

The District does not tolerate harassment or bullying of employees, as such actions are disruptive to the educational environment and detrimental to the staff's health and safety.

"Harassment" is defined as behavior toward an individual based, in whole or in part, on a person's sex, race, religion, national origin, color, ancestry, creed, pregnancy, marital status, sexual orientation, disability, age or other protected status which has the purpose or effect of: (1) creating an intimidating, hostile or offensive work environment; (2) interfering with a person's work performance; or (3) otherwise adversely affecting a person's employment opportunities. Harassment can occur as a result of a single incident or a pattern of behavior.

"Sexual harassment" is defined as any unsolicited and unwelcome sexual advances, requests for sexual favors or other sexual conduct, either verbal or physical, directed at a person of the same or opposite gender as the harasser when:

- submission to such conduct is made, either explicitly or implicitly, a term or condition of a person's employment or advancement;
- submission to or rejection of such conduct by an employee is used as the basis for employment decisions;
- such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile, or offensive work environment.

Examples of prohibited sexual harassment include, but are not limited to, the following: lewd or sexually suggestive comments; sexual flirtations; touching; advances or propositions; off-color language or jokes of a sexual nature; slurs and any other verbal, graphic, or physical conduct relating to an individual's gender; any display of sexually explicit pictures, greeting cards, articles, books, magazines, photos, or cartoons.

"Bullying" includes, but is not limited to, physical intimidation or assault, extortion, oral or written threats, teasing, name-calling, put-downs, threatening looks, false rumors, false accusations, retaliation for reporting harassment or bullying, and similar activities.

All employees are responsible for ensuring that harassment and bullying do not occur and for reporting alleged harassment or bullying. An employee who believes he/she has been subjected to harassment or bullying by anyone, including supervisors, co-workers, students, or Board members, shall immediately report it in accordance with the District's employment and harassment discrimination reporting procedures. Any employee who is aware of harassment/bullying, whether or not that employee is a victim of same, also has an obligation to report it. All reports regarding employee harassment or bullying shall be taken seriously, treated fairly and promptly and thoroughly investigated. Identities of the parties involved shall be kept confidential to the extent possible, consistent with legal requirements and District policy.

No one shall attempt to restrain, interfere with, coerce, or take reprisal action against a complainant or witnesses during or after the presentation, processing, and resolution of a complaint.

Any employee who violates this policy is subject to disciplinary action up to and including discharge. Disciplinary action against an employee shall be in accordance with applicable state and federal law, administrative rules and District policy. In addition, supervisory employees who fail to respond to harassment or bullying reports or to act on their knowledge of violation of this policy will likewise be subject to disciplinary action, up to and including discharge.

This policy and related reporting procedures shall be published annually and distributed to all staff. District staff will be required to sign an acknowledgment of receipt of the policy and procedure on an annual basis. Training shall be conducted annually on this policy for all staff in the District.

WISCONSIN STATUTES

- [Section 111.31](#) [declaration of fair employment policy]
- [Section 111.32\(13\)](#) [definition of sexual harassment in employment]
- [Section 111.321](#) [prohibited bases for discrimination]
- [Section 111.322](#) [discriminatory actions prohibited]
- [Section 111.36](#) [sex discrimination prohibited in employment, including sexual harassment]
- [Section 118.20](#) [teacher/administrator discrimination prohibited]
- [Section 120.13\(1\)](#) [school board power to set rules of conduct and order]
- [Section 947.0125](#) [unlawful use of electronic communications]
- [Section 947.013](#) [harassment prohibited]

FEDERAL LAWS

- [Title VII of the Civil Rights Act of 1964](#) [race, color, religion, sex and national origin discrimination prohibited in employment]
- [Regulations Implementing Title VII of the Civil Rights Act \(29 C.F.R. – Part 1604.11\)](#) [employment discrimination; sexual harassment]
- [Regulations Implementing Title IX of the Education Amendments of 1972 \(34 C.F.R. – Part 106.51\)](#) [sex discrimination in employment in educational programs]

Cross References:

Adoption Date: 6/24/2019