



Sexual Harassment Employee Rights & Responsibilities

Board Policy 8012 prohibits discrimination and harassment against employees based on their sex (gender). Any employee who abuses another employee through any sexually harassing conduct or communication shall have violated this policy. The conduct may include in-person contact, written communication, or via any form of electronic transmission or communication. Depending on the incident, violators of the policy may be disciplined, including possible dismissal.

What is Sexual Harassment?

Sexual harassment is unwanted, deliberate or repeated unsolicited comments (oral or written), gestures, graphic material, physical contacts, unwelcome requests for sexual favors, and/or verbal/nonverbal or physical conduct directed to an individual because of the employee's sex. "Sexual harassment" includes conduct directed by a person at another person of the same or opposite sex.

When is a person's conduct a problem?

A person's conduct is harassment when it creates an intimidating, hostile or offensive work environment or unreasonably or substantially interferes with an employee's work performance. This includes situations where submission to the conduct is made either explicitly or implicitly, a term or condition of an employee's job.

Examples of harassment include:

- Unwanted physical contact including touching, pinching and/or brushing the body;
- Excessive or inappropriate physical contact;
- Persistent requests for social/sexual encounters and favors;
- Making inappropriate statements or jokes about staff because of their sex (gender), including comments about hair, dress, physical appearance or sexual activities, sounds, gestures or leering;
- Displaying graphic, sexually explicit objects, posters or pictures that show adolescents, female, male or transgender individuals in a degrading or humiliating manner;
- Obscene gestures, nonverbal suggestive behavior (leering) or insulting sounds (whistling).

What can I do if I believe someone may be sexually harassing me?

- If you are comfortable, tell the person to stop. For example, you might say: "Stop it. I don't like what you're doing." "Please stop making sexual jokes or remarks around me." "I have no desire to go out with you."
- Report any incidents to the building principal, your supervisor, or the District's Title IX Investigator (contact information below).

What can I do if I believe someone may be sexually harassing someone else?

- Encourage the person to report the incident.
- Offer to be a witness.
- Listen to the person. Sometimes victims of sexual harassment deny their feelings or believe they are somehow responsible for the harasser's behavior. Victims also may feel that others will blame them for causing the situation or will not believe them.

Sexual harassment will not be dealt with if the harasser(s) are protected by silence.

Steps for filing a Formal Complaint with the School District

- Before filing a formal complaint, the Title IX Investigator / Affirmative Action Officer may meet with you to explain the policy and procedures related to this type of complaint and offer an opportunity to informally resolve the situation.
- Any employee may file a complaint if they believe they have been sexually harassed. You must sign the written complaint and file it with the Title IX Investigator / Affirmative Action Officer within 300 days after the alleged act(s) occurred OR within 300 days of the last occurrence of an ongoing situation.
- You will receive a written acknowledgement of the complaint being received within fifteen calendar days.
- Following an impartial, independent investigation, the Superintendent or Superintendent's designee will communicate the findings in writing to the person who filed the complaint.

Eric M. Kestin
Title IX Investigator / Affirmative Action Officer
Doyle Administration Building
545 West Dayton Street, Room 100F
Madison, WI 53703-1995

Telephone: 608/663-1530
E-mail: emkestin@madison.k12.wi.us

For more information:
<https://legal.madison.k12.wi.us/equal-opportunity-office>