

To: Common Council  
From: John Weidl- City Manager  
Date: May 16, 2025  
Re: Council Direction on School Resource Officer RFP

This memo presents a detailed account of concerns arising from the Whitewater Unified School District's (WUSD) handling of the School Resource Officer (SRO) contract process. The intent is to document how the District did not engage in good-faith negotiation, likely violated Wisconsin Open Meetings Law, and has withheld key documents that informed its decision-making, all while signaling that it would still welcome a bid from the City. I am requesting formal Council direction on how to proceed.

This matter is before the Council to ensure complete public transparency and deliberate direction.

### Chronology of Events and Summary of Issues

#### 1. Council-Approved 120-Day Extension Was Never Considered

On April 15, 2025, the Common Council unanimously directed staff to offer a 120-day contract extension to allow time for the incoming Superintendent to assess the SRO program and potentially avoid disruption. This offer was accompanied by:

- A formal letter from Chief Meyer,
- A redlined draft contract for immediate review, and
- A sincere willingness to collaborate.

At a May 16 meeting (please see Chief Meyer's summary email) between WUSD representatives, City Council President and President Pro-Tem, and Chief Meyer, the District admitted:

- The School Board did not discuss the City's extension proposal,
- The Board never saw Chief Meyer's letter, and

Instead, the District proceeded to launch a competitive RFP process while keeping City officials in the dark about its release and timeline.

## 2. Board Used Closed Session to Discuss Undisclosed Grievance Document

The Board's agenda for the meeting, at which it chose to seek new proposals, cited Wis. Stat. § 19.85(1)(f), which permits closed-session discussion of sensitive personal data or disciplinary issues where public disclosure would likely harm an individual's reputation.

Specifically, the agenda included this language:

"...to discuss employee leave of absence, employee sick days, SRO agreement and contract negotiation, nonrenewals, and negotiations."

However, according to Chief Meyer's report:

- The SRO agreement itself was not discussed.
- Instead, an individual Board Member presented a document of grievances about an employee not employed by WUSD, which the administration had not compiled, vetted, or provided to the City.
- This document has still not been shared, although it informed Board direction and was used during a closed session claimed to be about personnel or contractual matters.

There is no legal justification under § 19.85(1)(f) to close a meeting to discuss a Board-authored grievance list that was neither disciplinary nor subject to HR oversight. This appears to be a misuse of closed session statutes.

If the document is not received before the next Common Council meeting, I intend to file a formal open records request. Council should also consider whether referral to the District Attorney or independent counsel is appropriate.

## 3. Lack of Transparency in the RFP Process

At the May 16 meeting, District officials admitted that:

- They did not know where the RFP was published,
- The City had not received the RFP, and
- An unnamed private entity had already received and planned to respond, despite no apparent public distribution.

The District further stated that any submission by the City should be reformatted to match the RFP language, which has yet to be provided. While they verbally expressed a preference for maintaining the Whitewater Police Department in schools, their actions contradict that claim.

This irregular process, paired with the failure to consider our formal proposal, raises legitimate concerns about whether the RFP was structured to allow meaningful participation from all providers or to validate a decision already made behind closed doors.

#### What the Public Should Know

As this issue moves into public discussion, and likely into media coverage or third-party commentary, the following must be made clear:

- The City of Whitewater adhered to every legal, ethical, and professional expectation: we proposed a path forward, thoroughly documented it, and remained responsive.
- The School District Administrator failed to fulfill their duty to ensure proper review of our proposal, resulting in decisions being made without transparency or adequate deliberation.
- The grievance list created by one of its members was used in closed session without legal grounds or public disclosure.
- The RFP was launched without notifying the City, while at least one outside entity was already preparing a response.
- Despite all of this, we are now being asked to submit a proposal into a process built on procedural shortcuts, undisclosed documents, and legal ambiguities.

The public deserves to understand that this is not a policy disagreement. It is a breakdown of basic governance, transparency, and accountability. We owe it to our residents, students, and officers not to lend credibility to a process that has been deeply flawed from the outset.

Council Direction Requested

To proceed responsibly, I request Council direction on the following:

1. Whether the City should submit a response to the RFP by May 27 or instead formally decline to participate due to legal and ethical concerns.
2. Whether to initiate a formal open records request for the grievance document, and if not received, consider legal review of the Board's use of closed session under § 19.85(1)(f).
3. Whether to notify the District Attorney of a potential violation of Open Meetings Law due to the use of undisclosed documents and improper statutory citation.

This memo does not ask the Council to pick a side. It lays out the record as it occurred. The public deserves to see how the sausage was made. Now it is for the Council to decide whether participation in this process is appropriate, given what we now know.

Best-



John S. Weidl  
City Manager, City of Whitewater  
JSW