

ADMINISTRATIVE RULE 512

AR 512 - Employee Harassment Complaint Procedures

If any employee believes that he/she has been or is being harassed in violation of the employee harassment policy, he/she may bring forward a complaint in accordance with the informal and/or formal procedures outlined below.

A. Informal Procedure

1. Any employee who believes he/she has been or is being subjected to harassment is encouraged to advise the person who is engaging in such conduct of his/her objection to the harassment. Failure to do so does not prevent the employee from pursuing the formal complaint procedure set forth in section B of this rule.

B. Formal Procedure

1. Any employee who believes that he/she has been or is being subjected to harassment shall prepare a written complaint (AR 512, Exhibit A) which shall be submitted to the building administrator where the incident took place or is taking place. The building administrator where the alleged harassment took place or is taking place shall undertake a prompt and thorough investigation of the complaint. If the building administrator is the subject of the complaint, the complaint shall be referred to the District Administrator for investigation and action.

Upon completion of the investigation, the building administrator shall determine the appropriate action to be taken regarding the harassment complaint. The building administrator shall inform the complainant, in writing, of his/her determination regarding the complaint within fifteen (15) school days.

2. If the complainant wishes to appeal the determination made in section B(1) above, he/she may submit a signed statement of appeal to the District Administrator indicating with particularity the nature of the disagreement with the determination and the reasons underlying such disagreement within fifteen (15) school days after receipt of the building administrator's response to the complaint. The District Administrator will review with the complainant, the building administrator or other appropriate persons the facts comprising the alleged harassment which is the subject of the appeal. Within fifteen (15) school days after receiving the appeal, the District Administrator shall decide the merits of the case, determine the actions to be taken, if any, and report in writing the findings and the resolution of the appeal of the complainant. If the complaint was referred to the District Administrator in section B(1), the appeal shall be to the School Board as outlined in section B(3) below.
3. If the complainant is dissatisfied with the decision of the District Administrator, he/she may appeal the decision in writing to the School Board. The School Board shall hear the appeal at its next regular meeting or a special meeting may be called for the purpose of hearing the appeal. Copies of the School Board's written disposition of the appeal shall be mailed or delivered to the complainant and the District Administrator within fifteen (15) school days of the meeting at which the appeal was heard.
4. A complainant who is dissatisfied with the School Board's decision may appeal the decision, in writing, to the State Superintendent of Public Instruction.

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5. Copies of the written complaint and any written documentation related to the complaint shall be provided to the District nondiscrimination officer.

C. Other Procedures

1. The procedures provided in this rule are not the exclusive remedies for harassment. Legal remedies available under Federal, state and local law may be pursued concurrently with the District procedures available hereunder.

Legal Ref.: Sections 111.31-111.39; 118.13; 118.195; 118.20, Wisconsin Statutes
Titles VI and VII - Civil Rights Act of 1964 as Amended
Title IX - Education Amendment of 1972
Sec. 504 - Rehabilitation Act of 1973
Age Discrimination Act of 1975
Immigration Reform and Control Act of 1986
Americans with Disabilities Act of 1990
Civil Rights Act 1991
Individual with Disabilities Education Act
PI 9 and PI 41 of the Wisconsin Administrative Code
Genetic Information Nondiscrimination Act of 2008 (GINA)