

Mitchell Berman Was At The Center Of An Incident That Led To Raymond School In Racine Going Into A Lockdown

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“Raymond School experienced a “soft lockdown” Wednesday over concerns about unnamed disruptions, but the person who may have been at the center of the disruption said he was just there to obtain public documents. Mitch Berman said he stopped into the office after dropping his daughter off for kindergarten. He made his open records request and not long after was escorted out of the school as it went into lockdown. He told the Racine County Eye he was the only person there at the time who was not employed by the school. Berman called the situation comical. ‘What’s more disruptive?’ he asked. ‘An open records request? Or putting school on lockdown?’” (Dee Hölzel, “Raymond School Witness Asks, ‘What’s More Disruptive Than A Lockdown?’,” [Racine County Eye](#), 9/28/23)

The Lockdown Was Initiated Following Berman’s Insistence That The School District Provided School Board Documents On Agenda Meeting Minutes. “Berman has been trying to obtain documents from a December school board meeting for quite some time. The agendas for the meeting were not posted to the school’s website, where agendas are always posted, and meeting minutes were not posted to the website in the 45 days imposed by Wisconsin Statute. He responded by filing an open meeting violation complaint with the Racine County DA’s Office. The Racine County Sheriff’s Office investigated. The core of the complaint, Berman explained, was a retreat held at the home of a school board member, with a quorum, to discuss district business. Therefore, under Wisconsin open meeting statutes, the agenda should have been posted, the meeting minutes should have been posted, and at the next meeting, the board should have voted to approve the minutes. None of those actions were taken. However, the school board did eventually provide investigators with the documents. Berman said he learned the school board met with the RCSO investigator on Monday and turned over what they purported to be the agendas and minutes from the December meeting. On Wednesday, after dropping his daughter off to kindergarten at Raymond School, he stopped into the office to request the documents. Initially, he was told he had to submit his request in writing, but that is incorrect. The law allows people to make verbal requests, Berman said. However, Berman cooperated and wrote out his request on a piece of paper he was given. Staff did not have access to the documents, so Berman was asked to sit and wait while staff contacted Michael Garvey, the superintendent. Berman said he sat and waited in a seat by the front counter. In the background, he could hear the laughter of kids and the general noise a person would hear in a school. There was no disruption. He said suddenly Jeff Peterson, the school principal, ‘came in and requested for me to leave the school.’ In fact, Peterson was sent by Garvey to tell Berman he had to go. This was followed by the ‘soft lockdown’ purportedly to prevent disruptions to students.” (Dee Hölzel, “Raymond School Witness Asks, ‘What’s More Disruptive Than A Lockdown?’,” [Racine County Eye](#), 9/28/23)

BERMAN’S LONGTIME DISPUTE WITH LOCAL SCHOOL BOARD

In 2023, Berman Criticized Raymond School’s Leadership, Warning That Ongoing School Board Issues Could Lead His Family To Withdraw Their Children From The District

In October 2023, Berman Criticized Raymond School’s Leadership, Warning That Ongoing School Board Issues Could Lead His Family To Withdraw Their Children From The District. “...According to a spring 2023 Wisconsin Education Association Council survey about Garvey’s work that was filled out by 23 of 34 Raymond School teachers, 96% of respondents either somewhat disagreed or strongly disagreed with the statement, “My district administrator has a good rapport with teachers and has established a firm trust level between administration and staff.” According to the survey, 91% of respondents either somewhat disagreed or strongly disagreed with

the statement, "The district administrator generally involves faculty in the decision-making process. He seeks our input and actually takes our views seriously when making final decisions." Jillian Berman said she has spoken to teachers who were in tears because of the "toxic" work environment school district officials have created. She worries that some of the excellent educators will leave Raymond School, a K-8 building with about 400 students. "It's only a matter of time before they can't take it anymore, and once we start losing these good teachers, what's going to replace them?" Jillian Berman said. "How are we going to draw in the brightest and the best when we're having these current problems?" The Bermans have one child who attends Raymond School and another who will soon start school. The couple said the building has great educators, but they have discussed sending their children elsewhere if their concerns with the School Board remain. "As much as I would hate to take out my kids ... if this continues and if we don't right the ship soon, we will pull our children," Mitchell Berman said... ("Raymond Community Asking For Accountability From School Board," [The Journal Times](#) (Racine, WI), 10/27/23)

In 2024, Berman Said He Transferred His Children To Another District Due To Concerns With The Raymond School Board

In December 2024, Berman Said He Transferred His Children To Another District Due To Concerns With The Raymond School Board. "...Berman sent his children to a different district this school year because of numerous issues with the Raymond School Board, staff departures and financial challenges. In a news release, Berman said the civil lawsuit should not have been necessary but that the settlement "reminds us all of the indispensable role that community members play in holding our elected officials accountable." "As stakeholders in our children's future and as taxpayers, we must continue to insist on transparency and integrity from our local officials," Berman said. "While the agreed-upon measures in the settlement represent a small step in the right direction, it is crucial that we, as a community, remain actively engaged and vigilant in holding the board accountable. We cannot afford to let this moment of accountability slip into complacency. ... It is a travesty that the Raymond Board of Education would prioritize their own futile legal defenses over the educational resources our children so desperately need. Yet, this result serves as a resounding affirmation that justice can emerge, provided the public remains vigilant and unyielding in their demands. I hope this serves as a call to action: we must not only hold our officials accountable but also cultivate an atmosphere where transparency and public trust can flourish."" ("Raymond School Board Admits To Violating State Open Meetings Law," [The Journal Times](#) (Racine, Wisconsin), 12/2/24)

In 2024, Berman Called For Raymond School Board President Audrey Kostuch's Resignation, Alleging Her Support For A Group Opposing LGBTQ+ Families

In July 2024, Berman Called For Raymond School Board President Audrey Kostuch's Resignation, Alleging Her Support For A Group Opposing LGBTQ+ Families. "During a board meeting last month, parent Mitchell Berman said Audrey Kostuch should step down because she supports a discriminatory organization and violated board policies. Kostuch did not respond to a request for comment. Speaking on behalf of some community members, Berman called for Kostuch's resignation because of a sign in the front yard of her residence. It is unclear when the sign was put up and how long it was displayed in Kostuch's yard, but Berman said he became aware of it in May. On Monday, July 15, the sign was not on display. According to pictures obtained by The Journal Times, the sign says, "Natural Family Month: Mother's Day to Father's Day" and has an illustration of a father, mother, son and daughter. At the bottom of the sign is a link to the Natural Family Foundation's website. The mission of the foundation is "to return the natural family to its rightful place as the foundation of our American culture," according to its website. "When we speak of family, we consider that to be without question one biological born man and woman in a lifelong, committed, monogamous relationship with their biological and/or adopted children," the NFF website states. "Anything outside of these NATURAL parameters by design causes undue stress on the marriage, children and society." During the public comment portion of the June 17 Raymond School Board meeting, Berman read a statement and said the natural family movement discriminates against

LGBTQ+ people and nontraditional families. He said the movement "promotes the idea that traditional heterosexual families are superior to all family structures and that our history as Americans depends on the growth of the natural family." Berman told The Journal Times that Kostuch is an elected official who should be "held to a higher standard," and he believes displaying the sign in her yard violates school board policy..." ("Despite Calls For Her Resignation, RSB Board President Remains In Position," The Journal Times (Racine, WI), 7/21/24)

In 2023, Berman Filed An Election Complaint Alleging Raymond School Officials Violated State Law By Improperly Handling A 2023 School Board Recount And Deviating From Procedures

In October 2023, Berman Filed An Election Complaint Alleging Raymond School Officials Violated State Law By Improperly Handling A 2023 School Board Recount And Deviating From Procedures. "...Berman filed his complaint with the Wisconsin Elections Commission, asking the commission to find that Garvey and Keller both violated state law. Garvey and Keller both could not be reached for comment. Wisconsin Elections Commission spokesman Riley Vetterkind declined to comment, citing confidentiality in the complaint process surrounding suspected campaign or election irregularities... Mitchell Berman said his complaint is unrelated to any previous conflicts with the village or school district, and unrelated to his wife's unsuccessful run for Raymond School Board last year. Berman said he and others in the community are interested only in accountability in local government. "We want things to be done legally," he said. The complaint stems from an April 2023 school board election in which voters elected Amanda Falaschi and Amy Helvick, leaving Art Binhack and Shelly Kurhajec out of the running. A recount later verified the outcome of the election. While Berman does not dispute the results of the recount, he cites many alleged improprieties, some of which he contends amount to election fraud. According to the complaint, Keller should have overseen the recount as clerk of the school board. Keller, however, failed to perform her duties, the complaint states, and instead Garvey assumed an inappropriate role in handling the recount. As superintendent hired by the school board, Garvey "had a significant conflict of interest and financial stake in the results of the election," Berman wrote. Garvey was serving as interim superintendent at the time, and board members later hired him as superintendent. Berman alleges that both Garvey and Keller violated state law by "intentionally deviating from the process for recount." ("Complaint Alleges School Officials Broke Law," The Journal Times (Racine, WI), 10/14/23)

In 2023, Berman Led A Recall Effort Against Two Raymond School Board Members

In December 2023, Berman Led A Recall Effort Against Two Raymond School Board Members. "Two signed recall petitions were submitted to the Raymond School Board before its regular meeting Monday night. A group of concerned parents and community members filed recall petitions in October against School Board members Janell Wise and Gwen Keller. "Our only agenda is to have (the board) follow the rules," parent Mitchell Berman told The Journal Times. "We're just asking for transparency and to follow the law." Community members and parents handed in the signed petitions with what they said are more than enough signatures to result in a recall election. There were 667 signatures to recall Wise and 666 signatures to recall Keller. Each petition required 497 signatures by Dec. 26, according to Berman. The School Board has 31 days to verify if there are enough signatures. If that is verified, a recall election would occur on the sixth Tuesday after the board certification. "They have to certify it, so we're not there yet, but I think we've done our due diligence," Berman said. After the signed petitions were handed in, Shana Lewis, Raymond School District legal counsel, said the School Board would review them..." ("Recall Paperwork Filed," The Journal Times (Racine, WI), 12/20/23)

In 2024, Berman Filed An Election Complaint Alleging Two Raymond School Board Members Misled Residents During A Recall Effort, Resulting In False Affidavits To Remove Signatures From Recall Petitions

In March 2024, Berman Filed An Election Complaint Alleging Two Raymond School Board Members Misled Residents During A Recall Effort, Resulting In False Affidavits To Remove Signatures From Recall Petitions. “A complaint alleges that a current and a former Raymond School Board member committed election fraud related to the School Board's Feb. 27 recall election. Mitchell Berman, a parent with children attending Raymond School, filed the complaint with the Wisconsin Elections Commission against Gwen Keller and Janell Wise in their individual capacities. It alleges that, as part of their challenges to the recall petitions, Keller and Wise “perpetrated felony election fraud” by misleading people who signed recall petitions to falsely claim that the purpose of the recall election was misrepresented to them. As a result of Keller and Wise's misrepresentations, 11 people unlawfully signed affidavits asking to have their names removed from the recall petitions, the complaint argues. The complaint does not advocate for charges against the people who signed affidavits. “Rather, the focus is on holding Ms. Keller and Ms. Wise accountable for their deliberate orchestration of a campaign rife with falsehoods and deceit, aimed at coercing residents into falsely swearing for their own political advantage,” the complaint states. Keller resigned from the School Board in January before the recall election. In a text message, Keller wrote that the complaint is malicious “and a waste of WEC resources.” In a Facebook comment in February responding to Berman's post about his plans to file a complaint with the WEC, Keller wrote, “There is no felony election fraud. I personally spoke with the WEC many times about this topic.”...” (“Complaint Alleges Election Fraud Related To Raymond School Board Recall,” [The Journal Times](#) (Racine, WI), 3/8/24)

In 2025, Berman's Two Complaints With The Wisconsin Elections Commission Against Raymond School Officials Were Dismissed After The Commission Found Insufficient Evidence Of Violations

In June 2025, Berman's Two Complaints With The Wisconsin Elections Commission Against Raymond School Officials Were Dismissed After The Commission Found Insufficient Evidence Of Violations. “Two Wisconsin Elections Commission complaints against former Raymond School officials were dismissed earlier this year. Both complaints were filed by Mitchell Berman, a parent with children who previously attended Raymond School. One complaint was filed in fall 2023 against the Raymond School District regarding the handling of a School Board election recount in April 2023. The complaint alleged that Michael Garvey, former Raymond School District superintendent, and Gwen Keller, former Raymond School Board member, both conducted themselves inappropriately during the recount. The WEC dismissed the complaint March 7 after determining that it “does not raise reasonable suspicion” under state law. The second complaint, filed in February 2024, alleged that former Raymond School Board members committed election fraud related to the School Board's February 2024 recall election. Berman filed the complaint against Keller and Janell Wise in their individual capacities. It alleged that, as part of their challenges to recall petitions, Keller and Wise “perpetrated felony election fraud” by misleading people who signed recall petitions to falsely claim that the purpose of the recall election was misrepresented to them. The WEC dismissed the complaint May 27 after determining that it “does not raise reasonable suspicion” under state law. Berman “has not done anything more than make a general allegation, unsupported by details or evidence, that the affidavits submitted by signatories who wished to have their signatures removed from the recall petition contained false information,” the WEC wrote in its closure letter...” (“Complaints Against Former Raymond School Officials Dismissed,” [The Journal Times](#) (Racine, Wisconsin), 6/27/25)

BERMAN FILED AN OPEN MEETINGS COMPLAINTS AGAINST THE LOCAL SCHOOL BOARD

In 2023, Berman Filed An Open Meetings Complaint Against The Raymond School Board, But The Racine County Sheriff's Office Closed The Investigation

In November 2023, Berman Filed An Open Meetings Complaint Against The Raymond School Board, But The Racine County Sheriff's Office Closed The Investigation. "The Racine County Sheriff's Office has closed its investigation and is not recommending charges regarding an open meeting law complaint against the Raymond School Board. The open meeting law complaint argued that the School Board violated state law by not properly posting notice and minutes of a meeting last December. Lt. Michael Luell, Racine County Sheriff's Office public information officer, wrote in an email that the "open meetings law violation case has been closed with a determination of no probable cause by the Sheriff's Office. Nothing was forwarded to the DA's Office." According to Luell, the RCSO investigation began Sept. 5 and finished at the end of October. Raymond School parent Mitchell Berman filed the open meeting complaint with the Racine County District Attorney's Office. The complaint was investigated by the Racine County Sheriff's Office. Berman said he plans to request the records from the RCSO investigation and might refer the matter to the state Department of Justice. Raymond Superintendent Michael Garvey and Raymond School Board President Audrey Kostuch did not respond to a request for comment about the open meeting complaint investigation closure..." ("Sheriff's Office Closes Raymond School Open Meeting Investigation," [The Journal Times](#) (Racine, WI), 11/4/23)

Berman Alleged The Raymond School Board Held An Unannounced Retreat In Violation Of The State's Open Meeting Law

Berman Alleged The Raymond School Board Held An Unannounced Retreat In Violation Of The State's Open Meeting Law. "...A violation of state open meetings law could have resulted in fines of between \$25 and \$300. The complaint centered on a Raymond School Board retreat last December. According to the complaint, the School Board met at Kostuch's house on Dec. 15 for a retreat, but there was no advance notice for the meeting. The public did not know about the Dec. 15 meeting until the School Board's Dec. 19 business meeting when board members discussed it, according to the complaint. According to the complaint, Garvey, who was interim superintendent at the time, said the Dec. 15 meeting was open to the public because community member Art Binhack was present. Binhack unsuccessfully ran for Raymond School Board in April. "However, Mr. Garvey could not explain how Mr. Binhack knew about the meeting since it was never publicly posted," the complaint states. Berman said he filed the open meeting complaint on behalf of a "much larger group of people alongside me" who want more transparency from the School Board. "We would appreciate it if you brought us into this discussion that you're having," Berman said. "The American type of government revolves around an informed electorate, and if you're doing things behind closed doors, how are we able to approve of or disapprove of what you're doing? It goes against everything that our government stands for and what it's supposed to be. It's for the people, and we should have a voice in how that happens." ("Sheriff's Office Closes Raymond School Open Meeting Investigation," [The Journal Times](#) (Racine, WI), 11/4/23)

In 2024, Berman Sued The Raymond School Board, Alleging It Violated Wisconsin's Open Meetings Law By Holding An Unannounced 2022 Retreat And Failing To Disclose Or Document It Properly

In April 2024, Berman Sued The Raymond School Board, Alleging It Violated Wisconsin's Open Meetings Law By Holding An Unannounced 2022 Retreat And Failing To Disclose Or Document It Properly. "A civil lawsuit filed Thursday against the Raymond School Board alleges a violation of open meetings law related to a December 2022 retreat. The lawsuit claims that the Raymond School Board violated state open meetings laws by not properly providing notice about the December 2022 retreat, not holding it in open session and not properly providing notice about the subject matter of the meeting. The civil lawsuit was filed in Racine County Circuit Court by Mitchell Berman, a Raymond School parent and resident, "in the name, and on behalf, of" the state. The School Board has 20 days to respond. If decided in the plaintiff's favor, the case could result in each board member at the December 2022 retreat paying between \$25 and \$300 in fines, a declaration that the retreat was illegal and the payment of Berman's attorney costs. Berman said in a

statement that he is "deeply disappointed" with the School Board's conduct over the past two years and that he filed the lawsuit "after exhausting all other options." In an email, Raymond School Board President Audrey Kostuch said she had "no knowledge of the lawsuit." "You have more knowledge of this than I do," she wrote in an email. Lawsuit allegations The allegations in the civil lawsuit are similar to an open meeting law complaint Berman filed in September 2023 against the board. In late October 2023, the Racine County Sheriff's Office closed its investigation and did not recommend charges regarding that complaint. A new aspect of the civil lawsuit involves Berman alleging the School Board did not properly provide notice about the subject matter of the December 2022 retreat because it did not include that a permanent superintendent search would be discussed. The lawsuit also alleges the School Board falsely produced minutes for the December 2022 retreat during the RCSO investigation. "Those minutes were never approved by the Board and they were created after Berman filed his verified complaint" in September 2023, according to the lawsuit. According to the lawsuit, the School Board met at Kostuch's house on Dec. 15, 2022 for a retreat, but there was no advance notice for the meeting, which is required under state law. According to the lawsuit, the public did not know about the gathering until the School Board's Dec. 19, 2022 meeting when board members discussed the retreat. The lawsuit also claims that the School Board planned to hold a retreat in August 2023 at Kostuch's house. The board posted an agenda in advance but canceled the meeting "when it became clear that members of the public intended to attend the retreat," according to the lawsuit..." ("Civil Suit Against Raymond School Board Alleges Open Meeting Law Violation," The Journal Times (Racine, WI), 4/14/24)