

SERIES 500 – PERSONNEL

General Personnel Policies – 526

SEXUAL HARASSMENT POLICY

The Norwalk-Ontario-Wilton School District does not tolerate sexual harassment in any form and will take all necessary and appropriate action to eliminate it, up to and including discipline of offenders. It is the policy of the School District to maintain and ensure a working environment free of any form of sexual harassment or intimidation toward and between students, employees, school board members, volunteers, and applicants.

All employees and regular volunteers of the District are required to be familiar with, and to comply with, the policy of the District prohibiting sexual harassment. This policy prohibits sexual harassment of any form.

It is the policy of the District that a sexual relationship between staff and students is not permissible in any form or under any circumstances, in that it interferes with the education process and involves elements of coercion by reason of the relative status of a staff member to a student.

Sexual relationships between staff members, where one staff member has supervisory responsibilities over the other, are discouraged as a matter of District policy. Such relationships have an inherent possibility of being construed as sexual harassment because of consensual aspect of the relationship may be the result of implicit or explicit duress caused by the uncertainty regarding the consequences of non-compliance.

Sexual harassment is defined to include unwelcome sexual advances, unwelcome requests for sexual favors, physical contact of a sexual nature or verbal or physical conduct of a sexual nature when:

- submission to or acquiescence in such conduct is made either explicitly or implicitly a term or condition of an individual's employment or a student's status;
- submission to or rejection of such conduct by an individual is used as the basis for employment decisions, such as promotion, transfer, compensation, etc., affecting such individual, or grading, evaluations or promotion decisions affecting such student;
- such conduct has the purpose or effect of substantially interfering with an individual's work performance, including schoolwork, or creating an intimidation, hostile or offensive working or academic environment, even if it leads to no tangible employment or academic consequences; or
- such conduct has the effect of causing harm to the professional atmosphere of the school or violates community standards or ethics.

Sexual harassment may include, but is not limited to, deliberate and repeated displays of sexually explicit gestures, verbal comments or graphic or written materials or verbal or physical conduct of a sexual nature, whether repeated or not, that is sufficiently severe to create a hostile environment.

Employees who engage in sexual harassment are subject to disciplinary action, up to and including termination. Board members who engage in sexual harassment are subject to Board action. Volunteers who engage in sexual harassment will be removed from volunteering. Any applicant who engages in sexual harassment will be disqualified from employment.

Any employee, board member, volunteer or applicant who believes they are victims of sexual harassment should report their concerns with the Title IX Coordinator, Travis Anderson, District Administrator, tanderson@now.k12.wi.us, 608-337-4403, 28861 State Hwy 131, Ontario, WI 54651. Complaints under this policy shall be filed in a timely manner but not more than six months following the alleged event.

It is the intent of the District to create an atmosphere where complaints and alleged complaints will be treated fairly and quickly.

This policy and the complaint procedure will be made available to all employees on not less than an annual basis. The Superintendent shall cause to be posted in each workplace information, advising employees of this policy and the complaint procedures.

The Norwalk-Ontario-Wilton School District does not discriminate on the basis of religion, sex, race, national origin, age, ancestry, creed, color, political affiliation, membership in the National Guard, state defense for or any reserve component of the United States military or state military forces, pregnancy, marital or parental status, sexual orientation, or physical, mental, emotional, or learning disability or handicap or other bases prohibited under state or federal law.

Adopted: 10/12/20

Administrative Rules Complaint Procedure

The Norwalk-Ontario-Wilton School District does not tolerate sexual harassment in any form and will take all necessary and appropriate action to eliminate it, up to and including discipline of offenders. It is the policy of the School District to maintain and ensure a working environment free of any form of sexual harassment or intimidation toward and between students.

The fact that someone did not intend to sexually harass an individual is generally not considered defense to a complaint of sexual harassment. In most cases, it is the effect and characteristics of the behavior that determine if the behavior constitutes sexual harassment.

It is, further, the policy of the District that a sexual relationship between staff and students is not permissible in any form under any circumstances, in or out of the work place, in that it interferes with the educational process and involves elements of coercion by reason the relative status of a staff member to a student.

Policy Discrimination

- Every employee, student or student's guardian will receive a copy of the policy and administrative rules each year.
 - Discussion of the sexual harassment will be included at age appropriate level and in the proper context as part of the curriculum.
 - Once each year every employee and regular volunteer will be reminded, in writing, of the policy and procedures.

Employees will attend an in-service which an understanding of sexual harassment, the Board Policy, and complaint procedures and importance of vigilance will be emphasized. Information will be posted at each building advising employees, students and volunteers of the policy and the procedures and important of vigilance will be emphasized. Information will be posted at each building advising employees, students and volunteers of the policy and the procedures for filing a complaint.

Complaint Procedure

Employees, students, volunteers, board members, and applicant who believe they are the victim of a sexual harassment should report their concerns to: Travis Anderson, District Administrator, tanderson@now.k12.wi.us, 608-337-4403, 28861 State Highway 131, Ontario, WI 54651. It is the intent of the District to create an atmosphere where complaints and alleged complaints will be treated fairly and quickly.

The following procedure will be used:

- Any complaint may be presented verbally or in writing. All complaints will be investigated. A file of complaint, investigation, findings and actions will be prepared and maintained by the Title IX Coordinator, Travis Anderson, District Administrator, tanderson@now.k12.wi.us, 608-337-4403, 28861 State Highway 131, Ontario, WI 54651. Sexual harassment by a repeat perpetrator, repeated incidents of sexual harassment in the same building or harassment that may result in formal charges will be investigated by the Title IX Coordinator, Travis Anderson, District

Administrator, tanderson@now.k12.wi.us, 608-337-4403, 28861 State Highway 131, Ontario, WI 54651.

- The complaint investigation will include a written record of the specific nature of the harassment, dates, witnesses, if any, and any other pertinent facts. The person making the complaint will need to provide his/her name, address, and phone number. The complainant will be requested to sign the written account of the complaint. If the complainant refuses to sign the complaint, the complaint manager will attest the complainant refused to sign the complaint.
- If the complainant asks that no action be taken on the complaint, the Title IX Coordinator shall record the request of the complainant and secure the signature of the complainant attesting to the fact that he/she requested no action. The Title IX Coordinator shall determine if further action is required.

The complainant should be informed that certain sexual harassment is required to be reported to state agencies and he/she will be informed if further action must be taken.

- The Title IX Coordinator shall investigate the complaint. The investigation shall include an interview of the alleged perpetrator and all witnesses identified by the complainant. A meeting to discuss the complaint with all concerned parties may be arranged within 10 working days after receipt of the complaint, if deemed necessary.
- If the complainant is not satisfied with the response she/he may submit a written appeal to the Royall Superintendent indicating the nature of the disagreement. The Title IX Coordinator shall schedule a meeting of all parties to the complaint if deemed necessary. The Title IX Coordinator shall give a written response to the complainant's appeal within 10 working days of the date the appeal is filed, or 10 working days after the meeting, whichever is later.
- If the complainant is not satisfied with the response of the Title IX Coordinator, an appeal to the School Board may be filed. The appeal must be filed within 20 working days of the receipt of the Superintendent's response. The School Board shall conduct a hearing within 20 working days of receipt of the appeal. The School Board shall give written response within 10 working days of the completion of the hearing.
- If the complainant is not satisfied with the response the Board, she/he may file a complaint with the proper legal authorities.

Alternate Procedure

The following alternate procedures will be used for younger students or students with special education needs:

- Due to the potential difficulties with establishing dates, times, and behavior, person who have, or may have been harassed will be provided with counseling services as deemed appropriate to their age and handicapping condition.
- A person's handicapping condition will be given consideration in any disciplinary action that may occur as a result of sexual harassment.

Disciplinary Procedures

Students who engage in sexual harassment shall be subject to disciplinary action. Discipline may include one or more of the following actions: notification of law enforcement officials, letter of corrections, suspension and/or expulsion.

Employees who engage in sexual harassment shall be subject to disciplinary action up to and including termination. Investigative procedures may include notification of law enforcement officials or the Wisconsin Department of Human Services, depending on the nature of the complaint (employee to student or employee to employee).

Adopted 10/12/20