



# RIVER VALLEY SCHOOL DISTRICT

660 West Daley Street

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Spring Green, Wisconsin 53588

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Phone: 608-588-2551

511 Rule  
524.3 Rule

## Employee Discrimination and Harassment Complaint Procedures

The following complaint procedures apply to complaints of discrimination or harassment filed under School Board Policy 511 – Nondiscrimination and Equal Opportunity Employment or 524.3 – Employee Anti-Harassment. For reports or complaints alleging sexual harassment occurring before August 1, 2024, refer to the Title IX complaint procedures in Board Policies 411.3 and 511.2. For reports or complaints of discrimination based on sex, including sex-based harassment, occurring on or after August 1, 2024, refer to the Title IX grievance process in Policies 411.5 and 511.3.

The River Valley School District is an equal opportunity employer. The River Valley School District does not discriminate on the basis of race, color, national origin, ancestry, sex (including gender identity, sex characteristics, and sex stereotypes), age, disability, religion, creed, pregnancy, marital status, citizenship status, sexual orientation, arrest or conviction record, genetic information, military service (as defined in 111.32, Wis. Stats.), use or non-use of lawful products off the District's premises during non-working hours, declining to attend a meeting or participate in any communication about religious or political matters, or any other reason prohibited by state or federal law, in its programs and activities, including employment.

### Definitions

**Complainant:** The individual who is alleged to have been subjected to discrimination or harassment.

**Day(s):** For the purposes of these procedures, "days" means calendar days.

**Respondent:** The individual who allegedly engaged in discrimination or harassment in violation of Board Policy 511 or 524.3.

### Reports and Complaints of Discrimination or Retaliation

Employees are required to promptly report incidents of discrimination or harassment that they witness or that are reported to them to their supervisor, other administrator, or the Compliance Officers (COs) listed in Policies 511 and 524.3. Administrators shall promptly report incidents of discrimination or harassment that they witness or that are reported to them to one or both COs. Any question regarding whether conduct potentially constitutes discrimination or harassment and should be reported as such shall be promptly referred to one or both COs.

Employees or other individuals (e.g., applicants for employment, visitors) who believe they have been discriminated against or harassed in violation of Board Policy 511 or 524.3 may file a complaint with one or both COs. The complaint may be filed orally or in writing, but written complaints are strongly encouraged.

If the complaint is oral, the COs will reduce the complaint to writing and ask the employee to indicate their agreement by signing the document. The complaint should include the following information, to the extent known: the name of the complainant; the name of the respondent; a description of the alleged discrimination or retaliation; the date or timeframe in which the alleged discrimination or retaliation occurred; the names of any witnesses; and the requested resolution or remedy.

Upon receiving a complaint, the COs shall consider whether any interim measures should be taken while the investigation is pending to prevent further discrimination or retaliation from occurring while the investigation is pending.

### **Complaint Investigation Procedures**

The timelines in these procedures may be extended by the CO for good cause (e.g., large number of witnesses, lack of witness availability, concurrent law enforcement investigation, or other extenuating circumstances), and with written notice to the parties.

Within five (5) days of receiving the complaint, the CO shall confirm receipt of the complaint, provide the Respondent with notice of the complaint, and assign an investigator, who may be but is not required to be the CO. The written notice of the complaint shall include the nature of the allegations and a copy of or link to applicable Board policies and procedures, including these procedures.

The investigator will normally complete the investigation within thirty (30) days. The investigation will include:

- Interview with the Complainant
- Interview with the Respondent
- Interviews with any witnesses who may reasonably be expected to have relevant information, as determined by the investigator;
- Review of relevant physical evidence of other documentation (e.g., photographs, videos, emails or other correspondence), as determined by the investigator.

At the conclusion of the investigation, the investigator shall prepare a written report summarizing the evidence gathered during the investigation, findings of fact, conclusions regarding whether discrimination or harassment occurred, and recommendations for addressing any discrimination or harassment, remedy its effects, and prevent it from recurring. The report shall be submitted to the District Administrator.

Within five (5) days of receiving the report, the District Administrator will issue a written decision, which will simultaneously be provided to the Complainant and Respondent. The District Administrator's written decision shall include a summary of the investigation, a determination regarding whether discrimination or harassment occurred, and the action that will be taken to address any substantiated discrimination or harassment, remedy its effects, and prevent it from recurring.

If either party disagrees with the District Administrator's decision, they may file an appeal with the School Board. The appeal must be filed, in writing, within five (5) days of receiving the District Administrator's decision. The appeal must be sent to the District Administrator and Board President,

and it must describe the area(s) of disagreement with the decision. If an appeal is filed, the District Administrator will provide the Board with the record of the investigation. The Board will review the record, and, at its discretion, the Board may meet with the parties before issuing a decision. The Board will issue a decision within thirty (30) days of receiving the appeal. The decision will be in writing and will be simultaneously provided to the District Administrator and the parties. The Board's decision is final.

In the event a complaint involves the District Administrator, the complaint shall be referred to the School Board President, who will assign an outside investigator to conduct an investigation and submit a written report to the Board pursuant to the complaint procedures above. The Board will issue a decision within thirty (30) days of receiving the report. The decision shall include a summary of the investigation, a determination regarding whether discrimination or retaliation occurred, and the action that will be taken to address any substantiated discrimination or retaliation, remedy its effects, and prevent it from recurring.

### **Retaliation**

Complaints alleging retaliation in violation of Policy 511 or 524.3 will be investigated pursuant to the complaint procedures above.

### **Confidentiality**

Reasonable efforts will be made to protect the confidentiality and privacy of the parties and witnesses participating in the investigation, subject to the District's obligation to conduct a thorough and fair investigation. Confidentiality cannot be guaranteed.

### **Sanctions and Discipline**

A respondent who is found to have engaged in discrimination or harassment is subject to disciplinary action, up to and including termination from employment and suspension or expulsion from school.

### **Records Retention**

The District Administrator or designee will maintain investigation records in accordance with the applicable records retention schedule(s). "Investigation records" include, but are not limited to, formal complaints, evidence gathered during the investigation, investigation reports, and complaint and appeal decisions, and documentation of sanctions imposed or other corrective action taken.

LEGAL REF.:	Title VI and VII of Civil Rights Act of 1964
	Title IX, Education Amendments of 1972
	Section 504 of Rehabilitation Act of 1973
	Americans with Disabilities Act of 1990
	Americans with Disabilities Amendment Act of 2008
	Civil Rights Act of 1991
	Age Discrimination in Employment Act of 1967
	Genetic Information Nondiscrimination Act of 2008, 42 U.S.C. 2000ff, et seq., and 29 C.F.R. Part 1635
	Uniformed Services Employment and Reemployment Rights Act (USERRA)
	Wisconsin Statute Section 111.31-111.395

Wisconsin Statute Section 118.195  
Wisconsin Statute Section 118.20

CROSS REF.: Policy 411-Rule – Student Nondiscrimination Complaint Procedures  
Policy 511—Nondiscrimination and Equal Opportunity Employment  
Policy 411.5/511.3 Nondiscrimination on the Basis of Sex (Title IX) in Education  
Programs or Activities and Related Grievance Process  
Policy 411.3 Title IX: Sexual Harassment Policy for Students and Other  
Applicable Individuals  
Policy 511.2 Title IX: Sexual Harassment Policy for Employees  
Policy 524.3 Employee Anti-Harassment

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