

WORKPLACE VIOLENCE, THREATS, INTIMIDATION, HARASSMENT

The District's goal and expectation is that District officials and employees will maintain a safe, professional, and productive workplace environment that models and contributes to the high-quality learning environment that the District strives to create for District students and for the District's educational programs. In order to create and maintain such a workplace environment, the District places a number of conduct expectations on all District employees, including but not limited to the prohibitions against violence, threats, intimidation, and harassment found in this policy.

Accordingly, the District prohibits all of the following:

1. All forms of workplace violence and threatened workplace violence, such as any of the following:
 - a. Striking, shoving, or kicking another person.
 - b. The infliction, attempt to inflict, or threat to inflict damage to property or any type of physical harm or injury to others, by any means.
 - c. Confining a person against their will or applying any restraint lacking a legitimate purpose that inappropriately limits a person's freedom of movement.
 - d. Any conduct that constitutes a violent crime, as defined under section 939.632(1)(e) of the state statutes.
2. Conduct that occurs out of anger or loss of temper, out of animosity/dislike of another person, or in the context of an interpersonal conflict, that exhibits an intentional, reckless, or negligent disregard for the health, safety, or property of others or for the District's ability to maintain a safe, professional, and productive workplace environment.
3. Any spoken, nonverbal, or physical behaviors or any communications that, by intent or as a reasonably foreseeable consequence (a) inappropriately threaten, intimidate, degrade, harass, or ostracize another person; (b) create an objectively hostile or intimidating work environment; or (c) otherwise unreasonably interfere with District operations or with the work, safety, or well-being of a District employee or another person who is present in a District workplace. When making determinations with regard to allegations of such conduct or communications, the District will consider the severity of any individual incidents, the cumulative effects of multiple incidents, and the extent to which the conduct lacks any legitimate purpose.

Any person who is determined to be responsible for a violation of this policy is subject to appropriate disciplinary action (up to and including possible termination for a District employee) and/or other appropriate consequences that are within the District's lawful authority.

Scope and Application of Policy

1. In addition to conduct by employees, the District retains all lawful authority to receive reports of, investigate, intervene in, and implement an appropriate response to allegations of conduct by any non-employee (e.g., contractors, volunteers, vendors, parents, visitors, former employees, etc.) whose conduct occurs in or affects a District workplace and that may constitute a violation of this policy.
2. Where there is a sufficient connection to a person's District employment or to a District workplace, the prohibitions identified in this policy may be applied to conduct that occurs away from a District workplace, including while an employee is off duty.
3. To the extent relevant to the alleged offense, and taking into account the totality of the circumstances, the District will evaluate alleged misconduct under this policy based on the reasonably foreseeable effect(s) of the conduct on a reasonable person.

4. This policy is not intended to prohibit or limit reasonable supervisory employment practices, which may include, as examples, (a) the monitoring, observation, and evaluation of an employee’s work and conduct; (b) the provision of evaluative feedback; (c) the establishment or documentation of expectations for changes to an employee’s behavior, practices, or procedures; and (d) the identification or imposition of negative consequences. Although an employee may sometimes find such supervisory actions to be stressful or upsetting, those actions are not a violation of this policy unless some additional inappropriate element exceeding the boundaries of reasonableness is involved.

5. Even though such conduct can still be a legitimate focus of supervisory/administrative inquiry and possible intervention, not all workplace behavior that (a) hurts a person’s feelings; (b) is a manifestation of an interpersonal conflict; or (c) is in some way unkind or upsetting to someone amounts to a violation of the conduct expectations that are the primary focus of this policy.

6. Depending on the totality of the circumstances, the use of profane language or gestures can violate the conduct guidelines established by this policy. Further, profanity is very rarely tolerable in a District workplace due to the educational mission of the District, the District’s expectation that employees should model desired behaviors for students, and the unpredictable effects that profanity can have on others. Employees who use profane language or gestures do so at the risk of possible discipline.

Wisconsin Statutes

<u>Subch. II of Chapter 111</u>	[the state fair employment and nondiscrimination statutes, including specific prohibited bases of discrimination]
<u>Section 111.32(13)</u>	[state law definition of sexual harassment in employment]
<u>Section 118.195</u>	[discrimination against handicapped teachers]
<u>Section 118.20</u>	[teacher/administrator discrimination prohibited]
<u>Section 175.32</u>	[mandatory reporting of threats of school violence]
<u>Section 939.632</u>	[violent crime in a school zone]
<u>Section 940.32</u>	[stalking as a criminal offense]
<u>Section 947.0125</u>	[unlawful use of electronic communications]
<u>Section 947.013</u>	[harassment prohibited]
<u>Section 947.019</u>	[threats of death, bodily harm, or damage to property affecting school premises and in other circumstances]

First Reading:: April 14, 2022

Adopted: May 12, 2022