

03 - 0441

AFFIRMATIVE ACTION PLAN 2002 - 2004

Minnesota State Colleges and
Universities
Office of the Chancellor

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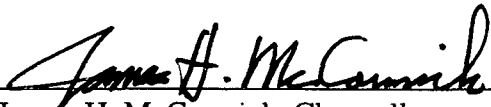
STATEMENT OF COMMITMENT

Minnesota State Colleges and Universities Office of the Chancellor is committed to conducting all personnel and educational activities without regard to race, sex, color, creed, religion, age, national origin, marital status, disability, sexual orientation, status with regard to public assistance, or membership or activity in a local commission as defined by law. Personnel activities include, but are not limited to: recruitment, selection, placement, employee development, promotion, retention, compensation, leaves of absence, disciplinary action, transfer, demotion, termination, and layoffs affecting all employees and job applicants. Minnesota State Colleges and Universities will not tolerate discrimination on the basis of these protected class categories in accordance with all state and federal equal opportunity/affirmative action laws, directives, orders and regulations.

Minnesota State Colleges and Universities is committed to implementation of this affirmative action plan and fully supports the State of Minnesota's affirmative action efforts. We will implement and maintain an affirmative action program that takes aggressive measures to eliminate internal barriers to equal opportunity and that strives to remedy any under representation in the employment, retention and promotion of qualified individuals with disabilities who can perform the essential functions of the job with or without a reasonable accommodation, persons of color, and women. Commitment to equal opportunity through diversity is a continuing goal for the Office of the Chancellor. Our commitment is evidenced by the development and implementation of the Minnesota State Colleges and Universities Office of the Chancellor Strategic Diversity Plan which can be found in Appendix G.

It is Minnesota State Colleges and Universities' policy to actively pursue equal employment practices during all phases of the employment process. In that spirit, the Office of the Chancellor will continue to seek opportunities to maximize the selection and retention of all protected group employees by:

- ◆ continuing to actively and aggressively recruit protected group applicants;
- ◆ continuing affirmative action training for employees, with an emphasis on those serving on selection committees; and by
- ◆ supporting affirmative measures to retain protected group employees.


James H. McCormick, Chancellor
Minnesota State Colleges and Universities

8/13/03
Date

AFFIRMATIVE ACTION PLAN TRANSMITTAL FORM 2002-2004

The recent review revealed underutilization of the following protected groups in the following goal units:

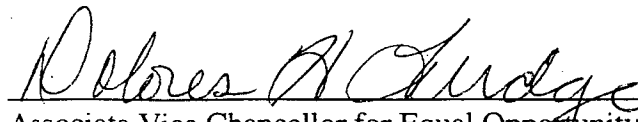
PROTECTED GROUPS

GOAL UNITS	MINORITIES	WOMEN	DISABLED
ADMINISTRATORS			X
PROFESSIONALS		X	X
CLERICAL/ SECRETARIAL			X
TECHNICAL		X	X

See also: A. Utilization Analysis; page 18.
 B. Utilization Analysis by EEO-6 Job Category and Job Group, Minorities & Women; page 19.
 C. Establishment of Hiring Goals; page 20.

2. The Office of the Chancellor Affirmative Action Plan will be available in the Equal Opportunity and Diversity Office, the office of the Associate Vice Chancellor for Equal Opportunity and Diversity and the Office of the Chancellor Personnel Office so that employees and other interested parties have access to the plan's annual goals and commitments.
3. This Affirmative Action Plan contains the 1B.1.1 Report/Complaint of Discrimination/Harassment Investigation and Resolution procedure which provides a process through which individuals alleging violation of system non-discrimination policies may pursue a complaint; the 1B.0.1 Reasonable Accommodations in Employment procedure, and the Minnesota State Colleges and Universities Emergency Plan and Procedures. Information regarding these procedures will be distributed to all newly hired employees and is available to current/new employees and other interested parties on Minnesota State Colleges and Universities' website at <http://www.hr.mnscu.edu/so/>

4. This Affirmative Action Plan designates those persons and groups responsible for implementing this Plan, as well as a description of Minnesota State Colleges and Universities' commitment to equal employment opportunity and affirmative action principles.


Associate Vice Chancellor for Equal Opportunity
and Diversity/ Affirmative Action Officer

8/13/03
Date


Chancellor James H. McCormick

8/13/03
Date

5. This Affirmative Action Plan meets the established guidelines governing affirmative action, and contains the goals and objectives which reasonably address the identified disparities.

Director for the Office of Diversity and
Equal Opportunity
Minnesota Department of Employee Relations

Date

RESPONSIBILITY FOR IMPLEMENTATION

Chancellor

As the primary administrator of Minnesota State Colleges and Universities, the Chancellor is responsible for overseeing the Office of the Chancellor's equal opportunity and affirmative action policies, procedures and programs as well as assuring compliance with all related state and federal laws, rules and regulations. Final disposition of all such issues resides with the Chancellor.

1. Responsibilities

- A. Ensure that adequate staffing and resources are committed to implement Office of the Chancellor policies in the area of affirmative action and equal employment opportunity.
- B. Incorporate into the position description of all administrators a separate statement of responsibility for implementing affirmative action and equal employment opportunity policy and procedures.
- C. Ensure that all administrators are evaluated on their responsibilities relating to implementing Office of the Chancellor affirmative action and equal employment opportunity policy and procedures.

2. Duties

- A. Delegate matters relating to equal opportunity and affirmative action at the Office of the Chancellor to the Equal Opportunity/Affirmative Action Officer/Associate Vice Chancellor of Equal Opportunity and Diversity.
- B. Conduct a job performance evaluation with the Associate Vice Chancellor of Equal Opportunity and Diversity on progress made on equal opportunity and affirmative action objectives, job duties, and projects.

3. Accountability

Chancellor James H. McCormick, 651.296.7971, is directly accountable to the Board of Trustees on all matters relating to equal opportunity and affirmative action at the Office of the Chancellor.

Equal Opportunity/Affirmative Action Officer

Dolores Fridge, the Associate Vice Chancellor for Equal Opportunity and Diversity, is also the Equal Opportunity/Affirmative Action Officer. The Equal Opportunity/Affirmative Action Officer is accountable to the Chancellor and responsible for the overall implementation and administration of Minnesota State Colleges and Universities' equal opportunity and affirmative action programs. The Equal Opportunity/Affirmative Action Officer carries out the following responsibilities and duties:

1. Responsibilities

- A. Advise the Chancellor on affirmative action and equal employment opportunity progress, projects and issues.
- B. Ensure that the Office of the Chancellor is in compliance with federal/state laws and regulations as well as Minnesota State Colleges and Universities policies and procedures pertaining to affirmative action and equal employment opportunity.
- C. Develop, monitor, implement and evaluate Minnesota State Colleges and Universities affirmative action programs, plans and guidelines.
- D. Monitor the search and selection process for all classified and unclassified positions in accordance with established guidelines and procedures for recruitment.

2. Duties

- A. Provide guidelines/recommendations to appropriate members of the Minnesota State Colleges and Universities community regarding affirmative action and equal employment opportunity.
- B. Prepare reports on affirmative action and equal employment opportunity efforts and accomplishments.
- C. Coordinate and/or promote affirmative action and equal employment opportunity training and education programs for employees.
- D. Serve as Minnesota State Colleges and Universities' ombudsperson and primary resource for employees on affirmative action and equal employment opportunity laws, regulations, policies and procedures.
- E. Review, investigate and process complaints of discrimination, sexual harassment and violence, sexual orientation harassment, racial harassment, and disability harassment, and/or lack of equal employment opportunity in accordance with established guidelines.

3. Accountability

Equal Opportunity/Affirmative Action Officer Dolores Fridge, 651.296.5313, is directly accountable to the Chancellor for the overall implementation and administration of Minnesota State Colleges and Universities' equal opportunity and affirmative action programs.

Administrators/Supervisors

Administrators/Supervisors are responsible for enforcing and implementing equal opportunity and affirmative action policies, procedures, and programs within their functional areas of responsibility.

1. Responsibilities

- A. Assure that all affirmative action and equal employment opportunity policies, plans and procedures are complied with and carried out in their respective administrative units.
- B. Assure that all employees within their administrative units are informed of the

Minnesota State College and Universities affirmative action and equal employment opportunity policies, procedures and practices.

- C. Provide employee participation, as appropriate, for all Office of the Chancellor efforts relating to affirmative action and equal employment opportunity.

2. Duties

- A. Provide input into the elements of the Affirmative Action Plan.
- B. Identify factors which may impede the Office of the Chancellor's pursuit of affirmative action and equal employment opportunity goals and objectives.
- C. Evaluate employees, as appropriate, on their job responsibilities relating to affirmative action and equal employment opportunity goals and objectives.

3. Accountability

Accountability for Administrators/Supervisors is reflected in the Office of the Chancellor's organization chart provided in Appendix H.

Office of the Chancellor Personnel Director

In addition to the responsibilities and duties described above for the Administrators/Supervisors, the Office of the Chancellor's Personnel Director is also responsible as described below for classified and unclassified positions.

1. Responsibilities

- A. Monitor the recruitment and selection process of all classified positions at the Office of the Chancellor, in accordance with Minnesota Statutes 43.18 and 179.74, Department of Employee Relations (DOER) Personnel Rules, applicable collective bargaining agreements and personnel plans.
- B. Ensure that the recommendations of supervisors and other individuals involved in the hiring process are based on job related criteria and are consistent with affirmative action goals and objectives.
- C. Work closely with the Equal Opportunity/Affirmative Action Officer in the filling of all vacancies in the Office of the Chancellor. This will include consultation between the Equal Opportunity/Affirmative Action Officer, the Personnel Office and the supervisor regarding disparities of protected classes and special recruitment efforts.

2. Duties

- A. Provide guidance to supervisors in creating and filling new and vacant positions in both the classified and unclassified service.
- B. Approve requests to fill positions authorized within the Office of the Chancellor budget or the Campus Services Unit budget plan.
- C. Approve initial salary placement within delegated authority on new hires and promotions for classified and academic unclassified employees and excluded administrators considering qualifications and salary equity issues.
- D. Assure compliance with the Office of the Chancellor Affirmative Action Plan to

recruit and hire a workforce which reflects a commitment to diversity and multiculturalism.

- E. Assist the Department of Employee Relations and the Office of the Chancellor Staffing Unit in designing and administering civil service announcements.
- F. Work with the Department of Economic Security on cooperative placement programs and the recruitment of entry level and temporary employees.
- G. Provide leadership to executive management in the implementation of appointments and/or reassignments.

3. Accountability

Office of the Chancellor Personnel Director Margaret Johnson, 651.296.3357, is accountable to William Tschida, Vice Chancellor of Human Resources.

PROGRAM OBJECTIVES

General Statement

Minnesota State Colleges and Universities recognizes that there are various groups which are underutilized in employment. Minnesota State Colleges and Universities also recognizes the value of the diversity which all people bring to the work place. Therefore, Minnesota State Colleges and Universities is committed to remedy any identified underutilization in its internal staffing and promotional patterns. Minnesota State Colleges and Universities will encourage full employment participation by members of racial groups, by women, and by people with disabilities. In pursuit of its commitment to affirmative action Minnesota State Colleges and Universities shall take the following actions.

Recruitment Plan

The Minnesota State Colleges and Universities Office of the Chancellor actively seeks and encourages the use of broad-based recruitment plans and strategies in filling vacancies within the Office of the Chancellor. The Minnesota State Colleges and Universities Office of the Chancellor will conduct the following activities in the implementation of its recruitment plan:

Program Objectives

1. Provide on-going support and advice to managerial/supervisory staff in conducting specific searches within the Office of the Chancellor.
2. Actively participate in and support the efforts of the Office of the Chancellor Diversity Task Force.

Specific Action Steps

Provide targeted advertising in protected group media as follows:

1. Minneapolis Spokesman/St. Paul Recorder
2. Native American Press
3. La Prensa
4. Asian Pages
5. Black Issues in Higher Education
6. The Minnesota Women's Press
7. Access Press

Utilize student workers and student interns from Minnesota State Colleges and Universities colleges in the Office of the Chancellor as appropriate.

Utilize community-based organizations for the recruitment of prospective employees.

1. Council on Black Minnesotans
2. Indian Affairs Council
3. Council on Asian Pacific Minnesotans
4. Chicano-Latino Affairs Council
5. Minnesota Women's Center
6. State Council on Disabilities

Utilize DOER recruitment expertise. Attend job fairs, particularly where sponsored by organizations of color, women's organizations, or organizations serving people with disabilities.

Assignment of Responsibility

Equal Opportunity/Affirmative Action Officer and Office of the Chancellor Personnel Director.

Target Dates for Completion

This will be an ongoing process.

Previous Years' Activities

A number of strategies were used in the filling of Office of the Chancellor vacancies during the past year and include, among others:

- Advertisements in the Chronicle of Higher Education
- Advertisements in several minority publications in the Twin Cities area
- Publication in Minneapolis Star Tribune
- Direct mailing to members of the Minnesota Minority Education Partnership
- Targeted recruitment strategy by using professional organization listservs at the national and local levels
- Targeted notices soliciting nominations and inviting applications sent to bargaining units, discipline-specific targeted constituents, Minnesota Cultural Diversity Center, Minnesota Women's Consortium, etc.

Expenditures

Each Office of the Chancellor division has budget resources to support searches. Specific amounts may vary in individual searches varies but can range from minimal costs to several thousand dollars depending on the nature and scope of position. For example, advertising costs in a recent search for the Associate Vice Chancellor for Financial Reporting cost \$6600.

Evaluation

Records will be maintained on numbers and sources of advertisements, contacts with minority organizations, attendance at job fairs, numbers of student workers, interns and employees placed.

Retention Plan

Each Minnesota State Colleges and Universities manager plays a key role in supporting the retention of employees. The Minnesota State Colleges and Universities Office of the Chancellor will initiate the following activities, among others, to support employee retention. These efforts will enhance retention for all employees and allow us to evaluate specific efforts related to protected group employees.

1. Annual performance reviews for administrators/managers [ongoing process].
2. Timely performance reviews of classified employees pursuant to collective bargaining agreements [ongoing].

Assignment of Responsibility

Equal Opportunity/Affirmative Action Officer Dolores Fridge, Office of the Chancellor
Personnel Director, Margaret Johnson, all administrators, managers, and supervisors (see Appendix H. Office of the Chancellor Organization Chart).

Hiring Process

Minnesota State Colleges and Universities is in the process of continually assessing its hiring procedures with respect to both internal hiring and presidential searches. Objectives for the current Affirmative Action Plan include:

1. Monitor the hiring process for classified and unclassified Office of the Chancellor employees.
2. Review and certify recruitment materials and advertisements according to the Affirmative Action/Equal Employment Opportunity guidelines and individual recruitment plans.
3. Review Affirmative Action guidelines and policies with search committees, search chairs, administrators, managers overseeing the filling of a vacancy.
4. Provide advertising and recruitment sources to the Office of the Chancellor and presidential searches. This may include non-traditional media such as web sites, listservs, community-based agencies and organizations, e-mail distribution of vacancy notices, mailing lists and labels.

Assignment of Responsibility

Equal Opportunity/Affirmative Action Officer
Office of the Chancellor Personnel Director

Target Dates for Completion

This will be an ongoing process whenever vacancies are filled.

Evaluation

Records will be maintained on the number of searches conducted and the number of protected class hires achieved.

MnSCU Separation Analysis: *System Office FY2001 & FY2002*

	Males						Females								
<i>FY 2001</i>	AA	A/PI	C	H	NA/AN	Total	AA	A/PI	C	H	NA/AN	Total	Grand Total	Total Non-Min	Total Min
Voluntary Terminations*	1		6	1					23	1			32	3	29
Involuntary Terminations**	2		1						1				4	2	2
Total Terminations:	3		7	1		11			24	1		25	36	5	31

15

	Males						Females								
<i>FY 2002</i>	AA	A/PI	C	H	NA/AN	Total	AA	A/PI	C	H	NA/AN	Total	Grand Total	Total Non-Min	Total Min
Voluntary Terminations*	1		6			7			12	1		13	20	18	2
Involuntary Terminations**	1		3			4	1		6			6	11	9	2
Total Terminations:	2		9			11	1		18	1		20	31	27	4

* Voluntary Termination = Quit (Q); Retired (R); Death (D) and Transfer (X)
 ** Involuntary Termination = Layoff (L); Terminated (T) and Non-renewal (N)

Ethnicity Codes:

AA = African American
 A/PI = Asian or Pacific Islander
 C = Caucasian
 H = Hispanic
 NA/AN-Native American or Alaskan Native

WORKFORCE ANALYSIS

The attached July 2003 Workforce Analysis contains the following information:

There are a total of 320 employees in the MnSCU Office of the Chancellor which consists of two work sites, the Wells Fargo Center and the Energy Technology Center. Of this total, 172 are female and 148 are male. There are a total of 29 minority employees in the Minnesota State Colleges and Universities Office of the Chancellor workforce.

In the Office of the Chancellor Officials and Administrators and Managers group, there are 71 employees with 32 females (45%) and 39 males. There are 9 minority employees (13%) in this group.

In the Professionals group (EEO-6, C) there are 192 employees with 98 females (51%) and 94 males. There are 14 minority employees (7.3%) in this group.

In the Clerical group (EEO-6, D) there are 43 employees. There are 38 females (88%) and 5 males. There are 5 minority employees (11.6%) in this group.

In the Technicians group (EEO-6, E) there are 14 employees with 4 females (28.5%) and 10 male employees. There is 1 minority employee (7.1%) in this group.

AVAILABILITY

The availability for the following groups has been determined as follows:

EEO-6 Group	Minorities	Women	Disabled
Executive, Administrative and Managerial	12.7%	38.5%	11.31%
Professionals – Provided by the Minnesota Department of Economic Security	4.20%	53.78%	10.88%
Clerical	4.30%	78.77%	11.56%
Technical/Paraprofessional	4.75%	46.89%	11.52%

UTILIZATION ANALYSIS

The utilization analysis which is attached indicates that the Office of the Chancellor is underutilized in the following job groups:

EEO-6 Group	Minorities	Women	Disabled
System Officials and Administrators/Managers			8
Professionals		5	21
Clerical			4
Technical		3	1

Minnesota State Colleges and Universities

Office of the Chancellor

Workforce, Availability, and Utilization Analysis by EEO-6 Job Category and Job Group

Jul-03

					Minority Employees								Minorities					Women					Disabled				
					Male				Female				Tot Min	% in Grp	% avail	# Ideal Goal	# Under- utilized	Tot Wom	% in Grp	% avail	# Ideal Goal	# under- utilized	Tot Dis	% in Grp	% avail	# Ideal Goal	# under- utilized
Job Group	EEO-6 Code	Total	Male	Female	BI	HS	AS	AI	BI	HS	AS	AI															
A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X	Y	Z	AA	BB
System Officials, Admin. & Managers	A	71	39	32	3	2			3	1			9	12.7	12.20	9	0	32	45	38.50	27	0	0	0	11.31	8	8
Professionals	C	192	94	98	2	2	5		3		2		14	7.3	4.20	8	0	98	51	53.78	103	5	0	0	10.88	21	21
Clerical	D	43	5	38	1				1	1	2		5	11.6	4.30	2	0	38	88	78.77	34	0	1	2.3	11.56	5	4
Technician	E	14	10	4	1								1	7.1	4.75	1	0	4	28.5	46.89	7	3	1	7.1	11.52	2	1

Availability (Ideal Goals) data for women and minorities in the Administrative and Managerial job groups are based on Minnesota State Colleges and Universities data. Availability data for women and minorities in professional, clerical and technical job groups are based on U.S. Census data provided by the Minnesota Department of Economic Security.

EEO-6 Job Groups

System Officials & Administrators,
Managers (EEO-6, A)
Professionals (EEO-6, C)
Clerical (EEO-6, D)
Technicians (EEO-6, E)

Bargaining Unit

220
211, 214, 216, 217
206, 217
207

ESTABLISHMENT OF HIRING GOALS

Because of uncertainties about future budgets, it is anticipated that there will be fewer hiring opportunities for everyone, including women, minorities, and persons with disabilities. However, when approval is given to fill positions, affirmative steps to recruit and hire women, minorities, and persons with disabilities keeping the following goals in mind.

The Office of the Chancellor will make every effort to recruit and hire members of underutilized groups, specifically women in the professional and technical classifications. In addition, special efforts will be made to recruit persons with disabilities in all classifications.

Goals:

<u>Groups</u>	<u>Number of Underutilized</u>	<u>Targeted hire</u>
Women Professionals	5	3
Women Technicals	3	1

AUDIT AND EVALUATION

The Office of the Chancellor Affirmative Action Plan will be reviewed by the Equal Opportunity/Affirmative Action Officer/Associate Vice Chancellor for Equal Opportunity.

Minnesota State Colleges and Universities' Equal Opportunity/Affirmative Action Officer/Associate Vice Chancellor for Equal Opportunity will monitor the employment procedures to evaluate progress and ensure that the nondiscriminatory policy is carried out.

A summary of the accomplishments of the prior year's Affirmative Action goals and objectives will be completed yearly and included in the biennial Affirmative Action Plan.

Consultation with the Office of the Chancellor Personnel Director and/or the Minnesota State Colleges and Universities Office of Equal Opportunity and Diversity may be necessary prior to the hiring phase if a disparity of protected classes exists in the hiring unit. [See *Hiring for Office of the Chancellor Positions*, Page 28]. In addition, consultation with the Office of the Chancellor Personnel Director and/or the Minnesota State Colleges and Universities Office of Equal Opportunity and Diversity may be necessary prior to layoff decisions to determine their impact on the Office of the Chancellor Affirmative Action Plan goals and timetables.

OFFICE OF THE CHANCELLOR EMERGENCY PLAN AND PROCEDURES

The Office of the Chancellor "MnSCU Emergency Plan and Procedures" document can be found in Appendix F. This procedure is disseminated to new employees as part of the employee orientation process. In addition, training on this procedure has already been conducted at the Energy technology center site and will be conducted at the Wells Fargo Place site in the near future.

DISSEMINATION OF POLICY

The following measures will be used to inform internal and external constituents of the Office of the Chancellor's commitment to Affirmative Action and Equal Opportunity in all employment and educational policies, procedures, programs, services, and opportunities.

INTERNAL DISSEMINATION

1. The Office of the Chancellor Affirmative Action Plan will be available in the Equal Opportunity and Diversity Office, Office of the Chancellor Personnel Office, and on Minnesota State Colleges and Universities' website at www.hr.mnscu.edu/so/.
2. Upon employment, all new employees will receive instruction on how to access a copy of the Affirmative Action Plan via the Office of the Chancellor website at www.hr.mnscu.edu/so/.
3. Providing training to managers and supervisors on affirmative action and equal opportunity issues;
4. All recruitment brochures, job announcements and vacancy notices shall identify Minnesota State Colleges and Universities as "An Equal Opportunity Educator and Employer"; and
5. Make available copies of the Affirmative Action Plan to all employees and students upon request. The Affirmative Action Plan is available for review by contacting Dolores Fridge, Associate Vice Chancellor for Equal Opportunity and Diversity, at 651.296.5313;

EXTERNAL DISSEMINATION

1. All job announcements, vacancy notices, website home page, letterhead, brochures and promotional and other education/employment related materials shall identify Minnesota State Colleges and Universities as "An Equal Opportunity Employer and Educator;"
2. Aggressively publicize via a variety of protected group and non-protected group media sources, Minnesota State Colleges and Universities' commitment to the recruitment, employment, promotion and retention of individuals with disabilities, women and minorities;
3. Make available copies of the Affirmative Action Plan to all interested non-Minnesota State Colleges and Universities parties. The Affirmative Action Plan is available for

review by contacting Dolores Fridge, Associate Vice Chancellor for Equal Opportunity and Diversity, at 651.296.5313; and

4. Information on Minnesota State Colleges and Universities Affirmative Action Plan and programs shall be made available to all external constituents via the Office of the Chancellor Personnel website at www.hr.mnscu.edu/so/

NONDISCRIMINATION COMPLAINT PROCEDURE

To seek fair and equitable solutions to problems of discrimination/harassment, the 1B.1.1 Report/Complaint of Discrimination/Harassment Investigation and Resolution Procedure is available to all employees of Minnesota State Colleges and Universities. See Appendix E – 1B.1.1. Report/Complaint of Discrimination/Harassment Investigation and Resolution Procedure. In addition to the 1B.1.1 Procedure, some employees may have grievance procedures in accordance with their respective collective bargaining agreements and personnel plans. Complaints/grievances will be processed in accordance with appropriate procedures.

HOW TO REPORT/FILE A COMPLAINT

Any Office of the Chancellor employee or other interested party has the right to report or file a complaint.

Complaints may be filed with:

**Dolores Fridge, Associate Vice Chancellor for Equal Opportunity and
Diversity, Wells Fargo Place, 5th Floor at 651.296.5313**

**Renée Hogoboom, Equal Opportunity manager and Investigator, Wells
Fargo Place, 6th Floor at 651.296.3756**

In the event that these individuals are not available, an employee and/or other interested party is encouraged to report or file a complaint with Gail Olson, General Counsel to the Office of the Chancellor at 651.296.6216.

The 1B.1.1 Procedure will be explained to any person bringing a complaint and a complaint form may be requested to assist in filing a complaint. No specific timelines are required for reporting/filing of complaints, although employees and other interested parties are strongly encouraged to bring their complaint forward as soon as possible after an incident occurs. It is Minnesota State Colleges and Universities policy to take timely and appropriate action to stop inappropriate behavior, conduct investigations and facilitate resolutions as appropriate.

SUPPORTED EMPLOYMENT

Minnesota State College and Universities supports the employment of individuals with disabilities who have traditionally faced employment barriers to successful employment. Minnesota State College and Universities is committed to providing opportunities, either through direct recruitment or providing a host training site, for individuals with disabilities to utilize job skills that will mutually benefit the individual and the Office of the Chancellor.

Minnesota State College and Universities' Office of the Chancellor Personnel Director will review opportunities under the Supported Employment Program as job openings become available. It is Minnesota State College and Universities policy to fully comply with the Americans with Disabilities Act and other federal and state laws governing employment of individuals with disabilities.

REASONABLE ACCOMODATIONS

The Office of the Chancellor has a continuing commitment to hiring, retaining and promoting individuals with disabilities who can perform the essential functions of the job with or without a reasonable accommodation. Reasonable accommodations will be provided in accordance with the 1B.0.1 Reasonable Accommodations in Employment Procedure. This procedure sets forth the process to be used for responding to requests for reasonable accommodations in employment based on an applicant's or employee's disability and is in compliance with relevant federal and state laws. See Appendix C – 1B.0.1 Reasonable Accommodations in Employment Procedure.

How to Request Reasonable Accommodations

An Office of the Chancellor job applicant or employee, including student employee, with a disability may request reasonable accommodation by contacting **Margaret Johnson, Wells Fargo Place, 6th Floor, at 651.296.3357 or call 651.282.2660 TTY.**

Employees requesting a reasonable accommodation under the Americans with Disabilities Act are provided with the State of Minnesota brochure entitled *ADA and Reasonable Accommodation* and given the Office of the Chancellor Request for Accommodation Form which is available on line at www.hr.mnscu.edu.so.

Reasonable accommodations will be provided only for job-related needs of an individual with a disability. The primary factor in evaluating the job relatedness of an accommodation is whether the accommodation specifically assists the individual in performing the essential functions of the job as identified at the time of the reasonable accommodation request. The appropriate reasonable accommodation will be determined through a flexible, interactive process that involves both the employer and the qualified individual with a disability and may include the appropriate union representative as provided by the applicable collective bargaining agreement.

An employee making a request for a reasonable accommodation under the ADA will be asked to provide documentation of related functional limitations by a licensed physician. The Office of the Chancellor is not required to provide the specific accommodation requested by the individual and may choose an effective accommodation which is less expensive or easier to provide. Accommodations provided to an individual with a disability are the financial responsibility of the Office of the Chancellor. Each division is responsible for providing funding for reasonable accommodations within its unit.

If an applicant or employee believes that they have been subjected to discriminatory action in regards to a request for a reasonable accommodation, they would access the 1B.1.1 Report/ Complaint of Discrimination/harassment Investigation and Resolution Procedure found in appendix E. See also **Nondiscrimination Complaint Procedure**, page 22 as well as appendix B – 1B.4 Access for Individuals with Disabilities Policy.

**Minnesota State Colleges and Universities
Office of the Chancellor
Request for Accommodation**

Employee Name:	Employee Classification: [for data collection only]	Date of Request:
Office of the Chancellor Division/Unit:	Brief Statement of Functional Limitations: Attach medical statement[s] as necessary or as requested	
1) Please describe the nature of your physical limitations.		
2) How does this disability limit you in your major life activity [ies]?		
3) Please describe, in your words, the level of limitation the disability places on you. For example, quantify the impact such as: average, moderate, great or quantify it by assigning a number to the impact on a scale of 1-10 with "5" being average. Again, this should be stated in your own words.		

<p>4.) Type of accommodation requested to assist you in performing your work. You may provide more than one option.</p>	
<p>5) In your view, how will the requested accommodation help you in performing your work. Specifically relate it to the disabling impairment or limitation. If you have provided more than one option, please state your preference for each listed accommodation option.</p>	
Signature of Employee:	Date:
Additional Comments:	
Signature of Employer's Representative:	Date:

Attach additional sheets of paper as necessary.

Information on this form shall be confidential and private in keeping with Section 504 of the Rehabilitation Act of 1973, the Americans With Disabilities Act of 1990, the Minnesota Data Practices Act, and MnSCU System Policy.

Revised August 2003

PRE-HIRE REVIEW

Attached are the processes for "Creating a New Position" and "Filling a Vacant Position" in the Office of the Chancellor. In addition, the "Position Request Form" is also attached.

CREATING A NEW POSITION

Office of the Chancellor

- Supervisor completes the Position Request Form (PRF) and provides a memo with detailed business reasons to justify creating and/or filling the position. The memo should include a statement addressing the budget authority, source of funding, dates of employment or temporary nature of appointment, as well as office space arrangements.
- Vice Chancellor and/or Associate Vice Chancellor verifies position is within division budget allocation and approves and signs the PRF.
- Supervisor consults with Office of the Chancellor Personnel Director and prepares a new position description to establish the classification and salary range.
- Personnel forwards PRF to Budget Unit to verify cost center and funds.

Office of the Chancellor Personnel

Personnel prepares an audit request to Minnesota State Colleges and Universities Staffing Unit which includes a position description signed by the supervisor, an organizational chart, and a Job Audit Cover Sheet.

Personnel Director assists the supervisor in designing a written recruitment plan taking into account any under-utilized protected classes. The recruitment plan is approved by the Affirmative Action Officer.

Supervisor

Supervisor consults with the Personnel Director regarding the recruitment plan and prepares a vacancy announcement and advertising language.

CREATING A NEW POSITION

Office of the Chancellor Personnel

Personnel announces the vacancy in the Employment Opportunities Newsletter.

Classified positions, must be posted for internal bids as provided for in the appropriate bargaining agreement. If no bids, Personnel will announce the vacancy and position qualifications on the DOER website.

The application procedure will be specified in the vacancy announcement. Depending upon the circumstances, applications may be received by the hiring supervisor or the Personnel Office.

For classified positions, the Department of Employee Relations has implemented a Multi-Source Recruitment and Selection Process (Resumix) to identify prospective candidates who match specific job qualifications. Resumes of candidates expressing an interest in the position and other candidates with the skills and abilities who match the vacancy announcement are available to Personnel Office staff and managers to review online.

Once a finalist pool has been identified, the Personnel Director seeks Equal Opportunity and Diversity approval of the search process and the candidate selection.

Personnel Office reviews the candidate pool and affirmative action status of candidates before interviews may begin.

Supervisor

Supervisor places ads and completes the necessary purchase orders. According to the recruitment plan, the supervisor may circulate vacancy announcements via traditional and non-traditional media such as websites listservs, community-based agencies and organizations, e-mail distribution of vacancy announcements, mailing listservs, community based agencies and organizations, e-mail distribution of vacancy announcements, mailing lists, and labels.

Supervisor coordinates the selection process: whether a search committee will be used, who will receive application materials, how interviews will be conducted, what interview questions will be asked and how references will be checked.

For classified positions, the hiring supervisor is forwarded a list of names and resumes for consideration.

For unclassified positions, the supervisor will send all applicants a Supplemental Protected Class Information form and a return stamped envelope to the attention of the Associate Vice Chancellor of Equal Opportunity and Diversity. Returning the Supplemental Information form is optional and is maintained in a separate, confidential file apart from the applicant files.

The supervisor schedules interviews, and the candidate of choice is selected.

CREATING A NEW POSITION

Office of the Chancellor Personnel

If the verbal offer is accepted, the Personnel Director, in consultation with the supervisor, will prepare an appointment letter for the Chancellor's signature. This letter confirms the position title, the proposed hire date and the agreed upon salary and conditions of employment.

Whenever possible, before the hire date, the Personnel Director will arrange a meeting with the new employee, the Chancellor, and the Cabinet member to formally sign the appointment letter.

Supervisor

The supervisor is responsible for informing unsuccessful applicants that a final decision has been made. The supervisor retains all search related documents in a confidential file for three years.

FILLING A VACANT POSITION

Office of the Chancellor

- Supervisor determines the need to fill an existing vacancy and completes the Position Request Form (PRF) and a memo with detailed business reasons to justify filling the position. The memo should include a statement addressing the budget authority, source of funding, dates of employment or temporary nature of appointment, as well as office space arrangements.
- Vice Chancellor and/or Associate Vice Chancellor verifies position is within the budget allocation and approves and signs the PRF.
- Supervisor consults with the Office of the Chancellor Personnel Director regarding an emergency/temporary hire, union posting requirements for a permanent hire, whether the position will be restructured at a higher or lower level than the existing position.
- Personnel forwards PRF to Budget Unit to verify cost center and funds.

Officer of the Chancellor Personnel

Personnel authorizes the search process to begin and meets with the supervisor to discuss recruitment, affirmative action commitments and the hiring time line.

Personnel Director assists the supervisor in designing a written recruitment plan taking into account any under-utilized protected classes. The recruitment plan is approved by the Affirmative Action Officer.

Supervisor

Supervisor prepares vacancy announcement and assists in preparing required and preferred qualifications for the position.

FILLING A VACANT POSITION

Officer of the Chancellor Personnel

Personnel announces the vacancy in the *Employment Opportunities Newsletter*.

Classified positions, must be posted for internal bids as provided for in the appropriate bargaining agreement. If no bids, Personnel will announce the vacancy and position qualifications on the DOER website.

The application procedure will be specified in the vacancy announcement. Depending upon the circumstances, applications may be received by the hiring supervisor or the Personnel Office.

For classified positions, the Department of Employee Relations has implemented a Multi-Source Recruitment and Selection Process (Resumix) to identify prospective candidates who match specific job qualifications. Resumes of candidates expressing an interest in the position and other candidates with the skills and abilities who match the vacancy announcement are available to Personnel Office staff and managers to review online.

Once a finalist pool has been identified, the Personnel Director seeks Equal Opportunity and Diversity approval of the search process and the candidate selection.

Personnel Office reviews the candidate pool and affirmative action status of candidates before interviews may begin.

Supervisor

Supervisor coordinates the selection process; whether a search committee will be used, to whom applications should be directed, how interviews will be conducted, what the interview questions will be and how references will be checked

For classified positions, the hiring supervisor is forwarded a list of names and resumes for consideration.

For unclassified positions, the supervisor will send all applicants a Supplemental Protected Class Information form and a return stamped envelope to the attention of the Associate Vice Chancellor of Equal Opportunity and Diversity. Returning the Supplemental Information form is optional and is maintained in a separate, confidential file apart from the applicant files.

The supervisor schedules interviews, and the candidate of choice is selected.

FILLING A VACANT POSITION

Office of the Chancellor Personnel

Personnel Director reviews and approves salary offers before an offer is made.

If the verbal offer is accepted, the Personnel Director, in consultation with the supervisor, will prepare an appointment letter for the Chancellor's signature. This letter confirms the position title, the proposed hire date and the agreed upon salary and conditions of employment.

Whenever possible, before the hire date, the Personnel Director will arrange a meeting with the new employee, the Chancellor, and the Cabinet member to formally sign the appointment letter.

Supervisor

The supervisor makes a verbal offer to the candidate.

The supervisor is responsible for informing unsuccessful applicants that a final decision has been made. The supervisor retains all search related documents in a confidential file for three years.



Minnesota State Colleges & Universities

Position Request

Personnel Login Number: _____

Revised: 6/99

Proposed Class:	Position Control Number:	Date:
Working Title:	Salary:	Department/Section:
Name of Incumbent or Previous Incumbent:	Supervisor Signature:	Phone:

Type of Request *(Check all that apply)*

☐ Establish New Position *(Attach position description and organizational chart)*
☐ Classified
☐ Unclassified

☐ Fill Vacant Position
☐ Same job classification
☐ Reclassify position

☐ Reassignment
☐ Work Out of Class...Length of Appointment _____
☐ Mobility...Length of Appointment _____

☐ Reclassification/Reallocation of Current Employee
(Attach position description and organizational chart)

☐ Temporary
Length of Appointment _____
How many applicants do you want to interview? _____

☐ Emergency (maximum of 45 days) _____ Number of days
How many applicants do you want to interview? _____

☐ Extend Appointment (Emergency, Temporary, or Work Out of Class)
Proposed Extension _____

Employment Condition

(Check one): ☐ Full Time ☐ Part Time _____ %

Proposed Start Date: _____

Check funding source: State funding Federal funding Supplemental funding Special funding Other _____

Brief description of need and work assignments.

Check one: Campus Service Unit
System Office

Is there a disparity of protected class individuals in your unit? Yes No

Associate Vice Chancellor Signature _____

Date _____

Vice Chancellor Signature _____

Date _____

DO NOT WRITE BELOW THIS LINE

Personnel Office

System Office Personnel Signature _____

Date _____

Fiscal Services

Cost Center # _____ Percentage _____ %

Position Budgeted: Yes No

Funding Available: Yes No

Authorized Fiscal Services Signature _____

Date _____

Requisition #:

Appointee:

Effective date:

Final Classification:

MINNESOTA STATE COLLEGES AND UNIVERSITIES POLICIES AND PROCEDURES

The following appendices contain relevant Minnesota State Colleges and Universities policies and procedures.

List Of Appendices

- Appendix A. Affirmative Action in Employment Policy
- Appendix B. Access for Individuals with Disabilities Policy
- Appendix C. Reasonable Accommodations in Employment Procedure
- Appendix D. Nondiscrimination in Employment and Education
Opportunity Policy
- Appendix E. Report/Complaint of Discrimination/Harassment Investigation
And Resolution Procedure
Discrimination/Harassment Intake Form
Discrimination/Harassment Complaint Form
- Appendix F. Minnesota State Colleges and Universities Emergency Plan
and Procedures
Wells Fargo Center
Energy Technology Center
- Appendix G. Minnesota State Colleges and Universities Office Strategic
Diversity Plan
- Appendix H. Minnesota State Colleges and Universities Office of the
Chancellor Organization Chart

APPENDIX A
AFFIRMATIVE ACTION IN EMPLOYMENT
POLICY

MINNESOTA STATE COLLEGES & UNIVERSITIES

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1B.2 Affirmative Action in Employment

Minnesota State Colleges and Universities is committed to and supports aggressive affirmative action steps and programs intended to remedy the historical underrepresentation of persons of color, women, and persons with disabilities in the workforce.

Date of Implementation: 9/20/94,

Date of Adoption: 9/20/94,

Date & Subject of Revisions:

There is no additional HISTORY for 1B.2 at this time.

The Minnesota State Colleges and Universities System is an Equal Opportunity employer and educator.
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APPENDIX B
ACCESS FOR INDIVIDUALS WITH
DISABILITIES POLICY

MINNESOTA STATE COLLEGES & UNIVERSITIES

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Board Policies

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1B.4 Access for Individuals with Disabilities

Part 1. Definitions.

Subpart A. An individual with a disability:

1. Any person who has a physical or mental impairment which substantially limits one or more of such person's major life activities.
2. Any person who has a record of such impairment which means that a person has a history of or has been classified as having a mental or physical impairment that substantially limits one or more major life activities.
3. Any person who is regarded as having such an impairment which means:
 - a. Has a physical or mental impairment that may not substantially limit major life activities but that is treated by others as constituting such a limitation;
 - b. Has a physical or mental impairment that substantially limits major life activities only as a result of the attitudes of others toward such impairment;
 - c. Has no impairment but is treated by others as having such an impairment.

Subpart B. Personal devices and services: Examples of personal devices and services include wheelchairs; individually prescribed devices, such as prescription eyeglasses or hearing aids; readers for personal use or study; or services of a personal nature including assistance in eating, toileting, or dressing.

Subpart C. Qualified individual: A person who, with or without reasonable modifications to rules, policies, or

practices, the removal of architectural, communication, or transportation barriers, or the provision of auxiliary aids and services, meets the essential eligibility requirements for receipt of services or participation in a system office, college, or university program or activity. Essential eligibility requirements include, but are not limited to, academic and technical standards requisite to admission or participation in an education program or activity.

Part 2. General Access Policy.

The system office, colleges, and universities will provide access to programs, services and activities to qualified individuals with known disabilities as required by law. Where an individual asks for an accommodation, the system office, college, or university may require the individual to provide documentation.

Part 3. Availability and Notice.

Each college and university shall post notices in an accessible format to the public describing 1) college or university prohibition against discrimination, and 2) college or university contact for requesting reasonable accommodation or information.

Part 4. Reasonable Accommodations to Ensure Access to Programs, Services, and Activities.

The system office, colleges, and universities shall make reasonable accommodations to ensure access to programs, services, and activities as required by law. Access means that a qualified individual with a disability will not be excluded from participation in or be denied the benefits of the services, programs, or activities, nor will the individual be subjected to discrimination. Reasonable accommodations may include modifications to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, provision of auxiliary aids or the provision of equally effective programs, services, or activities. In accordance with the Americans with Disabilities Act, accommodations will **not** be provided 1) for personal devices or services even though the individual may be a qualified individual with a disability, or 2) that result in a fundamental alteration in the nature of a service, program, or activity or in undue financial or administrative burdens.

Part 5. Offered and/or Sponsored Services or Activities for Qualified Students with Disabilities.

Colleges and universities have a responsibility to provide access to services and/or activities that are operated or sponsored by the college or university or that receive significant assistance from the college or university. Such access shall be provided in a reasonable

manner as required by law. At a minimum, the following must be offered to qualified students with disabilities: 1) support, counseling, and information services that may include support groups, individual counseling, career counseling and assessment, and referral services, 2) academic assistance services that may include assistive devices, early registration services, early syllabus availability, course selection, and program advising, course work assistance, testing assistance, and modification, and tutoring, and 3) coordination services that may include personnel acting on the student's behalf and serving as the primary contact and coordinator for students needing services, assistance in working individually with faculty and administrators, intervention procedures, and grievance procedures.

Part 6. Procedure.

In consultation with the system office, each college and university shall establish a procedure for individuals with disabilities to make requests for accommodations to access programs, services, or activities at the college or university, consistent with state and federal laws. Such procedure for access to programs for individuals with disabilities must, at a minimum, include the following:

- a. The system policy statement and system definitions.
- b. Assignment and identification of a staff member responsible for administering the delivery of services to individuals with disabilities.
- c. Provide a process for appealing a denial of a request for program access.

Date of Implementation: 7/01/95,

Date of Adoption: 6/20/95,

Date & Subject of Revisions:

There is no additional HISTORY for 1B.4 at this time.

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APPENDIX C
REASONABLE ACCOMMODATIONS IN
EMPLOYMENT PROCEDURE

MINNESOTA STATE COLLEGES & UNIVERSITIES

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System Procedures for Chapter 1 - System Organization and Administration

Procedure 1B.0.1 Reasonable Accommodations in Employment

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Part 1. Purpose

This procedure sets forth the process to be used for responding to requests for reasonable accommodations in employment based on an applicant's or employee's disability. The scope of this procedure is limited to reasonable accommodations, and is not intended to fully describe other provisions of the Americans with Disabilities Act or the Minnesota Human Rights Act.

Part 2. Reasonable Accommodations in Employment

It is the policy of MnSCU to encourage the employment and promotion of any qualified individual including qualified individuals with disabilities. The system office, college or university will not discriminate in providing reasonable accommodations to qualified individuals with a disability in regard to job application procedures, hiring, advancement, discharge, employee compensation, job training or other terms, conditions, and privileges of employment.

Part 3. Definitions.

For purposes of this procedure, the following terms have the meaning given them.

Subpart A. Employer: The employer is the system office, college or university.

Subpart B. Essential Functions: Essential functions are the fundamental job duties of the position in question. The term does not include the marginal functions of the position.

1. A job function may be considered essential for any of several reasons, including but not limited to the following:
 - a. The function may be essential because the reason the position exists is to perform that function;
 - b. The function may be essential because of the limited number of employees available among whom the performance of that job function can be distributed; and/or
 - c. The function may be highly specialized so that the incumbent in the position is hired for his or her expertise or ability to perform the particular function.
2. Evidence of whether a particular function is essential includes, but is not limited to:
 - a. The employer's judgment as to which functions are

- essential;
- b. Written job descriptions;
- c. The amount of time spent on the job performing the function;
- d. The consequences of not requiring the incumbent to perform the function;
- e. The terms of a collective bargaining agreement;
- f. The work experience of past incumbents in the job; and/or
- g. The current work experience of incumbents in similar jobs.

Subpart C. Individual with a Disability: An individual with a disability for the purposes of determining reasonable accommodations is any applicant, current employee, including student employees, or employees seeking promotion, who has a physical or mental impairment which substantially or materially limits one or more of such individual's major life activities. Generally, a disabling physical or mental condition which is expected to be temporary and from which the individual is expected to recover is not a disability under this procedure.

Subpart D. Qualified Individual with a Disability: A qualified individual with a disability is an individual with a disability who meets the requisite skill, education, experience and other job-related requirements of the job and who, with or without reasonable accommodation, can perform the essential functions of the job.

Subpart E. Reasonable Accommodations: A reasonable accommodation is a modification or adjustment to a job or employment practice or the work environment that enables a qualified individual with a disability to perform the essential functions of the job as identified at the time of the reasonable accommodation request and to access equal employment opportunities. Reasonable accommodations may also include those things which make a facility and its operations readily accessible to and usable by individuals with disabilities. Under the law, the employer has a responsibility to make reasonable accommodations for individuals with a disability only if the disability is known and it is not an undue hardship under Part 6, Subpart C.

Part 4. Identification of Assigned Staff Member. The system office, and each college and university shall assign and identify a staff member responsible for administering requests for reasonable accommodations.

Part 5. Right to Representation. In accordance with applicable collective bargaining agreement language, employees may have the right to request and receive union representation during the reasonable accommodations process.

Part 6. Providing Reasonable Accommodations.

Subpart A. Job Relatedness. Reasonable accommodations will be provided only for job-related needs of individuals with a disability. The primary factor in evaluating an accommodation's job relatedness is whether the accommodation specifically assists the individual to perform the essential functions of the job as identified

at the time of the reasonable accommodation request. If the requested accommodation is primarily for the benefit of the individual with a disability to assist that individual in daily personal activities, the employer is not required to provide the accommodation. The appropriate reasonable accommodation is best determined through a flexible, interactive process that involves both the employer and the qualified individual with a disability; it may include the appropriate union representative as provided by the applicable collective bargaining agreement.

Subpart B. Essential Functions. The system office, college or university may deny employment or advancement in employment based on the inability of an individual with a disability to perform the essential functions of the job and may decline to make accommodations to the physical or mental needs of an employee or job applicant with a disability if:

- a. the accommodation would impose an undue hardship on the system office, college or university as provided under Subpart C.; or
- b. the individual with a disability, with or without reasonable accommodations, is not qualified to perform the essential functions of that particular job; or
- c. having the individual in the job would create a direct threat because of a significant risk to the health and safety of the individual or others and the risk cannot be eliminated by reasonable accommodation.

Subpart C. Undue Hardship: In determining whether providing a reasonable accommodation would impose an undue hardship on the employer, the factors to be considered include:

1. The nature and net cost of the accommodation needed;
2. The overall financial resources of the employer involved in the provision of the reasonable accommodation, the number of persons employed, and the effect on expenses and resources;
3. The overall financial resources of the employer, the overall size of the business of the employer with respect to the number of its employees, and the number, type and location of its facilities;
4. The type of operation or operations of the employer, including the composition, structure and functions of the workforce, and the geographic separateness and administrative or fiscal relationship of the employer in question to the covered entity; and
5. The impact of the accommodation upon the operation of the employer, including the impact on the ability of other employees to perform their duties and the impact on the employer's ability to conduct business.

Subpart D. Documentation. Documentation of a disability is required as part of the reasonable accommodation process unless the nature and extent of the disability is already known to the employer, or as a practical matter, the requested accommodation is minimal and the employer makes modifications for its convenience, regardless of whether the employee or applicant meets the

requirements for a reasonable accommodation under this procedure.

Subpart E. Choice of Accommodations. The employer is not required to provide the specific accommodation requested by the individual and may choose an effective accommodation which is less expensive or easier to provide. Accommodations provided to the individual are the financial responsibility of the employer.

Subpart F. Request Process. The system office, colleges and universities are responsible for establishing a process for individuals with disabilities to make requests for reasonable accommodations in compliance with the Americans with Disabilities Act or the Minnesota Human Rights Act. Such process should include the following:

1. MnSCU policy statement and definitions;
2. Assignment and identification of a staff member responsible for administering requests for reasonable accommodations;
3. Provide a process for appealing a reasonable accommodations decision.

Part 7. Application. Nothing in this procedure is intended to expand, diminish or alter the provisions of the Americans with Disabilities Act or the Minnesota Human Rights Act.

Approved by the Chancellor: May 24, 2000

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APPENDIX D
NONDISCRIMINATION IN EMPLOYMENT
PROCEDURE

Board Policies**Chapter 1 - System Organization and Administration****Section B - Equal Education and Employment Opportunity**

1B.1 Nondiscrimination in Employment and Education Opportunity

Minnesota State Colleges and Universities is committed to a policy of nondiscrimination in employment and education opportunity. No person shall be discriminated against in the terms and conditions of employment, personnel practices, or access to and participation in, programs, services, and activities with regard to race, sex, color, creed, religion, age, national origin, disability, marital status, status with regard to public assistance, sexual orientation, or membership or activity in a local commission as defined by law.

Harassment of an individual or group on the basis of race, sex, color, creed, religion, age, national origin, disability, marital status, status with regard to public assistance, sexual orientation, or membership or activity in a local commission has no place in a learning or work environment and is prohibited. Sexual violence has no place in a learning or work environment. Further, the Minnesota State Colleges and Universities shall work to eliminate violence in all its forms. Physical contact by designated system, college, and university staff members may be appropriate if necessary to avoid physical harm to persons or property.

This policy is directed at verbal and physical conduct that constitutes discrimination/harassment under state and federal law and is not directed at the content of speech. In cases in which verbal statements and other forms of expression are involved, MnSCU will give due consideration to an individual's constitutionally protected right to free speech and academic freedom. The system office, colleges and universities shall develop and implement a complaint process to review complaints of discrimination/harassment or sexual violence. This policy supersedes all existing system, college, and university nondiscrimination policies.

RACIAL DISCRIMINATION/HARASSMENT**Part 1. Definitions.**

Subpart A. Racial discrimination is prohibited by state and federal law. Racial discrimination is defined as conduct that is directed at an individual because of his/her race, color, or national origin or that of his/her

spouse and that subjects the individual to different treatment by agents or employees so as to interfere with or limit the ability of the individual to participate in, or benefit from, the services, activities, or privileges provided by the system or colleges and universities or otherwise adversely affects the individual's employment or education.

Subpart B. Racial harassment is a form of race discrimination which is prohibited by state and federal law. Racial harassment is defined as verbal or physical conduct that is directed at an individual because of his/her race, color, or national origin or that of his/her spouse and that is sufficiently severe, pervasive, or persistent so as to have the purpose or effect of creating a hostile work or educational environment. Racial harassment may occur in a variety of relationships, including faculty and student, supervisor and employee, student and student, staff and student, employee and employee, and other relationships with other persons having business at or visiting the educational environment.

SEX DISCRIMINATION/HARASSMENT AND VIOLENCE

Part 2. Definitions.

Subpart A. Sex discrimination is prohibited by state and federal law. Sex discrimination is defined as conduct that is directed at an individual because of his/her gender or that of his/her spouse and that subjects the individual to different treatment so as to interfere with or limit the ability of the individual to participate in, or benefit from, the services, activities, or privileges provided by the system or colleges and universities or otherwise adversely affects the individual's employment or education.

Subpart B. Sexual harassment is a form of sex discrimination which is prohibited by state and federal law. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct, and other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education, evaluation of a student's academic performance, or term or condition of participation in student activities or in other events

- or activities sanctioned by the college or university;
or
2. Submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions or other decisions about participation in student activities or other events or activities sanctioned by the college or university; or
 3. Such conduct has the purpose or effect of threatening an individual's employment; interfering with an individual's work or academic performance; or creating an intimidating, hostile, or offensive work or educational environment.

Sexual harassment may occur in a variety of relationships, including faculty and student, supervisor and employee, student to student, employee to employee, and other persons having business with or visiting the educational environment. Sexual harassment may occur when it is directed at members of the opposite gender or when it is directed at members of the same gender. It includes, but is not limited to:

- unwelcome pressure for sexual activity;
- unwelcome, sexually motivated or inappropriate patting, pinching, or physical contact; physical contact may be appropriate, if necessary to restrain individuals to avoid physical harm to persons or property;
- demands for sexual favors or promises of preferential treatment with regard to an individual's employment or educational status accompanied by implied or overt threats concerning an individual's employment or educational status; or
- unwelcome behavior or words of a sexual nature directed at an individual because of gender.

Subpart C. Sexual violence: Acts of sexual violence are criminal behaviors and create an environment contrary to the goals and missions of the system and colleges and universities. Acts of sexual violence include:

1. Forcible acts, which include non-consensual sexual contact, and/or sexual contact in which the victim is incapable of giving consent (such as when the complainant is under the influence of alcohol or drugs);
2. Nonforcible sex acts such as incest and statutory rape; and
3. The threat of an act of sexual violence. Sexual violence may include, but is not limited to:

- touching, patting, grabbing, or pinching another person's intimate parts, whether that person is of the same sex or the opposite sex;
- coercing, forcing, or attempting to coerce or force the touching of anyone's intimate parts;
- coercing, forcing, or attempting to coerce or force sexual intercourse or a sexual act on another; or
- threatening to force or coerce sexual acts, including the touching of intimate parts or intercourse, on another.

Subpart D. Sexual harassment and violence as sexual abuse. Under certain circumstances, sexual harassment or violence may constitute sexual abuse according to Minnesota law. In such situations, the system office and colleges and universities shall comply with the reporting requirements in M.S. Section 626.556 (reporting of maltreatment of minors) and MS Section 626.557 (Vulnerable Adult Protection Act). Nothing in this policy will prohibit the system office or any college or university from taking immediate action to protect victims of alleged sexual abuse.

Subpart E. Nonconsensual Relationships. Substantial risks are involved even in seemingly consensual romantic/sexual relationships where a power differential exists between the involved parties. The respect and trust accorded a faculty member or other employee by a student, as well as the power exercised by faculty in giving grades, advice, praise, recommendations, opportunities for further study or other forms of advancement may greatly diminish the student's actual freedom of choice concerning the relationship. Similarly, the authority of the supervisor to hire, fire, evaluate performance, reward, make recommendations, assign and oversee the work activities of employees may interfere with the employee's ability to choose freely in the relationship. Further, it is inherently risky where age, background, stature, credentials or other characteristics contribute to the perception that a power differential exists between the involved parties which limits the student or employee's ability to make informed choices about the relationship.

Claims of a consensual romantic/sexual relationship will not protect individuals from sexual harassment charges nor guarantee a successful defense if charges are made. It is the faculty member, supervisor or staff who will bear

the burden of accountability because of his/her special power and responsibility, and it may be exceedingly difficult to use mutual consent as a defense. Therefore, all employees should be aware of the risks involved in entering into a romantic/sexual relationship where there is a superior/subordinate relationship.

SEXUAL ORIENTATION DISCRIMINATION/HARASSMENT

Part 3. Definitions.

Subpart A. Sexual orientation discrimination is prohibited by state law. Sexual orientation discrimination is defined as conduct that is directed at an individual because of his/her sexual orientation and that subjects the individual to different treatment by agents or employees so as to interfere with or limit the ability of the individual to participate in, or benefit from, the services, activities, or privileges provided by the system, colleges and universities or otherwise adversely affects the individual's employment or education.

Subpart B. Sexual orientation harassment is a form of sexual orientation discrimination which is prohibited by state law. Sexual orientation harassment is defined as verbal or physical conduct that is directed at an individual because of his/her sexual orientation and that is sufficiently severe, pervasive or persistent so as to have the purpose or effect of creating a hostile work or educational environment. Sexual orientation harassment may occur in a variety of relationships, including faculty and student, supervisor and employee, student and student, staff and student, employee and employee, and other relationships with other persons having business at or visiting the educational environment.

DISABILITY DISCRIMINATION/HARASSMENT

Part 4. Definitions.

Subpart A. Disability discrimination is prohibited by state and federal law. Disability discrimination as defined by law is conduct that is directed at an individual because of his/her mental/physical disability or that of his/her spouse and that subjects the individual to different treatment by agents or employees without legitimate non-discriminatory reason so as to interfere with or limit the ability of the individual to participate in, or benefit from, the services, activities, or privileges provided by the system or colleges and universities or otherwise

adversely affects the individual's employment or education.

Subpart B. Disability harassment is a form of discrimination which is prohibited by state and federal law. Disability harassment is defined as verbal or physical conduct that is directed at an individual because of his/her mental/physical disability or that of his/her spouse and that is sufficiently severe, pervasive, or persistent so as to have the purpose or effect of creating a hostile work or educational environment. Disability harassment may occur in a variety of relationships, including faculty and student, supervisor and employee, student and student, staff and student, employee and employee, and other relationships with other persons having business at or visiting the educational environment.

[Click here for Procedure 1B.1.1](#)

Date of Implementation: 9/20/94,

Date of Adoption: 9/20/94,

Date & Subject of Revisions:

12/20/95 Added everything after the first paragraph.
There is no additional HISTORY for 1B.1 at this time.

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APPENDIX E
REPORT/COMPLAINT OF
DISCRIMINATION/HARASSMENT INVESTIGATION AND
RESOLUTION PROCEDURE

MINNESOTA STATE COLLEGES & UNIVERSITIES

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Procedure 1B.1.1 Report/Complaint of Discrimination/Harassment Investigation and Resolution

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documentation

Part 1. Procedure objective.

This procedure is designed to further implement Minnesota State Colleges and Universities policies relating to non-discrimination by providing a process through which individuals alleging violation of system non-discrimination policies may pursue a complaint. This includes allegations of discrimination or harassment based on sex, race, age, disability, color, creed, national origin, religion, sexual orientation, marital status, status with regard to public assistance or membership or activity in a local commission. This procedure is not applicable to allegations of sexual violence which should be handled under appropriate system and college or university policies and procedures.

A single act of discrimination may be based on more than one protected class status. For example, discrimination based on anti-Semitism may relate to religion, national origin, or both; discrimination against a pregnant woman might be based on sex, marital status, or both.

This procedure shall apply to all individuals affiliated with Minnesota State Colleges and Universities, including its students, employees, and applicants for employment, and is intended to protect the rights and privacy of both the complainant and respondent and other involved individuals, as well as to prevent retaliation/reprisal. Individuals who violate this procedure shall be subject to disciplinary or other corrective action.

Not every act that may be offensive to an individual or group constitutes discrimination or harassment. In determining whether discrimination or harassment has occurred, the totality of the circumstances surrounding the incident must be carefully reviewed and due consideration must be given to the protection of individual rights, freedom of speech, academic freedom and advocacy.

The system office, colleges, and universities shall maintain and encourage full freedom, within the law, of expression, inquiry, teaching, and research. Academic freedom comes with a responsibility that all members of our education community benefit from it without intimidation, exploitation, or coercion. Discrimination and harassment are not within the protections of academic freedom.

Part 2. Definitions.

Subpart A. Designated officer. A designated officer is an individual designated by the president or chancellor to be primarily responsible for investigating or coordinating the investigation of reports and complaints of discrimination/ harassment in accordance with this procedure. Designated officers may include individuals in the affirmative action or equity office, the campus security office, the student affairs or student life office, academic or administrative offices of the system office, college, or university. The president or chancellor may designate other individuals to assume the role of the designated officer as deemed necessary.

Designated officers must attend investigator training conducted by the Office of the Chancellor.

Subpart B. Decision-making authority. A decision-maker is an

individual designated by the president or chancellor to review investigative reports, to make findings whether the discrimination/harassment policies have been violated based upon the investigation and other measures deemed necessary to reach a decision, and to determine the appropriate action for the institution to take based upon the findings. The decision-maker shall be a top level administrator such as a college or university vice president, dean or provost. At the system office, the decision-maker shall be a top level administrator such as a chancellor, vice chancellor, associate vice chancellor or other appropriate system office personnel. The president or chancellor may designate other individuals to assume the role of the decision-maker as deemed necessary.

Designated decision-makers for complaints under this procedure, including presidents, must attend decision-maker training conducted by the Office of the Chancellor.

Part 3. Reporting incidents of discrimination/harassment.

Subpart A. Reporting an incident. The system office, colleges, and universities encourage any individual, including any student, employee, applicant for employment, or person eligible for employment (as defined by Minnesota Statutes section 43A.02), who feels she or he has been or is being subjected to discrimination/harassment to report the incident to the designated officer. Any student, faculty member or employee who knows of, receives information about or receives a complaint of discrimination/harassment is urged to report the information or complaint to the designated officer of the system office, college, or university.

Subpart B. Personal resolution. In instances where an individual believes she/he personally has been subjected to behavior prohibited by the 1B.1 Non-discrimination policy, that individual may voluntarily choose to directly address the offensive behavior. In such a situation, she or he should clearly explain to the alleged offender as soon as possible after the incident that the behavior is objectionable and that it stop. Communication with the alleged offender may be in person, on the telephone, or in writing. If the behavior does not stop or if the individual believes some employment or education consequences may result from the discussion, she or he should go to the designated officer to process the complaint. Under no circumstances shall an individual be required to use personal resolution to address prohibited behaviors rather than reporting the behavior to the designated officer.

Subpart C. Duty to report. Unless the matter already has been referred to the designated officer, administrators and supervisors must inquire into allegations or behaviors that they reasonably believe may constitute discrimination or harassment and, when a report/complaint appears to be warranted, refer the matter to the designated officer. The duty to report shall not be construed to prevent immediate corrective action by an administrator or supervisor when appropriate.

Subpart D. Institutional responsibility.

1. **Colleges and universities.** This procedure applies to all members of the educational community including students. Reports/complaints against a president of a college or university shall be filed with the system office. Complaints against a president shall be processed by the college or university if the president's

role in the alleged incident was limited to a decision on a recommendation made by another administrator, such as tenure, promotion or non-renewal, and the president had no other substantial involvement in the matter. Reports and complaints against college or university vice presidents, deans, or provosts are filed at the campus level with the president or the president's designee as decision-maker.

2. **System office.** For reports/complaints which involve allegations against system office employees, the responsibilities identified in this procedure as those of the president are the responsibilities of the chancellor. Reports/complaints which involve allegations against the chancellor or a member of the Board of Trustees shall be referred to the chair or vice chair of the Board for processing. Such reports/complaints may be assigned to appropriate system office personnel or outside investigatory assistance may be designated.

Subpart E. Retaliation and reprisal. No retaliation, reprisal or intimidation in conjunction with a complaint of discrimination/harassment shall be tolerated by the system office, colleges, and universities. State law prohibits reprisal by a respondent, employer, labor organization, educational institution, employee, agent of the above and others as specified in statute. (Minnesota Statutes section 363.03). Any individual who retaliates against any person who testifies, assists, or participates in an investigation, proceeding or hearing in relation to a discrimination/harassment complaint shall be subject to disciplinary or other action.

Retaliation includes, but is not limited to, any form of intimidation, reprisal, coercion, discrimination, harassment, or unwanted sexual contact toward a complainant, or the complainant's relatives, friends or associates. Retaliation may occur whether or not there is a power or authority differential between the individuals involved. Reprisal also includes discrimination against an individual because that person is associated with a protected group member. Allegations of retaliation or reprisal shall be reported to the designated officer for appropriate action.

Subpart F. False statements prohibited. Any individual who provides false statements regarding the filing of a discrimination report/complaint or during the investigation of such a report/complaint may be subject to disciplinary or corrective action.

Subpart G. Withdrawn Complaints. If a complainant no longer desires to pursue a complaint, the system office, colleges, and universities reserve the right to investigate and resolve the complaint.

Part 4. Right to representation.

In accordance with federal law and applicable collective bargaining agreement and personnel plan language, represented employees may have the right to request and receive union representation during an investigatory meeting.

Nothing in this procedure is intended to expand, diminish or alter in any manner whatsoever any right or remedy available under a collective bargaining

agreement, personnel plan or law. Any disciplinary action imposed as a result of an investigation conducted under this procedure will be processed in accordance with the applicable collective bargaining agreement or personnel plan.

Part 5. Investigation and resolution.

The system office, college or university has an affirmative duty to take timely and appropriate action to stop inappropriate behavior, conduct investigations and facilitate resolutions as appropriate.

Subpart A. Making a report/complaint. The designated officer must be contacted in order to initiate a report/complaint. The report/complaint should be brought as soon as possible after an incident occurs. The designated officer shall retain control of the investigatory process and determine whether and/or how to proceed.

Subpart B. Initial inquiry and review process. After receiving a report/complaint, the designated officer shall take the steps listed below:

1. **Jurisdiction.** The designated officer shall determine whether the report/complaint is one which should be processed through another system office, college or university procedure available to the complainant; if appropriate, the designated officer shall direct the complainant to that procedure as soon as possible.
2. **Conflicts.** If the designated officer determines that the report/complaint falls within the scope of the institution's nondiscrimination policies and this procedure, the designated officer shall first determine who will conduct the complaint process. The designated officer should identify to the president or chancellor any real or perceived conflict of interest in proceeding as the designated officer for a specific complaint. If the president determines that a conflict exists, another designated officer shall be assigned.
3. **Information provided to complainant.** At the time the report/complaint is made, the designated officer shall:
 - a.) inform the complainant of the provisions of the nondiscrimination policy;
 - b.) provide a copy of the policy and the report/complaint procedure to the complainant;
 - c.) advise the complainant of other options such as alternative dispute resolution or mediation and that the complainant may also choose to pursue other legal options; and
 - d.) determine whether other individuals are permitted to accompany the complainant during investigatory interviews and the extent of their involvement.
4. **Complaint Form.** The designated officer shall insure that the complaint is documented in writing on the complaint form available from system office, college, or university authorities. The complaint form must include:
 - a.) a detailed description of the facts upon which the charge is based;
 - b.) name(s) of the respondent(s), if known;
 - c.) a list of possible witnesses as deemed appropriate by the

designated officer; and

d.) other information pertinent to the complaint.

At the conclusion of the process, the final disposition of the complaint shall be included on the complaint form.

5. **Information provided to the respondent.** At the time initial contact is made with the respondent, the designated officer shall:

a.) inform the respondent in writing of the existence and general nature of the complaint and the provisions of the nondiscrimination policy;

b.) provide a copy of the policy and the report/complaint procedure to the respondent;

c.) advise the respondent of other options such as alternative dispute resolution or mediation;

d.) explain to the respondent that in addition to being interviewed by the designated officer, the respondent may provide a written response to the allegations; and

e.) determine whether other individuals are permitted to accompany the respondent during investigative interviews and the extent of their involvement.

6. **Processing the complaint.** The designated officer shall:

a.) conduct a fact-finding inquiry or investigation into the complaint, including appropriate interviews and meetings;

b.) investigate the complaint without identifying the complainant, if in the judgment of the designated officer, this would increase the likelihood of satisfactory resolution of the complaint;

c.) inform the complainant, respondent, witnesses and other involved individuals of the prohibition against retaliation and reprisal;

d.) create, gather and maintain investigative documentation as appropriate;

e.) disclose appropriate information to others only on a need to know basis consistent with state and federal law, and provide a data privacy notice (Tennessee warning) in accordance with state law; and

f.) inform the complainant and respondent of the status of the investigation at reasonable times until final disposition of the complaint.

Subpart C. Initial inquiry and informal resolution. After conducting an initial inquiry and review, if the designated officer determines that the issue can be resolved without further investigation, the designated officer may use one or more of the following methods to resolve the complaint:

1. suggest counseling or sensitivity training;
2. conduct training for the unit, division, or department, calling attention to the consequences of engaging in such behavior;
3. facilitate meetings between the parties;
4. separate the parties, after consultation with appropriate system office, college or university personnel;
5. prepare a written letter of agreement confirming that the respondent has been informed of the policy and complaint procedure, identifying and documenting the respondent's acceptance of the designated officer's resolution of the

- complaint, and stating that retaliation is prohibited;
6. other possible outcomes may include explicit agreements about future conduct, a letter of apology to the complainant, changes in workplace assignments, enrollment in a different course or program, or other appropriate action.

Subpart D. Investigation and decision process. If the above methods do not resolve the complaint within a reasonable period of time to the satisfaction of the designated officer, or the designated officer feels additional steps should be taken, the procedures in this subpart shall be followed.

1. Designated officer. The designated officer shall:
 - a.) conduct further investigation as deemed appropriate by the designated officer;
 - b.) prepare an investigation report for review by the decision-maker;
 - c.) take additional investigative measures as requested by the decision-maker;
 - d.) provide sufficient information to the respondent consistent with federal and state data privacy laws to allow the respondent to respond to the substance of the complaint; and
 - e.) provide the investigation report to the complainant or respondent upon request unless the information is protected under state or federal law.
2. Decision-maker. After receiving the investigation report prepared by the designated officer, the decision-maker shall:
 - a.) determine whether additional steps should be taken, at the discretion of the decision-maker, prior to making the decision. Additional steps may include:
 1. a request that the designated officer take additional investigative measures;
 2. a meeting with the complainant, respondent or other involved individuals. If a meeting involving a represented employee is convened, the complainant or respondent may choose to be accompanied by the bargaining unit representative, in accordance with the applicable collective bargaining agreement and federal and state law. Other employees may be accompanied by an attorney or other support person at the discretion of the decision-maker;
 3. a request for additional information which may include a written response from the complainant or respondent relating to the allegations of the complaint;
 - b.) take other measures deemed necessary to reach a decision;
 - c.) when making the decision, take into account the surrounding circumstances, the nature of the behaviors, the relationship(s) between the parties, the context in which the alleged incident(s) occurred, and other relevant factors;
 - d.) determine the nature, scope and timing of disciplinary or corrective action and the process for implementation if a violation of the nondiscrimination policy occurs. This may include consultation with human resource or supervisory personnel to determine appropriate discipline;

e.) report in writing to the complainant, respondent and the designated officer her or his findings as to whether or not the nondiscrimination policy has been violated. The written answer to the complainant shall be provided within 60 days after a complaint is made unless reasonable cause for delay exists.

Subpart E. Confidentiality. Confidentiality cannot be guaranteed; however, care will be taken to keep investigation discussions sufficiently broad to protect the complainant's identity when appropriate. There may be instances in which the system office, college, or university has a responsibility to act even if the complainant requests that no action be taken. In such instances, the system office, college or university may investigate and take appropriate action on the basis of the facts or evidence available.

Subpart F. Investigative data. Information gathered during the investigation will be handled in accordance with federal and state data privacy laws.

Subpart G. Other remedies.

1. **Reassignment or administrative leave.** Under appropriate circumstances, the president or chancellor may reassign or place an employee on administrative leave at any point in time during the report/complaint process. In determining whether to place an employee on administrative leave or reassignment, consideration shall be given to the nature of the alleged behavior, the relationships between the parties, the context in which the alleged incidents occurred and other relevant factors. Any action taken must be consistent with the applicable collective bargaining agreement or personnel plan.
2. **Summary suspension or other action.** Under appropriate circumstances, the president or designee may impose on a student a summary suspension or other temporary measures at any point in time during the report/complaint process. A summary suspension may be imposed when, in the judgment of the president or designee, the accused student's presence on the college or university campus would constitute a threat to the safety and well-being of members of the campus community. Before implementing the summary suspension, the accused student shall be given notice of the intention to impose the summary suspension and, except in an emergency, shall be given an opportunity to present oral or written arguments against the imposition of the suspension. After the student has been summarily suspended, the report/complaint process should be completed within the shortest reasonable time period, not to exceed nine (9) class days. During the summary suspension, the student may not enter the campus or participate in any college or university activities without obtaining prior permission from the administrator. Other temporary measures may be taken in lieu of summary suspension where the president or designee determines such measures are appropriate.
3. **Alternative dispute resolution and mediation.** The system office, colleges, and universities, in consultation with the

system Office of Equal Opportunity and Diversity, may use alternative dispute resolution or mediation services as a method of resolving discrimination/harassment complaints. Alternative dispute resolution and mediation options require the voluntary participation of all parties to the complaint.

Part 6. System office, college, or university action.

The system office, college, or university shall take the appropriate corrective action based on results of the investigation and shall follow up as appropriate to ensure that the corrective action is effective. Complainants are encouraged to report any recurrences of conduct which were found to violate the system non-discrimination policies.

The decision-maker shall notify the complainant and respondent in writing of the final disposition of the complaint. Written notice to parties relating to discipline, resolutions, and/or final dispositions resulting from the report/complaint process is deemed to be official correspondence from the system office, college or university.

Part 7. Appeal.

Subpart A. Filing an appeal. The complainant and the respondent may appeal the decision of the decision-maker. An appeal must be filed in writing with the president or designee within ten (10) business days after notification of the decision. The appeal must state specific reasons why the complainant or respondent believes the decision was improper. In a complaint against a president or other official who reports directly to the chancellor, an appeal may be considered by the chancellor whether or not the chancellor served as the decisionmaker.

Subpart B. Effect of review. For employees represented by a collective bargaining agreement, an appeal under this procedure is separate and distinct from, and is not in any way related to, any contractual protections or procedures. During the pendency of the appeal disciplinary or corrective action taken as a result of the decision shall be enforced. In addition, in cases involving sanctions of suspension for ten (10) days or longer, students shall be informed of their right to a contested case hearing under Minnesota Statutes, Chapter 14.

Subpart C. Appeal process. The president or designee shall review the record provided and determine whether the complaint is substantiated or not substantiated. The president or designee may receive additional information if the president or designee believes such information would aid in the consideration of the appeal. The decision on appeal will be made within a reasonable time and the complainant, respondent and designated officer shall be notified in writing of the decision. The decision on appeal exhausts the complainant's and respondent's administrative remedies under this procedure except as provided herein.

Part 8. Education and training.

The system office, colleges and universities shall provide education and training programs to promote awareness and prevent discrimination/harassment, such

as education seminars, peer-to-peer counseling, operation of hotlines, self-defense courses, and informational material development and distribution. Education and training programs should include education about the system office, colleges and universities non-discrimination policies as well as conducting investigations, management and implementation of this procedure.

Part 9. Dissemination of report/complaint procedure.

Information regarding this procedure and the system office, college or university non-discrimination policies must be provided to each student during student registration and each employee on acceptance of employment. Copies of the policies shall be conspicuously posted at appropriate locations at the system office and on college and university campuses at all times and shall include the designated officers' names, locations and telephone numbers.

Designated officers also must be identified by name, location and phone number in informational publications such as student catalogs, student and employee handbooks, bulletin boards, campus websites or other appropriate public announcements.

Part 10. Maintenance of report/complaint procedure documentation.

During and upon the completion of the complaint process, the complaint file shall be repositied in a secure location in the office of the designated officer for the system office, college or university. Access to the data shall be in accordance with the respective collective bargaining agreement or personnel plan, the Minnesota Government Data Practices Act, the Family Educational Rights and Privacy Act or other applicable law.

Designated officers are required to report investigative data concerning investigations under Board policy 1B.1 to the Office of the Chancellor on a quarterly basis.

<i>Effective date:</i>	<i>February 17, 1997</i>
<i>Date & Subject of Revisions:</i>	<i>April 2, 2003- amended portions of the policy</i>
	<i>Part 1. - added second paragraph</i>
	<i>Part 2, Subpart A - added second paragraph</i>
	<i>Part 2, Subpart B - added second paragraph</i>
	<i>Part 3, Subpart D, 1, 2. - slight modifications</i>
	<i>Part 5, Subpart G, 3. - slight modification</i>
	<i>Part 6 - deleted last sentence</i>
	<i>Part 7, Subpart A - deleted a sentence</i>
	<i>Part 7, Subpart C - slight addition</i>
	<i>Part 10 - added second paragraph</i>
	<i>December 18, 2000 - amended the entire procedure</i>

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DISCRIMINATION/HARASSMENT INTAKE FORM

Date: _____

Person Making Initial Contact: _____

Other Agencies Contacted Prior to Initial Contact:

- ☐ College/University Employee (Name: _____)
- ☐ MnSCU Equal Opportunity/Diversity Office
- ☐ Attorney General's Office
- ☐ Department of Human Rights
- ☐ Equal Employment Opportunity Commission

Name of COMPLAINANT: _____

(If more than one complainant, complete intake form for each)

Address (local): _____

Address (residence): _____

City: _____ State: _____ Zip: _____

Sex: ☐ Male ☐ Female

Phone: [work] _____
[home] _____

Status:

☐ Student ☐ Faculty ☐ Staff ☐ Administrator ☐ External/Non-Campus

Name of RESPONDENT: _____

(If more than one respondent, list complete information for each)

Address (local): _____

Address (residence): _____

City: _____ State: _____ Zip: _____

Sex: ☐ Male ☐ Female

Phone: [work] _____
[home] _____

Status:

☐ Student ☐ Faculty ☐ Staff ☐ Administrator ☐ External/Non-Campus

Name of RESPONDENT #2: _____
(If more than one respondent, list complete information for each)

Address (local): _____

Address (residence): _____

City: _____ State: _____ Zip: _____

Sex: ☐ Male ☐ Female

Phone: [work] _____
[home] _____

Status:

☐ Student ☐ Faculty ☐ Staff ☐ Administrator ☐ External/Non-Campus

Name of RESPONDENT #3: _____
(If more than one respondent, list complete information for each)

Address (local): _____

Address (residence): _____

City: _____ State: _____ Zip: _____

Sex: ☐ Male ☐ Female

Phone: [work] _____
[home] _____

Status:

☐ Student ☐ Faculty ☐ Staff ☐ Administrator ☐ External/Non-Campus

Name of RESPONDENT #4: _____
(If more than one respondent, list complete information for each)

Address (local): _____

Address (residence): _____

City: _____ State: _____ Zip: _____

Sex: ☐ Male ☐ Female

Phone: [work] _____
[home] _____

Status:

☐ Student ☐ Faculty ☐ Staff ☐ Administrator ☐ External/Non-Campus

TYPE OF COMPLAINT: ☐ DISCRIMINATION ☐ HARASSMENT ☐ RETALIATION

BASIS OF COMPLAINT:

- | | | |
|-----------------------------------|--|--|
| <input type="checkbox"/> Race | <input type="checkbox"/> Age | <input type="checkbox"/> Reliance on Public Assistance |
| <input type="checkbox"/> Sex | <input type="checkbox"/> National Origin | <input type="checkbox"/> Sexual Orientation |
| <input type="checkbox"/> Color | <input type="checkbox"/> Physical Disability | <input type="checkbox"/> Veteran's Status |
| <input type="checkbox"/> Creed | <input type="checkbox"/> Mental Disability | <input type="checkbox"/> Membership/Activity in Local Commission |
| <input type="checkbox"/> Religion | <input type="checkbox"/> Marital Status | |

BRIEF DESCRIPTION OF INCIDENT OF ALLEGED DISCRIMINATION/HARASSMENT:

DISPOSITION:

Referred to:

- | | |
|---|--|
| <input type="checkbox"/> Campus Affirmative Action Officer | <input type="checkbox"/> Equal Employment Opportunity Commission |
| <input type="checkbox"/> Designated Officer | <input type="checkbox"/> Department of Human Rights |
| <input type="checkbox"/> MnSCU Equal Opportunity/Diversity Office | <input type="checkbox"/> Attorney General |
| <input type="checkbox"/> Student Conduct Official | <input type="checkbox"/> Other _____ |

Resolution:

- _____ Advice Only
- _____ Personal Resolution
- _____ Resolved by Agreement of Parties
- _____ Dispute Resolution/Mediation Process
- _____ Informal Institutional Resolution
- _____ Formal Institutional Resolution
- _____ Decision by College/University Decisionmaker
- _____ Appeal Decision by College/University President or Designee
- _____ Decision by Chancellor
- _____ Decision by Board of Trustees
- _____ Decision by Department of Human Rights ___ Cause ___ No Cause
- _____ Decision by Equal Employment Opportunity Commission ___ Cause ___ No Cause
- _____ Decision by Office of Civil Rights (Department of Education)
- _____ Decision by Court or Judge

Sanction:

- | | |
|------------------------------|-----------------------|
| _____ Oral Reprimand | _____ Termination |
| _____ Written Reprimand | _____ Training: _____ |
| _____ Suspension (___ Days) | _____ Other: _____ |
| _____ Expulsion | _____ |

DISCRIMINATION/HARASSMENT COMPLAINT FORM

Date: _____

Name of COMPLAINANT: _____
(If more than one complainant, complete intake form for each)

Address (local): _____

Address (residence): _____

City: _____ State: _____ Zip: _____

Sex: ☐ Male ☐ Female

Phone: [work] _____
[home] _____

Status:

☐ Student ☐ Faculty ☐ Staff ☐ Administrator ☐ External/Non-Campus

TYPE OF COMPLAINT: ☐ DISCRIMINATION ☐ HARASSMENT ☐ RETALIATION

I WAS DISCRIMINATED/HARASSED/RETALIATED AGAINST ON THE BASIS OF MY:

☐ Race
☐ Sex
☐ Color
☐ Creed
☐ Religion

☐ Age
☐ National Origin
☐ Physical Disability
☐ Mental Disability
☐ Marital Status

☐ Reliance on Public Assistance
☐ Sexual Orientation
☐ Veteran's Status
☐ Membership/Activity in Local
Commission

I believe I was discriminated/harassed/retaliated against by:

Name of RESPONDENT: _____
(If more than one respondent, list complete information for each)

Address (local): _____

Address (residence): _____

City: _____ State: _____ Zip: _____

Sex: ☐ Male ☐ Female

Phone: [work] _____
[home] _____

Status:

☐ Student ☐ Faculty ☐ Staff ☐ Administrator ☐ External/Non-Campus

Name of RESPONDENT #2: _____
(If more than one respondent, list complete information for each)

Address (local): _____

Address (residence): _____

City: _____ State: _____ Zip: _____

Sex: ☐ Male ☐ Female

Phone: [work] _____
[home] _____

Status:

☐ Student ☐ Faculty ☐ Staff ☐ Administrator ☐ External/Non-Campus

Name of RESPONDENT #3: _____
(If more than one respondent, list complete information for each)

Address (local): _____

Address (residence): _____

City: _____ State: _____ Zip: _____

Sex: ☐ Male ☐ Female

Phone: [work] _____
[home] _____

Status:

☐ Student ☐ Faculty ☐ Staff ☐ Administrator ☐ External/Non-Campus

Name of RESPONDENT #4: _____
(If more than one respondent, list complete information for each)

Address (local): _____

Address (residence): _____

City: _____ State: _____ Zip: _____

Sex: ☐ Male ☐ Female

Phone: [work] _____
[home] _____

Status:

☐ Student ☐ Faculty ☐ Staff ☐ Administrator ☐ External/Non-Campus

1. Describe the specific incident(s) of discrimination/harassment/retaliation. List times, dates, locations, names and titles of the people involved in the incident(s).
2. Explain why you believe that you were discriminated/harassed/retaliated against because of your protected class status (race, age, gender, disability, etc).
3. Provide the names and titles of people you believe were treated more favorably than you due to your protected class status. List the protected class status (race, age, gender, disability, etc.) of each person.

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

LIST POTENTIAL WITNESSES YOU BELIEVE POSSESS INFORMATION ABOUT YOUR COMPLAINT. ADD ADDITIONAL PAGES IF NECESSARY.

Name of Witness #1: _____
(If more than one respondent, list complete information for each)

Address (local): _____

Address (residence): _____

City: _____ State: _____ Zip: _____

Home phone _____ Work phone _____ Work hours _____

What information can this witness provide? _____

Name of Witness #2: _____
(If more than one respondent, list complete information for each)

Address (local): _____

Address (residence): _____

City: _____ State: _____ Zip: _____

Home phone _____ Work phone _____ Work hours _____

What information can this witness provide? _____

Name of Witness #3: _____
(If more than one respondent, list complete information for each)

Address (local): _____

Address (residence): _____

City: _____ State: _____ Zip: _____

Home phone _____ Work phone _____ Work hours _____

What information can this witness provide? _____

NAME OF DOCUMENT #1: _____

[illegible][illegible][illegible]

APPENDIX F
OFFICE OF THE CHANCELLOR
EMERGENCY PLAN AND PROCEDURES

- Wells Fargo Center Emergency Plan (formerly World Trade Center)
- Energy Technology Center Emergency Plan

MnSCU

EMERGENCY PLAN and PROCEDURES



EMERGENCY PLAN & PROCEDURES MNSCU SYSTEM OFFICE WORLD TRADE CENTER BUILDING

The Minnesota World Trade Center maintains 24-hour a day, 7 - day a week in-house security for retail and office tenants. Security officers regularly patrol all areas of the building.

To summon building security, call 298-9882 (emergency/security number). For special security concerns that are not an emergency, contact Mary Fields, MnSCU Office Manager at 282-2548 or the MnSCU reception desk at 296-8012 and they will make the appropriate contacts.

- **In case of an emergency, DIAL 9, THEN 911. REMEMBER 99-11**
- **NEXT you MUST CALL 298-9882 to alert building security of the emergency.**
- **Next, report the incident to the Emergency Procedure Director, Mary Fields at 282-2548 or the MnSCU reception desk at 296-8012.**

I. PURPOSE

This plan outlines the procedures and actions to be taken during a fire, severe weather, bomb threat or other emergency situation (i.e., harassing or threatening phone calls, medical emergency, elevator emergency).

II RESPONSIBILITIES

A. Chancellor or designee:

- Approve the plan and any necessary revisions
- Direct implementation of the plan.

B. MnSCU Emergency Procedures Director (See Attachment 1):

- Develop, advise implementation, and maintain the emergency plan.
- Coordinate implementation of the plan with WTC Operations Department.
- Appoint and train floor monitors, mobility impaired attendants, and maintain a list of their names and phone numbers (attachment 1).
- Coordinate training sessions for employees.
- After receiving a bomb threat, determine in consultation with World Trade Center Security (WTC) and MnSCU management whether to order an evacuation or relocation.

C. Floor Monitors

- Coordinate prompt relocation or evacuation during an emergency.
- During a relocation or evacuation, make sure the stairways are smoke free, and if safe to do so, conduct a final floor check to ensure that everyone has evacuated, all doors are closed and mobility impaired employees are safe.
- Ensure that aisles and exits are clear and report problems to supervisor or manager.
- Maintain a current roster of employees in assigned area. Following relocation or evacuation procedure, verify that all employees have left the area.
- Read and understand the Emergency Plan and Procedures Document and attend required training.

D. Mobility Impaired Attendants:

- Assist with the relocation or evacuation of mobility impaired employees.
- Attend required training.

E. Managers and supervisors:

- Ensure that all employees under their supervision understand the emergency procedures.
- When evacuation or relocation is required, help floor monitors in accounting for area employees at the relocation area.
- Ensure that each mobility impaired employee has two attendants assigned to help during an emergency.
- Ensure that all employees under their supervision relocate or evacuate when alarm signal sounds. If any employee refuses to leave, report name to the Emergency Procedures Director (Mary Fields) or designee.
- Attend required training.

F. Employees:

- Leave the building when the fire alarm is activated or when instructed to relocate.
- Assist visitors or contractors in your area.
- Attend required training.

G. World Trade Center Security and Operations Departments:

- Maintain building fire protection, detection, suppression systems and provide, maintain and post accurate evacuation floor diagrams for each floor.
- Notify MnSCU Emergency Procedures Director in case of fire, severe weather or bomb threat or any other circumstance which could jeopardize the safety of MnSCU employees.

BOMB THREAT PROCEDURE

In Case of a bomb threat:

1. Dial *57 on your phone immediately after to track the call. See last page.
2. Call 99-11 and World Trade Center Security at 298-9882.
3. Report the following to both 911 operator and WTC Security:
 - * State "I have received a bomb threat."
 - * Give your company name
 - * Building name and floor location
 - * Your name
 - * Indicate you are calling from the Minnesota World Trade Center in St Paul.
4. After you have made the above calls, notify the following:
 - * Mary Fields, MnSCU Emergency Procedures Director at 282-2548
 - * Designated floor monitor and alternate
5. Listen for instruction about evacuation. **DO NOT TOUCH SUSPICIOUS OBJECTS IF FOUND.**
6. See attached guide/form on handling a bomb threat call.

THIS IS WHAT HAPPENS DURING A BOMB THREAT:

- Police and building personnel are notified.
- A search is made by police and/or building personnel.
- Building Security and MnSCU management will determine if evacuation is necessary.
- If evacuation is advised, floor monitors will assist emergency personnel with the orderly evacuation of the building. Follow the evacuation procedure.
- The Police or Bomb Squad will contact and question the person who received the bomb threat.
- An "all clear" will be given when authorized by Building Management

SEE EVACUATION PROCEDURE

FIRE PROCEDURE

In Case of fire:

When a fire triggers the sprinklers, heat or smoke detection systems, the fire alarm will sound on the fire floor and the floors directly above and below it.

1. Call 99-11 and World Trade Center Security at 298-9882.
2. Report the following information to both the 911 operator and WTC Security:
 - * Building name
 - * Floor of building
 - * Details of the fire emergency, and
 - * Identify you are calling from the Minnesota World Trade Center in St Paul.
3. Next:
 - * Notify Mary Fields, MnSCU Emergency Procedure Director at 282-2548 or MnSCU Receptionist at 296-8012.
 - * Notify your floor monitor (see attachment 1).
 - * Notify alternate floor monitor (see attachment 1).
4. If evacuation is necessary, see evacuation procedure below:

THIS IS WHAT HAPPENS IN A FIRE EMERGENCY:

- Fire department is notified
- Minnesota World Trade Center will respond
- Professional help is on the way
- Employees will be notified if evacuation is necessary

SEE EVACUATION PROCEDURE

TORNADO PROCEDURE (Severe Weather Emergency)

A Tornado Warning is an alert by the National Weather Service confirming a tornado sighting and location. The Weather Service will announce the approximate time of detection and direction of movement. Winds will be 75 MPH or greater.

PUBLIC WARNING will come over the radio, TV or there will be five (5) minute steady blasts of sirens by the Ramsey County Civil Defense Warning System. If you hear the sirens or are informed over the public address system of severe weather approaching, please take the following actions.

ACTION TO TAKE:

- Call your floor monitor
- Get away from the perimeter of the building and exterior glass.
- Leave your exterior office - close the door.
- Go to the nearest stairwell and stay there until the "all clear" is given.
- An "all clear" will be given over the public address system when the National Weather Service authorizes it.

IF YOU ARE CAUGHT IN AN OUTSIDE PERIMETER OFFICE:

- Seek protection under a desk. Protect yourself from flying glass.

IF YOU ARE IN TRANSIT IN THE BUILDING:

- Do not go to the first or third floor lobby, skyways or outside the building.

Security personnel will arrive and help as soon as possible.

MEDICAL EMERGENCY

WHAT TO DO:

1. If a serious injury or illness occurs, call 99-11. Provide the building address, the victim's exact location in the building, the symptoms, and the victim's name, if known.
2. Do not move an injured or ill person. Try to make them comfortable.
3. Meet paramedics in the lobby of your floor to direct them to the injured person.

ELEVATOR EMERGENCY

WHAT TO DO:

1. Open telephone panel.
2. Push button on phone box. When Central Operations answers, provide the following:
 - * Building name.
 - * Floor level if possible.
 - * Elevator number (located inside the elevator telephone door).
 - * Mention you are calling from the Minnesota World Trade Center in St Paul.
3. Remain calm.
4. Answer the telephone in the elevator if it rings.
5. Do not try to force open an elevator door.

HARASSING/THREATENING PHONE CALLS

Treat all personal threats seriously - never consider a threat a prank!

WHAT TO DO:

1. Keep the caller talking and listen carefully to get as much information as possible.
 - * Write down what the caller says.
 - * Be alert for distinguishing background sounds (music, traffic, bells, etc.)
 - * Note any voice characteristics (gender, age, stutters, accent, drunk, slang)
 - * Ask for the caller's name.
2. Without alarming the caller, try to alert a co-worker about the call so they can alert your supervisor and building security. When the caller hangs up press *57 to trace the call. After you trace the call, call 298-9882.
3. Employees receiving a personal threat on voice mail should save the message, and alert their supervisor.
4. Employees receiving a personal threat via written or graphic material should save all materials, including envelopes or containers. Alert supervisor.
5. Employees receiving a threat directed at another individual must notify their supervisor.
6. The target individual should report the threat to the police.

EVACUATION PROCEDURE

It is the responsibility of each employee to know who their FLOOR MONITOR is, as well as their ALTERNATE. They should also be familiar with the evacuation plan for their work area. See attachment 2.

- Follow the instructions of your individual Floor Monitor or alternate.
- Use enclosed stairwell for evacuation.
- Form evacuation lines, two abreast.
- Use hand rails in stairwells.
- In stairwells, watch out for security or fire department personnel coming up the stairs to handle the emergency.
- The stairwells are pressurized to ensure that smoke does not enter them. When evacuation of your office area is complete, make sure stairwell doors are closed.
- No smoking
- Keep Calm
- Talking should be kept to a minimum. Listen for instructions and follow them.
- Mobility Impaired: Persons who are mobility impaired must move, accompanied by their attendants, close to an entrance or the nearest interior stairwell. One attendant will stay with the mobility impaired person. The other attendant will notify the fire department as to where the person is waiting.
- ONCE OUT OF THE BUILDING, CROSS CEDAR STREET AND ENTER TOWN SQUARE. ALL FLOOR MONITORS SHOULD REPORT TO THE CEDAR STREET LEVEL IN FRONT OF THE ENTRANCE TO PIPER JAFFREY PLAZA.

DON'TS

- Do not go to the elevators - they will not respond.
- Once you have left your area, do not return for coats, purses, etc.
- Do not run or create panic.
- Do not return to the office until "all clear" is given by the building authority.

**MnSCU – System Office
Floor Monitor List**

- Emergency Procedures Director – Mary Fields (282-2548)
- Alternate Margaret Johnson (296-3357)

Building Location	Name	Telephone
4th Floor	Dorothy Zenner	282-5519
5th Floor – MnSAT	Joyce Petsch	297-4390
5th Floor – South Side		
5th Floor – Alternate	Vicki Schoenbeck	296-5709
5th Floor – North Side	Anne Stowell	282-6545
6th Floor – South Side	Cathy Bisser	296-4957
6th Floor – North Side	Kim Ruberg	296-7426
6th Floor – Alternate	Janet Marshall	296-5326
7th Floor – South Side	Patti Hals	297-3696
7th Floor – North Side	Kathy Weersma	296-3874
7th Floor – Alternate	Joan Woessner	296-0667

Attachment 2

TELEPHONE BOMB THREAT CHECK LIST CALL 99-11 AND CENTRAL OPERATIONS AT 298-9882 KEEP CALM: Do not get excited or excite others.

What were the callers exact words? _____

Time: Call Received _____ Terminated _____

Delay - ask caller to repeat.

1. When is the bomb set to explode? _____
2. Where is it located? Floor _____
3. What does it look like? _____
4. What kind of bomb is it? _____
5. What will cause it to explode? _____
6. Did you place the bomb? _____ If not, who did? _____
7. What is the reason for the bomb? _____
8. Keep the caller talking so you can:

a. Get voice characteristics:

_____ male	_____ laughter	_____ ragged	other _____
_____ female	_____ crying	_____ clearing throat	_____
_____ age	_____ normal	_____ deep breathing	_____
_____ calm	_____ distinct	_____ crackling voice	_____
_____ diction	_____ slurred	_____ disgusted	_____
_____ angry	_____ nasal	_____ accent/race	_____
_____ excited	_____ stutter	_____ muffled	_____
_____ slow	_____ lisp	_____ familiar	_____
_____ soft	_____ rough	_____ if so, who	_____

_____loud _____raspy _____speech impediment
_____nervous _____deep

continued

b. Threat language

_____well spoken _____irrational _____message read by threat maker
_____educated _____incoherent
_____foul _____taped

Remarks: _____

c. Background Sound

_____street noises	_____office machines	_____long distance
_____eating utensils	_____factory noises	_____phone booth
_____voices	_____animal noises	_____aircraft
_____PA system	_____clear	other usual or unusual sounds:
_____music	_____static	_____
_____house noises	_____quiet	_____
_____motor	_____local	_____

ADDITIONAL INFORMATION

A. Did caller indicate a knowledge of the facility? _____ If so, how? _____

B. What line did the call come in on? _____

C. Is this number listed in the phone book or with directory assistance? _____

D. Is this your main number? _____

If this is someone's direct/private line, whose? _____

AFTER HANG UP - IMMEDIATELY DIAL *57

MnSCU

EMERGENCY PLAN and PROCEDURES



EMERGENCY PLAN & PROCEDURES

MNSCU SYSTEM OFFICE

ENERGY TECHNOLOGY CENTER (ETC BUILDING)

For special security concerns that are not an emergency, contact the ETC-MnSCU reception desk at 649-5777 and the receptionist will make the appropriate contacts.

In case of an emergency:

- **DIAL 9, 9-1-1. REMEMBER 9, 9-1-1.**
- **After the emergency has been brought under control (i.e., first aid, CPR), make the next two calls:**
 - * **Notify the MnSCU Reception Desk at 649-5777.**
 - * **Report the incident to the MnSCU Emergency Procedure Director, Don Beckering (or his designee) at 649-5454**

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EMERGENCY PLAN & PROCEDURES MNSCU SYSTEM OFFICE ENERGY TECHNOLOGY CENTER (ETC BUILDING)

For special security concerns that are not an emergency, contact the ETC-MnSCU reception desk at 649-5777 and the receptionist will make the appropriate contacts.

In case of an emergency:

- **DIAL 9,9-1-1. REMEMBER 9, 9-1-1.**
- **After the emergency has been brought under control (i.e., first aid, CPR), make the next two calls:**
 - * **Notify the MnSCU Reception Desk at 649-5777.**
 - * **Report the incident to the MnSCU Emergency Procedure Director, Don Beckering (or his designee) at 649-5454.**

I. PURPOSE

This plan outlines the procedures and actions to be taken during a fire, severe weather, bomb threat or other emergency situations (i.e., harassing or threatening phone calls, medical emergency, elevator emergency).

II RESPONSIBILITIES

A. Chancellor or designee:

- Approve the plan and any necessary revisions
- Direct implementation of the plan

B. MnSCU Emergency Procedures Director (See Attachment 1):

- Develop, advise implementation, and maintain the emergency plan.
- Coordinate implementation of the plan with ETC Operations Department.
- Appoint and train floor monitors, mobility impaired attendants, and maintain a list of their names and phone numbers (attachment 1).
- Coordinate training sessions for employees.
- After receiving a bomb threat, determine in consultation with St. Paul Police Dept., Wellington Management, other building tenants and the MnSCU management team when it is safe to re-enter the building.

C. Floor Monitors

- Coordinate prompt relocation or evacuation during an emergency.
- During a relocation or evacuation, make sure the stairways are smoke free, and if safe to do so, conduct a final floor check to ensure that everyone has evacuated, all doors are closed and mobility and sensory impaired employees are safe.
- Ensure that aisles and exits are clear and report problems to supervisor or manager.
- Maintain a current roster of employees in assigned area. Following relocation or evacuation procedure, verify that all employees have left the area.
- Read and understand the Emergency Plan and Procedures Document and attend required training.

D. Mobility and Sensory Impaired Attendants:

- Assist with the relocation or evacuation of mobility and sensory impaired employees.
- Attend required training.

E. Managers and supervisors:

- Ensure that all employees under their supervision understand the emergency procedures.
- When evacuation or relocation is required, help floor monitors in accounting for area employees at the relocation area.
- Ensure that each mobility and sensory impaired employee has two attendants assigned to help during an emergency.
- Ensure that all employees under their supervision relocate or evacuate when alarm signal sounds. If any employee refuses to leave, report name to the Emergency Procedures Director, Don Beckering, or his designee.
- Attend required training.

F. Employees:

- Leave the building when the fire alarm is activated or when asked to do so by your floor monitor, supervisor or emergency procedures director.
- Assist visitors or contractors in your area.
- Follow floor monitor instructions.
- Attend required training.

G. ETC Operations Departments (Wellington Management, Inc.)

- Maintain building fire protection, detection, suppression systems.
- Notify MnSCU Emergency Procedures Director, Don Beckering, or his designee at 649-5454 in case of fire, severe weather or bomb threat or any other circumstance which could jeopardize the safety of MnSCU employees.

BOMB THREAT PROCEDURE

In case of a bomb threat:

1. Dial *57 on your phone immediately after hanging up to track the call. See last page.
2. Call 9, 9-1-1 and MnSCU Reception desk at 649-5777.
3. Report the following to both 911 operator and receptionist:
 - * State "I have received a bomb threat."
 - * Give agency name
 - * Building name and floor location
 - * Your name
 - * Indicate you are calling from the ETC Building on Energy Park Drive in St Paul.
4. After you have made the above calls, notify the following:
 - * Don Beckering, MnSCU Emergency Procedures Director at 649-5454.
 - * Designated floor monitor and alternate
5. **DO NOT TOUCH SUSPICIOUS OBJECTS IF FOUND. Evacuate the area.**
6. See attached guide/form on handling a bomb threat call.

THIS IS WHAT HAPPENS DURING A BOMB THREAT:

- Police and building personnel are notified.
- A search is made by police and/or building personnel.
- Evacuation procedures will be followed.
- The Police or Bomb Squad will contact and question the person who received the bomb threat.
- An "all clear" will be given when authorized by emergency personnel.

SEE EVACUATION PROCEDURE (p. 7)

FIRE PROCEDURE

In case of fire:

In the ETC Building, a fire alarm can be triggered by heat and/or smoke detectors, sprinklers or from a pull station. Pull stations are located in each entrance by the elevator. **A fire alarm will sound throughout the building and the local fire department is automatically notified.**

A IF YOU DISCOVER A FIRE:

1. Call 9, 9-1-1.
2. Report the following information to the 911 operator:
 - * Building name
 - * Floor of building
 - * Details of the fire emergency
3. Next:
 - * Notify Don Beckering, the MnSCU Emergency Procedure Director at 649-5454 and the MnSCU Receptionist at 649-5777.
 - * Notify your floor monitor (see attachment 1).
 - * Notify alternate floor monitor (see attachment 1).
4. If evacuation is necessary, see evacuation procedure below:

B. IF THE FIRE ALARM IS ACTIVATED:

1. Follow evacuation procedures.

THIS IS WHAT HAPPENS IN A FIRE EMERGENCY:

- Fire department is notified - Professional help is on the way
- Floor monitors are notified
- Employees will be asked to evacuate the building via the nearest stairwell.

SEE EVACUATION PROCEDURE (p. 7)

TORNADO PROCEDURE (Severe Weather Emergency)

A Tornado Warning is an alert by the National Weather Service confirming a tornado sighting and location. The Weather Service will announce the approximate time of detection and direction of movement. Winds will be 75 MPH or greater.

PUBLIC WARNING will come over the radio, TV or there will be five (5) minute steady blasts of sirens by the Ramsey County Civil Defense Warning System. If you hear the sirens or hear a weather alert on the radio, please take the following actions. The reception desk on 3rd floor and one of the offices in the Fire/EMS/Safety Center is equipped with a weather alert radio. If severe weather is in the forecast, those radios will be tuned in to the weather emergency channel.

ACTION TO TAKE:

- Call your floor monitor
- Get away from the perimeter of the building and exterior glass.
- Leave your exterior office - close the door.
- Using the nearest stairwell, go to the lower level exterior corridor, or to an interior room such as copy/file room or conference room. Stay there until the emergency has passed.
- DO NOT go to the interior of the building where the atrium is open to the glass ceiling.
- Stay tuned to a radio to find when it is safe to return to your office.

IF YOU ARE CAUGHT IN AN OUTSIDE PERIMETER OFFICE:

- Seek protection under a desk. Protect yourself from flying glass.

Emergency personnel will arrive and help as soon as possible.

MEDICAL EMERGENCY

WHAT TO DO:

1. If a serious injury or illness occurs, call 9, 9-1-1. Provide the building address, the victim's exact location in the building, the symptoms, and the victim's name, if known.
2. Do not move an injured or ill person. Try to make them comfortable.
3. Meet paramedics in the lobby of your floor to direct them to the injured person.

ELEVATOR EMERGENCY

WHAT TO DO:

1. Open telephone panel.
2. When elevator company answers, provide the following:
 - * Building name.
 - * Floor level if possible.
 - * Which elevator you are in
3. Remain calm.
4. Answer the telephone in the elevator if it rings.
5. Do not try to force open an elevator door.

HARASSING/THREATENING PHONE CALLS

Treat all personal threats seriously - never consider a threat a prank!

WHAT TO DO:

1. Keep the caller talking and listen carefully to get as much information as possible.
 - * Write down what the caller says.
 - * Be alert for distinguishing background sounds (music, traffic, bells, etc.)
 - * Note any voice characteristics (gender, age, stutters, accent, drunk, slang)
 - * Ask for the caller's name.
2. Without alarming the caller, try to alert a co-worker about the call so they can alert your supervisor and building security. When the caller hangs up press *57 to trace the call. After you trace the call, notify the Emergency Procedures Director Don Beckering at 649-5454.
3. Employees receiving a personal threat on voice mail should save the message, and alert their supervisor.
4. Employees receiving a personal threat via written or graphic material should save all materials, including envelopes or containers. Alert supervisor.
5. Employees receiving a threat directed at another individual must notify their supervisor.
6. The target individual should report the threat to the police.

EVACUATION PROCEDURE

It is the responsibility of each employee to know who their FLOOR MONITOR is, as well as the ALTERNATE. They should also be familiar with the evacuation plan for their work area.

- Follow the instructions of your individual Floor Monitor or Alternate Monitor.
- Use enclosed stairwells for evacuation.
- Form evacuation lines, two abreast.
- Use hand rails in stairwells.
- In stairwells, watch out for security or fire department personnel coming up the stairs to handle the emergency.
- When evacuation of your office area is complete, make sure stairwell doors are closed.
- No smoking
- Keep calm
- Talking should be kept to a minimum. Listen for instructions and follow them.
- Mobility and Sensory Impaired: Persons who are mobility or sensory impaired must move, accompanied by their attendants, close to an entrance or the nearest stairwell. One attendant will stay with the mobility or sensory impaired person. The other attendant will notify the fire department as to where the person is waiting.
- **ONCE OUT OF THE BUILDING, MnSCU EMPLOYEES should gather at the outer edge of the EAST PARKING LOT. FLOOR MONITORS should report to the front of the building near the east entrance to give a status report and head count of their areas.**

DON'TS

- Do not go to the elevators - they will not respond.
- Once you have left your area, do not return for coats, purses, etc.
- Do not run or create panic.
- Do not return to the office until "all clear" is given by the building authority.

Attachment 1

MnSCU - System Office (ETC Location) Floor Monitor List

Emergency Procedures Director: Don Beckering, or designee
Phone: 649-5454

Alternate: Mary Fields at World Trade Center --- Phone: 9-282-2548

Building Location	Name	Telephone	Exit
Academic Affairs & ALX	Charlene Sejnoha	649-5736	West
Academic Affairs & ALX Alter.	Jodi Richards (ALX)	284-1225	West
Accounting, Loans & East Academic Affairs	Sue Traaseth	917-4701	North
Accounting, Loans & East Academic Affairs - Alter..	Phyllis Meath	917-4710	North
Facilities, Rev. Fund/ Int. Audit/DARS/MnVU	Gina Boeckerman	649-5742	North
Facilities, Rev. Fund/ Int. Audit/DARS/MnVU- Alter..	Shelley Robshaw	649-5782	North
Fire/EMS/Safety Center	Cathy Rajtar	649-5455	East
Fire/EMS/Safety Center-Alter.	Bill Bruen	649-5410	
ITS - East Side	Sarah Hanson	917-4715	East
ITS - East Side - Alternate	<i>(to be named later)</i>		East
ITS - South Side	Tiffni Deeb	917-4734	West
ITS - South Side - Alternate	Denise Brandt	917-4737	West
Office Services Areas	Alan Johnson	649-5774	East
Office Services - Alternate	Larry Anderson	649-5777	East

Attachment 2

TELEPHONE BOMB THREAT CHECK LIST

CALL 9, 9-1-1 AND MnSCU Receptionist at 649-5777

KEEP CALM: Do not get excited or excite others.

What were the callers exact words? _____

Time: Call Received _____ Terminated _____

Delay - ask caller to repeat.

1. When is the bomb set to explode? _____
2. Where is it located? Floor _____
3. What does it look like? _____
4. What kind of bomb is it? _____
5. What will cause it to explode? _____
6. Did you place the bomb? _____ If not, who did? _____
7. What is the reason for the bomb? _____
8. Keep the caller talking so you can:

a. Get voice characteristics:

_____ male	_____ laughter	_____ ragged	other _____
_____ female	_____ crying	_____ clearing throat	_____
_____ age	_____ normal	_____ deep breathing	_____
_____ calm	_____ distinct	_____ crackling voice	_____
_____ diction	_____ slurred	_____ disgusted	_____
_____ angry	_____ nasal	_____ accent/race	_____
_____ excited	_____ stutter	_____ muffled	_____
_____ slow	_____ lisp	_____ familiar	_____
_____ soft	_____ rough	_____ if so, who	_____
_____ loud	_____ raspy	_____ speech impediment	_____
_____ nervous	_____ deep		

continued

b. Threat language

_____ well spoken	_____ irrational	_____ message read by threat maker
_____ educated	_____ incoherent	
_____ foul	_____ taped	

Remarks: _____

c. Background Sound

_____ street noises	_____ office machines	_____ long distance
_____ eating utensils	_____ factory noises	_____ phone booth
_____ voices	_____ animal noises	_____ aircraft
_____ PA system	_____ clear	other usual or unusual sounds:
_____ music	_____ static	_____
_____ house noises	_____ quiet	_____
_____ motor	_____ local	_____

ADDITIONAL INFORMATION

- A. Did caller indicate a knowledge of the facility? _____ If so, how? _____

- B. What line did the call come in on? _____
- C. Is this number listed in the phone book or with directory assistance? _____
- D. Is this your main number? _____
- If this is someone's direct/private line, whose? _____

AFTER HANG UP - IMMEDIATELY DIAL *57

APPENDIX G
OFFICE OF THE CHANCELLOR STRATEGIC
DIVERSITY PLAN

MnSCU SYSTEM OFFICE STRATEGIC DIVERSITY PLAN

The MnSCU Strategic Diversity Plan development project began in June 1999 with an off-site planning retreat for the Chancellor and the MnSCU System Office executive team. The retreat was facilitated by a strategic planning and diversity program development consultant from W. Wells & Associates Consulting.

In connection with the retreat, a Diversity Task Force for the MnSCU System Office was formed. The task force members were from each of the functional areas in the System Office and were appointed by their respective executive team leader. The task force conducted its business in the period from July through November 1999. The consultant identified above also facilitated this group through the development process for the initial draft of the Diversity Plan.

The members of the MnSCU System Office Diversity Task Force were:

Member

Linda Hanson
Renée Hogoboom
Margaret Johnson
John Kaul
Bruce King
Nancy Livingston
Mike Lopez
Leslie Mercer
Michael Murphy
Gail Olson
Larry Simmons
Julie Smendzuik-O'Brien
Aly Xiong

Functional Area

Equal Opportunity and Diversity
Equal Opportunity and Diversity
Personnel
Government Relations
Equal Opportunity and Diversity
Public Relations
Student Affairs
Policy and Planning
Academic Affairs
Office of The General Counsel
Informational Technology
Internal Audit
Equal Opportunity and Diversity

Project Manager

Dolores Fridge

Equal Opportunity and Diversity

THE MISSION, VISION, DIVERSITY DEFINITION AND VALUES

The Diversity Task Force began the strategic diversity plan development process by using the existing MnSCU mission statement in establishing the plan components. Listed below are the MnSCU mission statement and vision, diversity definition and values developed by the task force:

- **MISSION**

MnSCU provides accessible high quality, future-oriented education and community service through technical, pre-baccalaureate, baccalaureate, masters, occupational and continuing education programs.

- **VISION**

Diversity will be integral to all activities of the MnSCU System Office.

- **DIVERSITY DEFINITION**

Diversity means the wide range of differences of all people, including, but not limited to race, color, creed, religion, national origin, sex, disability, age and marital status. Also, included is status with regard to public assistance, sexual orientation and familial status.

- **VALUES**

Diversity is a way in which we achieve excellence by being...

- Welcoming
- Inclusive
- Respectful
- Innovative

MnSCU SYSTEM OFFICE – VISION: DESIRED FUTURE STATE

During the early analysis phase of the planning process the task force examined the various reasons why it is difficult to become a multicultural organization. After completing that exercise, the task force established an understanding of the current situation and the desired future state of the MnSCU System Office as it pertained to diversity.

The list below represents the task force consensus regarding future positioning of the MnSCU System Office:

- Diversity becomes a way of doing business.
- Reward and recognition systems will be in place to support diversity.
- Evaluation processes will include diversity.
- Diversity accountability standards will be included in System Office performance management system.
- Executive team will be more diverse.
- Training and development will be provided to all employees for gaining greater awareness and understanding of diversity.
- Processes will be in place to increase diversity of the staff.
- MnSCU becomes a recognized national leader in the field of higher education.
- MnSCU becomes an educational system of choice for students, faculty and staff.
- MnSCU system office culture will be inclusive.

These considerations, along with the vision and values, are the basis for developing the goals and objectives of the MnSCU System Office Strategic Diversity Plan.

MnSCU SYSTEM OFFICE DIVERSITY GOALS, OBJECTIVES and TACTICS

As an outgrowth of determining the diversity values and vision, the task force developed major goals with related objectives and tactics.

• GOAL #1

Increase diversity of the MnSCU System Office

OBJECTIVE

Increase the number of employees from protected class groups.

TACTICS

- Develop System Office trainee, internship and fellowship programs for protected class groups.
- Work collaboratively with the Department of Employee Relations (DOER) to expand the availability of protected class individuals on state hiring/eligibility lists.

OBJECTIVE

Advertise System Office position openings as widely as possible.

TACTICS

- Publish announcements of all System Office unclassified positions in the appropriate local or national minority publications.
- Research free list serves and publish announcements of all open administrative and academic jobs.
- Broadcast public service announcements about available positions in the MnSCU System Office.

OBJECTIVE

Research and recommend methods for hiring to increase the diversity of the staff.

TACTICS

- Distribute the information gathered to all hiring managers and supervisors.
- Assign the task of researching flexible and innovative hiring options.

OBJECTIVE

Review current administrative Human Resource policies, procedures and practices, on an ongoing basis, to insure that they advance efforts to recruit, promote and/or retain members of protected class groups.

TACTICS

- Establish a practice of routinely conducting exit interviews.
- Establish reporting requirements to document advertising efforts.
- Compare Equal Opportunity and Diversity (EOD) division information from supplemental reports with advertising efforts and search results.

OBJECTIVE

Increase knowledge and awareness of MnSCU in all protected class communities.

TACTICS

- Provide information regarding MnSCU in ways that are effective in reaching these target markets.
- Target general recruiting efforts to protected class communities.
- Continue Chancellor's community-based breakfast meetings.
- Develop a marketing plan to reach minority and non-English-speaking communities with information about MnSCU.

- **GOAL #2**

Incorporate diversity considerations in MnSCU System Office program and policy development

OBJECTIVE

Create a checklist of considerations to insure the development of programs, initiatives, policies and system office activities are responsive to societal needs and demographic changes.

TACTICS

- Assign the development of the checklist.
- Distribute the checklist to MnSCU System Office employees.
- Provide training and guidance in the use of the checklist.

OBJECTIVE

Incorporate diversity checklist when existing programs are reviewed and evaluated.

TACTICS

- Establish a practice of using the diversity checklist in program review and performance evaluations.

- **GOAL #3**

Create and maintain an inclusive environment in MnSCU System Office

OBJECTIVE (ownership - DIT)

Provide opportunities for enrichment, education and growth on topics related to diversity and inclusiveness.

TACTICS

- Create a program committee to plan and provide enrichment, educational and growth opportunities.
- EOD will provide electronic announcements regarding diversity events.
- Gather feedback and incorporate it into future planning and activities.

OBJECTIVE

Include protected class group representation on all committees and/or task forces.

TACTICS

- Chancellor communicates objective to System Office staff.
- Encourage committees and task forces to incorporate protected class group participation whenever possible.

OBJECTIVE

Create support systems, like mentoring programs, for System Office employees.

TACTICS

- Create an employee support committee.
- Maintain the system office advisory group.

OBJECTIVE (ownership - DIT)

Develop and implement training and education for all System Office staff on diversity, inclusiveness and equal opportunity.

TACTICS

- Establish a training and development committee to identify issues and training needs.
- Explore grant opportunities for funding training and diversity related education opportunities.

- **GOAL #4 (ownership - DIT)**

Insure systems and processes for measurement and accountability of MnSCU System Office diversity goals are in place.

OBJECTIVES

Determine ways to assess organizational climate relating to diversity including attitudes, knowledge and behaviors.

- Seek and implement assessment instruments appropriate for measuring organizational climate related to diversity.
- Interpret assessment results and recommend actions and monitor progress

Identify measurable elements to place in position descriptions and annual work plans at all employee levels.

- To build a diversity component into the selection and hiring process.
- Performance will be evaluated against the established measurable elements.

Develop methods to measure the effectiveness of efforts to recruit, hire and retain protected class employees.

- Include diversity-related questions in existing exit interview process.
- Tabulate, analyze and use information from Supplemental Protected Class Information form (EOD currently collects these forms).

MnSCU SYSTEM OFFICE CRITICAL SUCCESS FACTORS

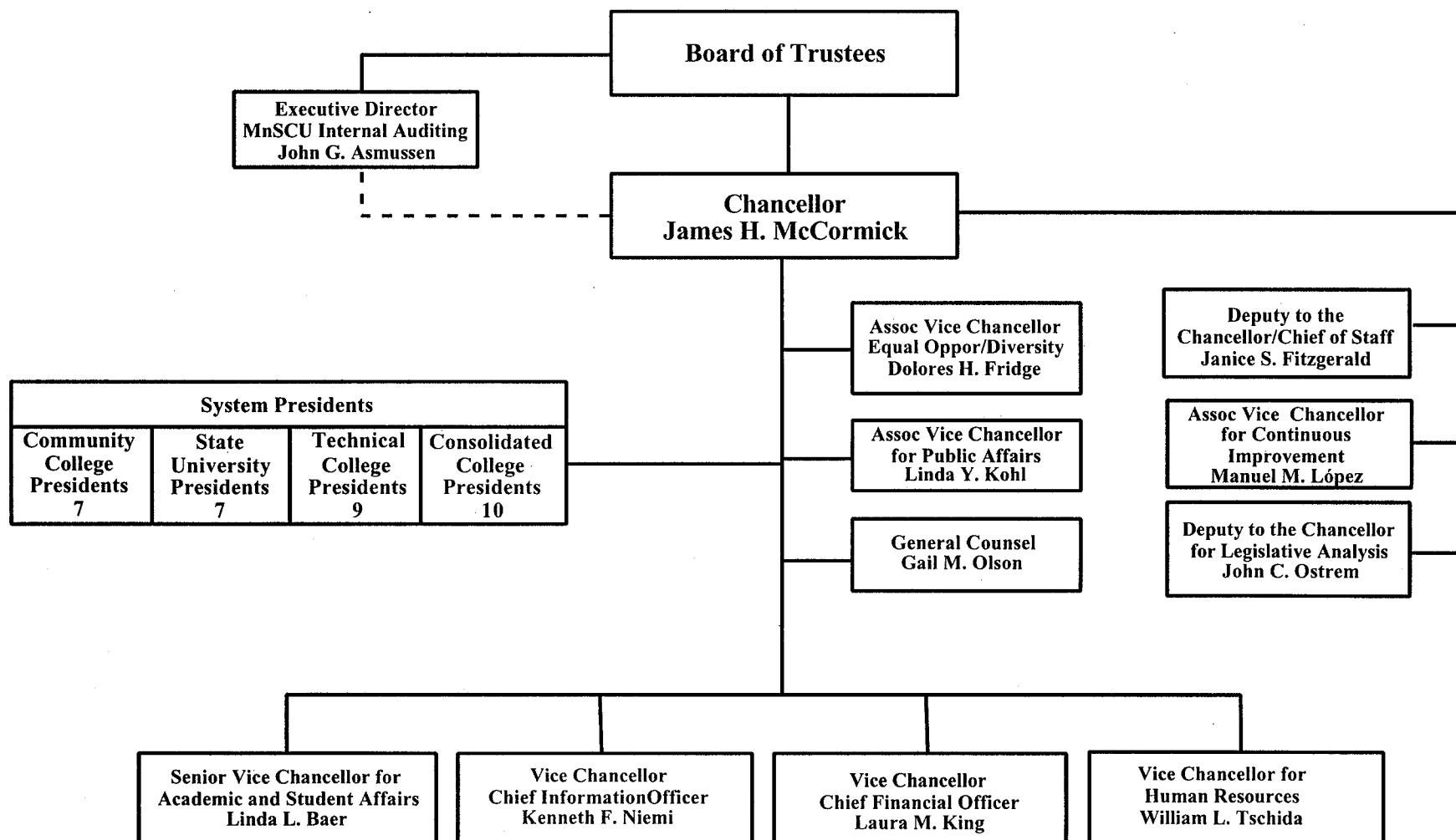
The factors below were developed by the task force and are essential for successful implementation of the MnSCU System Office Diversity Plan.

- **Diversity Champion**
 - Chancellor
 - Associate Vice Chancellor – EOD
- **Acceptance**
 - Board
 - Executive Team
 - Management Team
- **Commitment**
 - Board
 - Executive Team
 - Management Team
- **Support**
 - Board
 - Executive Team
 - Management Team
- **Implementation Team**
 - Create an inclusive team with representation from all levels/units of the organization.
- **Resources**
 - Funding
 - Staffing
- **Communication Plan**
 - Develop a comprehensive communications strategy/plan.
- **Continuity of Direction**
 - Continued progress toward achievement of diversity goals must transcend changes in the MnSCU System Office.
 - Commitment to the MnSCU System Office Diversity Plan must be a key factor in the Chancellor search process.
 - Evaluation of Chancellor candidates must include a commitment to diversity.

APPENDIX H
OFFICE OF THE CHANCELLOR
ORGANIZATION CHART

Minnesota State Colleges and Universities Office of the Chancellor

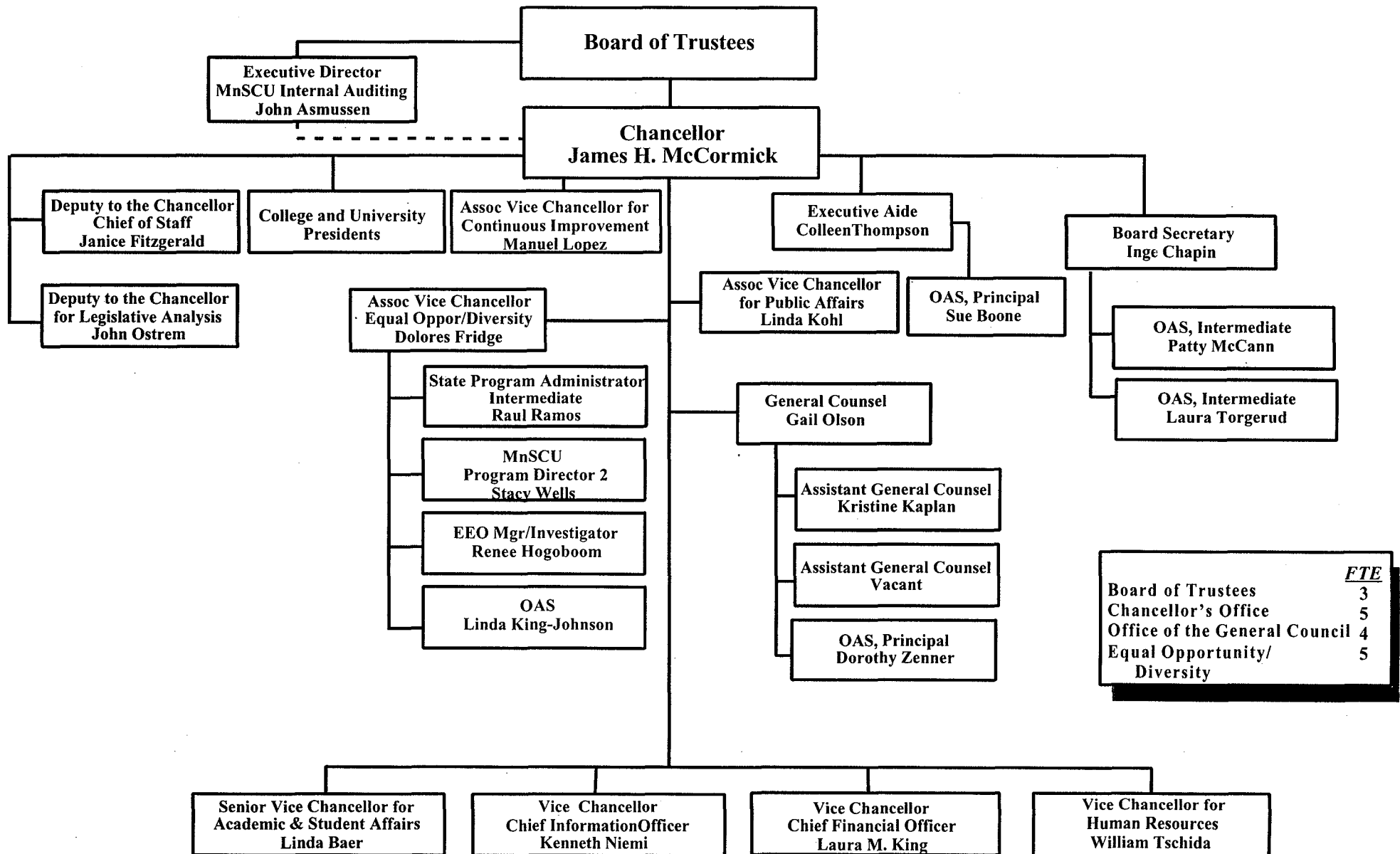
May 2003



Minnesota State Colleges and Universities

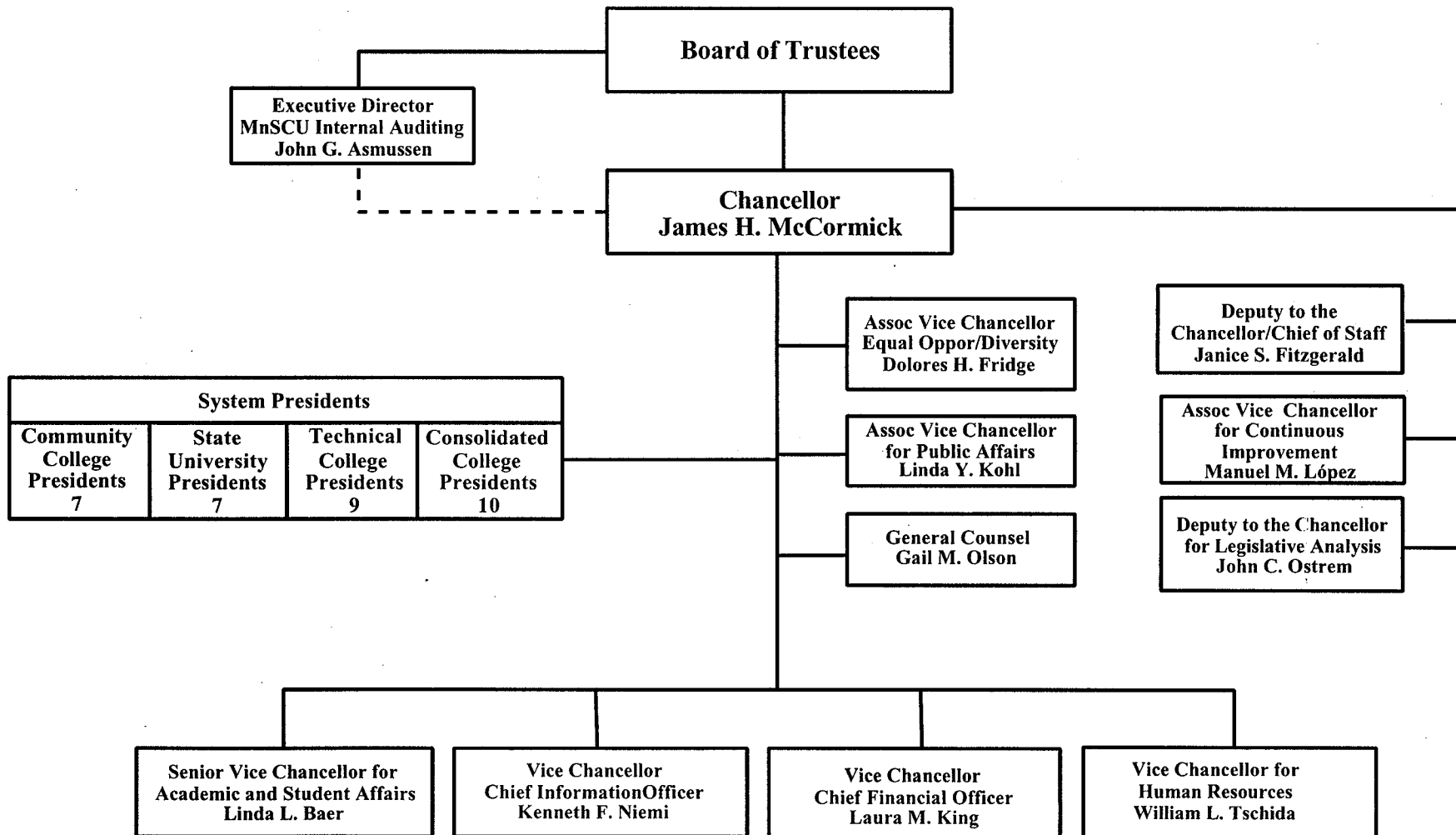
Office of the Chancellor

May 2003



Minnesota State Colleges and Universities Office of the Chancellor

May 2003

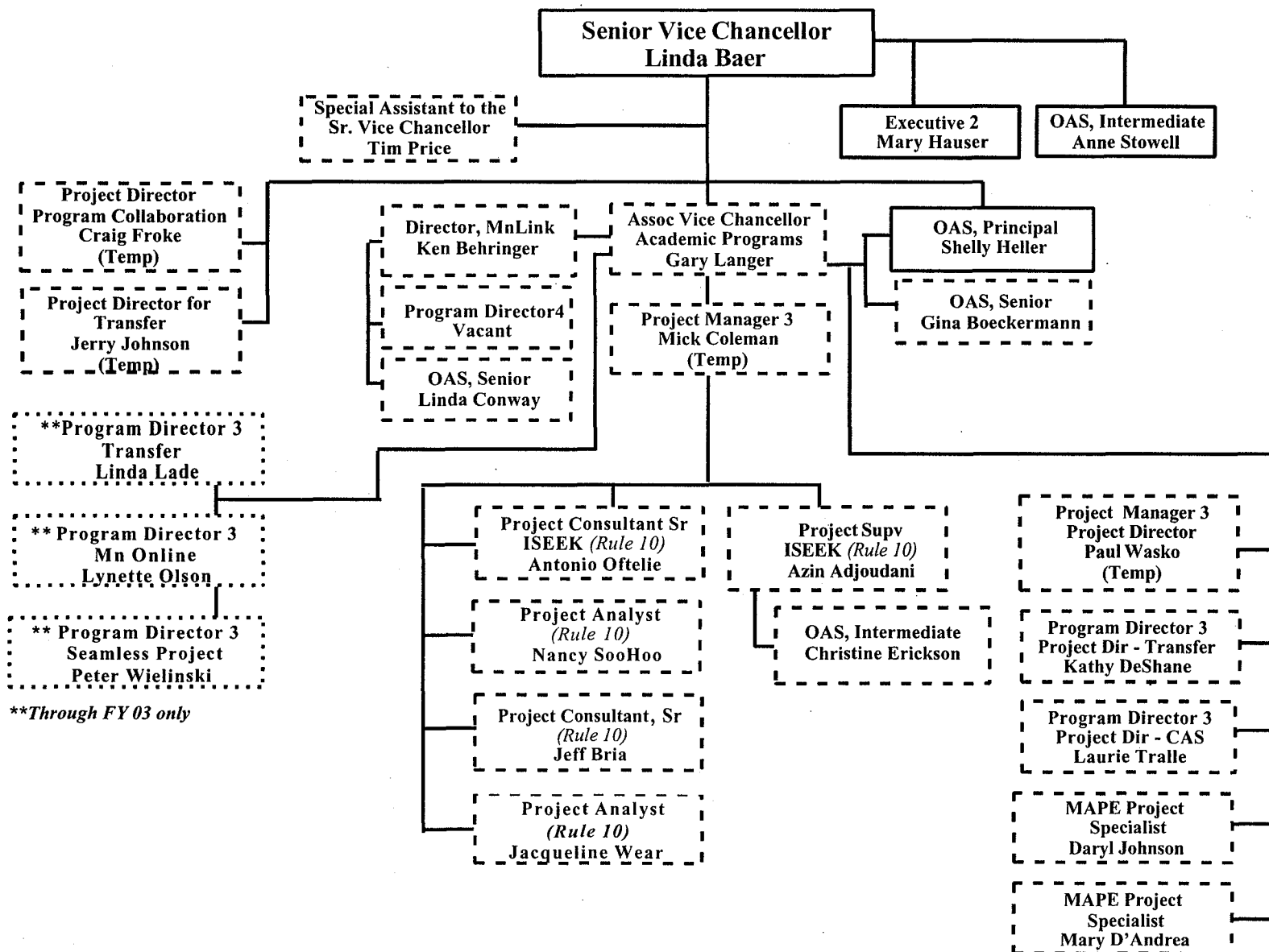


Minnesota State Colleges and Universities

Academic and Student Affairs - 60.35 FTE

#1A

May 2003



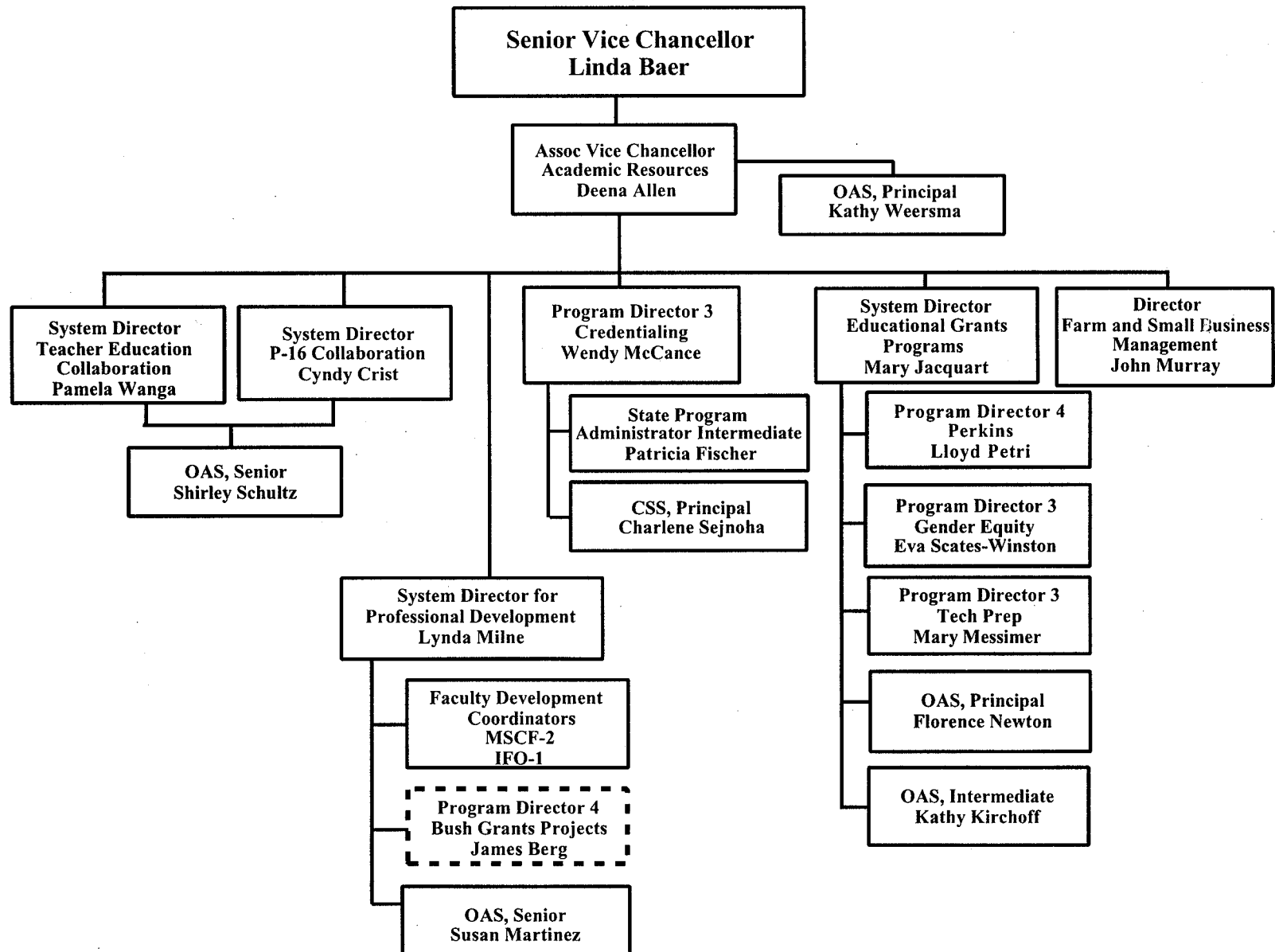
**Through FY 03 only

Minnesota State Colleges and Universities

Academic and Student Affairs

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May 2003

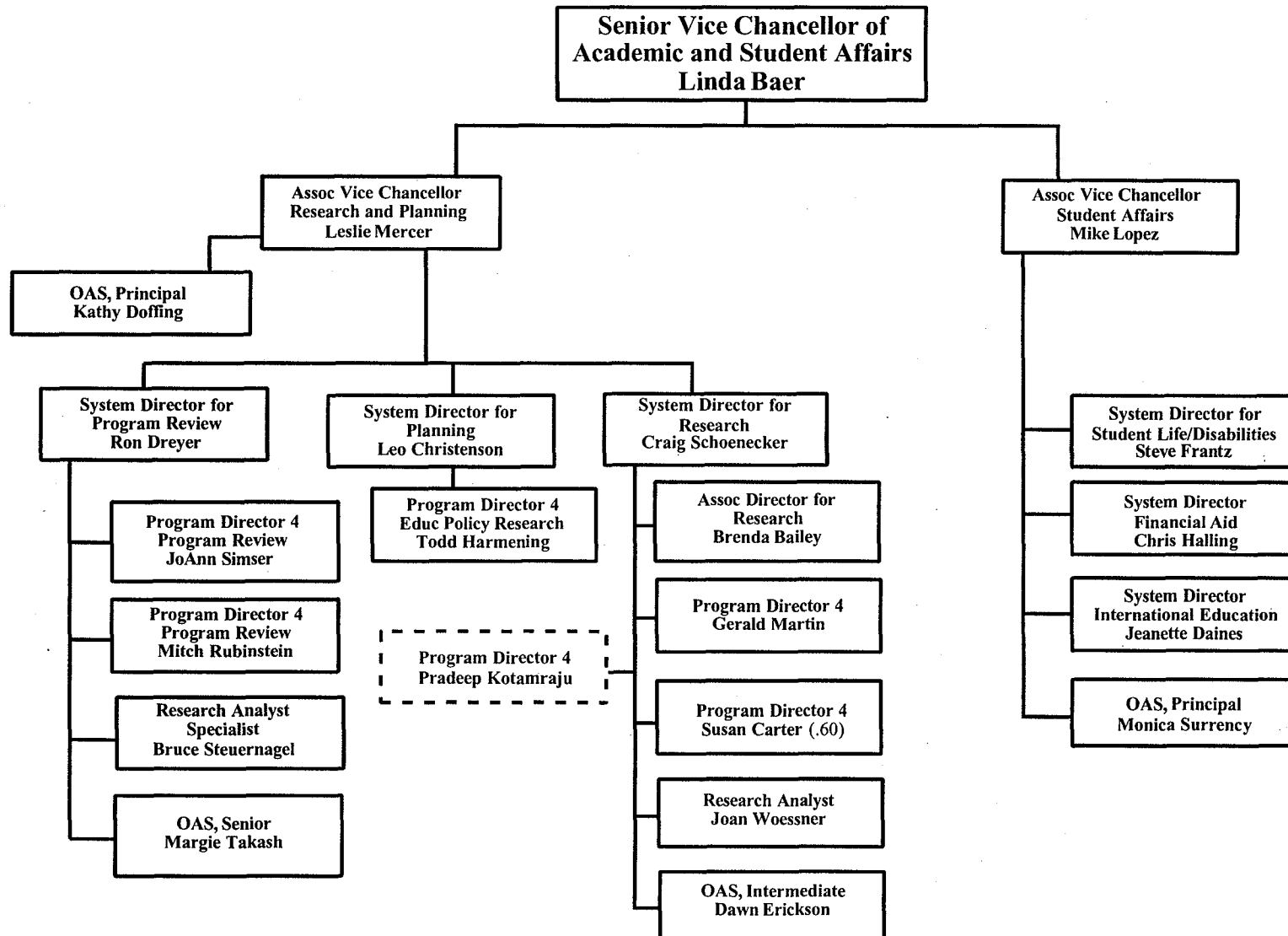


Minnesota State Colleges and Universities

Academic and Student Affairs

#1C

May 2003

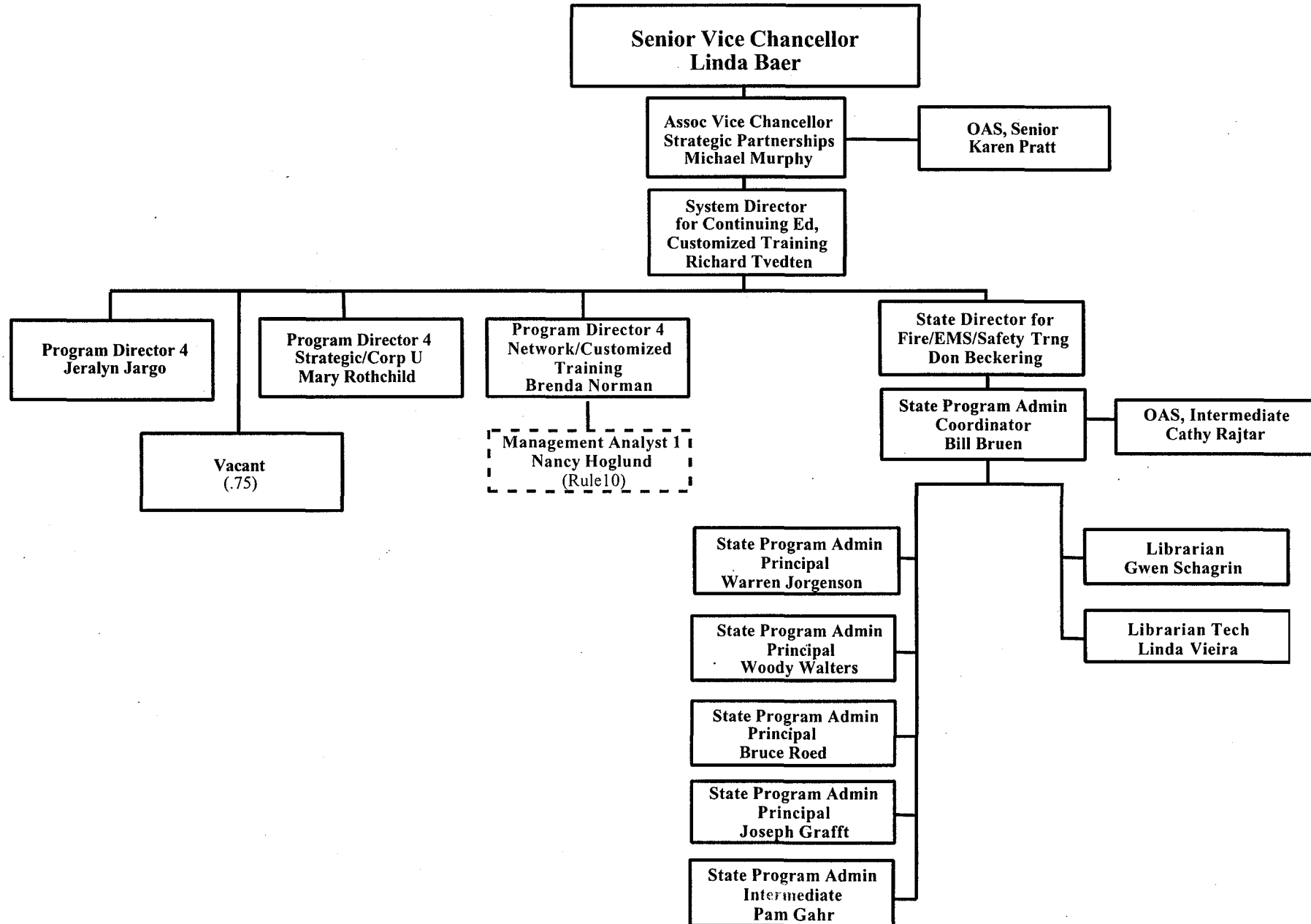


Minnesota State Colleges and Universities

Academic and Student Affairs

#1D

May 2003



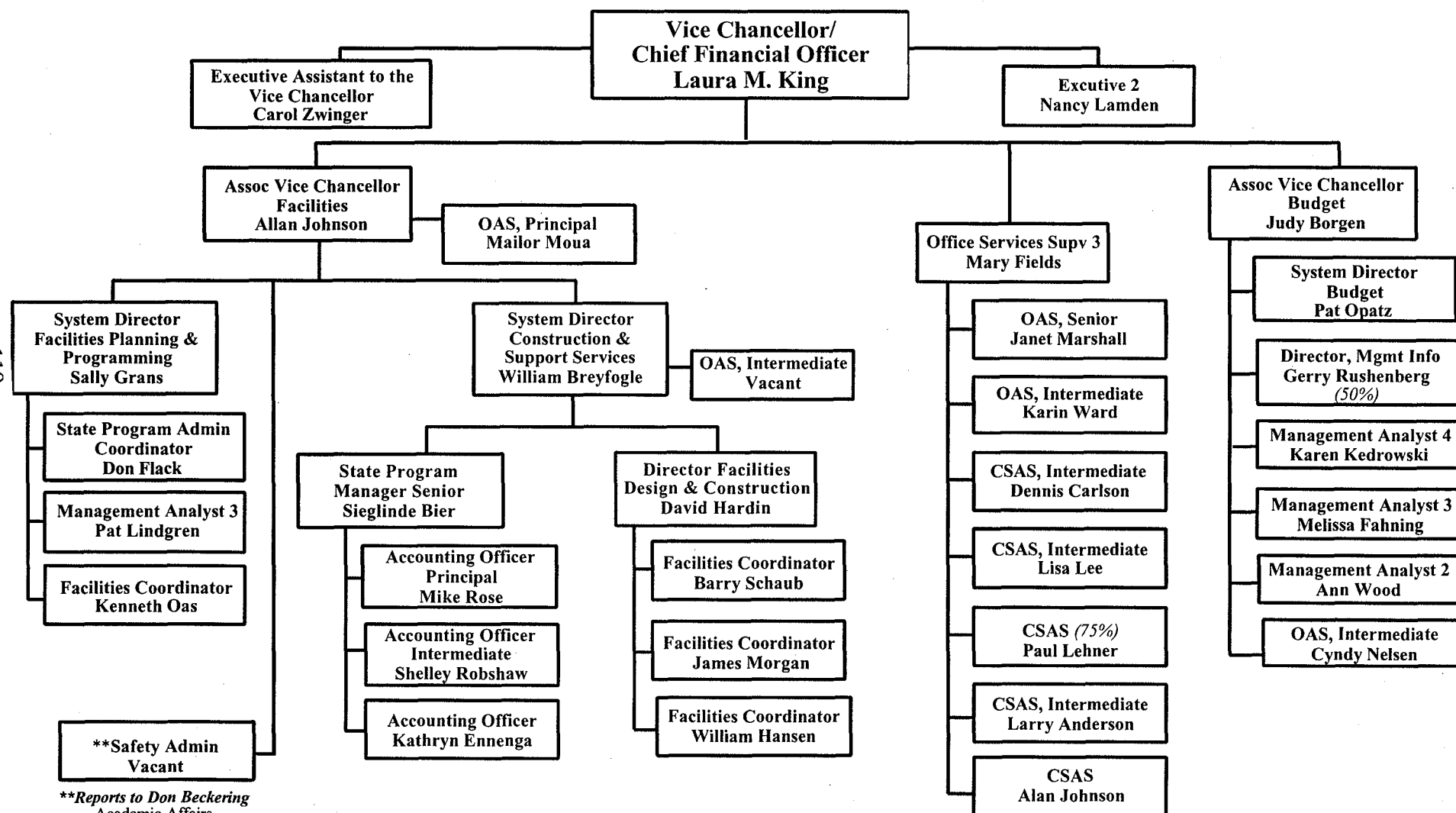
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Finance - 63.25 FTE

#2A

May 2003

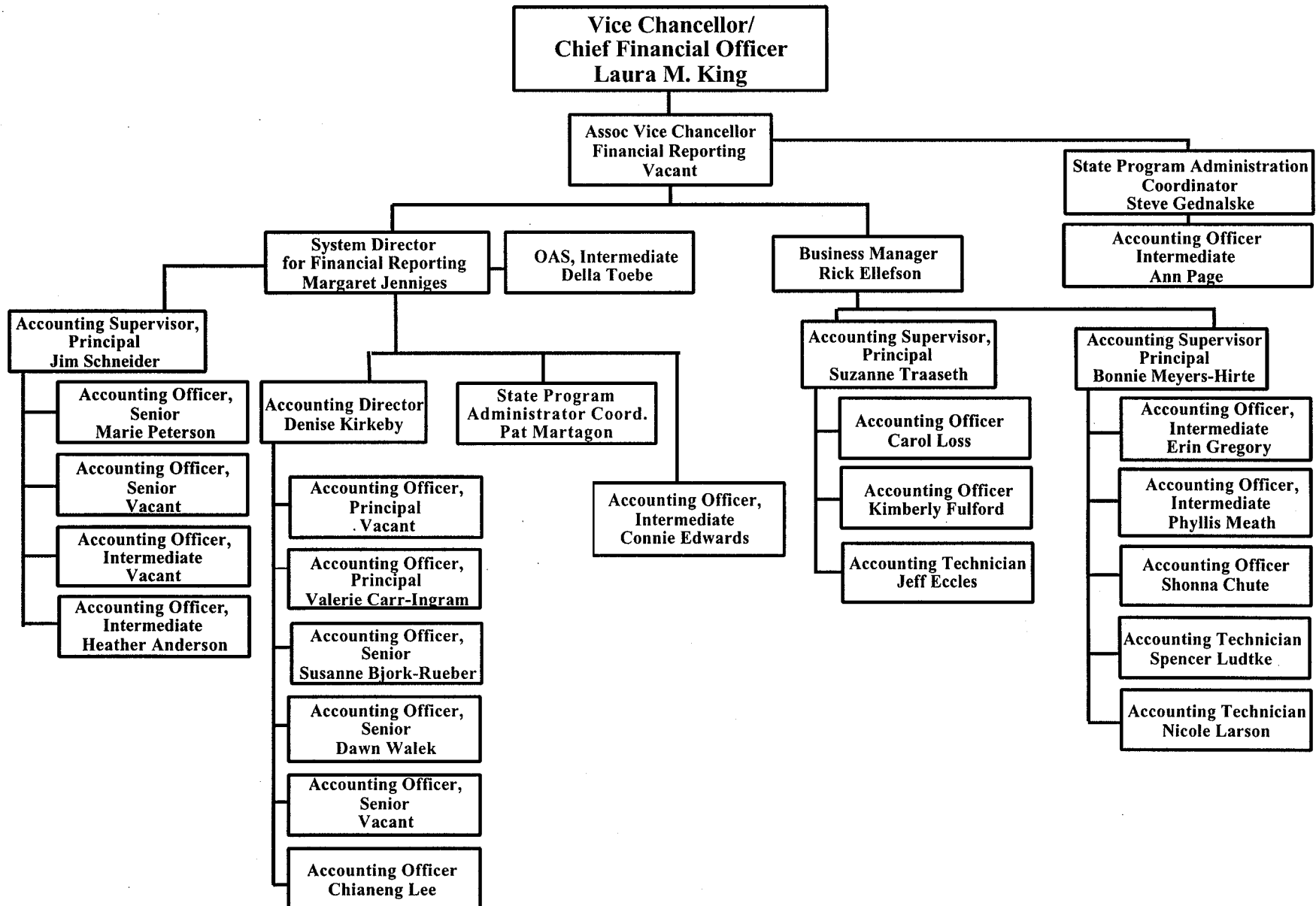
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Minnesota State Colleges and Universities Finance

#2B

May 2003



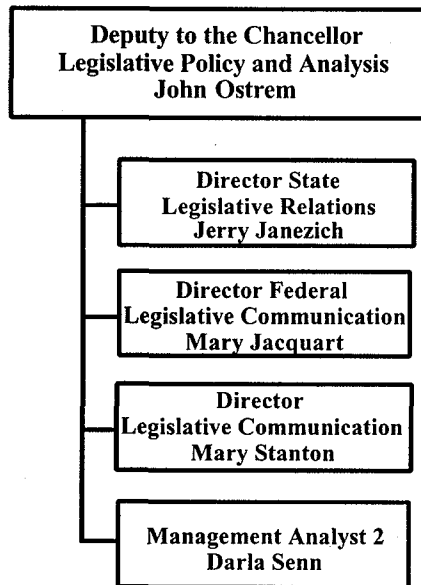
Minnesota State Colleges and Universities

Government Relations - 4 FTE and Public Affairs - 6.75 FTE

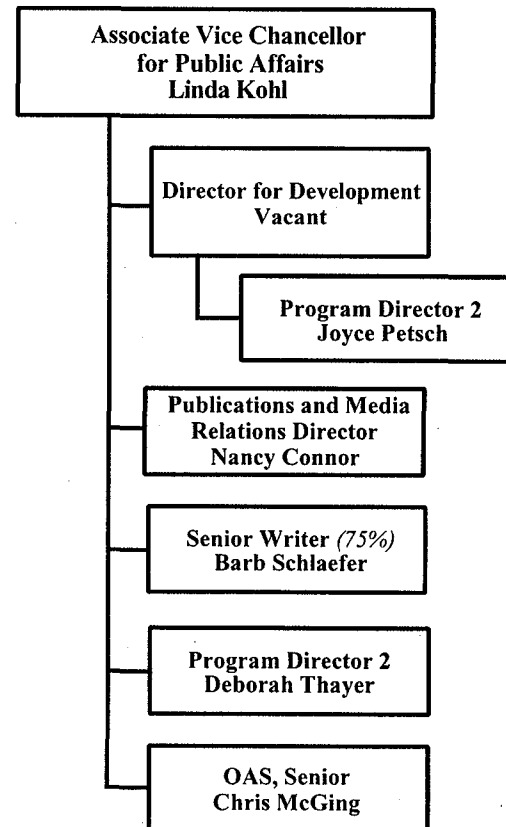
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Government Relations



Public Affairs

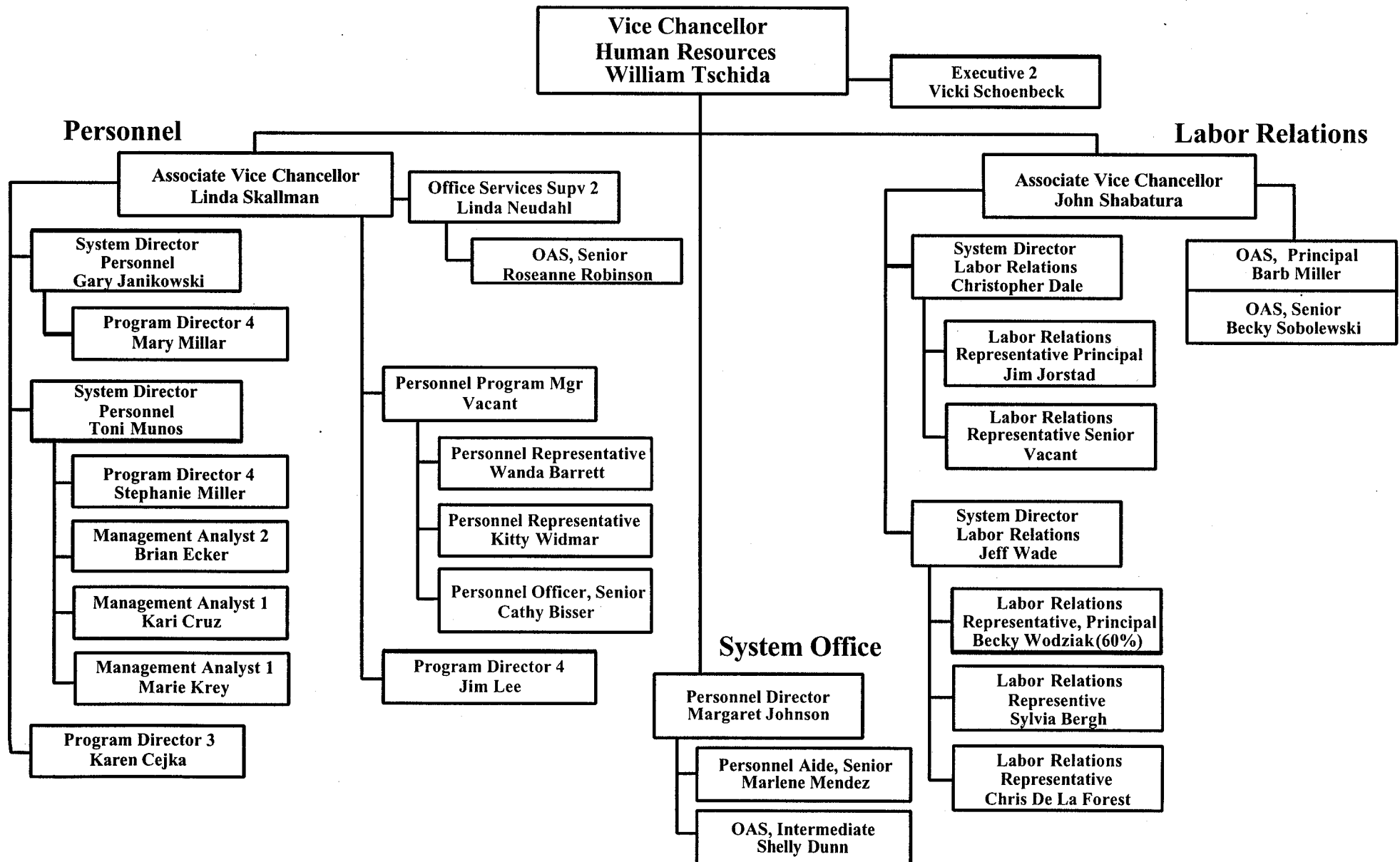


Minnesota State Colleges and Universities

Human Resources - 30.6 FTE

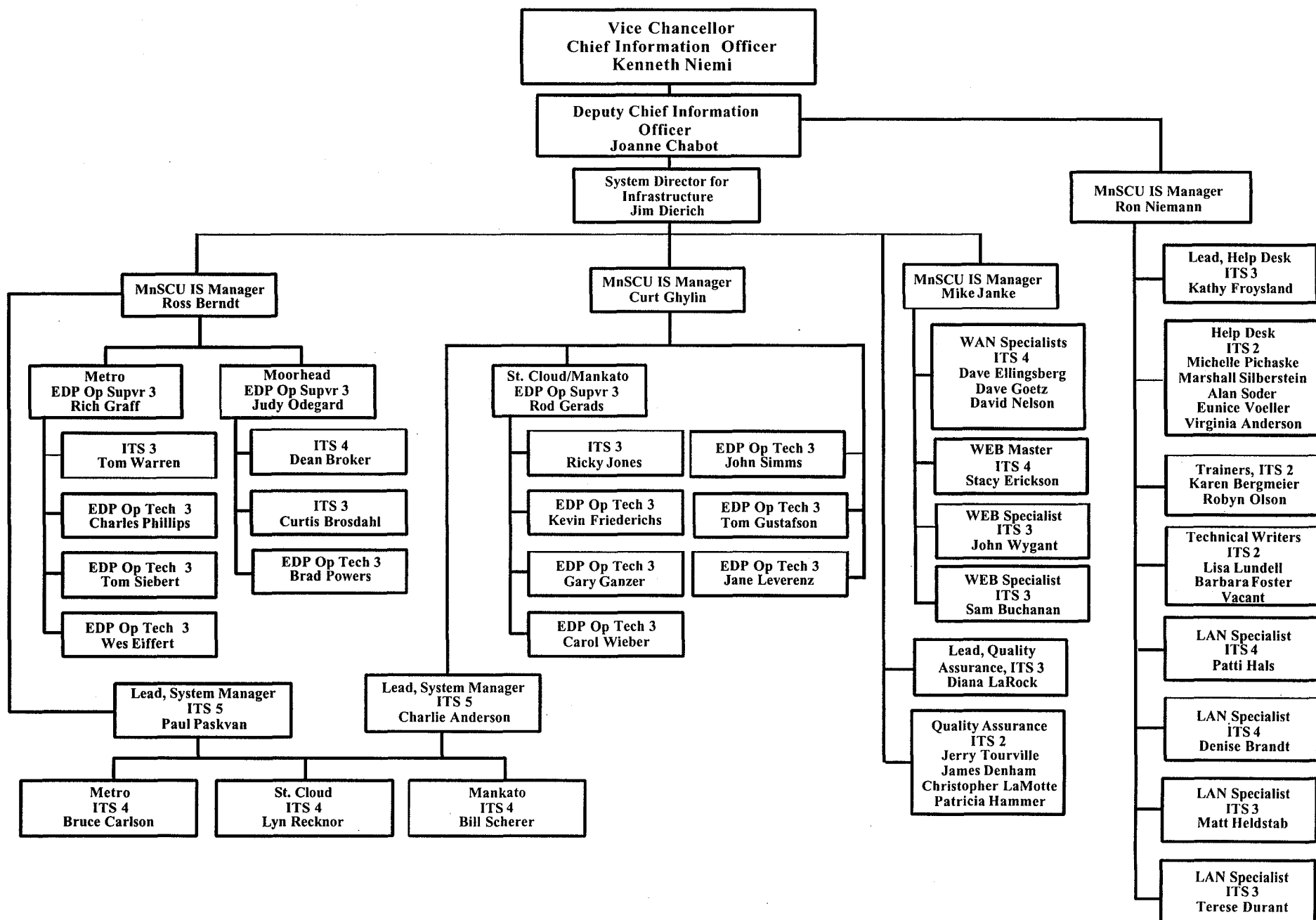
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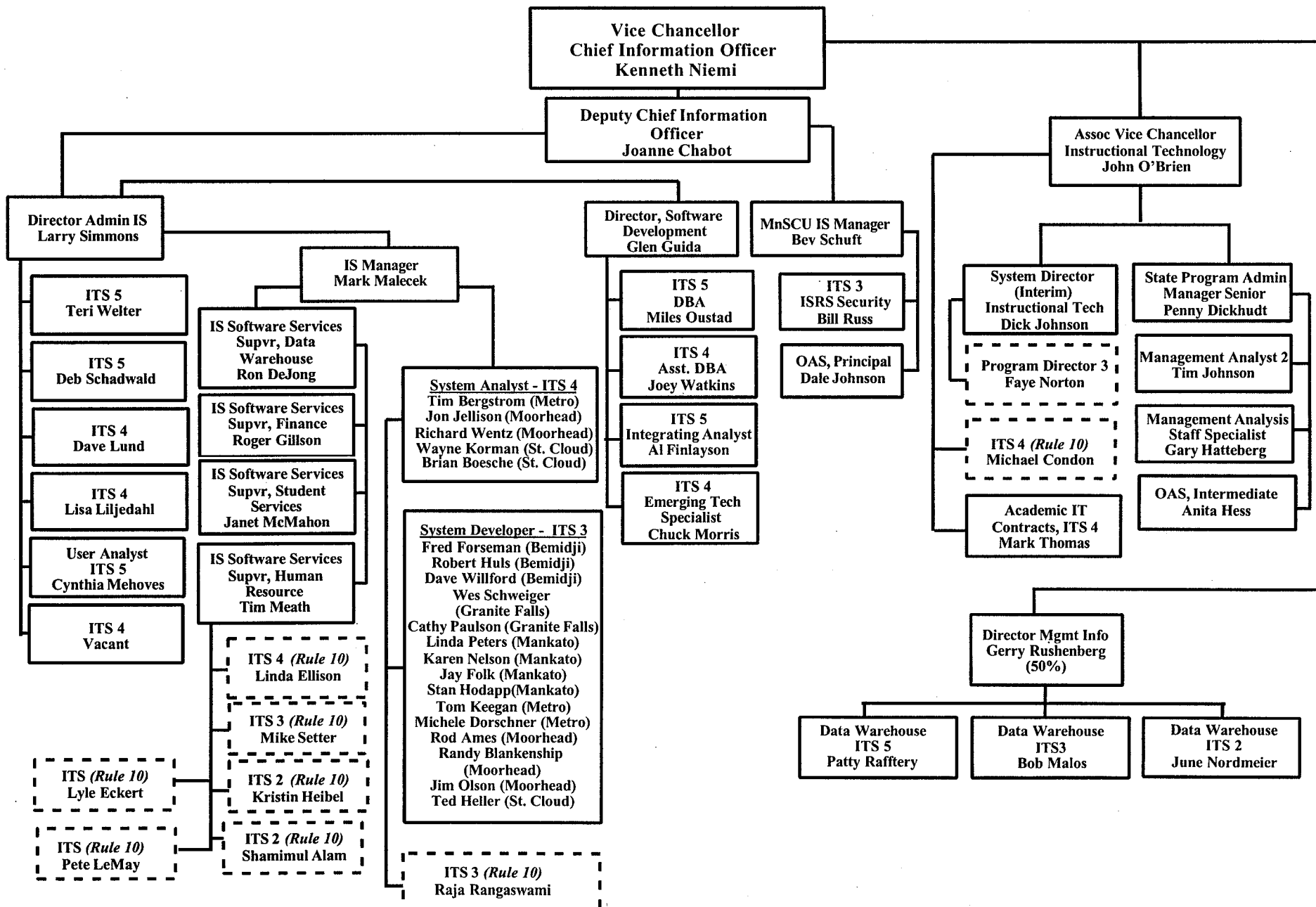


Minnesota State Colleges and Universities

Information Technology Services

#5B

May 2003



Minnesota State Colleges and Universities

Internal Auditing - 11 FTE

#6

May 2003

