

SEXUAL HARASSMENT/HARASSMENT

412/512

The Waunakee Community School District is committed to providing a learning and working environment for its students and employees that is free from intimidation and sexual harassment. This policy applies to all District employees and students and will also be distributed to all contractors, vendors and other agents of the District.

Forms of harassment, other than sexual harassment, are to be considered a violation of this policy.

It shall be a violation of this policy for any member of the Waunakee Community School District staff to harass another staff member or student through conduct or communications of a sexual nature. It shall also be a violation of this policy for students to harass other students or staff members through conduct or communications of a sexual nature. For purposes of this policy, sexual harassment includes, but is not limited to:

- 1) Unwelcome sexual advances, unwelcome requests for sexual favors, verbal, written, visual depictions or physical conduct of a sexual nature, and other inappropriate verbal or physical conduct of a sexual nature, whether or not repeated, when made by any member of the school staff to a student, when made by any member of the school staff to another staff member, when made by any student to another student, or when made by a student to a staff member when:
 - a) Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment or education, or when
 - b) Submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting that individual, or when
 - c) Such conduct has the purpose or effect of substantially interfering with an individual's academic or professional performance or creating an intimidating, hostile, or offensive employment or education environment.
- 2) A range of subtle and not so subtle behaviors, which may involve individuals of the same or different sex. Behaviors that may be considered sexual harassment include, but are not limited to the following:
 - * verbal harassment or abuse, sexual jokes and innuendo
 - * pressure for sexual activity or sexual favors, unwanted sexual advances
 - * remarks to a person with sexual or demeaning implications, including remarks about an individual's body, sexual prowess, or sexual deficiencies
 - * unwelcome touching, leering or whistling

- * suggesting or demanding sexual involvement accompanied by implied or
- * explicit threats concerning one's grades, job, etc.
- * insulting or obscene comments or gestures
- * display or sexually suggestive objects or pictures
- * other physical, verbal or visual conduct of a sexual nature

e) It is not considered harassment of any sort for members of management to enforce job performance and conduct standards in a fair and consistent manner.

Waukegan Community School District encourages reporting of all perceived incidents of harassment and/or retaliation, regardless of the alleged offender's identity or position. In addition, the District encourages individuals who believe they are being subjected to such conduct to promptly advise the offender that his or her behavior is unwelcome and request that it stop immediately. Often this action alone will resolve the problem.

If for any reason a person believes that he/she has been the victim of, or has been witness to, conduct constituting sexual harassment and/or retaliation by any staff member, student or contractor/vendor or agent of the District and does not wish to address the offender directly, or if such action does not successfully end the offensive conduct, the person should immediately report the alleged offensive behavior to his/her supervisor, counselor or teacher. If this does not resolve the complaint the person should file a written complaint with the Equity Coordinator (Director of Human Resources) using the Discrimination/Harassment Complaint Form. In the event that the Equity Coordinator is involved in the alleged offensive behavior, the person may report the incident and file a complaint with the superintendent.

All reports of harassment or retaliation will be investigated promptly. The investigation may include interviews with persons involved, and where necessary, with persons who may have observed the alleged conduct or may have other relevant knowledge. Confidentiality of any information related to complaints, complaint investigations, and identity of person(s) named in complaints will be maintained to the extent consistent with adequate investigation and appropriate corrective action and legal requirements.

The District will take appropriate corrective action, including disciplinary action, against any individual who engages in harassment, who impedes investigation of a harassment complaint, or who retaliates against any individual for reporting harassment or for assisting or participating in investigation of a harassment complaint. Corrective action may include, for example, training, referral to counseling, reassignment, and/or disciplinary action, as the District believes appropriate under the circumstances. Employees who violate this policy will be subject to disciplinary action at the discretion of management, including, without limitation, suspension and termination. Students who violate this policy will be subject to suspension and/or expulsion. Both employees and students who violate this policy may be referred to law enforcement agencies should there be an alleged violation of criminal law.

Nothing in the policy restricts the right of an individual to file a complaint with police authorities regarding sexual harassment. In fact, the superintendent may request that a complaint be filed by the grievant as the result of his/her investigation of the complaint.

Legal Ref.: Sections 111.36 Wisconsin Statutes
118.13
118.20
Title VII, Civil Rights Act of 1964 (as amended)
PI 9 Wisconsin Administrative Code
Title IX or the Education Amendments of 1972

Cross Ref.: 411-Rule (1), Student Discrimination/Harassment Complaint Procedure
447.3, Student Suspension
447.4, Student Expulsion
447.5, Student Discipline Suspension/Expulsion of Students with Disabilities
454, Child Abuse and Neglect
511-Rule, Employment Discrimination/Harassment Complaint Procedures
522.3, Employee Misconduct Reporting

Cross Ref.: Complaint Procedures
Current Employee Agreements

Adopted: 4/22/91

Revised: 5/11/92
March 1994
September 1994
September 1995
April 1999
March 2002
April 2002

Waunakee Community School District