

MEDFORD AREA PUBLIC SCHOOL DISTRICT

DATE ADOPTED:	February 16, 1989	FILE SECTOR:	PERSONNEL
DATE REVISED:	November 16, 1995	POLICY TITLE:	HARASSMENT IN THE
DATE REVISED:	November 19, 1998		WORKPLACE
DATE REVISED:	March 18, 2004		
DATE REVISED:	January 23, 2006		
DATE REVISED:	October 29, 2012		
DATE REVISED:	November 26, 2018		
DATE REVIEWED:	September 23, 2024		

Medford Area Public School District (MAPSD) does not tolerate harassment in any form and will take all necessary and appropriate action to eliminate it. It is the policy of MAPSD to maintain and ensure a working environment free of any form of harassment or intimidation toward any person.

For this policy, “person” shall be defined as employee, paid or unpaid, Board of Education (BOE) member, volunteer, student or applicant.

Any person who works in MAPSD is required to be familiar with, and comply with, the policy prohibiting harassment.

Harassment consists of unwelcome conduct, whether verbal, physical, or visual, that is based on a person’s protected status as defined by law, such as age, race, color, sex (including sexual orientation or gender identity), disability, citizenship status, marital status, pregnancy, national origin, ancestry, religion or creed, arrest or conviction record, veteran status, military service (as defined in Wis. Stat. § 111.32), use or nonuse of a lawful product off school premises during nonworking hours or any other classification protected by state or federal law. MAPSD does not tolerate harassing conduct that affects tangible job benefits, interferes unreasonably with an individual’s work performance, or creates an intimidating, hostile, or offensive work environment

Sexual harassment can be by a person of the same or opposite gender, and is defined to include unwelcome sexual advances, unwelcome requests for sexual favors, physical contact of a sexual nature, verbal, visual or physical conduct of a sexual nature whether or not such conduct is repeated when:

- Submission to or acquiescence in such conduct is made either explicitly or implicitly a term or condition of an individual's employment 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.
- Such conduct has the purpose or effect of substantially interfering with an individual's work performance, or creating an intimidating, hostile or offensive working environment, even if it leads to no tangible employment consequences.
- 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/or repeated displays of sexually explicit gestures, verbal comments, graphic or written materials, verbal or physical conduct of a sexual

nature, whether repeated or not, that is sufficiently severe or pervasive to create a hostile environment.

No person shall threaten or insinuate, either explicitly or implicitly, that any person's refusal to submit to sexual advances will adversely affect that person's school performance, employment, work status, evaluation, wages, advancement, assigned duties, shifts or any other condition of employment, or career development. Nor shall any person promise, imply or grant any preferential treatment for engaging in sexual conduct.

Anyone who engages in harassment is subject to disciplinary action, up to and including termination, and referral to authorities for criminal prosecution.

Compliance Officers

MAPSD designates the following individuals to serve as compliance officers regarding harassment complaints.

Joseph Greget
Director of Special Education & Pupil Services
715-748-2316 ext. 3324
1065 W Broadway Ave
Medford, WI 54451
gregejo@medford.k12.wi.us

Elizabeth Rachu
Director of Curriculum & Instruction
715-748-4620 ext. 5525
124 W State St
Medford, WI 54451
rachuel@medford.k12.wi.us

Any person who believes they are a victim of harassment should report their concerns to their building administrator or a compliance officer. Complaints under this policy should be filed in a timely manner to avoid negatively impacting any necessary investigation.

It is MAPSD's intent to create an atmosphere where complaints will be treated fairly and quickly. If an individual is not comfortable making a complaint to their building administrator, the complaint may be filed with any other administrator. The administrator will report the complaint to a compliance officer unless the compliance officer is allegedly involved as a party to or the focus of the complaint, in which case it shall be reported to the district administrator.

The right to confidentiality, of the complainant and the accused, will be respected consistent with the district's legal obligations, provided it does not interfere with the district's ability to investigate allegations of misconduct and to take corrective action.

Retaliation against anyone reporting or thought to have reported harassment is prohibited. Such retaliation shall be considered a serious violation of policy and shall be independent of whether a charge or complaint of harassment is substantiated. Encouraging others to retaliate also violates policy.

Policy Dissemination

- This policy and procedure will be made available to all employees on not less than an annual basis.
- New employees will attend an inservice in which an understanding of harassment, this BOE policy and complaint procedures and the importance of vigilance will be emphasized.
- Information will be posted at each building advising any person of this policy and the procedures for filing a complaint.

CROSS REFERENCE: JBA & Employee Handbooks

LEGAL REFERENCE: Title VI & VII of the Civil Rights Act of 1964, §111.32(13), 118.195, 118.20, 947.0125, 947.013 Wis. Stats., Title IX, Education Amendments of 1972, EEOC Guidelines (29 C.F.R. - Part 1604.11), Age Discrimination Act of 1975, & Americans with Disabilities Act of 1970

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DATE REVISED:	March 18, 2004		(COMPLAINT PROCEDURE)
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The Compliance Officers are generally responsible for compliance with state and federal regulations concerning harassment. However, if the complainant is uncomfortable reporting to the compliance officer, or if the compliance officer is allegedly involved as a party to, or the focus of the complaint, the complainant may present the complaint to the district administrator. The term “days” when used in this policy shall mean calendar days – (excluding Saturdays, Sundays and legal holidays).

A Complainant who alleges discrimination/retaliation may file a complaint in writing or orally with a building administrator, a compliance officer, or the district administrator. Formal complaints shall be referred to the compliance officer for investigation unless the complaint relates to the compliance officer. If the complaint relates to a compliance officer, the district administrator may designate another compliance officer, or other individual(s) to investigate the matter.

Investigations shall be completed by the compliance officer or a designee without undue delay, in most cases within thirty (30) days. However, more time may be necessary for some investigations. The investigator shall keep the complainant and compliance officer reasonably informed of the status of the investigation and the anticipated completion date.

After completing the investigation, the investigator(s) shall prepare and deliver a written report to the compliance officer and the district administrator. If the complaint relates to the district administrator, the report shall be delivered to the board president, or Board of Education (BOE) designee. The written report shall summarize the evidence gathered and provide recommendations on whether a preponderance of the evidence supports a finding that harassment occurred.

Within five (5) business days of receiving the report, the district administrator shall issue a written decision substantiating the complaint, dismissing the complaint, or requesting further investigation. If the complaint is substantiated, the district administrator shall direct corrective action to address the harassment or other misconduct. If further investigation is requested, the district administrator shall indicate what additional information must be gathered. Once the additional information is gathered, the district administrator shall issue a decision as described above.

If the investigation report is given to the board president, or BOE designee, because the complaint relates to the district administrator, the board president, or BOE designee, shall consult with legal counsel before issuing a decision.