

HARASSMENT

It is the policy of the School District of New Berlin to provide a work and learning environment free from all forms of harassment or intimidation. No employee, school board member or student shall be subject to animosity caused by ethnic, racial, sexual, or religious remarks, unwelcome sexual advances, requests for sexual favors, or similar conduct, either verbal or physical. The School Board will not tolerate any form of harassment. Any employee, including a supervisory employee, who violates this policy is subject to disciplinary action up to and including discharge. Disciplinary action against an employee shall be in accordance with applicable administrative rules and collective bargaining agreements. Any School Board member who violates this policy is subject to disciplinary action up to and including censuring by the School Board and/or removal from committee chairs or other committee assignments. Any student who violates this policy is subject to disciplinary action within the policies and procedures that apply, up to and including expulsion.

“Harassment” is defined as persistently bothering, disturbing, or tormenting another person. Harassment may be based on a variety of factors, such as race, color, religion, sex, national origin, disability, marital status, or sexual orientation. The basis for the harassment does not matter. The District prohibits all forms of harassment, including, but not limited to:

- Verbal harassment, such as making derogatory statements, epithets, or slurs to or about another person or group;
- Visual harassment, such as displaying offensive posters, cartoons, or drawings; and
- Physical harassment, such as threatening, assaulting, or physically interfering with another person or making other inappropriate or unwelcome physical contact.

Sexual Harassment

“Sexual harassment” is defined as unwelcome conduct of a sexual nature, including unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact, and other verbal, visual, or physical conduct of a sexual nature when:

- Submission to such conduct is explicitly or implicitly made a term or condition of employment;
- Submission or refusal to submit to such conduct is used as the basis for a tangible employment action; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or work environment.

You cannot be forced to submit to sexual harassment as a basis for any employment decision. In addition, the District will attempt to prevent and promptly eliminate any conduct that creates an intimidating, hostile, or offensive work or learning environment.

Examples of Prohibited Conduct

The following conduct will be considered to be sexual harassment or another form of harassment or inappropriate behavior:

- Sexually suggestive or off-color comments or jokes;
- Sexual flirtation, innuendo, advances, propositions, or other sexual activities;
- Unprofessional touching, such as massages, embracing, or inappropriately putting an arm around another employee;
- Repeated and unwelcome invitations for social interactions outside of the workplace;
- Sexual or racial slurs, derogatory remarks, or offensive gestures;

- Displaying or distributing sexually explicit or otherwise off-color materials, including books, magazines, articles, pictures, greeting cards, photographs, drawings, cartoons, and e-mail messages; and
- Including or excluding any individual from workplace activities, assignments, or responsibilities based on their refusal to participate in or tolerate sexual or other forms of harassment or based on other factors not related to job performance or legitimate business reasons.

This list is not intended to be exhaustive. For example, any particular conduct described above may also be inappropriate outside the school if the conduct may adversely affect the school environment. Similarly, a consensual relationship does not justify inappropriate displays of affection or other sexual statements or activities during school hours or at school-related functions. Any questions about whether particular conduct is prohibited under this policy should be discussed with your Principal or the District Administrator.

Reporting Harassment or other Inappropriate Conduct

If you believe that any sort of sexual or other harassment or other inappropriate conduct is interfering with your work or creating an intimidating, hostile, or offensive environment, the District urges you to contact your Building Principal.

If you feel uncomfortable bringing the matter to your Principal or if you believe your Principal is participating in conduct that violates this policy, you should contact the Assistant Superintendent or any other District administrator. You may be asked to sign a written complaint or other summary of the information you report.

Legal Ref. Wis. Stats. 118.20
111.32
111.36

Title VII
Title IX

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