

512 EMPLOYEE HARASSMENT

The Williams Bay School District does not tolerate harassment, including unwelcome or nonconsensual conduct of a sexual nature in any form and will take all necessary and appropriate action to eliminate it, up to and including discipline which may result in termination of a staff member. It is the policy of the School District to maintain and attempt to ensure a working environment free of any form of harassment toward employees by students, employees, school board members, volunteers and/or applicants on the basis of sex, race, marital status, creed, religion, national origin ancestry, sexual orientation, gender identity, color, age, disability or any other factor outlined in law. Harassment undermines the integrity of the School District and the accomplishment of its educational goals. Policy 512.1 relates to reports and formal complaints concerning Title IX sexual harassment against employees, and any reports and formal complaints will be processed under this policy.

All employees and regular volunteers of the District are required to be familiar with, and comply with, the policy of the District prohibiting employee harassment. This policy, will be included in the Employee handbooks, and will be reviewed with staff.

Harassment can arise from a broad range of unwelcome physical or verbal behavior which can include, but is not limited to, the following:

- Racial, ethnic or religious insults or slurs,
- Persistent name calling, using an employee as the focal point of jokes, offensive comments/remarks
- Physically or socially excluding an employee from work related activities
- Pushing, poking, tripping, assaulting or threatening assault
- Damaging an employee's property or work area
- Nonverbal threats or gestures that convey threatening, intimidating or insulting messages

Sexual harassment is defined as unwelcome requests for sexual favors or deliberate verbal or physical conduct of a sexual nature, whether or not repeated, that is sufficiently severe to create a hostile work environment. Conduct which may constitute sexual harassment under this Policy and Policy 512.1 includes, but are not limited to, any of the following:

- Verbal comments, including statements or jokes of a sexual nature or jokes that are degrading or humiliating based on gender;
- subtle or overt pressure for sexual activity;
- inappropriate staring or leering at another person;
- pinching, patting or other forms of unwanted touching such as intentionally brushing against someone;
- graphic comments concerning the victim's body;
- sexually suggestive objects, pictures or gestures;

- sexually degrading words used to describe the victim;
- propositions of a sexual nature;
- the threat or insinuation that the lack of sexual submission will adversely affect the victim's employment or other conditions that affect the victim's work environment;
- persistent requests for social/sexual encounters;
- sexual assaults as defined by Wisconsin law.

Retaliation

No District employee, school board member, or student shall attempt to restrain, interfere with, coerce, discriminate or take reprisal action against the complainant or his/her witnesses during or after the presentation, processing and resolution of a complaint.

Procedure of Filing an Harassment Complaint

The building principals are responsible for coordinating regulations concerning harassment in their work sites. The Director of Special Education/ School Psychologist is designated as the "Title IX Coordinator" in the District.

It is important for these procedures to respect and advance the rights of all parties, including the protection of personal privacy interests and the protection of the reputation of all concerned and involved parties. In order to ensure fair procedures and to protect these interests, all parties are encouraged to keep these matters confidential. All investigating and reviewing officers are charged with the responsibility to hold these matters in the strictest possible confidence in order to guard against the unnecessary or inadvertent disclosure of information relating to any pending charges or investigations.

Employees, or others who believe they are the victims of harassment should immediately report their concerns to the Building Principal. If the complaint involves the Principal, then the District Administrator. If an adult employee other than the principal receives the complaint, the employee shall forward the complaint to the principal or other administrator for review and action as necessary.

Incidents of sexual harassment should be reported to the Title IX Coordinator.

The District shall provide an opportunity for resolution of a harassment complaint on an informal basis after the complaint has been filed. For the informal resolution of a complaint, the principal shall act as a facilitator if the complainant wishes to resolve the matter short of a full investigation.

Formal complaints will be taken seriously and will be subject to thorough review and immediate investigation by the receiving officer or designee.

1. A person who believes he or she has been subjected to harassment by supervisors, co-workers, students, volunteers, or school board members, shall immediately report the

harassment. If the complainant's charge involves someone in the complaint process or if the complainant is uncomfortable discussing the matter with one of the designated persons, he/she may report to any other supervisor up to and including school board members.

2. Any District employee who is aware of harassment, whether or not that employee is a victim of harassment, has an obligation to report such harassment to the building principal and/or Title IX Coordinator / Compliance Officer.

3. While complaints can be filed orally or in writing, at a time when they become a formal complaint, they should be placed in writing and signed and should include the specific nature of the harassment and corresponding dates and also the name(s) of the harasser and any witnesses.

4. The District shall provide prompt, complete, independent and impartial investigation of the complaint. The harassment investigation will be conducted by the building principal. The investigator shall, in accordance with District policies, investigate the complaint, notify the person who has been accused of harassment, obtain a response to the allegation and arrange a meeting to discuss the complaint with all concerned parties.

5. If the complainant is satisfied with the response in an informal resolution and an informal resolution is arrived at, the terms of such resolution shall be reduced to writing and made a part of the complaint file. If the complainant is not satisfied with the response, the principal shall then proceed with the formal complaint procedures.

6. The results of the investigation of each formal complaint filed under these procedures will be reported in writing to the complainant, respondent, and the District Administrator by the principal. Upon receipt of the report, the District Administrator will take such action as appropriate, based upon the results of the investigation. The complainant will be advised of any action taken as a result of the complaint.

7. If the complainant is not satisfied with the answer, a written complaint may be filed with the School Board within fifteen (15) working days after receipt of the response from the District Administrator. The Board will hold a meeting at which the complainant will be given the opportunity to present the complaint. The Board will give a written answer to the complaint following completion of the meeting.

These procedures do not deny the right of any individual to pursue other avenues of recourse, which may include filing charges with an appropriate agency or agencies, initiating civil action or seeking redress under state criminal statutes and/or federal law.

LEGAL REFERENCE: Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Wisconsin Statutes, Sections 111.32(13), 111.36

CROSS-REFERENCE: 512 – Exhibit (Employee Harassment Report Form)

APPROVED: August 8, 1994

REVISED: March 10, 2003

November 9, 2017

August 5, 2020

November 20, 2023