

## **WORKPLACE VIOLENCE, THREATS, INTIMIDATION, HARASSMENT**

### **Complaints and Reports of Alleged Violations of this Policy**

1. Any District employee who has knowledge of a threat of workplace violence under this policy shall, as a first priority, take reasonable steps to secure their immediate personal safety and evaluate their possible statutory obligation to immediately submit a report to law enforcement regarding a threat of violence in a school or targeted at a school.
  - a. Even if it is determined that there is no statutory reporting obligation, any District employee is permitted to report possible criminal conduct to law enforcement.
  - b. An employee who reports an incident or threat under this policy to law enforcement shall, as soon as practicable thereafter, inform at least one of the following administrators of the nature of the report and the related circumstances: District Administrator or in absence Building Principal.
2. Regardless of whether a report has been made to law enforcement and regardless of the identity of any potential victim or target, all District employees are required to report known, suspected, or threatened instances of physical violence in the workplace to one of the following administrators as soon as reasonably possible: District Administrator or in absence Building Principal.
3. Any person may submit any other reports or complaints regarding known or alleged violations of this policy to any of the following administrators: District Administrator or in absence Building Principal. The person submitting the report or complaint is encouraged to verify that it was received if they do not receive a reasonably prompt acknowledgment.
  - a. The preferred method of submitting such a report or complaint is in writing, including by an email sent to the appropriate employee's District email address.
  - b. Verbal reports and complaints are also acceptable, but there can be a greater need for the individual to be clear about the nature of the complaint/concern and their expectation for follow-up.
4. General questions or concerns related to this policy should be directed to any of the following administrators: District Administrator or Building Principal.
5. The District prohibits retaliation against any employee who, acting in good faith, submits or otherwise participates in the investigation, processing, or resolution of a report or complaint under this policy.

### **Addressing Alleged Violations of this Policy**

Under the supervision of the District Administrator, the administration shall ensure that the District takes prompt and appropriate action in response to any complaints or reports that identify or allege a violation of this policy.

1. **Priority Evaluation of Threats to School/Employee Safety.** As a first priority when receiving a report or complaint of workplace violence, or threatened workplace violence, under this policy, the administration shall promptly evaluate and process such incidents, reports, or complaints according to the District's school safety plan and under any other established procedures for responding to an imminent or ongoing safety concern.
2. **General Complaint Processing.** Because of the wide range of conduct that is potentially subject to analysis under this policy and due to the varying degrees of the seriousness of possible allegations, the School Board directs the administration to apply a principle of proportionality to the investigation and complaint-processing procedures that are used to address observations, reports, or complaints of possible violations of this policy. In determining a proportional response, the administration shall observe the following guidelines:

- a. The administration shall utilize the complaint-processing procedures that the District has established under its Equal Opportunity Employment and Nondiscrimination policy to process any complaint that alleges a possible violation of this policy and that also involves an allegation of, or any administratively-identified substantial evidence of, possible unlawful employment discrimination (including unlawful harassment that is based on a legally-protected status).
  - b. The administration may choose to utilize the complaint-processing procedures that the District has established under its Equal Opportunity Employment and Nondiscrimination policy to process other complaints alleging a violation of this policy, even though there is no allegation or substantial evidence that the alleged conduct may have been based on a status or classification that is protected under the state or federal employment discrimination laws.
  - c. At a minimum, a person who submits a written complaint alleging a possible violation of this policy shall be entitled to (1) present their allegations to an administrator who is charged with providing an initial administrative response to the allegations; (2) the receipt of an initial administrative response; and (3) an opportunity to appeal the initial administrative determination to the District Administrator for review or reconsideration.
3. **Coordination with Law Enforcement.** When an allegation of misconduct under this policy may also constitute a crime, the administration, in consultation with District legal counsel as needed, is expected to make reasonable efforts to coordinate the District's processing of the matter with any related law enforcement proceedings.

**Legal References:**

**Wisconsin Statutes**

Subch. II of Chapter 111 [the state fair employment and nondiscrimination statutes]

Section 111.32(13) [state law definition of sexual harassment in employment]

Section 118.195 [discrimination against handicapped teachers]

Section 118.20 [teacher/administrator discrimination prohibited]

Section 175.32 [mandatory reporting of threats of school violence]

Section 939.632 [violent crime in a school zone]

Section 940.32 [stalking as a criminal offense]

Section 947.0125 [unlawful use of electronic communications]

Section 947.013 [harassment prohibited]

Section 947.019 [threats of death, bodily harm, or damage to property affecting school premises]

**Federal Laws and Regulations**

See federal references for Policy 511 (equal opportunity and nondiscrimination)

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