

# NEW AUBURN SCHOOL DISTRICT SUPPORT STAFF EMPLOYEE HANDBOOK 2024-2025



## NEW AUBURN MISSION STATEMENT

*Growing individuals to positively influence today and tomorrow's society.*

## NEW AUBURN VISION STATEMENT

*Building an educationally progressive and connected community.*

*The New Auburn Board of Education and administration welcome you to the educational team in the New Auburn School District. We are committed to developing the youth of our district to be able to succeed in the 21st century. We look forward to working collaboratively with you and invite you to share your ideas, knowledge and experience as we pursue this goal.*

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## PURPOSE OF HANDBOOK

This handbook is provided by the New Auburn School Board to the Support Staff to serve as a guideline of expectations for all support staff employees.

This handbook is not a contract of employment. Rather, this handbook is intended to provide employees with a summary of the general operational policies and procedures, federal and state mandated policies and procedures, and fringe benefit programs currently provided for the employees.

This handbook is subject to changes made at the school board's discretion. The District reserves the right to revise, add, subtract, correct, delete or update any part of the provisions in this handbook.

Please note that the Board is constantly updating District policies and, in the interim, this handbook shall supersede existing policies in the event that the policies and handbook specifically conflict on an issue. Policy changes approved after the date this handbook is issued shall supersede this handbook. Any changes made in this handbook will typically be brought to the attention of all employees through written and/or verbal announcements to all employees.

The handbook is located on the district website and will be updated with any changes. Employees may request a printed copy of the handbook at the district office.

## EQUAL EMPLOYMENT OPPORTUNITY

It is the policy of the New Auburn School District to provide equal opportunity in employment to all qualified employees and applicants for employment. The District does not discriminate on the basis of age, race, creed, color, religion, national origin, ancestry, disability, sex, sexual orientation, marital status, Veteran status, arrest record, misdemeanor conviction record, genetic testing or any other legally-protected class status. Positive action is required from all employees to help ensure that the District complies with its obligations under state and federal law. The New Auburn School District prohibits any form of retaliation for making a report, in good faith, or assisting in an investigation of issues associated with equal opportunity.

In accordance with the Americans with Disabilities Act (ADA), the District will reasonably accommodate qualified individuals with a disability so that they can perform the essential functions of their job. A qualified individual who can be reasonably accommodated for a job without undue hardship will be given the same consideration for that position as any other applicant.

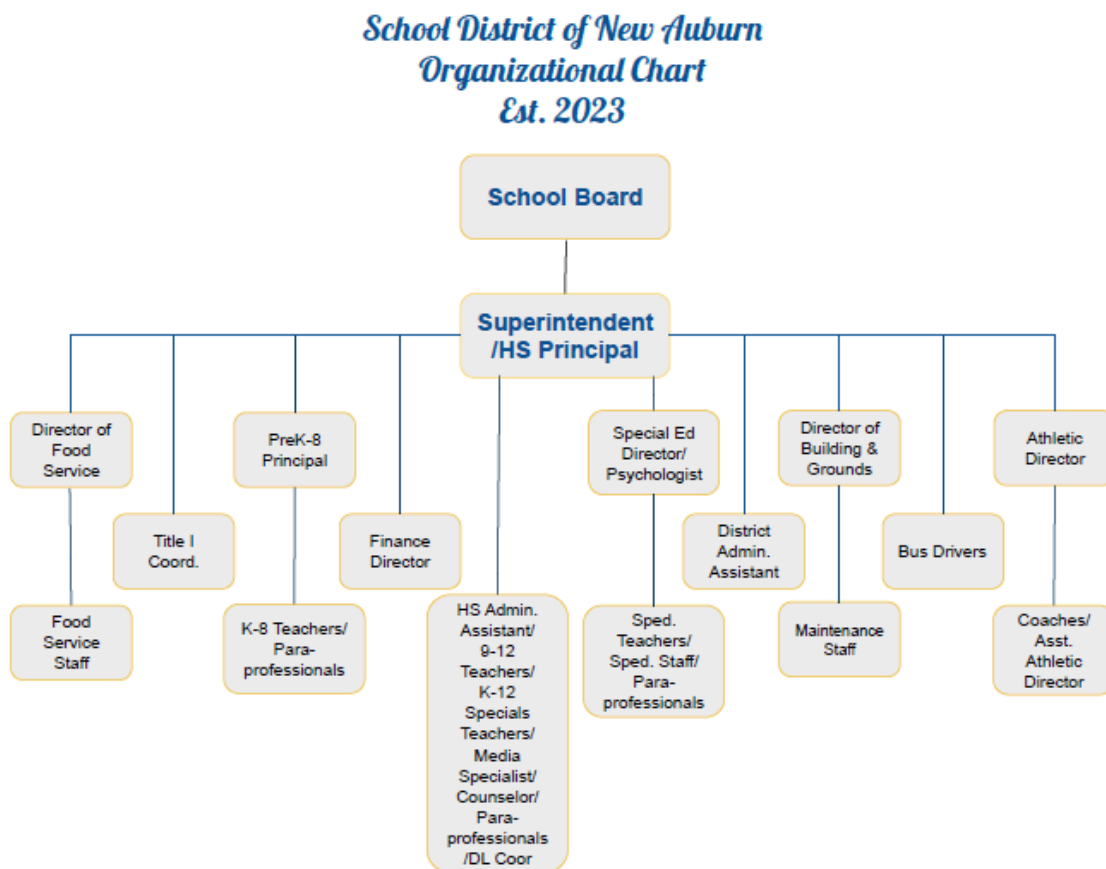
## THE ROLE OF MANAGEMENT

The District reserves any and all management rights regarding the employment status of all employees. Management rights include, but are not limited to, the right to:

- Manage and direct the employees
- Hire, promote, schedule, transfer and assign employees
- Layoff and recall employees
- Discharge employees or take disciplinary action
- Schedule overtime as required
- Develop job descriptions
- Assign work duties
- Contract out for goods and services
- To take whatever action is necessary to comply with state and federal law

## ORGANIZATIONAL CHART

New Auburn School District prides itself on a culture of respect and good communication. All employees are directed to follow the board approved organizational chart for all issues, concerns, and questions.



## HOURS OF WORK/WORK SCHEDULES / CALENDARS

The District shall provide employees with work hours and work schedules to ensure adequate staffing coverage for effective operations as follows:

The normal workday for full-time support staff personnel shall be 8 hours. The administration shall set the hours and approve any modifications to the hours per Employee. **Additional time must be approved by the employee's direct supervisor.**

The full-time work day includes a thirty (30) minute lunch period and a fifteen minute break. Employees are expected to notify administration if they leave the building during their duty-free lunch, in the event of an emergency while they are away. **The following positions receive a paid lunch break due to being on call: Director of Buildings and Grounds, Director of Food Service, District Assistant, and Middle/High School Assistant.**

**Part-time:** The normal work schedule for any part-time employee shall be assigned by the administration.

**Caleendars:** The Board shall approve the annual school calendar. Specific in-service dates, early dismissals, and parent conferences will be scheduled by the administration.

**Changes/Hours:** Modifications to work schedules or hours of work must be pre-approved by the administration.

**Meetings:** The administration reserves the right to schedule meetings outside of the normal work day. When attendance is mandatory, support staff shall be compensated accordingly.

Support staff are expected to participate in extra duties as assigned. Examples may include, but are not limited to playground duty, bus duty, lunchroom supervision, p/t conferences, field trips, etc. Support staff members shall receive additional compensation for duties performed outside of their regular hours.

## PAYSCALE

### **Non-Certified Staff**

- Staff members will be placed on the payscale schedule by administration according to their current earnings, experience, educational level, licenses, and positions

- **LEVELS DO NOT EQUAL YEARS OF SERVICE**
- Staff may advance a level for every two years of service in a specific role
- The salary schedule will not grow with CPI Changes unless CPI is high enough to warrant such a change after staff increases are applied
- Nothing in the compensation plan limits the administration and school board from making additional compensations, such as stipends that may include market value incentives
- In the event of extenuating circumstances that require the school board to freeze a year or offer less than the salary schedule, every effort will be made to make up the difference in subsequent years or in other ways as determined by the school board
- This plan may be modified or replaced as needed by the school board
- The school board has the ultimate authority in all compensation decisions
- Any marks of unsatisfactory on the year end evaluation will result in no advancement of levels until a plan of improvement is completed
- Any staff member “grandfathered” above the pay scale will have their hourly rate increased at the same percentage as the other staff members

| Level in Current Position  | Paraprofessional / foodservice | Foodservice Director | Bus Driver** | Custodian* | General Receptionist | Building Secretary/Tech nology Aide | District Assistant/ Payroll Assistant | Maintenance Director |
|--|--------------------------------|----------------------|--------------|------------|----------------------|-------------------------------------|---------------------------------------|----------------------|
|  | 176                            | 189                  | 176          | 260 (261)  | 176                  | 176                                 | 260 (261)                             | 260 (261)            |
| A  | \$15.23                        | \$19.00              | \$18.00      | \$17.00    | \$15.23              | \$16.23                             | \$20.75                               | \$46,500.00          |
| B  | \$15.48                        | \$19.25              | \$18.25      | \$17.25    | \$15.48              | \$16.48                             | \$21.00                               | \$48,700.00          |
| C  | \$15.73                        | \$19.50              | \$18.50      | \$17.50    | \$15.73              | \$16.73                             | \$21.25                               | \$50,900.00          |
| D  | \$15.98                        | \$19.75              | \$18.75      | \$17.75    | \$15.98              | \$16.98                             | \$21.50                               | \$53,100.00          |
| E  | \$16.23                        | \$20.00              | \$19.00      | \$18.00    | \$16.23              | \$17.23                             | \$21.75                               | \$55,300.00          |
| Hourly staff may also receive a CPI based adjustment minus cost of steps if financially feasible |                                |                      |              |            |                      |                                     |                                       |                      |
| NOTE: Some years have 260 days, some have 261 or 262   |                                |                      |              |            |                      |                                     |                                       |                      |

## PAYROLL & DEDUCTIONS FROM PAYROLL

The District shall administer payroll and payroll procedures in accordance with applicable local, state and federal guidelines as listed below:

**Advanced Training:** The district reserves the right to provide an hourly bonus rate of up to \$1.00 per hour for advanced training. Example: a paraprofessional holding a teaching certification. This in no way guarantees such a bonus as it remains solely at the discretion of the district to provide this bonus rate.

**Pay Periods:** Paychecks shall be deposited, by direct deposit on a bi-weekly schedule.

**Direct Deposit:** All employees must notify the district office of changes in your designated bank ten days before the next payroll date. No changes may occur between June 1 and August 31.

**New Employee Packets:** All new employees must complete a new employee packet as soon as possible upon being officially hired by the District. Insurance enrollment forms must be filled out and returned to the payroll office no later than one week after their starting date of employment. Failure to do so could cause a delay of benefits.

**Personal Status Changes:** Please notify the district office within 25 days if any changes occur in your name, home address, telephone number(s), marital status, name or number of dependents, number of tax exemptions, insurance classification, beneficiary changes, or individuals to be contacted in case of emergency. This information is necessary as it may affect your compensation, eligibility for dependents' medical insurance, and other important matters.

**Deductions:** It is the District's policy to comply with applicable wage and hour laws and regulations. If you have any questions or concerns about your wage status or you believe that any deduction has been made from your pay that is inconsistent with your wage status, you should immediately raise the matter with the Finance Director who can assist you in understanding the information that is required in order to investigate the matter.

The District is committed to investigating and resolving all complaints promptly and as accurately as possible. Consistent with the U.S. Department of Labor's policy, any complaint will be resolved within a reasonable time given all the facts and circumstances.

## LEAVE - BEREAVEMENT

The District shall allow paid leave for purposes of making funeral arrangements and/or attendance at a funeral.

In the event of the death of a member of an employee's immediate family, full-time employees will be granted up to three (3) consecutive days of paid bereavement leave. Part-time employees shall receive prorated leave (equal to percent FTE). "Immediate Family" shall be defined as spouse, domestic partner, parent, grandparent, parent-in-law, grandparent-in-law, sibling, sibling-in-law, or child. All other funeral leave shall be personal, vacation, or unpaid leave. Bereavement leave may be used in half day increments.

## LEAVE - EMERGENCY SCHOOL CLOSINGS

The District shall promptly notify employees of any emergency conditions that may require the

closing of school or the reassignment of staff to alternate work sites.

**Inclement Weather:** In the event school has to be closed due to a weather emergency, only those employees required to work shall be paid the actual hours worked, but not less than one hour.

This applies to bus drivers, food service, and maintenance personnel.

Staff have the option of using paid time off to be compensated for the inclement weather day off after 3 inclement weather days have been used. This will typically apply only to virtual instructional days as non-virtual days will be made up.

**Other Emergency Conditions:** In conjunction with local health and/or public safety authorities, the New Auburn School District may decide to close a work site or take other emergency measures in order to safeguard the health and welfare of employees and the public and/or because a situation exists affecting the ability of employees to perform their job. Examples of emergency conditions might include, but are not limited to power outages, a natural disaster, or a quarantine imposed by health officials. Under such circumstances, the New Auburn School District may authorize paid leave status for employees, with the understanding any school days that have to be made up do not result in an increased number of days paid.

## LEAVE - FAMILY & MEDICAL

The District shall grant family and medical leave, including military service member caregiver and exigency leave to qualified employees in accordance with the Wisconsin Family and Medical Leave Law and the federal Family and Medical Leave Act.

Eligible employees may qualify for unpaid leave under Wisconsin's Family and Medical Law (S103.10, Wis. Stats.) and/or the federal Family and Medical Leave Act. When applicable, the leaves shall run concurrently. Employee rights will be posted in the workplace for reference by all employees. Additional leave time, over and above that which is required by law, may be requested by an employee and granted at the discretion of the District. In the event that an employee is not eligible for FMLA, such as a new employee, the employee may request unpaid family and/or medical leave; such leave may be authorized at the discretion of the District.

## LEAVE - HOLIDAYS

Twelve-month employees shall be entitled to the following paid holidays: New Year's Eve Day, New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day, Thanksgiving Friday, Christmas Eve, Christmas. Employees are required to work the regular work day before and after the holiday, unless pre approved by the district administrator to receive holiday pay. Holiday pay



is always 8 hours. Staff members who primarily work on student days do not receive holiday pay, ex: paraprofessionals, food service, and other employees who work less than 260 days.

## LEAVE - JURY DUTY

Employees who receive a summons to serve on jury duty will be granted jury duty leave. Employees must give reasonable advance notice of their intended absence for jury duty. The school district will continue to pay the regular salary for any full-time employee while he/she serves on jury duty provided the employee endorses all jury duty pay (other than mileage reimbursement) to the district.

## LEAVE - PERSONAL

The District shall provide employees with paid leave time in order to conduct personal business that can only or best be addressed during the regular school day.

Full-time employees will be granted three (3) days of personal leave per year and part-time employees will receive leave on a prorated basis (equal to percent FTE). One day may be carried over to the following year. The maximum accumulation shall be four (4) days.

Requests for personal leave must be made 48 hours in advance and require administrative approval before using. Approval may be subject to the availability of qualified substitutes. The District reserves the right to exclude days available for personal leave depending on district activities. Examples may include, but are not limited to: special employee training, mandatory in-service dates, etc. Staff may not use personal/vacation days to extend scheduled breaks unless approved by the superintendent in writing. These will typically be granted once every five or six years.

Personal days may be used in hourly increments.

## LEAVE - SICK

Employees shall be provided the opportunity to receive paid time to address their own personal health care needs or the health care needs of an immediate family member as outlined below:  
Definition: "Immediate family" is defined as parent, child, spouse, or registered domestic partner as defined by Wisconsin Statute, Ch. 770.01.

**Accrual:** Full-time employees accrue sick leave at the rate of one day per month.

School year employees may earn up to ten days per year. Year-round employees may earn up to twelve days per year.

Absences that exceed available sick leave will be treated as a request for unpaid leave unless the employee receives prior administrative approval. Eligible employees may apply for family and medical leave. The administrator may approve or deny requests for unpaid leave in accordance with the law. Unused sick leave accumulates year to year to a maximum of 90 days. Sick leave may be used in one-hour increments.

## LEAVES - UNPAID

Employees are allowed to take up to five days unpaid leave per year with only wages deducted for this period of leave. Employees requesting unpaid leave in excess of five days must receive school board approval. Unpaid leave taken in excess of five days, without prior school board approval, may be considered as grounds for dismissal.

## LEAVES-VACATION

Per board action, starting July 1, 2022, all twelve month employees (fiscal year 260-262 day) are entitled to paid vacations under the following schedule.

**ALL Vacation** requests must be submitted at minimum 7 days in advance. Out of respect for fellow employees all requests should be submitted as soon as possible.

At hire: 10 Days

At five years; 15 Days

At ten years: 20 Days

The school calendar for vacation days shall be July 1 to June 30, new hires shall receive a prorated number of days until the following July 1. The employee's anniversary date will be used to advance to the next level of vacation benefits. The additional vacation time will be prorated from the anniversary date to June 30.

No more than 5 vacation days may be taken in one **thirty (30) day period** without prior approval of the superintendent.

**Vacation days are earned over the course of the year. If an employee leaves the district before accruing vacation days that have already been used, they are responsible for paying the district back for any unearned vacation days.**

Carry over: Employees are strongly encouraged to use their vacation time by June 30th; however any earned vacation time will be carried over until the first student day of the school year. Carried over time not used by the first student day of the school year is forfeited.

### **Vacation Pay Upon Separation of Employment**

Employees who provide a minimum of 10 working days notice of their intention to terminate employment shall be entitled to the earned vacation pay remaining in their accumulation, as well as any vacation earned but not yet received. The 10 working days notice does not include paid time off, unless approved by the district administrator AFTER the employee provides notification of intent to separate from the district.

## **BENEFITS - HEALTH INSURANCE & COBRA**

The District shall provide health insurance to those employees who qualify for coverage.

Plan Coverage: Levels of benefits provided and employee participation is determined by the New Auburn School District and applicable state and federal regulations. Regular employees who work at least 30 hours per week, or a regular bus driver working at least 20 hours per week. The District may change the health insurance carrier, plan, and/or elements of insurance plan design as needed.

Benefits are effective as of the first of the month following the date of hire, unless hired on the first; then benefits are effective on date of hire. Employee coverage will end the last day of the month of their last day of employment.

**Employee Contribution:** Eligible employees may be required to contribute a percent of the premium cost of the plan. The amount shall be determined by the District each year and in accordance with the law.

**Insurance Continuation:** Under State law and the Federal Consolidated Omnibus Budget Reconciliation Act of 1985 ("COBRA") and subsequent amendments to the Act, employees covered under an employer's group health care plan are eligible for continuation of health care coverage under the group plan upon the employee's termination (except for gross misconduct) or reduction in hours. COBRA regulations also allow the employee's spouse and covered dependents to elect continuation coverage upon the employee's death, divorce or legal separation, an employee's entitlement to Medicare, a dependent's loss of dependent status under family coverage, or the employer's filing of a bankruptcy proceeding.

All employees, as well as their qualified dependents, will receive notice of mandated insurance continuation benefits at the time of hire or whenever the plan coverage for the employee begins. If a qualifying event occurs which entitles the employee and/or qualified dependents to

continuation coverage, the plan administrator will notify the qualified beneficiaries of their right to elect continuation coverage. Unless otherwise agreed, continued participation is solely at the participant's expense.

For additional details regarding coverage and premium contributions, contact the District Finance Director.

**Cash in Lieu:** Employees who decline the District offered group health insurance benefit shall receive an annual \$5800 cash in lieu benefit. Cash in lieu compensation is taxable income, but not subject to retirement.

## BENEFITS - OTHER INSURANCES

The District may provide dental insurance to those employees who qualify for coverage. Coverage; Levels of benefits provided and employee participation is determined by New Auburn School District and applicable state and federal regulations.

## BENEFITS - RETIREMENT

The District shall provide retirement contributions to eligible employees in accordance with State Law.

**Employee Contribution:** Once eligible for coverage under WRS, coverage is mandatory and an employee may not "opt out" of WRS. Employers and employees are required to pay a percentage of each payment of earnings equal to "one-half of the required actuary contribution rate." Employee contributions are pre-tax.

Early Retirement Incentives: (RESTRICTED TO EMPLOYEES HIRED PRIOR TO 07/15/2019)

Full-time, 12-month employees age 58 or older on June 30th with thirty (30) years of service in the District shall be eligible for early retirement benefits. The early retiree shall be entitled to \$20 per unused sick day up to ninety (90) days and \$400 taxable payment per month for four (4) years.

## ACCEPTABLE USE POLICIES

### STAFF NETWORK AND INTERNET USE

Staff members are encouraged to use the District's computers/network and Internet connection for educational purposes. Use of such resources is a privilege, not a right. Staff members must

conduct themselves in a responsible, efficient, ethical, and legal manner. Unauthorized or inappropriate use, including any violation of these guidelines, may result in cancellation of the privilege, disciplinary action and/or civil criminal liability (see Sec. 943.70, Wis. Stat. (Computer Crimes), Sec. 947.0125, Wis. Stat. (Unlawful Use of Computerized Communication Systems)). Prior to accessing the Internet at school, staff members must sign the Staff Network and Internet Acceptable Use and Safety Agreement.

Smooth operation of the Board's Network relies upon users adhering to the following guidelines.

The guidelines outlined below are provided so that users are aware of their responsibilities.

- A.** Staff members are responsible for their behavior and communication on the Internet.
- B.** Staff members may access the Internet by using their assigned Internet/E-mail account. Use of another person's account, address, or password is prohibited. Staff members may not allow other users to utilize their passwords.
- C.** Staff members may not intentionally seek information on, obtain copies of, or modify files, data, or passwords belonging to other users, or misrepresent other users on the network.
- D.** Staff members may not use the Internet to engage in "hacking" or other unlawful activities.
- E.** Transmission of any material in violation of any State or Federal law or regulation, or Board policy is prohibited.
- F.** Any use of the Internet for commercial purposes, advertising, or political lobbying is prohibited.
- G.** Staff members are expected to abide by the following generally accepted rules of network etiquette:
  - 1.** Be polite, courteous, and respectful in your messages to others. Use language appropriate to school situations in any communications made through the District's computers/network. Refrain from using obscene, profane, vulgar, sexually explicit, defamatory, or abusive language in your messages.
  - 2.** Never reveal names, addresses, phone numbers, or passwords of students while communicating on the internet.
  - 3.** Diligently delete old mail on a regular basis from the personal mail directory to avoid excessive use of the electronic mail disk space.
- H.** Use of the Internet to access, process, distribute, display, or print child pornography and other material which is obscene, objectionable, inappropriate or harmful to minors is prohibited. For example, the following material is prohibited: material that appeals to a prurient interest in nudity, sex, and excretion; material that depicts, describes, or represents in a patently offensive way with respect to what is suitable for minors an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals, and material that lacks serious literary,

artistic, political, or scientific value as to minors. Offensive messages and pictures, inappropriate text files, or files dangerous to the integrity of the District's computers/network (e.g., viruses) are also prohibited.

**I.** Malicious use of the District's computers/network to develop programs that harass other users or infiltrate a computer or computer system and/or damage the software components of a computer or computing system is prohibited. Staff members may not use the District's computers/network in such a way that would disrupt their use by others. Staff members should refrain from intentionally wasting limited resources.

**J.** All communications and information accessible via the Internet should be assumed to be private property (i.e., copyrighted and/or trademarked). All copyright issues regarding software, information, and attributions of authorship must be respected.

**K.** Downloading of personal applications onto the District's hard drives is prohibited; all downloads must be to a personal storage device. If a staff member transfers files from information services and electronic bulletin board services, the staff member must check the file with a virus-detection program before opening the file for use. Only public domain software may be downloaded. If a staff member transfers a file or software program that infects the Network with a virus and causes damage, the staff member will be liable for any and all repair costs to make the Network once again fully operational.

**L.** The District has software and systems in place that monitor and record all Internet, World Wide Web, and computer usage. The District wants users to be aware that security systems are capable of recording, for each and every user, each World Wide Web site visit, the amount of time spent actively using the World Wide Web site, each chat, newsgroup access, e-mail message, and every file transfer into and out of our internal networks to the Internet. No District student or employee should have any expectation of privacy as to his/her Internet or World Wide Web usage, or the privacy of any electronic mail message, file, download, note, or other data stored on or transmitted or received through any Board computing facility. The Board reserves the right to review computing activity and analyze usage patterns, and may choose to publicize this data to assure that the Board's computing resources are devoted to maintaining the highest standards of educational benefit and employee productivity. Messages relating to or in support of illegal activities will be reported to the appropriate authorities. The use of passwords does not guarantee confidentiality, and the Board retains the right to access information in spite of a password.

**M.** Use of the Internet and any information procured from the Internet is at the staff member's own risk. The District is not responsible for any damage a user suffers, including loss of data resulting from delays, non-deliveries, mis-deliveries, or service interruptions. The District is not responsible for the accuracy or quality of information obtained through its services. Information (including text, graphics, audio, video, etc.) from Internet sources used in class should be cited the same as references to printed materials.

**N.** Disclosure, use and/or dissemination of personal identification information of minors via the Internet is prohibited, except as expressly authorized by the minor student's parent/guardian on the "Student Network and Internet Acceptable Use and Safety Agreement Form."

**O.** Proprietary rights in the design of websites hosted on the District's servers remains at all times with the District without prior written authorization.

The District Administrator is authorized to suspend or remove user rights from any employee at any time. The District Administrator or designee is authorized to access any computer, computer files, network files, or any other computer related information necessary in response to complaints or suspicions of illegal, immoral, or unethical use of the computer property at any time without notification to the employee.

Employees shall be entitled to a reasonable level of privacy while using the network services. The network administrator and building level administrators must obtain the approval of the

District Administrator in writing or by email prior to viewing any employee's computer files. Employees will be expected to provide proper care and supervision of computer equipment used by them or their students.

Employees are allowed to use the school computer equipment and internet services for appropriate personal use provided it does not interfere with their work responsibilities.

Examples of inappropriate use of the computer or internet would include, but are not limited to, personal business for profit, threats, harassment, and abusive conduct. Employees who engage in violations are subject to disciplinary action, including termination.

The use of school computer equipment for engaging in immoral conduct is strictly prohibited. This includes, but is not limited to, downloading, viewing, soliciting, seeking, displaying or distributing pornographic material on district equipment. Violators will be subject to disciplinary action, up to and including termination.

State law further requires such activity be reported to the Department of Public Instruction for review and possible revocation of licensing (2011 Wisconsin Act 84).

## SOCIAL MEDIA

Staff use of social media should not interfere with professional work responsibilities. Any public posts should be clear that you are expressing your personal views alone, not those of your employer.

- Be respectful. Disparaging, obscene, profane, vulgar, or threatening social media conduct is inappropriate.
- The posting of illegal material may subject you to criminal and civil liability, in addition to disciplinary consequences in the workplace.
- Don't expect privacy. Your social media communications are publicly available.
- Comply with harassment and other policies.
- Employees may not use social media technology to engage in communications that would violate any other handbook policy, including, but not limited to, the workplace safety, discrimination, harassment, and retaliation policy.
- Employees are directed not to disclose any confidential information, particularly pupil records related to behavior, academics, or special needs.
- Employees who violate the electronic and social media policy may be subject to discipline, up to and including immediate termination of employment.
- Employees are discouraged from engaging in conversations on social media with students and parents/guardians.

When employees opt to conduct school business on their personal electronic devices, they are expected to follow these same expectations. Employees who violate the acceptable use and social media policies in the course of conducting school business on their personal devices may be subject to the same disciplinary actions as if they were using a school owned device.

## POLITICAL ACTIVITIES

The New Auburn District recognizes employees are free to engage in political activity outside of work hours and to the extent that it does not adversely affect the performance of job duties, working relationships or New Auburn School District operations. When engaging in political activity or engaging in discussion of issues of public importance, employees are expected to ensure that their actions and positions are not attributed to the District. Classroom discussions regarding politics shall be limited to the approved curriculum. District resources may not be used for promoting a particular candidate or political party or for advocating a particular position on an issue that has become identified as the viewpoint of a particular candidate or party.

**Definition of “Employer Resources”:** Employees may not use District resources for political activities. District resources include office supplies, electronic equipment including e-mail, facsimile and photocopying machines, bulletin boards and other public spaces. (Use of bulletin boards requires authorization of Administration and is off-limits to public use.)

**Definition of “Political” Activities:** “Political” activities include partisan and nonpartisan elections and referendums. All “political” activities must be conducted independent of your role



as an employee. The following guidelines are not exhaustive, but are intended to help in differentiating between those activities that may be viewed as harmful to workplace functioning and those activities that generally fall outside the “political” activities subject to employer restrictions and intervention. Employees are expected to avoid the following political activities:

- Using working hours or employer resources to solicit money or signatures or to make political contributions;
- Using non-work hours to solicit contributions, signatures or services from other employees who are on work time;
- Posting political materials in areas open to the public (generally, individual work stations that are not available to the public are exempted from this restriction);
- Using the employer's mailing address as the return address for political solicitations;
- Providing employer mailing lists to any individual or organization for political solicitations if this information is not generally available to the public. (Note: the use and distribution of employer mailing lists to outside parties always requires prior authorization including an assessment of whether fees should be charged to cover the costs);
- Providing a forum for an individual candidate to promote his or her campaign without providing an equal opportunity to other candidates to participate in the forum;
- Political advocacy in the form of clothing items, armbands and buttons that cause a disruption in operations and/or violate the rights of others including the right to be free from discrimination, harassment and intimidation in the workplace.

These guidelines are not intended to discourage discussion of controversial issues in the classroom, where such discussions are consistent with District curriculum guidelines and teaching methods. This policy is not intended to limit the off-duty activities of employees where District buildings and property are made available to community groups for meetings and Gatherings.

Nothing in this policy limits the rights of the District to sponsor non-partisan political forums or forums to provide information on District initiatives, such as building referendums. Nothing in this policy places restrictions on the District’s freedom to invite speakers with political associations to forums that are not open to the general public.

## SOLICITATION (Non-Political)

In order to help maintain a work environment that protects employees from undue interference while performing their jobs, employees may not orally solicit or distribute written materials for any organization, fund, activity or cause to other employees in work areas while either employee is on working time.

**Employees-On-duty:** Employees may solicit employees, or distribute written materials before or after the normal workday, during normal break or lunch times or any other time when they are not working.

**Employees-Off-duty:** Off-duty employees may not solicit or distribute literature on New Auburn School District premises at any time.

**Non-employees:** May not solicit or distribute written materials on behalf of any organization, fund, activity or cause. Solicitations for charitable organizations are exempt if the organization is sponsored by an employee and prior permission has been secured from management. The same restrictions regarding working time and working areas apply to non-employees.

## DISCIPLINE POLICY

The District may take disciplinary action against employees for violations of standards of conduct, violations of policies and procedures, or for unsatisfactory work performance. Disciplinary action will typically be taken after an investigation and after giving the employee an opportunity to respond to any and all allegations.

The District may take disciplinary action against employees for violations of standards of conduct, violations of policies and procedures, or for unsatisfactory work performance. Disciplinary action will typically be taken after an investigation and after giving the employee an opportunity to respond to any and all allegations.

**Level of Discipline:** The level of corrective action/discipline imposed will take into consideration the seriousness of the infraction as well as the employee's performance record.

When appropriate, the intervention should be corrective in nature. At the employer's sole discretion, various types of employee corrective action and/or discipline may be imposed which include, but are not limited to, the following: Verbal warning, written warning, or suspension (with or without pay at the district administrator's discretion).

None of these corrective actions/disciplinary measures are required to be used before termination from employment occurs nor are the listed disciplinary actions required to be used in any specific order. The employer may repeat disciplinary action.

Employees are expected to work in a competent and conscientious manner, which reflects favorably upon the employee and the New Auburn School District. The following is a list of examples of behavior that may be subject to disciplinary action:

- Fraud in securing employment
- Incompetency
- Attendance Problems-Improper use of leave
- Neglect of duty
- Insubordination or willful misconduct
- Dishonesty
- False Reporting of a violation by an employee ex: filing a false harassment claim
- Assuming duties while under the influence of controlled substances or intoxicants; or possession of /use of intoxicants or controlled substances during working hours
- Criminal misconduct interfering with one's role as a school employee
- Negligence or willful damage to property
- Discourteous treatment of the public or fellow employees
- Failure to obtain and maintain a current license or certification as required by law or employer
- Failure to maintain effective working relationships with other employees or the public
- Workplace violence
- Sexual or other unlawful harassment
- Chronic attitude problems
- Ineffective job performance
- Unprofessional conduct

The offenses listed above are not intended to be all-inclusive, and discipline or termination may occur for any other reason depending upon the seriousness of the offense and the particular circumstances involved.

**Documentation:** All discipline shall be documented with a copy provided to the employee and a copy placed in the employee's personnel file.

Corrective action plans may be used in certain instances at the discretion of the administrator or supervisor.

## GRIEVANCE PROCEDURE

It is the policy of the District to treat all employees equitably and fairly in matters affecting their employment. Each employee of the District shall be provided an opportunity to understand and resolve certain matters affecting employment that the employee believes to be unjust. This section shall apply to all regular full-time employees. This procedure is available in the case of any employee's disagreement with discipline or termination of employment, as well as any matter relating to workplace safety.

A grievance shall mean a dispute concerning an employee's discipline or termination of employment, or a dispute concerning workplace conditions that affect workplace safety. Only

one subject matter shall be covered in any one grievance. A written grievance shall contain:

- A. Name and position of the grievant
- B. Clear and concise statement from the grievant
- C. Description of the issue
- D. The relief sought
- E. Date the incident or violation took place
- F. The Specific policy alleged to have been violated
- G. Grievant signature and date

All employee grievances must be filed by the aggrieved employee(s). The grievance must be filed within five (5) working days after the employee knew or should have known of the cause of such grievance. The following procedures shall be followed:

**Step One: Principal**

Any employee that believes s/he has a matter subject to the grievance procedure shall present the grievance to his/her immediate supervisor. If applicable, the employee shall perform the assigned task and grieve later. The Principal shall, within five (5) working days, inform the employee in writing of his/her decision.

**Step Two: District Administrator**

In the event the Principal's decision does not resolve the problem, the employee may, within five (5) working days of the date the Principal's written decision is issued, present his/her grievance in writing to the District Administrator. This grievance shall fully state the details of the problem and suggest a remedy. The District Administrator shall, within five (5) working days of receipt of the grievance, meet and discuss the grievance with the employee and then reply in writing within ten (10) working days. This step does not apply to any grievance related to action by the Board of Education that directly affects the grievant.

**Step Three: Hearing Before an Impartial Hearing Officer**

In the event the matter is not resolved to the employee's satisfaction by the District Administrator, the employee may, within five (5) working days of the date of the written decision of the District Administrator, request in writing that the matter be referred for a hearing before an impartial hearing officer. The Board of Education shall appoint a hearing officer for the purpose of conducting the hearing. If the District Administrator denies the grievance based on whether the grievance is timely or relates to a covered matter (i.e. workplace safety, discipline or termination), the matter shall be referred to the Board for determination of whether the grievance may proceed. If the Board determined that the grievance may proceed, it will then be referred to the Impartial Hearing Officer

The Board may appoint a hearing officer or panel of potential hearing officers from which to

select an officer for this purpose either on an ad hoc basis or by resolution adopted for a school year and delegate to the District Administrator the responsibility to arrange for such hearing with one of the selected officers. Each grievance shall be heard by a single hearing officer and such hearings shall be private. The employee and the District may present witnesses, and each side may select one individual to attend the hearing as a representative. Any employee representative selected shall be at no expense to the District.

The Hearing Officer may only consider the matter presented to him/her in the initial grievance filed by the employee. The decision will apply exclusively to the employee presenting the grievance. The Impartial Hearing Officer shall have authority to run the hearing, including administering oaths, admitting evidence into the record, providing for transcription, etc. The Officer may not modify any board policy and may not issue decisions on matters not presented to the Administrator in the initial grievance. Any costs incurred by the impartial hearing officer shall be paid by the District.

#### **Step Four: Board of Education**

In the event that either party is dissatisfied with the hearing officer's decision, that party may within ten (10) working days, present the grievance in writing to the Board, who shall consider the matter within thirty (30) working days after its receipt, unless postponed by mutual agreement. The Board shall revise the decision of the impartial hearing officer and may either issue a decision or determine that additional evidence or testimony is necessary and provide for a hearing for that purpose. The Board's decision shall be by majority vote, which shall be final.

**Level of Review:** The role of the Board of Education, in reviewing the decision of the Impartial Hearing Officer, is to address the following questions:

1. Did the Impartial Hearing Officer follow a fair and impartial process?
2. Is there evidence of corruption, fraud, or misconduct by the Impartial Hearing Officer?
3. Did the Impartial Hearing Officer make an error of law which makes his/her award invalid?
4. Did the Impartial Hearing Officer make an error of fact which makes his/her award Invalid?

After answering the above questions, the Board of Education will decide to uphold, modify, or reverse the decision of the Impartial Hearing Officer. The Board will issue its written decision within sixty (60) days from receipt of the appeal.

## **TRANSFERS & PROMOTIONS**

The District shall make all final decisions regarding the temporary and permanent transfer or promotion of an employee based on the operational needs of the District. The District reserves

the right to apply various factors when making that decision, such as an employee's certification, skill level, experience, proven effectiveness, attitude, attendance, and other qualifications as determined by the District.

## JOB VACANCIES & POSTING

When the District determines that a vacancy or new position shall be filled, vacancies or new positions will typically be posted for a minimum of five days if reasonable and appropriate to do so. The District retains the right to determine if the position is available for outside applicants. The District retains the right to hire the candidate deemed best for the position.

## REDUCTION OF FORCE

The District retains the right to lay off employees, in whole or in part, and to retain those employees who are most qualified to perform the available work, regardless of their previous length of employment or position held in the District.

## PERFORMANCE REVIEWS

The District shall provide for periodic review of work performance. Employee work performance will normally be reviewed on a regular basis. If an employee believes that a performance review is needed and/or past due, the employee should discuss the matter with their immediate supervisor or District Administrator. A performance review will be discussed between the employee and the supervisor within a reasonable timeframe. All formal evaluations shall be reduced to writing, shared with the employee and a copy placed in the employee personnel file. At minimum an annual review of work performance will be conducted.

## PERSONNEL FILES

The District shall maintain personnel records for all employees. Access to personnel files will be authorized in accordance with public records laws and regulations. All employee files will be secured in a confidential area that is supervised by the District Administrator. Employees wishing to review their personnel files may make an appointment with the Administrator to do so.

Employees, and other authorized viewers of records, shall have the authority to review and receive a copy, but not remove or alter, personnel records. Any employee wishing to view his/her personnel file should request a meeting with the District Administrator to do so. If an employee disagrees with any information in his/her personnel file, the employee may submit a

written statement explaining his/her position, which shall be included in the file.

## SEPARATION FROM EMPLOYMENT

The District recognizes separation from employment as: resignation, retirement, reduction in workforce, failure to return from approved leave, or discharge from employment. Such employment separations may be voluntary or involuntary. Upon any separation from employment, compensation and benefits which you have earned and accrued will be credited to you pursuant to law. Your last day worked will in most cases be considered your last day of employment. The District reserves the right to determine the last day of employment.

## WORKPLACE PROTECTIONS / WORKPLACE SAFETY

### DISCRIMINATION, HARASSMENT & RETALIATION-FREE WORKPLACE

The New Auburn School District will maintain a safe workplace environment that is free from discrimination, harassment and retaliation. Every employee has a personal responsibility to help maintain a safe and healthful workplace environment. Under federal and state fair employment laws, members of protected classes are shielded from unlawful discrimination in employment. Workplace harassment and discrimination whether engaged in by employees, supervisors or members of the public, will not be tolerated and may subject offenders to disciplinary action or discharge from employment. Retaliatory acts taken against employees for reporting workplace safety issues, harassment or discrimination, or participating in an investigation of any allegation of such issues, will also not be tolerated and may subject the offender to disciplinary action or termination from employment.

**Responsibility to Report:** It is the responsibility of each and every employee to immediately report to management any and all health and safety issues, discriminatory, harassing or retaliatory conduct which may relate to the work environment whether it occurs on or off the job. Such conduct includes conduct by employees toward other employees, by employees toward students and by members of the public toward employees, which relates to their work.

**Definition of Protected Class:** State and Federal law prohibits discrimination and harassment based on any protected class including, but not limited to, age, race, color, creed, disability, religion, sex, national origin, ancestry, arrest record, misdemeanor conviction record, marital status, sexual orientation, genetic testing, membership in the national guard, State defense force or any other reserve component of the military forces, for use or nonuse of lawful products off the employer's premises during nonworking hours.

**Definition of Harassment and Acts of Discrimination:** Harassment and acts of discrimination

to be reported by employees can include:

- Unsolicited and repeated derogatory epithets, derogatory statements or gestures made to a person because of his/her protected status.
- Any attempt to penalize or punish a person because of his/her protected status.
- Creating an offensive and hostile working environment for a person because of his/her protected status, including sexual harassment.
- Reports and allegations of workplace harassment and/or discrimination will be subject to investigation by management as soon as reasonably possible. If an employee is found to be responsible for harassment or other discriminatory conduct, then appropriate disciplinary action may be taken, up to and including termination from employment.

An employee who has a harassment, discrimination or retaliation complaint should immediately report it to their supervisor. The report may be made verbally, and may be required in writing. The allegations should provide sufficient information and detail so that the supervisor can thoroughly investigate the complaint. If the supervisor is the object of the complaint, then the employee should report directly to the district administrator.

Upon receiving an employee report of harassment, discrimination or retaliation, the supervisor will take appropriate steps to investigate the complainant's allegations. Such reports shall be kept confidential to the maximum extent possible. An investigation may include interviewing other employees, speaking with the complainant, interviewing members of the public and reviewing documents such as e-mails, letters or memos. Based upon the investigations outcome, management will take appropriate action to resolve the complaint. A resolution may or may not result in disciplinary action being taken by the employer.

**Definition of Workplace Safety:** Any unsafe practice or condition, affecting persons, property or equipment, must be reported immediately to their supervisor. Should a hazardous situation exist, Safety concerns always take precedence over continuing operations. Any employee that identifies new ways to increase workplace safety, should make these recommendations known to their supervisor.

## INJURIES

Any staff member who is injured during the course of their work day, must report it to their immediate supervisor as soon as safely possible, and fill out an accident form in the district office within one working day.

## GRIEVANCE PROCEDURES FOR WORKPLACE SAFETY

The employer and employee may mutually agree, in writing, to waive any step to facilitate or



expedite resolution of the grievance.

**Step 1:** Any employee who personally identifies, or is given information about, a workplace safety issue or incident must notify his/her immediate Supervisor of the issue or incident as soon as reasonably practicable. All workplace safety issues and incidents, no matter how insignificant the situation may appear to be, must be reported by an employee to their immediate Supervisor within 24 hours after the incident or issue was raised in order to be addressed as part of the grievance procedure.

A written report of the incident or issue, outlining the events that transpired and proposed resolution, if any, shall be submitted to the Building Principal for review and consideration within seven (7) days of the incident or issue.

**Step 2:** After receipt of the written report, the Building Principal or designee will conduct additional investigation, as required, and normally issue a final report on its findings and conclusions within thirty (30) days of receipt of the written report. Copies of the report will be given to the persons who signed the written report as well as to the District Administrator or Designee.

**Step 3:** The employee may appeal the findings and conclusions of the Building Principal and request the appointment of an Impartial Hearing Officer within seven (7) days after receipt of the Building Principal's report. The Impartial Hearing Officer will be appointed by the District Administrator or designee.

If timely requested, the hearing will normally be scheduled within thirty (30) days of receipt of the request for hearing. The Impartial Hearing Officer may require the parties to submit documents and witness lists in advance of the hearing in order to expedite the hearing. The Impartial Hearing Officer will have the authority to administer oaths, issue Subpoenas at the request of either party, and decide if a transcript is necessary. At the conclusion of the hearing, the Impartial Hearing Officer shall render a written decision indicating one of three outcomes:

- A. Sustaining the conclusions of the Building Principal
- B. Denying the conclusions of the Building Principal and ordering additional or alternative remedial measures
- C. Recommending additional investigation prior to final determination.

The Impartial Hearing Officer shall issue the written decision to the employee and employer within thirty (30) calendar days from the date of the hearing or submission of post hearing briefs. In cases where the Impartial Hearing Officer recommends additional investigation, at the conclusion of the additional investigation, a Second, follow-up hearing shall be scheduled. The Impartial Hearing Officer may apply relaxed standards for the admission of evidence and may

request oral or written arguments and replies.

**Step 4:** The employer or employee may appeal the decision of the Impartial Hearing Officer to the Board in writing within seven (7) days of receipt of the written decision of the Impartial Hearing Officer. The decision of the governing body shall be final and binding upon the parties. Level of Review: The role of the Board of Education, in reviewing the decision of the Impartial Hearing Officer, is to address the following questions:

1. Did the Impartial Hearing Officer follow a fair and impartial process?
2. Is there evidence of corruption, fraud, or misconduct by the Impartial Hearing Officer?
3. Did the Impartial Hearing Officer make an error of law which makes his/her award invalid?
4. Did the Impartial Hearing Officer make an error of fact which makes his/her award invalid?

After answering the above questions, the Board of Education will decide to uphold, modify, or reverse the decision of the Impartial Hearing Officer. The Board will issue its written decision within sixty (60) days from receipt of the appeal.

## DRUG & ALCOHOL PROHIBITIONS

The District prohibits all employees from reporting to work under the influence of alcohol or illegal drugs. This policy includes any paid or unpaid lunch periods as well as training sessions and the working hours of conferences. The sale, possession, transfer or purchase of illegal drugs while in the course and scope of employment is also prohibited. Violators are subject to disciplinary action, up to and including dismissal, as well as referral to law enforcement.

**Purpose:** The purpose of this policy is to establish and maintain a safe and healthy work environment, reduce absenteeism and tardiness, and improve job performance.

**Drug & Alcohol Testing:** The District may conduct drug & alcohol testing based on reasonable suspicion that an employee is under the influence of alcohol or illegal drugs and may conduct additional testing in testing-designated positions (such as CDL). Random drug testing may be undertaken on any employee transporting students on school business at District expense. Any such testing will be done in accordance with established procedures.

Board Policy 4362 - **EMPLOYEE ANTI-HARASSMENT**

### **Prohibited Harassment**

The Board is committed to a work environment that is free of harassment of any form. The Board will not tolerate any form of harassment and will take all necessary and appropriate action to eliminate it. Any

member of the School District community who violates this policy will be subject to disciplinary action, up to and including termination of employment. Additionally, appropriate action will be taken to stop and otherwise deal with any third party who engages in harassment against our employees.

The Board will vigorously enforce its prohibition against harassment based on race, color, national origin, age, sex (including gender status, change of sex, sexual orientation, or gender identity), pregnancy, creed or religion, genetic information, handicap or disability, marital status, citizenship status, veteran status, military service (as defined in 111.32, Wis. Stats.), ancestry, arrest record, conviction record, use or non-use of lawful products off the District's premises during non-working hours, declining to attend an employer-sponsored meeting or to participate in any communication with the employer about religious matters or political matters (collectively, Protected Classes), or any other characteristic protected by law in its employment practices (hereinafter referred to as harassment), and encourages those within the School District community as well as Third Parties, who feel aggrieved to seek assistance to rectify such problems. The Board prohibits harassment that affects tangible job benefits, interferes unreasonably with an individual's work performance, or creates an intimidating, hostile, or offensive working environment. Harassment may occur employee-to-employee, employee-to-student, male-to-female, female-to-male, male-to-male, or female-to-female.

The Board will investigate all allegations of harassment and, in those cases where harassment is substantiated, take immediate steps to end the harassment, prevent its reoccurrence, and remedy its effects.

Individuals who are found to have engaged in harassment will be subject to appropriate disciplinary action.

### **Notice**

Notice of the Board's policy on anti-harassment related to employment practices and the identity of the District's Compliance Officers will be posted throughout the District and published in any District statement regarding the availability of employment, staff handbooks, and general information publications of the District as required by Federal and State law and this policy.

### **Definitions**

Words used in this policy shall have those meanings defined herein; words not defined herein shall be construed according to their plain and ordinary meanings.

**Complainant:** is the individual who alleges, or is alleged, to have been subjected to harassment, regardless of whether the person files a formal complaint or is pursuing an informal resolution to the alleged harassment.

**Day(s):** Unless expressly stated otherwise, the term "day" or "days" as used in this policy means business day(s) (i.e., a day(s) that the District office is open for normal operating hours, Monday – Friday, excluding State-recognized holidays).

**Respondent:** is the individual who has been alleged to have engaged in harassment, regardless of whether the Reporting Party files a formal complaint or is seeking an informal resolution to the alleged harassment.

**School District community:** means students and Board employees (i.e., administrators, and professional and support staff), as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

**Third Parties:** include, but are not limited to, guests and/or visitors on School District property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with, the Board, and other individuals who come in contact with members of the School District community at school-related events/activities (whether on or off District property).

### **Bullying**

Bullying rises to the level of harassment when one or more persons systematically and chronically inflict physical hurt or psychological distress on one (1) or more students or employees and that bullying is based upon one (1) or more Protected Classes, that is, characteristics that are protected by Federal civil rights laws. It is defined as any unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by an adult or student, that is severe or pervasive enough to create an intimidating, hostile, or offensive educational or work environment; cause discomfort or humiliation; or unreasonably interfere with the individual's school or work performance or participation; and may involve:

- A. teasing;
- B. threats;
- C. intimidation;
- D. stalking;
- E. cyberstalking;
- F. cyberbullying;
- G. physical violence;
- H. theft;
- I. sexual, religious, or racial harassment;
- J. public humiliation; or
- K. destruction of property.

"Harassment" also includes "hate speech"—the use of language, behavior, or images/symbols that express prejudice against a particular group or groups on the basis of any protected characteristic(s).

Examples are:

- A. making statements that promote violence toward a racial or ethnic group;
- B. drawing, displaying, or posting images or symbols of prejudice (e.g., swastikas).

### **Sexual Harassment**

For purposes of this policy and consistent with Title VII of the Civil Rights Act of 1964, sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other physical, verbal, or visual conduct based on sex constitutes sexual harassment when:

- A. a supervisory employee engages in harassing behavior towards a subordinate employee, regardless of whether such conduct creates a hostile work environment;
- B. acquiescence in or submission to such conduct is an explicit or implicit term or condition of employment;
- C. an individual's acquiescence in, submission to, or rejection of such conduct becomes the basis for employment decisions affecting that individual;
- D. such conduct is sufficiently severe, pervasive, and persistent such that it has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment;
- E. consensual sexual relationships where such relationship leads to favoritism of a subordinate employee with whom the superior is sexually involved and where such favoritism results in an adverse employment action for another employee or otherwise creates a hostile work environment;
- F. inappropriate boundary invasions by a District employee or other adult member of the District into a student's personal space and personal life.

Sexual harassment may involve the behavior of a person of any gender against a person of the same or another gender.

Sexual Harassment covered by Policy 2266 – Nondiscrimination on the Basis of Sex in Education Programs or Activities, i.e., sexual harassment prohibited by Title IX, is not included in this policy. Allegations of Nondiscrimination on the Basis of Sex in Education Programs or Activities.

Prohibited acts that constitute sexual harassment under this policy may take a variety of forms. Examples of the kinds of conduct that may constitute sexual harassment include, but are not limited to:

- A. unwelcome sexual propositions, invitations, solicitations, and flirtations;
- B. unwanted physical and/or sexual contact;
- C. threats or insinuations that a person's employment, wages, promotion, assignments, or other conditions of employment may be adversely affected by not submitting to sexual advances;
- D. unwelcome verbal expressions, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, profanity, jokes or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls, text messages, or social media postings;
- E. sexually suggestive objects, pictures, graffiti, videos, posters, audio recordings, or literature placed in the work environment that reasonably may embarrass or offend individuals;
- F. unwelcome and inappropriate touching, patting, or pinching; obscene gestures;
- G. asking or telling about sexual fantasies, sexual preferences, or sexual activities;
- H. speculation about a person's sexual activities or sexual history or remarks about one's own sexual activities or sexual history;
- I. giving unwelcome personal gifts, such as lingerie, that suggest the desire for a romantic relationship;
- J. leering or staring at someone in a sexual way, such as staring at a person's breasts, buttocks, or groin;
- K. consensual sexual relationships where such relationship leads to favoritism of a subordinate employee with whom the superior is sexually involved and where such favoritism adversely affects other employees or otherwise creates a hostile work environment;
- L. inappropriate boundary invasions by a District employee or other adult member of the School District community into a student's personal space and personal life; and
- M. verbal, nonverbal or physical aggression, intimidation, or hostility based on sex or sex-stereotyping that does not involve conduct of a sexual nature.

Sexual relationships between staff members, where one staff member has supervisory responsibilities over the other, are discouraged as a matter of Board policy. Such relationships have an inherent possibility of being construed as sexual harassment because the consensual aspect of the relationship may be the result of implicit or explicit duress caused by uncertainty regarding the consequences of non-compliance.

Romantic or sexual relationships between District staff (teachers, aides, administrators, coaches or other school authorities) and a student is expressly prohibited. Any school staff member who engages in sexual conduct with a student may also be guilty of a crime and any information regarding such instances will be reported to law enforcement authorities.

### **Boundary Invasions**

Boundary invasions may be appropriate or inappropriate. Appropriate boundary invasions make medical or educational sense. For example, a teacher or aide assisting a kindergartner after a toileting accident or a coach touching a student during wrestling or football can be appropriate. However, other behaviors might be going too far, are inappropriate and may be signs of sexual grooming. Inappropriate boundary invasions may include, but are not limited to the following:

- A. hugging, kissing, or other physical contact with a student;
- B. telling sexual jokes to students;
- C. engaging in talk containing sexual innuendo or banter with students;
- D. talking about sexual topics that are not related to curriculum;
- E. showing pornography to a student;

- F. taking an undue interest in a student (i.e. having a special friend or a special relationship);
- G. initiating or extending contact with students beyond the school day for personal purposes;
- H. using e-mail, text messaging, or websites to discuss personal topics or interests with students;
- I. giving students rides in the staff member's personal vehicle or taking students on personal outings without administrative approval;
- J. invading a student's privacy (e.g. walking in on the student in the bathroom, locker-room, asking about bra sizes or previous sexual experiences);
- K. going to a student's home for non-educational purposes;
- L. inviting students to the staff member's home without proper chaperones (i.e. another staff member or parent of student);
- M. giving gifts or money to a student for no legitimate educational purpose;
- N. accepting gifts or money from a student for no legitimate educational purpose;
- O. being overly touchy with students;
- P. favoring certain students by inviting them to come to the classroom at non-class times;
- Q. getting a student out of class to visit with the staff member;
- R. providing advice to or counseling a student regarding a personal problem (i.e. problems related to sexual behavior, substance abuse, mental or physical health, and/or family relationships, etc.), unless properly licensed and authorized to do so;
- S. talking to a student about problems that would normally be discussed with adults (i.e. marital issues);
- T. being alone with a student behind closed doors without a legitimate educational purpose;
- U. telling a student secrets and having secrets with a student;
- V. other similar activities or behavior.

Inappropriate boundary invasions are prohibited and must be reported promptly to one of the District Compliance Officers, as designated in this policy, the Building Principal or the District Administrator.

### **Religious (Creed) Harassment**

Prohibited religious harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's religion or creed and when the conduct has the purpose or effect of interfering with the individual's work performance; or of creating an intimidating, hostile, or offensive working environment. Such harassment may occur where conduct is directed at the characteristics of a person's religious tradition, clothing, or surnames, and/or involves religious slurs.

### **National Origin/Ancestry Harassment**

Prohibited national origin/ancestry harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's national origin or ancestry and when the conduct has the purpose or effect of interfering with the individual's work performance; or of creating an intimidating, hostile, or offensive working environment. Such harassment may occur where conduct is directed at the characteristics of a person's national origin or ancestry, such as negative comments regarding customs, manner of speaking, language, surnames, or ethnic slurs.

### **Age Harassment**

Prohibited age-based harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's age, being over age forty (40), and when the conduct has the purpose or effect of interfering with the individual's work performance; or of creating an intimidating, hostile, or offensive working environment.

### **Race/Color Harassment**

Prohibited race/color based harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's race and/or color and when the conduct has the purpose or effect of interfering with the individual's work performance; or of creating an intimidating, hostile, or offensive working environment. Such harassment may occur where conduct is directed at the characteristics of a person's race

or color, such as racial slurs, nicknames implying stereotypes, epithets, and/or negative references regarding racial customs.

### **Disability Harassment**

Prohibited disability harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's disability, perceived disability, or record of disability, and when the conduct has the purpose or effect of interfering with the individual's work performance; or of creating an intimidating, hostile, or offensive working environment. Such harassment may occur where conduct is directed at the characteristics of a person's current or past disability or a perceived condition, such as negative comments about speech patterns, movement, physical impairments or defects/appearances, or the like. Such harassment may further occur where conduct is directed at or pertains to a person's genetic information.

### **Anti-Harassment Compliance Officers**

The following individual(s) shall serve as the District's Anti-Harassment Compliance Officer(s) (hereinafter, "the Compliance Officer(s)" or CO or COs):

James Reif  
District Administrator/9-12 Principal  
715-237-2202, ext. 1+531  
704 N East Street  
New Auburn, WI 54757  
[reifj@mail.newauburn.k12.wi.us](mailto:reifj@mail.newauburn.k12.wi.us)

Kayla Westrich  
Prek-8 Principal  
715-237-2202, ext. 1+107  
704 N East Street  
New Auburn, WI 54757  
[kevand@mail.newauburn.k12.wi.us](mailto:kevand@mail.newauburn.k12.wi.us)

The names, titles, and contact information of these individuals will be published annually:

- A. on the School District's website.
- B. in the parent and staff handbooks.

The Compliance Officer(s) are responsible for coordinating the District's efforts to comply with applicable Federal and State laws and regulations, including the District's duty to address in a prompt and equitable manner any inquiries or complaints regarding harassment.

### **Reports and Complaints of Harassing Conduct**

The Compliance Officer(s) will be available during regular school/work hours to discuss concerns related to harassment, to assist students, other members of the District community, and third parties who seek support or advice when informing another individual about unwelcome conduct, or to intercede informally on behalf of the individual in those instances where concerns have not resulted in the filing of a formal complaint and where all parties are in agreement to participate in an informal process.

Compliance Officers shall accept reports of harassment directly from any member of the School District community or a Third Party or receive reports that are initially filed with an administrator, supervisor, or other District-level official. Upon receipt of a report of alleged harassment, the Compliance Officer(s) will contact the Complainant and begin either an informal or formal complaint process (depending on the request of the Complainant or the nature of the alleged harassment), or the District Administrator will designate a specific individual to conduct the process necessary for an informal or formal investigation. The Compliance Officer(s) will provide a copy of this policy to the Complainant and Respondent. In the case of a formal complaint, the Compliance Officer(s) will prepare recommendations for the District Administrator or will oversee the preparation of such recommendations by a designee. All Board employees must report

incidents of harassment that are reported to them to the Compliance Officer within two (2) days of learning of the incident.

Any Board employee who directly observes harassment is obligated, in accordance with this policy, to report such observations to the Compliance Officer(s) within two (2) days. Additionally, any Board employee who observes an act of harassment is expected to intervene to stop the harassment, unless circumstances make such an intervention dangerous, in which case the staff member should immediately notify other Board employees and/or local law enforcement officials, as necessary, to stop the harassment. Thereafter, the Compliance Officer(s) or designee must contact the Complainant, if age eighteen (18) or older, or Complainant's parents/guardians if the Complainant is under the age eighteen (18), within two (2) days to advise of the Board's intent to investigate the alleged wrongdoing.

Members of the School District community along with Third Parties are encouraged to promptly report incidents of harassing conduct to an administrator, supervisor or other District official so that the Board may address the conduct before it becomes severe, pervasive, or persistent. Any administrator, supervisor, or other District official who receives such a report shall file it with the Compliance Officer within two (2) days of receiving the report of harassment.

Members of the School District community and Third Parties who believe they have been harassed by another member of the School District community or a Third Party are entitled to utilize the Board's complaint process that is set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the Complainant's employment unless the complaining individual makes the complaint maliciously or with the knowledge that it is false.

Reporting procedures are as follows:

- A. Any employee who believes s/he has been the victim of harassment prohibited under this policy is encouraged to report the alleged harassment to the appropriate school official as identified in D below.
- B. Teachers, administrators, and other District officials who have knowledge of or receive notice that an employee has or may have been the victim of harassment prohibited under this policy shall immediately report the alleged harassment to the appropriate school official as defined in D below.
- C. Any other person with knowledge or belief that an employee has or may have been the victim of harassment prohibited by this policy shall be encouraged to immediately report the alleged acts to an appropriate school official as identified in D below.
- D. Appropriate District officials are as follows:
  1. Any complaint under this policy shall be reported to the District's Compliance Officer unless the complaint is regarding the Compliance Officer. In such cases, the complaints shall be reported to the District Administrator, who will coordinate with the other appointed/designated CO, or, if appropriate appoint/designate another individual to serve as CO for the complaint regarding a CO.
  2. Any complaint under this policy regarding the District Administrator or Board Member that is received by the District Compliance Officer shall be referred to the Board's legal counsel, who shall assume the role of the District Compliance Officer for such complaints.
- E. The reporting party or Complainant shall be encouraged to use a report form available from the Principal of each building or available from the District office, but oral reports shall be considered complaints as well. **Use of formal reporting forms shall not be mandated.** However, all oral complaints shall be reduced to writing. Further, nothing in this policy shall prevent any person from reporting harassment directly to the District Administrator or other supervisory employee.
- F. To provide individuals with options for reporting harassment to an individual of the gender with which they feel most comfortable, the District shall designate both a male and a female District Compliance Officer.



If during an investigation of alleged bullying, aggressive behavior, and/or harassment in accordance with Policy 5517.01 - Bullying, the Principal believes that the reported misconduct may have created a hostile work environment and may have constituted discriminatory harassment based on a Protected Class, the Principal shall report the act of bullying, aggressive behavior and/or harassment to the Compliance Officer(s) who shall investigate the allegation in accordance with this policy. If the alleged harassment involves Sexual Harassment as defined by Policy 2266, the matter will be investigated in accordance with the grievance process and procedures outlined in Policy 2266. While the Compliance Officer investigates the allegation, or the matter is being addressed pursuant to Policy 2266, the Principal shall suspend the Policy 5517.01 investigation to await the Compliance Officer's written report or the determination of responsibility pursuant to Policy 2266. The Compliance Officer shall keep the Principal informed of the status of the Policy 1662 investigation and provide the Principal with a copy of the resulting written report. Likewise, the Title IX Coordinator will provide the Principal with the determination of responsibility that results from the Policy 2266 grievance process.

### **Investigation and Complaint Procedure**

Except for Sexual Harassment that is covered by Policy 2266 - Nondiscrimination on the Basis of Sex in Education Program or Activities, any employee or other member of the School District community or Third Party (e.g., visitor to the District) who believes that they have been subjected to harassment or has witnessed harassment of another may seek resolution of the complaint through the procedures described below. The complaint process involves an investigation of the Complainant's claims of harassment or retaliation and a process for rendering a decision regarding whether the charges are substantiated.

The procedures set forth below are not intended to interfere with the rights of any individual to pursue a complaint of harassment or retaliation with the United States Department of Education Office for Civil Rights (OCR), the Wisconsin Equal Rights Division, and/or Equal Employment Opportunity Commission (EEOC). The Chicago Office of the OCR can be reached at John C. Kluczynski Federal Building, 230 S. Dearborn Street, 37th Floor, Chicago, IL 60604; Telephone: 312-730-1560; FAX: 312-730-1576; TDD: 800-877-8339; Email: OCR.Chicago@ed.gov; Web: <http://www.ed.gov/ocr>.

### **Complaint Procedure**

A Complainant who alleges harassment based on a protected class or retaliation may file a complaint, either orally or in writing: 1) with a Principal; 2) directly to one of the COs; or 3) to the District Administrator or other supervisory employee. As noted above, any complaint received regarding the District Administrator or a Board member shall be referred to the Board's legal counsel, who shall assume the role of the CO for such complaints. Additionally, if the complaint is regarding a CO, the complaint shall be reported to the District Administrator, who will consult with the other appointed/designated CO, if any, and if necessary appoint/designate another individual to serve in the role of CO for a complaint regarding a CO.

Due to the sensitivity surrounding complaints of harassment and retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) days after the conduct occurs while the facts are known and potential witnesses are available. If a Complainant informs a Principal, District Administrator, or other supervisory employee, either orally or in writing, about any complaint of discrimination or retaliation, that employee must report such information to the CO within two (2) days.

Throughout the course of the process as described herein, the CO should keep the parties reasonably informed of the status of the investigation and the decision-making process.

All written complaints must include the following information to the extent known: the identity of the Respondent; a detailed description of the facts upon which the complaint is based (i.e., when, where, and what occurred); a list of potential witnesses; and the resolution sought by the Complainant.

If the Complainant is unwilling or unable to provide a written statement including the information set forth above, the CO shall ask for such details in an oral interview. Thereafter the CO will prepare a written summary of the oral interview, and the Complainant will be asked to verify the accuracy of the reported charge by signing the document.

Upon receiving a complaint, the CO will consider whether any action should be taken in the investigatory phase to protect the Complainant from further harassment or retaliation including but not limited to a change of work assignment or schedule for the Complainant and/or the Respondent. In making such a determination, the CO should consult the Complainant to assess whether the individual agrees with the proposed action. If the Complainant is unwilling to consent to the proposed change, the CO may still take whatever actions deemed appropriate in consultation with the District Administrator. No temporary arrangements shall be disciplinary to either the Complainant or Respondent.

Within two (2) days of receiving a complaint, the CO will inform the Respondent that a complaint has been received.

The Respondent is not entitled to receive a copy of any written complaint unless the CO determines it is appropriate to do so; however, the Respondent will be informed about the nature of the allegations. The CO shall inform the Respondent of the requirements of this policy, which may include providing the Respondent with a copy of this policy or information about where to find it. Respondent shall be afforded the opportunity to submit a written response to the complaint. The CO shall inform the Respondent of the Respondent's deadline to provide the CO with the written response to the allegations in the complaint.

Within two (2) days of receiving the complaint, the CO will initiate an investigation by at a minimum confirming receipt of the complaint with the Complainant and informing the Complainant of the investigation process.

Although certain cases may require additional time, the CO or designee will attempt to complete an investigation into the allegations of harassment based on a protected class or retaliation within fifteen (15) days of receiving the formal complaint.

The investigation will include:

- A. interview(s) with the Complainant;
- B. interview(s) with the Respondent;
- C. interviews with any other witnesses who reasonably may be expected to have any information relevant to the allegations, as determined by the CO;
- D. consideration of any documentation or other evidence presented by the Complainant, Respondent, or any other witness which is reasonably believed to be relevant to the allegations, as determined by the CO.

At the conclusion of the investigation, the CO or designee shall prepare and deliver a written report to the District Administrator that summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of harassment as provided in this policy and State and Federal law as to whether the Respondent engaged in harassment of or retaliation toward the Complainant. The CO's recommendations must be based upon the totality of the circumstances, including the ages and maturity levels of those involved. In determining if discriminatory harassment or retaliation occurred, a preponderance of evidence standard will be used.

The CO in consultation with the District Administrator or Board President, if the matter involves the District Administrator engage outside legal counsel to conduct the investigation consistent with this policy.

Absent extenuating circumstances, within five (5) days of receiving the report of the CO, the District Administrator must either issue a written decision regarding whether or not the complaint of harassment has been substantiated or request further investigation. A copy of the District Administrator's final decision will be delivered to both the Complainant and the Respondent.

If the District Administrator requests additional investigation, the District Administrator must specify the additional information that is to be gathered, and such additional investigation must be completed within five (5) days. At the conclusion of the additional investigation, the District Administrator must issue a final written decision as described above.

If the District Administrator determines the Respondent engaged in harassment of or retaliation toward the Complainant, the District Administrator must identify what corrective action will be taken to stop, remedy, and prevent the recurrence of the harassment or retaliation. The corrective action should be reasonable, timely, age-appropriate, effective, and tailored to the specific situation.

The decision of the District Administrator shall be final. If the investigation results in disciplinary action, the employee subject to discipline is entitled to file a grievance pursuant to Board Policy 3340. Nothing in this policy shall be construed to prevent an employee from bringing a complaint before the Equal Employment Opportunity Commission or the Wisconsin Equal Rights Division.

The Board reserves the right to investigate and resolve a complaint or report of harassment regardless of whether the member of the School District community or Third Party alleging the harassment pursues the complaint. The Board also reserves the right to have the formal complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Board.

The parties may be represented, at their own cost, at any of the above-described meetings/hearings.

The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the Office for Civil Rights, the filing of charges with local law enforcement, or the filing of a civil action in court. Use of this internal complaint procedure is not a prerequisite to the pursuit of other remedies.

All timelines pertinent to the investigation process are intended to be guidelines to assure that the investigation proceeds with all deliberate efficiency. Failure of the CO to meet any specific timeline does not invalidate the investigation or provide a defense to the allegations.

### **Privacy/Confidentiality**

The District will employ reasonable efforts to protect the rights of the Complainant, the Respondent(s), and all the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligation in an investigation of harassment. The School District will respect the privacy of the Complainant, the Respondent, and all witnesses in a manner consistent with the School District's legal obligations under State and Federal law. Confidentiality, however, cannot be guaranteed. Additionally, the Respondent must be provided with the Complainant's identity.

During the course of an investigation, the CO will determine whether confidentiality during the investigation process is necessary to protect the interests and reputations of those involved and/or to protect the integrity of the investigation and if so, shall instruct all members of the School District community and third parties who are interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of a harassment investigation is expected not to disclose any information that is learned or provided during the course of the investigation.

### **Directives During Investigation**

The CO may recommend to the District Administrator placing any employee involved in an investigation under this Policy on administrative leave pending resolution of the matter. If the District Administrator is the Respondent, the CO shall make such recommendation to the Board. Administrative leave may be appropriate in situations in which protecting the safety of any individual or the integrity of the investigation necessitates such action.

The CO shall determine whether any witnesses in the course of an investigation should be provided a *Garrrity* warning apprising the person of his/her obligations to answer questions truthfully and honestly while

preserving the right against self-incrimination in the context of any resulting criminal investigation or prosecution.

Every employee interviewed in the course of an investigation is required to provide truthful responses to all questions. Failure to do so may result in disciplinary action.

### **Remedial Action and Monitoring**

If warranted, appropriate remedial action shall be determined and implemented on behalf of the Complainant, including but not limited to counseling services, reinstatement of leave taken due to because of the discrimination, or other appropriate action.

The Board may appoint an individual, who may be an employee, to follow up with the Complainant to ensure no further discrimination or retaliation has occurred and to take action to address any reported occurrences promptly.

### **Sanctions and Disciplinary Action**

The Board shall vigorously enforce its prohibitions against harassment/retaliation by taking appropriate action reasonably calculated to stop the harassment and prevent further misconduct.

While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee. All disciplinary action will be taken in accordance with applicable law.

When imposing discipline, the District Administrator shall consider the totality of the circumstances. In those cases where harassment is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies.

Where the Board becomes aware that a prior disciplinary action has been taken against the Respondent, all subsequent sanctions imposed by the Board and/or District Administrator shall be reasonably calculated to end such conduct, prevent its reoccurrence, and remedy its effects.

### **Retaliation**

Retaliation against a person who makes a report or files a complaint alleging harassment/retaliation or participates as a witness in an investigation is prohibited. Neither the Board nor any other person may intimidate, threaten, coerce or interfere with any individual because the person opposed any act or practice made by any Federal or State civil rights law, or because that individual made a report, formal complaint, testified, assisted or participated or refused to participate in any manner in an investigation, proceeding, or hearing under those laws and/or this policy, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws and/or this policy.

Retaliation against a person for making a report of discrimination, filing a formal complaint, or participating in an investigation or meeting is a serious violation of this policy that can result in the imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

Formal complaints alleging retaliation may be filed according to the internal complaint process set forth above.

The exercise of rights protected under the First Amendment of the United States Constitution does not constitute retaliation prohibited under this policy.

### **Allegations Constituting Criminal Conduct**

If the CO has reason to believe that the Complainant has been the victim of criminal conduct, such knowledge should be reported to local law enforcement. After such report has been made, the District Administrator shall be advised that local law enforcement was notified.

If the Complainant has been the victim of criminal conduct and the accused is the District Administrator, such knowledge should be reported by the CO to local law enforcement. After such report has been made, the Board President shall be advised that local law enforcement was notified.

Any reports made to local law enforcement shall not terminate the COs obligation and responsibility to continue to investigate a complaint of harassment. While the COs may work cooperatively with outside agencies to conduct concurrent investigations, the harassment investigation shall not be stopped due to the involvement of outside agencies without good cause after consultation with the District Administrator.

### **Reprisal**

Submission of a good faith complaint or report of harassment will not affect the Complainant's or reporter's work status or work environment. However, the Board also recognizes that false or fraudulent claims of harassment or false or fraudulent information about such claims may be filed. The Board reserves the right to discipline any person filing a false or fraudulent claim of harassment or false or fraudulent information about such a claim.

The District will discipline or take appropriate action against any member of the School District community who retaliates against any person who reports an incident of harassment prohibited by this policy or participates in a proceeding, investigation, or hearing relating to such harassment. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment.

### **Miscellaneous**

The District shall conspicuously post a notice including this policy against harassment in each school in a place accessible to the School District community and members of the public. This notice shall also include the name, mailing address, and telephone number of the COs, the name, mailing address, and telephone number of the State agency responsible for investigating allegations of discrimination in educational employment, and the mailing address and telephone number of the United States Equal Opportunity Employment Commission.

A summary of this policy and any related administrative guidelines shall appear in the employee handbook and a copy shall be made available upon request of employees and other interested parties.

### **Education and Training**

In support of this policy, the Board promotes preventative educational measures to create greater awareness of harassment. The District Administrator shall provide appropriate information to all members of the School District community related to the implementation of this policy and shall provide training for District staff at such times as the Board in consultation with the District Administrator determines is necessary or appropriate.

The Board will respect the privacy of the Complainant, the individuals against whom the complaint is filed, and the witnesses as much as practicable, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery, disclosure, or other legal obligations.

### **Retention of Investigatory Records and Materials**

The CO(s) is responsible for overseeing retention of all records that must be maintained pursuant to this policy. All individuals charged with conducting investigations under this policy shall retain all documents, electronically stored information (ESI), and electronic media (as defined in Policy 8315) created and/or received as part of an investigation, which may include but are not limited to:

- A. all written reports/allegations/complaints/statements;
- B. narratives of all verbal reports, allegations, complaints, and statements collected;
- C. a narrative of all actions taken by District personnel;
- D. any written documentation of actions taken by District personnel or individuals contracted or appointed by the Board to fulfill its responsibilities;

- E. narratives of, notes from, or audio, video, or digital recordings of witness statements;
- F. all documentary evidence;
- G. e-mails, texts, or social media posts pertaining to the investigation;
- H. contemporaneous notes in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.) pertaining to the investigation;
- I. written disciplinary sanctions issued to students or employees and a narrative of verbal disciplinary sanctions issued to students or employees for violations of the policies and procedures prohibiting discrimination or harassment;
- J. dated written determinations to the parties;
- K. dated written descriptions of verbal notifications to the parties;
- L. written documentation of any supportive measures offered and/or provided to Complainant and/or the Respondent, including no contact orders issued to both parties, the dates issued, and the dates the parties acknowledged receipt; and
- M. documentation of all actions taken, both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects.
- N. copies of the Board policy and/or procedures/guidelines used by the District to conduct the investigation, and any documents used by the District at the time of the alleged violation to communicate the Board's expectations to students and staff with respect to the subject of this policy (e.g., Student Code of Conduct and/or Employee Handbooks);
- O. copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination or harassment;
- P. documentation of any training provided to District personnel related to this policy, including but not limited to, notification of the prohibitions and expectations of staff set forth in this policy and the role and responsibility of all District personnel involved in enforcing this policy, including their duty to report alleged violations of this policy and/or conducting an investigation of an alleged violation of this policy.

The documents, ESI, and electronic media (as defined in Policy 8315) retained may include public records and records exempt from disclosure under Federal and/or State law (e.g., student records).

The documents, ESI, and electronic media (as defined in Policy 8315) created or received as part of an investigation shall be retained in accordance with Policy 8310, Policy 8315, Policy 8320, and Policy 8330 for not less than three (3) years, but longer if required by the District's records retention schedule.

#### Legal

111.31, 118.195, 118.20, Wis. Stats.

29 U.S.C. 621 et seq., Age Discrimination in Employment Act of 1967

29 U.S.C. 794, Rehabilitation Act of 1973

42 U.S.C. 1983

42 U.S.C. 2000d et seq., Title VI of the Civil Rights Act of 1964

42 U.S.C. 2000e et seq., Title VII of the Civil Rights Act of 1964

42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act

42 U.S.C. 6101 et seq., Age Discrimination Act of 1975

42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended

29 C.F.R. Part 1635

National School Boards Association Inquiry and Analysis - May 2008

**Note: Should board policy deviate from the above, board policy shall have precedence.**

# *School District of New Auburn*

## 2024-25 EMPLOYEE HANDBOOK SIGNATURE PAGE - Support Staff

I acknowledge receipt of this Employee Handbook.

I understand that while the School District of New Auburn believes wholeheartedly in its policies and procedures, some of which may be referred to in the handbook, they are not conditions of employment. Rather, the employee handbook is simply a means to acquaint myself with the school district and its operations, and provide guidelines in regard to its policies and my Employment.

I understand that the School District of New Auburn reserves the right to modify, amend, or delete any provisions of the employee handbook at any time. I understand that the handbook is available on the district website and from my immediate supervisor.

I understand that this employee handbook supersedes all previous manuals, handbooks, and personnel policies that I may have received or have been advised of by the District. I also understand that any subsequent revisions to the provisions of this handbook after I commence my employment will supersede those contained herein.

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Date: \_\_\_\_\_