

School District of Hortonville

Title: Sexual Harassment

Date Adopted: 1/27/92

Policy No. 4016

Date Revised: 9/22/03

Page 1 of 2

Policy Statement:

The school board acknowledges all regulations, requirements and responsibilities defined by the E.E.O.C. (Equal Employment Opportunity Commission) regarding sexual harassment as a violation of Title VII and Title IX.

Rationale:

Sexual harassment is a form of misconduct which undermines the integrity of the District's employment and academic relationships. All employees and students must be allowed to work in an environment free from unsolicited and unwelcome sexual overtures.

Scope: All employees and students of the District

Responsibility:

Complaints may be made to the District Administrator as complaint officer or the Director of Business Services as a designee of the complaint officer.

Associated Information:

Sexual harassment does not refer to occasional compliments. It refers to behavior which is not welcome, which is personally offensive, which debilitates morale and which therefore, interferes with the working or learning effectiveness of its victims and their peers. Individuals who experience sexual harassment should make it clear that such behavior is offensive to them and may process a complaint pursuant to this policy. Sexual harassment may include actions such as:

- Sex-oriented verbal "kidding" or abuse;
- Subtle pressure for sexual activity;
- Sexual contact as defined by statutes;
- Demands for sexual favors, accompanied by implied or overt promises of preferential treatment or threats concerning an individual's employment or academic status.

Sexual harassment is a prohibited action when it results in discrimination for or against an employee or student on the basis of conduct not related to their working or learning performance. Such practices would include any job related or academic action that is based upon an individual's acceptance of, resistance to, or refusal of sexual overtures. This form of sexual harassment may be more difficult for employees or students to cope with when individuals offer or threaten to use the power of their position to control, influence or affect the career, salary or job of another employee or academic status of a student in exchange for sexual favors. Individuals who instigate this type of harassment are subject to disciplinary action, including suspension, demotion or discharge.

President _____ Date _____

Clerk _____ Date _____

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Page 2 of 2

It is possible for sexual harassment to occur at various levels: among peers or co-workers, between supervisors and subordinates, between employees and students, or imposed by non-employees on employees and/or students. It is the District's obligation to maintain a positive and productive working and learning environment. The District will make every effort to halt any harassment by calling attention to this policy or by more direct disciplinary action, if necessary.

Any person who believes he or she has been sexually harassed is encouraged to file a written complaint with the complaint officer as soon as possible after the offense. Prompt filing of the complaint will enable the District to respond in the most proactive manner and take corrective action that will improve the workplace climate. The complaint procedure is attached to this policy.

Legal Reference:

Title VII of the Civil Rights Act of 1964

Title IX of the Education Amendments of 1972

Wisconsin State Statutes: 111.322, 111.36(1)(b), 118.13, 118.32(13)

Wisconsin Administrative Code 9

Sexual Harassment Complaint Procedure

(to accompany Policy #4016)

- Step I Any complaint shall be presented in writing to the Complaint Officer (District Administrator or Director of Business Services) and must include the specific nature of the harassment with dates and times, if possible. All complaints must be signed and dated.
- Step II The Complaint Officer shall thoroughly investigate the complaint, notify the person who has been accused of harassment and permit a response to the allegation. A private meeting will be arranged to discuss the complaint with all concerned parties within ten (10) working days after receipt of the written complaint. The complaint officer shall give a written answer to the complainant within fifteen (15) working days after receipt of the written complaint.
- Step III If the complainant is not satisfied with the answer of the complaint officer, he or she may submit a written appeal to the Personnel Committee of the Board of Education indicating with particularity, the nature of disagreement with the answer and reason underlying such disagreement. Such appeal must be filed within ten (10) working days after receipt of the complaint officer's answer. The committee will meet within ten (10) working days at a mutually agreeable time to discuss the appeal. The committee or its designee shall give a written answer to the appeal within ten (10) working days.
- Step IV If the complainant is not satisfied with the answer, an appeal may be filed with the Board of Education within ten (10) working days after receipt of the Step III response. The Board of Education shall, within twenty (20) working days, conduct a hearing in Executive Session at which time the complainant shall be given an opportunity to present the complaint. The Board shall give a written answer to the complainant within ten (10) working days following completion of the hearing.