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July 5, 2023

Mankah Mitchell  
Ben Roovers  
Office of Legal Counsel  
Madison Metropolitan School District  
545 W. Dayton Street  
Madison, WI 53703

Re: Summary of the Investigation Into Allegations Against Tim LeMonds

Dear Attorneys Mitchell and Roovers:

On May 1, 2023, the Madison Metropolitan School District (District) formally engaged the services of Renning, Lewis, & Lacy, s.c., to investigate allegations of misconduct, including retaliation, against the District's Executive Director, Communications and Public Affairs, Tim LeMonds. On behalf of the District, you explained the need for a prompt, thorough, fair, and impartial investigation followed by the preparation of a written investigative report for the District. I said I understood.

From May 11, 2023, and June 16, 2023, I interviewed current and former District employees: Jodi Fiedler, Ian Folger, Marti Glaser, Ellie Herman, Amy Knight, Jared Kururzovich, Tim LeMonds, Lisa Mortenson, Brad Mackey, Richard McGregory, Liz Merfeld, and Michael Wetzal. I also reviewed the records provided to me by the District, Mr. LeMonds, and by the various witnesses.

Below is a summary of my findings and conclusions, after considering all of the evidence collected during my investigation:

1. Mr. LeMonds engaged in retaliation against and bullying toward Ellie Herman. The facts supporting this conclusion include, but are not limited to:
  - a. From January 2022, until May 2022, Mr. LeMonds pursued a salary increase for Ms. Herman. He informed Ms. Herman and several others within the Communications Department about his efforts.

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- b. In May 2022, when Mr. LeMonds learned that Ms. Herman had followed up with the District's Human Resources Department (HR) directly about the salary increase, he intentionally ceased all efforts to pursue a salary increase for her.
- c. Mr. LeMonds never told Ms. Herman of his decision to stop pursuing the salary increase for her. Mr. LeMonds did, however, tell at least two colleagues within the Communications Department that he would no longer be pursuing a salary increase for Ms. Herman because of her decision to contact HR.
- d. In Fall 2022, Mr. LeMonds assigned other Communications Department employees to supervise Ms. Herman. Mr. LeMonds did not inform Ms. Herman's newly assigned supervisors that she was waiting for a response to her request for a salary increase. In fact, with one supervisor, Mr. LeMonds told him that Ms. Herman had wanted a higher salary, but Mr. LeMonds wanted to see more productivity from Ms. Herman before he would advocate for her.
- e. Starting in and around December 2022, after he learned Ms. Herman had filed a complaint against him.
  - (1) Mr. LeMonds largely stopped interacting with Ms. Herman, which impeded her ability to perform the functions of her employment. He did not pick up the phone when she called; he delayed responses or failed to respond to her email correspondence; and he avoided working directly with her.
  - (2) Mr. LeMonds also attempted to interfere with Ms. Herman's relationships with other Communications Department employees by informing them that she had made accusations against them within or related to the complaint against him.
- f. In March 2023, Mr. LeMonds reported his concerns about Ms. Herman's conduct to HR and inaccurately attributed the concerns to another employee within the Communications Department.

Mr. LeMonds' retaliation against Ms. Herman violates several provisions of the Employee Handbook, including but not limited to Section 2.2, 3.1 3.21, and 3.41. It is also inconsistent with the District's expectations for a leader/supervisor in the District. See Section 2.2 of the Employee Handbook.

2. Mr. LeMonds engaged in retaliation against and bullying toward Michael Wetzel. The facts supporting this conclusion include, but are not limited to:

- a. In December 2022, when Mr. LeMonds learned that Mr. Wetzel had filed a complaint against Mr. LeMonds, Mr. LeMonds assigned Mr. Wetzel<sup>1</sup> to staff the reception desk at the District's office; something Mr. Wetzel had not been assigned to do previously.
- b. Starting in and around December 2022, when Mr. LeMonds learned that Mr. Wetzel had filed a complaint against Mr. LeMonds, Mr. LeMonds resurrected prior discussions about eliminating Mr. Wetzel's position in order to remove him from the Department. Mr. LeMonds continued to pursue the elimination of Mr. Wetzel's position through May 2023.

Mr. LeMonds' retaliation against Mr. Wetzel violates several provisions of the Employee Handbook, including but not limited to Section 2.2, 3.1, 3.21, and 3.41. It is also inconsistent with the District's expectations for a leader/supervisor in the District. See Section 2.2 of the Employee Handbook.

3. Mr. LeMonds was dishonest with District employees, including his supervisor, and insubordinate toward his supervisor, Dr. McGregory. The facts supporting this conclusion include, but are not limited to:

- a. On or about September 8, 2022, Mr. LeMonds contacted Mr. Folger to explain his leadership philosophy and plans for the position that had been offered to Mr. Folger, to identify his efforts to increase the salary for this position, to address confusion about the title and the responsibilities, and to encourage him to accept the position. During the call, Mr. LeMonds told Mr. Folger: "the job is how I've described it to you, not HR."
- b. In October 2022, Mr. LeMonds provided inaccurate information to Dr. McGregory and others when he reported that Ms. Fiedler and other female Communications Department employees had complained about Mr. Kururzovich.
- c. Despite being encouraged to work with HR and within the District's established systems, when he did not receive the answers, he wanted and/or when the systems interfered with his goals/objectives, Mr. LeMonds

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<sup>1</sup> Mr. LeMonds also assigned Brad Mackey to staff the reception desk at the District's office, which is something Mr. Mackey had not previously been assigned to do. Mr. Mackey had also filed a complaint against Mr. LeMonds.

would disregard or undermine the efforts of HR and the District's established systems.

Mr. LeMonds' conduct, as described above, violates several provisions of the Employee Handbook, including but not limited to Section 3.1, 3.16, and 3.21. It is also inconsistent with the District's expectations for a leader/supervisor in the District. See Section 2.2 of the Employee Handbook.

4. While Mr. LeMonds led the District's Communications Department, the Communications Department employees experienced significant challenges as a result of Mr. LeMonds' leadership style. They struggled to understand their role and to work collaboratively and efficiently as a result of Mr. LeMonds' refusal to utilize a set structure, organizational chart, job descriptions, or other methods of assigning responsibilities to employees to avoid overlaps and gaps. The facts supporting this conclusion include, but are not limited to:
  - a. Nearly all of the Communications Department employees confirmed that their job duties often changed based on Mr. LeMonds' directives (some reactive and some proactive).
  - b. Periodically, the Communications Department employees would find out from others about a new rule or responsibility or that someone else had been assigned their tasks. Many of the Communications Department employees expressed displeasure and dissatisfaction with this approach to leadership.
  - c. When Mr. LeMonds had shared his philosophy of making all Communications Department employees generalists with Dr. McGregory, Dr. McGregory cautioned Mr. LeMonds about using a structure with too much flexibility. Dr. McGregory encouraged Mr. LeMonds to work closely with HR to help him navigate the District's structure and procedures. Mr. LeMonds did not engage in any meaningful discussions his philosophy with HR about his philosophy or his resulting plans for the Communications Department employees.
5. Substantial evidence does not exist to support a finding or conclusion that Mr. LeMonds engaged in discrimination or harassment on the basis of any protected classification toward Ms. Herman, Ms. Fiedler, Ms. Knight, or Mr. Wetzel. While Mr. LeMonds' comments to employees in the Communications Department were often awkward and caused discomfort to others, the evidence does not support a conclusion that Mr. LeMonds' conduct toward these employees was discriminatory or harassing, as those terms are defined in the District's policies.

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Based on the above-referenced findings and conclusions, Mr. LeMonds' conduct warrants serious disciplinary action, up to and including termination. The Communications Department has become ineffective and inefficient under Mr. LeMonds' leadership. It is clear that Mr. LeMonds' continued employment in the position of Director of Communications will have a negative impact on retention of the current employees within the Department of Communications and will likely create an obstacle to attracting candidates to the Department.

Please contact me if anything in this report requires further explanation or follow-up. Thank you.

Very truly yours,

Renning, Lewis, & Lacy, s.c.



Shana R. Lewis