

EMPLOYEE HARASSMENT POLICY

The School District of Jefferson is committed to providing a professional and respectful work environment that is free from harassment. All employees, including supervisors, and other management personnel are required to abide by this policy. In addition, the District shall not tolerate acts of non-employees (volunteers, vendors, etc.) that have the effect of harassing District employees in the workplace. No person will be adversely affected in employment as a result of bringing a harassment complaint.

Harassment is defined as:

- Any act or attempted act intended to cause physical injury, or emotional suffering or property damage through intimidation, stress, humiliation, bigoted epithets, vandalism, force or threat of any of the above, motivated by, but not limited to hostility towards the victim's real or perceived sex, race, color, religion, national origin, ancestry, creed, pregnancy, marital status, sexual orientation, disability/handicap or any other basis protected by state or federal law.

Sexual harassment is defined as:

- Unwelcomed sexual advances, requests for sexual favors and other inappropriate verbal or physical conduct of a sexual nature made by a district employee when such conduct has a purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive school environment. Sexual harassment may include, but is not limited to verbal harassment or abuse, pressure for sexual activity, repeated remarks to a person with demeaning implications of a sexual nature, and/or unwelcomed touching.
- It should be noted that this policy recognizes that harassment occurring via electronic communication mediums is expressly prohibited under this policy. This form of harassment is not limited to activity done on school property or school computers.

Any employee who perceives that he or she has been harassed as per the above definitions should report the matter to his or her principal or supervisor by completing the Harassment Complaint Form [ACA-E(1)]. If the employee feels that it would be unproductive to inform that individual, the employee should contact the Superintendent of Schools to make the complaint. All complaints regarding employee harassment shall be taken seriously, treated fairly and promptly and thoroughly investigated. Individual privacy will be protected to the extent possible. There will be no retaliation against any person who files a complaint under this policy. Reporting incidents of harassment is not intended to impair, replace, or limit the rights of any employee to seek a remedy under state or federal law.

The District shall take appropriate and necessary action to address and eliminate any form of employee harassment. Actions that are determined to be harassment will be considered misconduct and shall be subject to disciplinary action, up to and including termination of employment. In addition, employees who fail to respond to harassment complaints or to act on their knowledge of violation of this policy may be subject to disciplinary action.

All district employees are responsible and accountable so that harassment in any form does not occur. Administrators, as agents of the district, are responsible to provide leadership in creating and maintaining a harassment-free environment.

This policy and its accompanying procedures shall be presented to all new employees, placed in employee handbooks as appropriate, and discussed with employees annually.

ADOPTED: July 23, 1990

REVISED: December 17, 1990
March 20, 1995
February 24, 2003
May 24, 2010

LEGAL REF.: Wisconsin Statutes: 111.31
111.32(13)
111.36
Title VII, Civil Rights Act of 1964
Title IX, Education Amendments of 1972

CROSS REF.: ACA-R, Guidelines for Implementing the District's Employee Harassment Policy
ACA-E(1), Harassment Complaint Form
ACA-E(2), Staff Harassment Investigation Report Form

REVIEW DATE: October 24, 2011

GUIDELINES FOR IMPLEMENTING THE DISTRICT'S EMPLOYEE HARASSMENT POLICY

The District will take appropriate steps to address and eliminate any form of harassment from the school/work environment. The following procedures will be followed for employees who believe they are the victims of harassment or who observe incidents of harassment.

1. Complaints may be presented orally or in writing. The complaint should include the specific nature of the harassment, corresponding dates, and the relief sought. The person making the complaint will need to provide his/her name, address, and telephone number. If the complaint is made verbally, the receiving authority will make a written record of the complaint. The complaint, whether verbal or written, will be documented by completion of the Harassment Complaint Form [ACA-E(1)].
2. Any employee who perceives that he or she has been harassed as per the policy definitions should report the matter to his or her principal or supervisor. If the employee feels that it would be unproductive to inform that individual, the employee should contact the Superintendent of Schools or the Board of Education to make the complaint.
3. The Principal or Superintendent will:
 - a. within 15 working days of receiving the complaint, notify the alleged offender and any others who are named in the complaint and conduct an investigation of the complaint by:
 - i. interviewing the appropriate individuals;
 - ii. consulting with legal counsel as necessary;
 - iii. reviewing appropriate personnel files of the parties involved;
 - iv. gathering evidence, collecting pertinent data, and substantiating facts;
 - v. determine whether harassment has occurred or the complaint cannot be substantiated.
 - b. If at any time during the investigation it appears a criminal act has occurred, law enforcement officials will be immediately notified.
 - c. within 15 days of completion of the investigation, complete the Staff Harassment Investigation Report Form [ACA-E(2)].
 - d. determine the appropriate disciplinary action to be taken if it has been decided harassment occurred. The disciplinary action taken will depend on the nature and seriousness of the incident and whether it is an isolated or repeated offense.
 - e. communicate the investigation results to all affected individuals. Records of substantiated harassment will be placed in appropriate personnel files.
4. If either of the parties involved is not satisfied with the initial response from the Principal/ Superintendent, he/she may submit a written appeal to the Superintendent or Board of Education indicating the nature of the disagreement and the remedy sought. The appeal must be within 15 working days after receipt of the Staff Harassment Investigation Report [ACA-E(2)]. The Superintendent or Board of Education will schedule a meeting if requested by either party and will give a written response to the appeal within 15 working days of the date the appeal was filed or 15 working days after a meeting, whichever is later.

If the appeal was made to the Superintendent and the party involved is not satisfied with the response, an appeal to the Board of Education may be filed. The appeal must be filed within fifteen working days of receipt of the Superintendent's response to the initial appeal. The Board will conduct a meeting following receipt of the appeal and will provide a written response within 15 working days. There is no further right of appeal.

5/24/10

STAFF HARASSMENT INVESTIGATION REPORT FORM SCHOOL DISTRICT OF JEFFERSON

Date Notified of Complaint: _____
(starts 15-day timeline)

By Whom: _____

Nature of the Complaint: _____

Individuals Interviewed: _____

Findings: _____

Recommendations: _____

Signature

Date