

SCHOOL DISTRICT OF WAUZEKA-STEUBEN

EMPLOYEE HARASSMENT – REPORTING AND INVESTIGATION PROCEDURES

1. An employee, who believes s/he has been subjected to harassment by anyone, including supervisors, co-workers, or students shall immediately report the harassment to either the Principal or to the District Administrator.
2. Any District employee, who is aware of harassment, whether or not that employee is a victim of harassment, has an obligation to report such harassment to either the Principal or the District Administrator.
3. While complaints can be filed orally or in writing, they should be placed in writing and signed, and should include the specific nature of the harassment and corresponding dates, and also include the name(s) of the harasser and any witnesses.

Investigation of the Complaint

1. The District shall provide prompt, complete, independent, and impartial investigation of the complaint. The investigation will be conducted by the Principal or his/her designee. In a case involving the Principal, the investigation will be conducted by the District Administrator or his/her designee. In a case involving the District Administrator, the investigation will be conducted by the Board president or his/her designee.
2. The investigator shall, in accordance with existing District policies, thoroughly investigate the complaint, notify the person who has been accused of harassment, and obtain a response to the allegation. If possible, the investigation shall be completed within ten (10) working days after receipt of the written complaint. The investigator shall prepare a written report summarizing the finding of the investigation within fifteen (15) working days after completion of the investigation.
3. The investigator reserves the right or may have the legal duty to refer matters of harassment to appropriate legal authorities in cases when child abuse may be a factor or in cases when reasonable belief exists that a criminal act may have occurred.
4. The objective of the investigation shall be:
 - a. To establish, if possible, whether the allegations are true;
 - b. To determine whether the alleged conduct constitutes harassment;
 - c. To determine whether remedial action is needed, and if so, to act promptly;
 - d. To maintain confidentiality to the greatest extent possible; however, there shall be no promise or guarantee of strict or absolute confidentiality.
5. The investigator shall prepare a written report which shall include:
 - a. A summary of the allegations and accused's response;
 - b. A summary of the persons interviewed and an assessment of their credibility;
 - c. A presentation of the findings of fact;
 - d. A discussion of the conclusions about the allegation; and
 - e. A discussion of the recommendations for the remedial or other corrective action.

6. The complainant and the alleged harasser will be advised as quickly as possible of the specific findings and conclusions of the investigation.
7. If a conclusion is reached that harassment occurred, the harasser shall be subject to such disciplinary action up to and including termination, as shall be deemed appropriate by the District.
8. If the conclusion is reached that no harassment has occurred, the alleged harasser should be informed that no disciplinary action will occur and that no documentation of the complaint or the investigation will be placed in his/her personnel file.
9. If the complainant wishes to appeal the decision of the investigator, s/he may submit a signed statement of appeal to the District Administrator within five (5) school/business days after receipt of the investigator's response. The District Administrator shall review the investigator's report and all supporting documentation, formulate a conclusion, and respond in writing to the appeal within ten (10) school/business days.
10. If the complainant remains unsatisfied, s/he may appeal through a signed, written statement to the Board within five (5) school/business days of his/her receipt of the District Administrator's response. The Board will review the investigator's report and any supporting documentation at the next regular Board meeting, formulate a conclusion, and respond in writing to the appeal within ten (10) school/business days.

If a complainant wishes to appeal a negative determination by the Board, s/he has the right to appeal the decision to the State Superintendent within 30 days of the Board's decision. In addition, the complainant may appeal directly to the state superintendent if the Board has not approved written acknowledgment within 45 days of receipt of the complaint or made a determination within 90 days of receipt of the written complaint. Appeals should be addressed to: State Superintendent, Wisconsin Department of Public Instruction.

Nothing in these procedures shall preclude persons from filing a complaint directly, or on appeal, with designated agencies as authorized by state and federal law (e.g., U.S. Office of Civil Rights-Region V, State Superintendent of Public Instruction, Equal Rights Division of the Department of Workforce Development) and/or with courts having proper jurisdiction.

Legal References: Wisconsin Statutes Sections §§ 118.13, 111.31, 111.32(13), 111.36(1) (b) and (br), 947.013, 947.025; Title VII of the Civil Rights Act of 1964; Title IX of the Education Amendments of 1972; Equal Employment Opportunities Commission Guidelines (29); C.F.R. – Part 1604.11)

Cross References: Policies 411 Equal Educational Opportunities, 411-Rule Student Discrimination and Harassment Complaint Procedure, 511 – Equal Opportunity Employment, 512 Employee Harassment, 522.5 Political Activities by Staff, 533.2 Nepotism; Employee Handbook

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