

**SEXUAL AND OTHER FORMS OF HARASSMENT**

## I. Policy

- A. It is the policy of the Granton Area School District to maintain a learning and working environment that is free from sexual and other forms of harassment.
- B. It is a violation of this policy for any employee or volunteer of the Granton Area School District to harass another employee, volunteer or student through conduct or communications of a sexual nature as defined below. Chapter 7, Section BB relates to reports and formal complaints concerning Title IX sexual harassment against employees, and such reports and formal complaints will be processed under that policy.
- C. It is also a violation of this policy for students to harass other students, employees, or volunteers through conduct or communications of a sexual nature as defined below. Chapter 1, Section G relates to reports and formal complaints concerning Title IX sexual harassment against students, and such reports and formal complaints will be processed under that policy.

## II. Definition

- A. Sexual harassment under this policy is defined below. Sexual harassment is a form of sex discrimination, and is prohibited by state and federal law, including the Wisconsin Fair Employment Act, Title IX of the Educational Amendments of 1972, and Title VII of the Civil Rights Act of 1964. Equal Employment Opportunity Commission guidelines define "sexual harassment" as "unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:
  - 1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
  - 2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
  - 3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment."
- B. The Wisconsin Fair Employment Act defines "sexual harassment" to also include:

1. the deliberate, repeated making of unsolicited gestures or comments of a sexual nature;
2. the deliberate, repeated display of offensive sexually graphic materials which is not necessary for business purposes;
3. deliberate verbal or physical conduct of a sexual nature, whether or not repeated, that is sufficiently severe to interfere substantially with an employee's work performance or to create an intimidating, hostile or offensive work environment;
4. conduct directed by a person at another person of the same or opposite gender (harassment directed at a person because of that person's gender);
5. making or permitting acquiescence in, submission to, rejection of sexual harassment the basis or any part of the basis for an employment decision affecting an employee (sexual favoritism).

C. Sexual harassment may include, but is not limited to, the following:

1. Unsolicited verbal sexual comments and harassment; subtle pressure for sexual activity;
2. Sexist remarks about a person's body or sexual activities;
3. Patting, pinching or unnecessary touching;
4. Sexually oriented jokes, stories and materials (i.e. calendars, posters, magazines);
5. Demanding sexual favors accompanied by implied or overt threats concerning one's employment;
6. Attempted or actual physical assault.

D. Sexual harassment can also be found to occur where no adverse employment decision has happened, but where the working/education environment has become hostile and intolerable.

E. Other forms of harassment include physical, verbal, or non-verbal actions which interfere with work/learning performance or create an intimidating, hostile, or offensive work/learning environment.

### III. COMPLAINT PROCEDURE

A. The District is committed to give all employees/students access to someone in administration that they can talk confidentially with about harassment concerns under this policy. Any report or complaint concerning Title IX sexual harassment against employees must be processed under Chapter 7, Section BB, and must be reported to the Title IX Coordinator/Compliance Officer. In addition, any report or complaint concerning Title IX sexual harassment against students must be processed under Chapter 1, Section G, and must be reported to the Title IX Coordinator/Compliance Officer. No retaliation of any kind will occur because you have reported an incident of suspected harassment. For persons who believe they have experienced or observed harassment, there are several ways to deal with the issue. Whom you talk to always depends on how comfortable you are with these people or departments. There are a number of options; you can contact any of the following people:

1. Supervisor
2. School principal
3. School counselor
4. School superintendent
5. Members of the Board of Education
6. Title IX Coordinator/Compliance Officer

### IV. INFORMAL ACTION

A. Informal Action: It is not necessary to take any action yourself before filing a formal complaint. Verbal and written approaches to the harasser are only suggested for those who want to try to resolve the issue themselves.

B. If you are making a verbal request, we suggest that you put your thoughts in writing first. Whichever course you take, written or verbal, outline the following:

1. State the facts as you see them. Be as precise as possible and give times and dates if possible.
2. Describe your own personal feelings or reactions to the incidents.
3. State what you would like to happen next. If you want the behavior to stop, then state just that.
4. Document your meeting by including harasser's reaction to your request.

C. If you are sending a written request, deliver the letter to the alleged harasser yourself. You may wish to have someone accompany you to witness the delivery. Your witness need not know the content of the letter.

D. Several objectives can be accomplished by utilizing the informal recourse:

1. Letting the individual see the offensive behavior from your perspective;
2. Giving that person a chance to correct the situation or to explain the behavior;
3. Providing a fair warning to those accused of inappropriate behavior (direct and clear examples stated);
4. Allowing you to present a clear response to the alleged harasser's behavior;
5. Allowing you to deal with the actions in a non-threatening manner and environment.

E. In the event an informal approach is not utilized or is unsuccessful, more formal action is required.

## V. FORMAL COMPLAINT PROCEDURE

A. Confidentiality: All personnel involved in the investigation of a sexual harassment complaint shall maintain confidentiality to the maximum extent possible in order to protect the parties involved and information shall only be shared with third persons directly involved in the investigation.

B. Students or employees who believe they have been sexually harassed or otherwise unlawfully harassed in violation of this policy must file a written complaint with any of the individuals listed in (III. A.) above. The written complaint should contain as much specific factual information as the employee/student can provide along with suggestions as to what that person would like to see done to resolve the problem. The recipient of the written complaint shall refer the matter to the Title IX Coordinator/Compliance Officer, or if the Title IX Coordinator/Compliance Officer is the source of the complaint, to another administrator. The complaint shall be thoroughly and promptly investigated. In all cases, the complaining employee/student will be advised as to the results of the District's investigation and the remedial action the District intends to take, if any.

C. In the event the employee/student is not satisfied with the result of the investigation, the employee/student may appeal the decision to a designee identified by the Title IX Coordinator/Compliance Officer. In all cases, the

complaining employee/student will be advised as to the results of the District's investigation and the remedial action the District intends to take, if any.

- D. In the event the employee/student is not satisfied with the decision at Level C above, s/he may appeal the decision to the School Board. In all cases, the complaining employee/student will be advised as to the results of the District's investigation and the remedial action the District intends to take, if any.

The District will provide written acknowledgement of a written complaint within 45 days of receipt of a written complaint.

The District will provide a written determination of the complaint within 90 days of the receipt of the written complaint, unless the parties agree to an extension of time.

If the complaint involves harassment involving a student, any written determination must notify a complainant of the right to appeal a negative determination to the state superintendent and of the procedures for making the appeal.

## VI. SANCTIONS

- A. A substantiated charge against an employee or volunteer in the school district will subject the employee or volunteer to appropriate disciplinary action, up to and including possible discharge.
- B. A substantiated charge against a student in the school district will subject that student to disciplinary action, up to and including suspension and/or expulsion, consistent with the student disciplinary code and/or referral to appropriate governmental agencies.

## VII. DISSEMINATION OF POLICY

- A. Information of this policy will be posted in each building and incorporated in staff and student handbooks.
- B. Sexual harassment interferes with the right to receive an equal educational opportunity. We therefore have taken affirmative steps to let our students and staff know through our written policies, that:
  - 1. We do not tolerate sexual harassment;
  - 2. We take all sexual harassment allegations very seriously;

3. We work to empower people to handle potential sexual harassment situations; and
4. We do our best to protect the rights of everyone involved as we attempt to promptly resolve all sexual harassment allegations.

Adopted: November 11, 2002  
Revised: February 14, 2012, September 9, 2013, September 14, 2020  
Reviewed: August 12, 2019

Legal Administrative Code: PI 3.55 – 3.63  
References: Wisconsin Statutes: 111.32(13); 111.36(1)(b); 118.13

**GRANTON AREA SCHOOL DISTRICT  
DISCRIMINATION COMPLAINT FORM**

Name of Person Making Complaint: \_\_\_\_\_

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Cell: \_\_\_\_\_ Work: \_\_\_\_\_

Status of person filing complaint: (Check One)

Pupil       Employee

Parent       Other

Name of person the alleged incident occurred to if different from the person filing the complaint: \_\_\_\_\_

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Cell: \_\_\_\_\_ Work: \_\_\_\_\_

Status of person the alleged incident occurred to: (Check One)

Pupil       Employee

Parent       Other

Date of alleged incident: \_\_\_\_\_

Where did the alleged Incident occur?

Filing complaint alleging discrimination on the basis of: (Circle all that apply)

Did the incident involve: Sexual Harassment; or Harassment/Discrimination

Base Upon: Sex, Race, Religion, Color, National Origin (including those whose primary language is not English), Ancestry, Creed, Pregnancy, Parental status, Marital status, Sexual orientation, or Physical, Mental, Emotional, or Learning Disability, Other: \_\_\_\_\_

Statement of complaint (include type of discrimination charged and the specific incidents(s) in which it occurred):

Corrective Action Requested:

Signature of Complainant: \_\_\_\_\_

Date complaint filed: \_\_\_\_\_

Signature of person receiving complaint: \_\_\_\_\_

Date received: \_\_\_\_\_

Distribution: 1st copy – Complainant  
2nd copy - Designated Employee