

Revised: August 11, 2003  
Revised: July 26, 2010  
Revised: August 10, 2016  
Revised: August 12, 2020

411.1

## PROHIBITION OF DISCRIMINATION AND HARASSMENT AGAINST STUDENTS AND OTHER INDIVIDUALS

The Evansville Community School District (ECSD) does not discriminate on the basis of sex, race, religion, national origin (including persons whose primary language is not English), ancestry, creed, pregnancy, parental or marital status, sexual orientation, gender expression, gender identity, gender non-conformity, physical, mental, emotional or learning disability (these are referred to as “Protected Classes”), in any curricular, extracurricular, student services, recreational, or other program or activity.

Discrimination means any action, policy, or practice including bias, stereotyping, and unlawful harassment, which is detrimental to an individual and differentiates or distinguishes among individuals, or which limits or denies an individual opportunities, privileges, roles or rewards based, in whole or in part, on a Protected Class.

The ECSD does not discriminate on the basis of sex in its education programs or activities and it is required by Title IX and 34 CFR Part 106, not to discriminate in such a manner. This requirement not to discriminate in the District’s education programs and activities extends to admission and employment, and inquiries about the application of Title IX and 34 CFR Part 106, may be referred to the Title IX Coordinator or the Assistant Secretary of the United States Department of Education, or both.

Complaints regarding the application of this policy should be filed with one of the Title IX Coordinators whose contact information is below:

Director of Student Services  
340 Fair Street, Evansville, WI 53536  
608-882-3391  
[katzenbergerj@evansville.k12.wi.us](mailto:katzenbergerj@evansville.k12.wi.us)

Business Manager  
340 Fair Street, Evansville, WI 53536  
608-882-3383  
[merathj@evansville.k12.wi.us](mailto:merathj@evansville.k12.wi.us)

Unlawful harassment under this policy means verbal and physical conduct towards students or other individuals, other than employees, by other students, staff or any third person, on the basis of a Protected Class, which substantially interferes with a pupil’s school performance or creates an intimidating, hostile, or offensive school environment. Harassment prohibited by this policy includes conduct that occurs at school or school-sponsored events, on the bus or in other vehicles owned, leased or used by the District, and off campus or at non-school-sponsored events when it has the effect of interfering with a student’s school performance or creates an intimidating, hostile, or offensive school environment. Prohibited acts that constitute unlawful harassment may occur in various ways including direct and indirect contact and verbal, written, or visual communication via telephone, email, text, or social media.

Any individual, other than an employee, who believes they have been subjected to conduct prohibited by this policy may file a complaint pursuant to Policy 411.1. Further, any employee who observes or has reasonable cause to suspect that an individual has been subject to conduct prohibited by this policy shall take reasonable action to stop the conduct and shall immediately report such conduct to the Title IX Coordinator.

The District forbids retaliation against anyone who reports conduct prohibited by this policy or who cooperates in a District investigation pursuant to this policy.

The Evansville Community School District Board of Education has established a written procedure in Policy 411.1 Rule for responding to complaints pursuant to this Policy. The procedure includes a means for the complainant to appeal decisions to the District Administrator and the State Superintendent of Public Instruction.

Complaints of sexual harassment under Title IX by students and other individuals, other than employees, will be processed in accordance with Policy 411.12.

This policy shall be posted on the District website, in each school building in the District, in parent, student, and employment handbooks, and provided to applicants for admission and employment, students, parents or legal guardians of elementary and secondary school students, employees and all unions or professional organizations holding collective bargaining or professional agreements with the District.

Legal Ref.: Sections 111.32 (13) Wisconsin Statutes (Definition-Sexual Harassment)

118.13 (Pupil Discrimination Prohibited)

1. 120.13(1) (School Board Powers)

120.44 (School Board Powers and Duties)

947.0125 (Unlawful Use of Computerized Communication Systems)

947.013 (Harassment)

2. 948.51(2) (Hazing)

PI 9, Wisconsin Administrative Code

Title IX of the Education Amendments Act

Section 504 of the Rehabilitation Act of 1973

Americans with Disabilities Act

Title VI of Civil Rights Act of 1964

Local Ref.: Policy #411 - Equal Educational Opportunities

Policy #411.1 Rule – Discrimination and Harassment Complaint Procedures for Students and Other Individuals - Administrative Rule

Policy #411.1 Form – Discrimination or Harassment Complaint Form

Policy #411.12 - Title IX: Prohibition of Sexual Harassment Against Students and Other Individuals

Policy #511.12 - Title IX: Prohibition of Sexual Harassment Against Employees

Policy #411.3 - Prohibition of Student Bullying

Policy #411.3 Form – Bullying Report