

## **Employee Discrimination and Harassment Equal Employment Opportunities**

**3200.00**

The Monticello Board of Education is committed to providing fair and equal employment opportunities and to providing a professional work environment free of all forms of discrimination, including harassment. In accordance with the Wisconsin Fair Employment Law, the District does not discriminate on the basis of: age, ancestry, arrest or conviction record, color, creed, handicap or disability, marital status, national origin, race, religion, sex, sexual orientation, gender identity; or gender expression, or membership in any reserve component of the United States or state military forces. In addition, harassment, retaliation, and unfair honesty testing are illegal under the law.

The Board further commits the school district's administrators, supervisors, and employees to actively promote equal opportunity employment.

The School District of Monticello will recruit, hire, train, promote, compensate, administer employee benefits, transfer, and administer reductions in staff in a nondiscriminatory manner without regard to membership in any legally protected classification.

### **Harassment**

The District shall not tolerate harassment based on any personal characteristic described above. Harassment and other unacceptable activities that could become a condition of employment or a basis for personnel decisions, or interfere with an employee's work performance are specifically prohibited.

Sexual harassment, whether committed by supervisory or non-supervisory personnel, is unlawful and specifically prohibited. In addition, the District shall not tolerate acts of non-employees (volunteers, vendors, visitors, etc.) that have the effect of harassing District employees in the workplace.

Harassment can occur as a result of a single incident or a pattern of behavior where the purpose or effect of such behavior is to create an intimidating, hostile or offensive work environment. Harassment encompasses a broad range of physical and verbal behavior that can include, but is not limited to the following:

1. Unwelcome sexual advances, comments or innuendo;
2. Physical or verbal abuse;
3. Jokes, insults or slurs directed toward the protected groups set forth above (Such comments are unacceptable whether or not the individual within the protected group is present in the workplace to overhear them and whether or not a member of a protected group professes to tolerate such remarks);
4. Taunting based on personal characteristics described above intended to provoke an employee; and/or
5. Requests for sexual favors used as a condition of employment or affecting any personnel decisions such as hiring, promotion, compensation, etc.

## 3200.00(a)

Anyone who believes that he or she has been the subject of discrimination or harassment, including sexual harassment, or has knowledge of violations of this policy shall report the matter in accordance with established complaint procedures found in Board Policies 3200.01 and 3200.02. All reports regarding employee discrimination or harassment shall be taken seriously, treated fairly and thoroughly investigated. Individual privacy shall be protected to the extent possible. There shall be no retaliation against any person who files a complaint under this policy.

The District shall take appropriate and necessary action to eliminate employee discrimination and harassment. Actions that result in discrimination on a basis not related to an employee's job performance or are determined to be harassment, shall be subject to disciplinary action, up to and including dismissal. In addition, employees who fail to respond to discrimination or harassment complaints or to act on their knowledge of violation of this policy will likewise be subject to disciplinary action up to and including dismissal.

This policy and its accompanying procedures shall be published annually and distributed to all staff as part of an Employee Handbook. Training on this policy and accompanying procedures will be conducted annually for all staff in the District.

Any questions or concerns regarding the District's equal opportunity policies may be directed to the District Administrator or the District's designated Equity Coordinator/Director of Pupil Services.

Legal References: WI Fair Employment Law, chapters 111.31 to 111.395  
Wis. Statutes 118.195 and 118.20  
Title IX, 1972 Educational Amendments  
Section 504, Rehabilitation Act of 1973  
Title VI, Civil Rights Act of 1967  
Age Discrimination Act of 1975  
Immigration Reform and Control Act of 1986  
Americans with Disabilities Act of 1990  
Civil Rights Act of 1991  
Pregnancy Discrimination Act

Cross References: 3200.01, Employee Discrimination and Harassment – Equal Employment Opportunities Complaint Procedure  
3200.02, Employee Discrimination and Harassment – Equal Employment Opportunities Complaint Form

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