

EMPLOYEE HARASSMENT AND BULLYING

The Dodgeland School District acknowledges all regulations, requirements and responsibilities regarding harassment and bullying of employees. The District does not tolerate harassment or bullying of employees, as such actions are detrimental and disruptive to the educational and working environment and detrimental to the health and safety of staff members.

For purposes of this policy, harassment is defined as any act or attempted act toward one or more employees 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 through the use of words or action, and can result from a single, severe incident or from a pattern of behavior.

Harassment includes behavior motivated by any personal characteristic with protected status described in the District's equal opportunity employment policy. Harassment could also include behavior motivated by other actual or perceived distinguishing characteristics such as, but not limited to, physical attributes, gender identity, gender expression, and social, economic or family status.

Some examples of conduct that would constitute prohibited harassment under this policy include the following:

- Deliberate, repeated, or otherwise severe verbal or written comments that insult, degrade, or stereotype an employee or group of employees; or
- Posting or circulating any written or graphic materials, sound or video recordings, or any electronic or other materials that attack, defame, belittle, or show hostility to an employee or group of employees.

“Sexual harassment,” in the employment context, includes any unsolicited and unwelcome sexual advances, requests for sexual favors, or other sexual conduct or communication, of any kind, 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; or
- 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 conduct in the workplace that may constitute prohibited sexual harassment include the following: lewd or sexually suggestive comments; the use of sexual innuendo; unwelcome touching; unwelcome romantic 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 or distribution of sexually-explicit pictures, cards, articles, books, magazines, photos, or cartoons.

“Workplace bullying,” as enforced in the District, is a form of prohibited harassment. Workplace bullying includes any severe, systematic, or repeated actions that have no legitimate purpose and that involve the threatened, attempted, or actual infliction of physical harm or psychological/emotional distress on one or more employees or on other persons present in a workplace. Workplace bullying includes written, spoken, nonverbal, or physical behaviors or communications that, by intent or as a reasonably foreseeable consequence, serve to inappropriately threaten, intimidate, insult, degrade, ostracize, or interfere with the work, health, or safety of others.

The District also reserves the right to investigate and implement appropriate disciplinary consequences (up to and including discharge for employees) for conduct that, even if not actionable under state or federal law, the District determines (1) has no legitimate business purpose and is improperly interfering with the efficient operation of the school district; (2) is improperly interfering with the work, education, health, or safety of others; or (3) violates any Board policy or any other legitimate District work rule, directive, or expectation.

The prohibition against harassment and bullying by District employees applies not only when the employee is directly engaged in work-related duties, but also to an employee's off-duty conduct when there is a legally-sufficient connection between the conduct and the individual's employment or employment-related responsibilities.

All employees are responsible for ensuring that harassment and bullying do not occur. Anyone who believes that he or she has been the subject of harassment or bullying, or who has knowledge of violations of this policy shall report the matter in accordance with the District's employment discrimination and harassment complaint procedures. All reports regarding employee harassment or bullying shall be taken seriously, treated fairly and promptly and thoroughly investigated. Individual privacy shall be protected to the extent possible. There shall be no retaliation against any person who files a complaint under this policy.

Actions that are determined to be harassment, bullying or retaliation shall be subject to disciplinary action, up to and including dismissal. Employees, including supervisory employees, who fail to report incidents of alleged harassment or bullying may also be subject to such disciplinary action.

This policy and related complaint procedures shall be published annually and distributed to all staff members. Training shall be conducted annually on this policy for all District employees.

LEGAL REF: Section 111.31-111.395 Wisconsin Statutes
 118.195
 118.20
 120.13(1)
 947.0125
 947.013
 Title VI and VII of the Civil Rights Act of 1964, as amended by the Equal Employment
 Opportunity Act of 1972
 Title IX Regulation Implementing Education Amendments of 1972
 Section 504, Rehabilitation Act of 1973
 Age Discrimination Act of 1975
 Immigration Control and Reform Act of 1986
 Americans with Disabilities Act of 1990
 Civil Rights Act of 1991
 Equal Employment Opportunities Commission Guidelines (29 C.F.R. Part 1604.11)

CROSS REF: 511-Rule (1), Employment Discrimination/Harassment Complaint Procedures
 411.1-Exhibit, Sexual Harassment Complaint Form
 511, Equal Opportunity Employment

Approved: December 2, 1996
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