephone number (414) 224-0000
--	---

Please provide the name, address, and telephone number of someone who does not reside with you but who will know where to reach you.

Contact Person Name Ben Hitchcock Cross	Relationship to You Attorney			
Street Address 845 N. 11th Street	City Milwaukee	State WI	Zip Code 53233	Telephone Number (414) 224-000

Employer Information

Approximate number of employees at all of the employer's work locations ☐ Less than 15 ☒ 15-100 ☐ 101-200 ☐ 201-500 ☐ More than 500	Type of Business Public Schools
Does another company own the employer? ☐ Yes ☒ No ☐ Not Sure	If yes, please provide the name of that company

Filing with other Agencies

Have you filed a complaint in this matter with any other agency? ☐ Yes ☒ No	If yes, name of agency	Date filed with the other agency
---	------------------------	----------------------------------

Settlement Information

Complete this section if the Complainant was or still is employed by the employer.			
When were you hired? 7/1/2021	What was/is your job title? principal	Are you still employed by the Respondent? ☒ Yes ☐ No	
Complete this section if you are no longer employed by the employer.			
How did the employment end? ☐ Discharged ☐ Quit ☐ Laid off ☐ Retired ☐ Other	Date Employment Ended	Pay Rate at End	Hours per Week
If you were not promoted, what was the title of the position you applied for? Superintendent	Rate of Pay	Hours per Week	
At this time, what are you seeking to settle the complaint? Retain employment, end discriminatory treatment, remove Plan of Improvement from record, keep current contract effective			

Statistical Information

Complainant Sex: ☒ Male ☐ Female			
Complainant Race (check appropriate box or boxes): ☐ American Indian or Alaska Native ☐ Native Hawaiian or Pacific Islander ☐ Black or African American ☐ Asian ☒ White ☐ Unknown			
National Origin: _____			

Jeffrey Peterson v Raymond School District
Statement of Discrimination, Section 5

1. Jeff Peterson ("Complainant") began employment with the Raymond School District ("Raymond, or Respondent") on July 1, 2021.
2. Respondent is a school district operated by a school board and managed by a Superintendent, Dr. Michael Garvey ("Garvey").
3. Complainant is currently listed as the principal for Raymond K-8 School.
4. Complainant is an accomplished professional.
5. Complainant is a gay male.
6. Raymond's School Board underwent change in representation in 2021 *Four candidates running for two seats on Raymond School board:*
https://journaltimes.com/news/local/education/four-candidates-running-for-two-seats-on-raymond-school-board/article_2468afd4-c75b-11ed-9b60-9304ef18c5b3.html
7. The Convention of States sponsored two board candidates, the Convention of States' website describes it as "grassroots for 10 dedicated years of service building an engaged army of self-governing activists" <https://conventionofstates.com/>.
8. After the election, Convention of States supporters won seats on Raymond's School Board: *Wisconsin Convention of State Supporter Wins Raymond School Board Seat*
(<https://conventionofstates.com/news/wisconsin-convention-of-state-supporter-wins-raymond-school-board-seat>;
9. Upon being elected, Audrey Kostuch ("Kostuch") and Gwen Keller ("Keller") initiated a public and coordinated anti-gay attack across the district: *After recent attention due to library book removals, Raymond school board election looms:*
https://journaltimes.com/news/local/govt-and-politics/elections/after-recent-attention-due-to-library-book-removals-raymond-school-board-election-looms/article_5f42fe29-a18f-5022-b929-1fda630a82db.html
10. During the Complainant's first board meeting as Raymond's principal, Members of the public directed "anti-gay" comments towards the Complainant in a public setting. The public comments and ensuing discussion caused Complainant great discomfort. The Respondent took no action to curtail the comments.

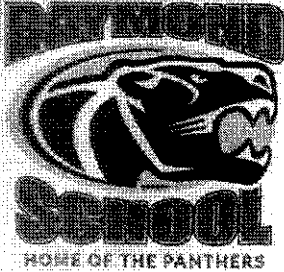
11. In August 2021, during a staff meeting, Garvey addressed District staff generally as follows:
"Raymond and its community hold "conservative" Christian values and those values need to be "visible and reflected in curriculum and policy so that administration shows they represent the community's" desires.
12. In August 2021, the District cancelled the Complainant's partner discovered health insurance coverage without notice to the Complainant or his partner.
13. When Complainant inquired about the cancellation of insurance coverage with the office staff, Patti Hoppus, District Bookkeeper told Complainant that "same sex partners cannot be included on family policies for any reason. That is policy and law".
14. In 2022, the Raymond Board President Jeremy Childers ("Childers") described Board Member Keller's leadership style "Keller never takes no for an answer. I do not understand the hate".
15. April 2022, Complainant's contract was signed by the board. Complainant's contract included a \$5,000 performance increase and approximately \$15,000 to cover the loss of benefit from the change in family coverage to single health insurance coverage, and his title changed to Deputy Superintendent.
16. June 2022, during an open board meeting, Superintendent Harder stated that the Complainant was named interim Superintendent and an interim principal was named. The board agreed to discuss compensation for added responsibilities for both interim positions.
17. The board never executed the promised compensation for the interim superintendent and principal.
18. Complainant was informed by a non-Raymond acquaintance, that while at a doctor's appointment, the nursing staff referenced Complainant by position and title and said, "he and his partner are trying to indoctrinate children".
19. The new board installed Michael Garvey as superintendent to enforce its political agenda.
20. In May 2023, Garvey put Complainant on a Plan of Improvement and referenced its "findings" in his POI. Garvey did not follow up in accordance to the plan details.
21. In March 2023, Complainant was directed by Garvey to teach Human Growth and Development to the 5th grade boys. Garvey demanded that another adult be present to observe Complainant's interactions and to "make sure he didn't indoctrinate the students."

22. In April 2023, at a Board meeting, Garvey reiterated that the “conservative values” of the Raymond district community will always be “honored and supported at the school. It is our duty to represent our community’s values”. Several community members approached the Complainant after the meeting and stated that they felt Garvey was becoming too “politically vocal and highly divisive” at public meetings.
23. In late June 2023, Garvey threatened Complaint with non-renewal.
24. Complainant gave permission for the district to confer with his legal representation. Garvey stated to Complainant’s attorney that Complainant could “be a great principal somewhere, just not here”.
25. On June 26, 2023, Garvey had a discussion with nearby staff on his beliefs Garvey, stated while looking directly at the Complainant, “I think they fired [a priest] the following year - I really think it was because he was gay”. “Do you know who that was?” Insinuating that the Complainant must know the priest because the Complainant is gay and all gay people know each other.
26. On June 28, 2023, during a curriculum meeting, Keller and Kostuch stated that they would not approve any science curriculum that did not use only male and female for gender terms. The discussion included that even plant species had to adhere to “straight terms” of male and female or no approval would be granted.
27. During the same curriculum and instruction meeting on June 28, 2023, Kostuch had a discussion with the Complainant about behaviors which could be exhibited by female students. Kostuch insisted that as principal, the Complainant must inquire with middle school girls as to “whether it was their time of the month or not” and that special considerations should be taken if a girl happens to get in trouble while she is having “her period”. Kostuch suggested that Complainant consider if students are actively menstruating when determining appropriate discipline measures. Kostuch stated, “It’s not their fault that they might be more moody at certain times of the month.” Complainant was completely taken aback by this comment. Furthermore, these “traps” are intended to sabotage the Complainant by bringing forth topics that can be considered sexualization.
28. At the August 23, 2023 Raymond Annual Community meeting, Raymond citizens passed two legal motions to commence action to terminate Garvey’s employment contract and “be prohibited from defending against a legal action or utilizing any District Funds to obtain legal services or counsel for the defense of any discrimination claim brought forth by any District Employee involving allegations of discrimination conducted by either Michael Garvey or the Board of Education”.
29. The board ignored the citizen’s group and took no action.

30. On September 27, 2023 the Raymond School Board voted 4-1 to consider non-renewal of Peterson's contract.
31. On September 28, 2023 Garvey escorted Peterson out of the building, two officers from the Racine Sheriff's Office were on site. Peterson's technology access was terminated, and his keys and other items were confiscated. Peterson was directed not to speak to anyone.
32. Peterson received notice that he was being investigated for undefined "misconduct".
33. Complainant's contract does not expire until 2025.
34. Based on these events, Respondent has violated the Wisconsin Fair Employment Act, §§ 111.322(1) and (3), by:
 - Discriminating against Complainant on the basis of his sexual orientation;
 - Discriminating against Complainant because of his gender.

Raymond School District

Ambition. Belief. Character.



VIA HAND DELIVERY

September 28, 2023

Jeff Peterson
Principal
Raymond School District #14

Re: Non-Disciplinary Paid Administrative Leave

Dear Mr. Peterson:

You are employed as a Principal in the Raymond School District #14 (District). As we discussed, the District is presently investigating allegations that you engaged in misconduct while performing your job for the District.

Effective immediately, you are hereby placed on a paid non-disciplinary administrative leave from your position with the District pending the outcome of the District's investigation. Therefore, unless otherwise directed by me, you are not to report to work or perform any other responsibilities of this position. You are required to turn over any keys or fobs that would allow you to access District property. The District has suspended your access to District issued technology, including your email account. If you have a personal email account that you would like us to use to communicate with you, please let us know.

During your administrative leave, the District may contact you to obtain information for the purposes of the investigation into your performance and conduct. You have a duty as an employee of the District to cooperate in all respects with regard to employment-related inquiries. You must be honest and forthcoming. We will attempt to give you reasonable and adequate notice of any such pending contacts, consultations, or meetings. Except as may be requested of you under this paragraph, you are not to initiate contact with any District employees, students,

2659 76th Street, Franksville, WI 53126

PHONE: 262.835.2929 | FAX: 262.835.2087 | WEBSITE: raymond.k12.wi.us

or parents and you are to refrain from taking any action which may disrupt District operations as a whole. Additionally, you are prohibited from taking any action to discourage witnesses from providing information to the District, any steps that could reasonably tend or are intended to threaten or intimidate any witness, or any other action that would compromise the integrity of this investigation or third parties' willingness to cooperate with this investigation.

Your failure to adhere to any and all of the directives within this letter will result in disciplinary action, up to and including termination, separate and distinct from any disciplinary action resulting from the District's investigation.

If you have reason to secure any personal effects from your workspace during this administrative leave, please contact me and we will make arrangements to get such items to you.

Thank you for your attention to this correspondence. If you have any questions about this administrative leave, please contact me directly.

Sincerely,

A handwritten signature in dark ink, appearing to read "M. Garvey Ph.D.", written over a horizontal line.

Michael P. Garvey, Ph.D.
Superintendent

cc: Personnel File