

## Harassment

Code #512.00

The Tri-County Area School District shall maintain a work environment that is free from all forms of employment discrimination, including sexual and other harassment. The Board will not tolerate harassment in any form.

"Harassment" means behavior toward a person based, in whole or part, on a person's sex, race, religion, national origin, color, ancestry, creed, pregnancy, marital status, sexual orientation, disability/handicap, 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. Examples of conduct prohibited under this policy include but are not limited to:

- Physical or mental abuse;
- Verbal harassment, or other expressions which insult, degrade or stereotype any person or group (e.g., ethnic jokes, religious or racial slurs);
- Physical interference with movement, activities or work;
- Visual harassment, including derogatory cartoons, drawings or posters; and
- Sexual harassment, which includes, but is not limited to, unwelcome or unwanted sexual advances, requests or demands for sexual favors, verbal abuse or joking that is sexually oriented and considered unacceptable by another individual (e.g. telling offensive sexual jokes, commenting about an individual's body, physical attributes, sexual activities, etc.) and displays of a sexual nature (e.g. calendars, photographs, magazines, etc.)

Unprofessional conduct, rudeness or lack of consideration, while inappropriate and not in keeping with the maintenance of a positive work environment, is unlikely to constitute unlawful harassment under this policy. Similarly, a supervisor's criticism of an employee's conduct or work performance is generally not a form of unlawful discrimination or unlawful harassment.

An employee who believes that he/she has been the subject of prohibited harassment shall report the matter to the Principal or District Administrator. If the complaint involves alleged improper behavior by the District Administrator, the employee shall report the matter to the Board President. All harassment complaints will be investigated. All identities of the parties involved shall be kept confidential, to the extent possible, consistent with legal requirements.

There shall be no retaliation against individuals who file good faith complaints under this

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policy or who assist in the investigation of such complaints. Appropriate disciplinary  
action will be taken against anyone found to have violated this policy.

Notice of this policy and applicable complaint procedure shall be communicated to  
employees annually.

**Legal Reference:** Sections 111.31, 111.32(13), 111.321, 111.322, 111.36, and 118.20  
Wisconsin Statutes  
Title VI and VII, Civil Rights Act of 1964  
Title IX, Education Amendments of 1972  
29 C.F.R. § 1604.11 Implementing Title VII of the Civil Rights Act  
34 C.F.R. § 106.51 Implementing Title IX of the Education  
Amendments of 1972

**Cross Reference:** 510.00, Personnel Policy Goals  
511.00, Equal Employment Opportunities  
511.00AR1, Employee Discrimination Complaint Procedure  
511.00AR2, Employee Discrimination Complaint Procedure --Record  
of Complaints  
522.00 Staff Conduct

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