



Minnesota
STATE COLLEGES
& UNIVERSITIES

Affirmative Action Plan Office of the Chancellor 2010-2012

TABLE OF CONTENTS

TABLE OF CONTENTS.....	2
STATEMENT OF COMMITMENT.....	4
AFFIRMATIVE ACTION PLAN TRANSMITTAL FORM.....	5
RESPONSIBILITY FOR IMPLEMENTATION.....	7
PROGRAM OBJECTIVES.....	11
RECRUITMENT PLAN.....	11
RETENTION PLAN.....	13
PROMOTING DIVERSITY AWARENESS.....	14
WORKFORCE ANALYSIS.....	16
AVAILABILITY (IDEAL GOALS).....	17
UTILIZATION ANALYSIS.....	18
ESTABLISHMENT OF HIRING GOALS.....	19
AUDIT AND EVALUATION.....	20
MINNESOTA STATE COLLEGES AND UNIVERSITIES EMERGENCY PLAN AND PROCEDURES.....	21
INTERNAL AND EXTERNAL DISSEMINATION OF POLICY.....	22
NONDISCRIMINATION COMPLAINT PROCEDURE.....	24
SUPPORTED EMPLOYMENT.....	25
REASONABLE ACCOMMODATIONS.....	26
EMPLOYEE REQUEST FORM FOR ACCOMMODATIONS	
PRE-HIRE REVIEW.....	30
CREATING A NEW POSITION	31
FILLING A VACANT POSITION	34

MINNESOTA STATE COLLEGES AND UNIVERSITIES POLICIES AND PROCEDURES..... 37

LIST OF APPENDICES

Appendix A. Affirmative Action in Employment Policy..... 38

Appendix B. Access for Individuals with Disabilities Policy..... 39

Appendix C. Reasonable Accommodations in Employment Procedure..... 40

Appendix D. Nondiscrimination in Employment and Education Opportunity Policy..... 42

Appendix E. Report/Complaint of Discrimination/Harassment Investigation and Resolution Procedure..... 45

Appendix F. Minnesota State Colleges and Universities Emergency Plan and Procedures..... 46

Appendix G. Minnesota State Colleges and Universities Strategic Diversity Plan..... 47


STATEMENT OF COMMITMENT

Minnesota State Colleges and Universities system's Office of the Chancellor is committed to conducting all human resources and educational activities without regard to race, sex, color, creed, religion, age, national origin, marital status, disability, status with regard to public assistance, sexual orientation, or membership or activity in a local commission as defined by law. Human resource 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 employees and job applicants. The Office of the Chancellor does 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.

The Office of the Chancellor 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 the historical underrepresentation in the employment, retention and promotion of qualified persons of color, persons with disabilities, and women. Commitment to equal opportunity through diversity is a continuing goal for the system's Office of the Chancellor Systemwide Strategic Diversity Plan which can be found in Appendix G.

It is the Office of the Chancellor's 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 protected group employees by the following:

- 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

12/2/10

Date

AFFIRMATIVE ACTION PLAN TRANSMITTAL FORM
2010-2012

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

PROTECTED GROUPS

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

See also: A. Utilization Analysis - page 18.
 B. Establishment of Hiring Goals - page 19.

The Office of the Chancellor Affirmative Action Plan will be available in the Office of the Executive Director of Diversity and Multiculturalism and in the Human Resource Office, so that employees and other interested parties may have access to the plan's annual goals and commitments, as well as on the Web at: <http://www.diversity.mnscu.edu>.

This Affirmative Action Plan contains Board Policy 1B.1 Nondiscrimination in Employment and Education Opportunity, the 1B.1.1 Report/Complaint of Discrimination/Harassment Investigation and Resolution procedure, which provides a process through which individuals alleging violation of the system's non-discrimination policies may pursue a complaint; the 1B.0.1 Reasonable Accommodations in Employment procedure; and the system's Office of the Chancellor Emergency Plan and Procedures. Information regarding these procedures will be distributed to all newly-hired employees and is available to current and new employees and other interested parties on the system's Web site at: <http://www.mnscu.edu/board/policy/index.html>.

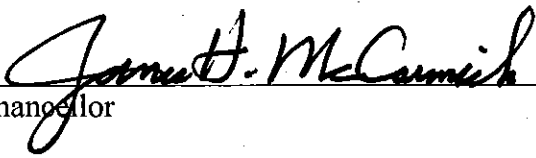
This Affirmative Action Plan designates those persons and groups responsible for implementing this plan, as well as a description of the system's commitment to equal employment opportunity and affirmative action principles.



December 8, 2010

Executive Director for Diversity and
Multiculturalism/Affirmative Action Officer

Date



Chancellor

Date

12/8/10

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 Finance

Date

Note: The official signed copy of the 2010-2012 Affirmative Action Plan is located in the office of Dr. Whitney Stewart Harris, Executive Director for Diversity and Multiculturalism, Wells Fargo Place, 30 E. 7th St., Ste. 350. St. Paul, MN 55101.

RESPONSIBILITY FOR IMPLEMENTATION

Chancellor

As the primary administrator of the system, 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. Review annually the job performance of administrators to evaluate responsibility for 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/Executive Director of Diversity and Multiculturalism.
- B. Conduct a job performance evaluation with the Executive Director of Diversity and Multiculturalism on progress made on equal opportunity and affirmative action objectives, job duties, and projects.

3. Accountability

Chancellor James H. McCormick, 651.201.1696, is directly accountable to the Minnesota State Colleges and Universities Board of Trustees on all matters relating to equal opportunity and affirmative action in the Office of the Chancellor.

Equal Opportunity/Affirmative Action Officer

Whitney Stewart Harris, the Executive Director for Diversity and Multiculturalism, is the Equal Opportunity/Affirmative Action Officer for the Office of the Chancellor. The Equal Opportunity/Affirmative Action Officer is accountable to the Chancellor and responsible for the overall implementation and administration of the system's 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 complies with federal/state laws and regulations, as well as the system's policies and procedures pertaining to affirmative action and equal employment opportunity.
- C. Develop, monitor, implement and evaluate the system's affirmative action programs, plans and guidelines.
- D. Monitor the search and selection process for all classified and unclassified positions in the Office of the Chancellor in accordance with established guidelines and procedures for recruitment.

2. Duties

- A. Provide guidelines/recommendations to appropriate members of the system community regarding affirmative action and equal employment opportunity.
- B. Provide 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 the system's 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 Whitney Stewart Harris, 651.201.1746, is directly accountable to the Chancellor for the overall implementation and administration of the system's 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 compliance with all affirmative action and equal employment opportunity policies, plans and procedures in their respective administrative units.
- B. Assure that all employees within their administrative units are informed of the Office of the Chancellor 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. Identify factors which may impede the Office of the Chancellor's pursuit of 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 Human Resources Director

In addition to the responsibilities and duties described above for the administrators/supervisors, the Office of the Chancellor's Human Resources Director is also responsible 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, Minnesota Management and Budget (MMB) Human Resource Rules, applicable collective bargaining agreements, and Human Resource 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 Human Resource 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 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.
- C. 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.

- D. Work closely with Minnesota Management and Budget and the Office of the Chancellor Staffing Unit in drafting and disseminating civil service vacancy announcements.
- E. Provide leadership to executive management in the implementation of appointments and resolution of salary equity issues.

3. Accountability

Office of the Chancellor Human Resources Director (Interim) Linda Skallman 651.201.1851, is accountable to Loretta Lamb, Vice Chancellor of Human Resources.

PROGRAM OBJECTIVES

General Statement

The Office of the Chancellor recognizes various groups are underutilized in employment. The Office of the Chancellor also recognizes the value of having a culturally diverse workforce. Therefore, the Office of the Chancellor is committed to remedy this underutilization and to encourage diversity and participation by members of these groups in all facets at the Office of the Chancellor. The Office of the Chancellor will encourage full employment participation by members of racial groups, by women, and by persons with disabilities. In pursuing its commitment to affirmative action, the Office of the Chancellor will take the following actions during 2010-2012.

Objective 1. Enhancing the Office of the Chancellor Recruitment Efforts

Action Steps

The Affirmative Action Office (unclassified positions) or Human Resources Office (classified positions) will:

- Meet with Departments/Search Committees to review recruitment and hiring guidelines, hiring goals and to answer questions.
- Conduct detailed analysis of position descriptions to ensure that they accurately reflect the position functions. In addition, each job description will include: *“The applicant (the employee) should demonstrate a knowledge of and interest in diverse cultures and populations.”*
- Provide ongoing support and advice to managerial/supervisory staff in conducting searches within the Office of the Chancellor.
- Provide feedback to the Chancellor and others having primary responsibilities for searches regarding the status of hiring goal accomplishments.
- Examine and evaluate recruitment and hiring guidelines in order to support and advance the Office of the Chancellor’s commitment to affirmative action. Data will be reviewed semi-annually to ensure that we are supporting our affirmative action goals.
- Make available to search committees recruitment sources to assist in the search committee’s efforts. Information regarding potential recruitment strategies/resources is included in the Recruitment and Hiring Guidelines/Unclassified Personnel, which is available in the Diversity and Multiculturalism office and on the Human Resources Web site at: http://www.hr.mnscu.edu/guide_interpretons/documents/PER0007.pdf.

- Evaluate the search process periodically to ensure freedom from bias. Select and train staff involved in the recruiting, screening, selection, promotion, discipline, and related processes. The recruitment, screening, referral and selection process must demonstrate good-faith effort to remove identified barriers, expand employment opportunities and produce measurable results.
- Observe the requirements of the “Office of Federal Contract Compliance Program Uniform Guidelines on employee Selection Procedures” by monitoring personnel activities.
- Effectively communicate opportunities for advancement to all staff, including minorities, women and persons with disabilities. The Minnesota State Colleges and Universities job opportunities bulletin will be sent out on a weekly basis.
- Make every effort to include a woman, minority and/or person with a disability in search committee membership.
- Recruit affirmatively. Please refer to the Diversity and Multiculturalism Web site at: <http://www.eod.mnscu.edu/index.html> for an updated list of potential resources.
- Attend to the recruitment of disabled individuals and establish hiring goals that reflect this commitment. The Office of the Chancellor does not pressure employees to report their disability status; therefore, workforce numbers may not accurately reflect the actual number of disabled individuals in the Office of the Chancellor.
- Invite recommendations from appropriate individuals when seeking candidates to fill interim positions.

Assignment of Responsibility

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

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* and *St. Paul Pioneer Press*.
- Advertisement in www.minnesotadiversity.com, which actively provides outreach to underrepresented communities.
- Encouragement of minorities, female, veteran and employees with disabilities to refer applicants for employment.
- Targeted recruitment, by using professional organization listservs at the national and local levels.
- Targeted vacancy notice distribution, soliciting nominations and inviting applications

sent to bargaining units, discipline-specific targeted constituents, Minnesota Cultural Diversity Center, Minnesota Women's Consortium, etc.

- Recruitment using personal contacts and networking.
- Advertisements on Minnesota State Colleges and Universities Web site.
- Use of a private consultant for targeted recruitment for executive level positions.
- Participation in the Upper Midwest Higher Education Recruitment Consortium, which seeks to reach diverse candidates for positions in higher education.

Expenditures

Each Office of the Chancellor division is expected to have budget resources to support searches. Specific amounts may vary in individual searches, but can range from minimal costs to several thousand dollars, depending on the nature and scope of the position.

In 2009, the Office of the Chancellor paid \$14,000 to advertise for fifteen months with Minnesotadiversity.com which also includes outreach to community of color organizations and to the following: MinneapolisDiversity.com, Minnesotajobnetwork.com, Kare11.com, Minnesotadiversity.com, StPaulDiversity.com, JobsinMinneapolis.com, JobsinStPaul.com, JobsinBloomington.com, JobsinDuluth.com, JobsinRochester.com, JobsinMankato.com, JobsinStCloud.com, JobsinMoorhead.com, and JobsinWinona.com.

The Office of the Chancellor additionally spent \$ 27,000 in 2009 for membership to the Upper Midwest Higher Education Recruitment Consortium which targets outreach to diverse candidates for positions in higher education.

Evaluation

Records of the number of missed opportunities will be maintained in the Human Resources office and shared with appropriate administrators.

Objective 2: Enhancing Retention Efforts in the Office of the Chancellor

Action Steps

Each manager plays a key role in supporting the retention of employees. The Office of the Chancellor will initiate the following activities to support employee retention. These efforts will enhance retention for all employees and allow the evaluation of specific efforts related to women, minorities and persons with disabilities.

- Helping individuals succeed in their early years is a key to retention of staff. The first element in this program is orientation for new staff members. An orientation program that provides information about policies, benefits and educational opportunities is routinely provided to all new employees.
- Introducing new staff members to Office of the Chancellor colleagues for the purpose of creating community and connecting individuals in other departments for future collaborative work is the responsibility of all supervisors.

- Distributing an annual notice to Office of the Chancellor’s employees reaffirming the commitment to civility in the work place and the chancellor’s commitment to providing a work environment free of discrimination, harassment and violence. Notifying all employees annually of the procedure for requesting and providing reasonable accommodations.
- Providing information about the Employee Assistance Program, including available services for employees and work-related concerns.
- Continuing to encourage opportunities for personal and professional growth for all employees.
- Conducting annual performance reviews for all employees.
- Making available cultural competency training to all employees of the Office of the Chancellor on an ongoing basis.
- Incorporating appropriate aspects of diversity into the evaluation of managers and supervisors.
- Providing resources to managers and supervisors to network with appropriate minority and women’s groups and with disabled and veteran’s groups.
- Compensation reviews are conducted at the time of employment, promotion, reclassification or other personnel actions to determine if there is apparent gender, race or ethnicity-based disparities. If disparities cannot be justified in terms of performance, length of services, etc., corrective actions will be taken.

Assignment of Responsibility

Equal Opportunity/Affirmative Action Officer, Office of the Chancellor Human Resource Director, Director of Leadership Development, all administrators, managers, and supervisors.

Target Dates for Completion

Annually or ongoing.

Evaluation

Records will be maintained annually on the number of protected class hires achieved and retained.

Objective 3: Promoting Diversity Awareness and Enhance Office of the Chancellor Climate

Action Steps

- Plan and provide programs and events relating to diversity with the ultimate goal of increasing the cultural competency of staff. Between four and six brown bag lunches will be offered throughout the year and will address topics of diversity and multiculturalism.
- Conduct a diversity and equal opportunity forum annually, facilitated by members of the Chancellor’s Cabinet.

- Involve supervisors and managers in hosting diversity programs and events throughout the year.
- Continue working with the Office of the Chancellor Diversity Team, composed of members from various work units, to create a welcoming work environment.
- Continue working on the action plan from the Workplace Diversity Climate Survey, which was conducted in 2007.
- Promote the Systemwide Strategic Diversity Plan 2010 – 2012 to the Office of the Chancellor and the Minnesota State Colleges and Universities system.
- Conduct a workplace climate survey to determine the effectiveness of these activities and to make appropriate changes and modifications to enhance their effectiveness.

Assignment of Responsibility: Whitney Stewart Harris, Executive Director for Diversity and Multiculturalism

Target Dates for Completion: Ongoing

Evaluation: Progress will be reported to the Chancellor.

WORKFORCE ANALYSIS

The attached Workforce Analysis conducted in June 2010 revealed 438 current Office of the Chancellor employees at the Wells Fargo Place work site and various campus sites. Of this number, 214 are female and 224 are male. There are a total of 53 minority (12.1%) employees in the Office of the Chancellor workforce.

In the Office of the Chancellor Officials and Administrators and Managers group, there are 115 employees with 54 females (47%) and 61 males. There are 15 minority employees (13.0%) in this group.

In the Professionals group (EEO-6, C) there are 260 employees with 117 females (45.4%) and 143 males. There are 31 minority employees (11.9%) in this group.

In the Clerical group (EEO-6, D) there are 47 employees. There are 38 females (83.0%) and 9 males. There are 6 minority employees (12.75%) in this group.

In the Technicians group (EEO-6, E) 31.3% of the employees are female and 6.3% are minority employees.

AVAILABILITY

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

EEO-6 Group	Minorities	Women	Disabled
Executive, Administrative and Managerial	17.8%	38.8%	11.31%
Professionals – Provided by the Minnesota Department of Economic Security	8.0%	53.8%	10.88%
Clerical	8.2%	67.7%	11.56%
Technical/Paraprofessional	6.8%	63.1%	11.52%

Availability (Ideal Goals) data for women and minorities in the Administrative and Managerial job groups are based on U.S. Census Data - Exec/Admin/managers. 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. Availability (Ideal Goals) for disabled was provided by the Minnesota Department of Employee Relations.

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	5		13
Professionals		22	22
Clerical			1
Technical		5	1

ESTABLISHMENT OF HIRING GOALS

The Office of the Chancellor's overall affirmative action goal is to improve its representation of underutilized groups. In order to accomplish this goal, each new hiring opportunity is viewed as an affirmative action opportunity, and each hiring unit is expected to make a special effort to recruit qualified applicants in areas where underutilization has been identified.

Because of Minnesota's current budget deficit and continuing uncertainties about future budgets, minimal hiring opportunities are anticipated for everyone, including women, minorities and persons with disabilities. Therefore, numeric hiring goals have not been established. However, when approval is given to fill positions, a good faith effort will be made to recruit and hire women, minorities and persons with disabilities in those job groups where underutilization has been identified as 1.0 or greater. The table below shows those job groups where underutilization has been identified and where good faith efforts will be made. At the end of the 2-year reporting period, hiring goals will be reassessed

Underutilization by Group:

<u>Groups</u>	<u>Number of Underutilized</u>	<u>Hiring Goal</u>
System Officials, Admin. & Managers – Minorities	5	3
System Officials, Admin. & Managers – Disabled	13	2
Professionals - Women	22	9
Professionals – Disabled	22	6
Clericals – Disabled	1	0
Technicians – Women	5	1
Technicians - Disabled	1	1

AUDIT AND EVALUATION

The Office of the Chancellor Affirmative Action Plan will be reviewed by the Equal Opportunity/Affirmative Action Officer/Executive Director of Diversity and Multiculturalism.

Minnesota State Colleges and Universities' Equal Opportunity/Affirmative Action Officer/Executive Director of Diversity and Multiculturalism 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 Human Resources Director and the system Office of Diversity and Multiculturalism is expected 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 30.) In addition, consultation with the Office of the Chancellor Human Resources Director and the Office of Diversity and Multiculturalism is expected 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 PLANS AND PROCEDURES

The Office of the Chancellor “Minnesota State Colleges and Universities Emergency Plan and Procedures” documents can be found in Appendix F and on line at:
<http://www.chancellor.mnscu.edu/employee/emergencyplans/index.html>.

This procedure is disseminated to new employees as part of the employee orientation process. In addition, training on this procedure is conducted annually at both sites.

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 Diversity and Multiculturalism Office and the Office of the Chancellor Human Resource Office, and posted on the Minnesota State Colleges and Universities Web site at: <http://www.eod.mnscu.edu/index.html>.
2. Upon employment, all new employees will be given instruction on how to access the Affirmative Action Plan via the Office of the Chancellor Web site at: <http://www.eod.mnscu.edu/index.html>.
3. Training on affirmative action and equal opportunity issues will be offered to all managers and supervisors in the Office of the Chancellor.
4. All recruitment brochures, job announcements and vacancy notices shall identify Minnesota State Colleges and Universities as "an Equal Opportunity Educator and Employer."
5. Copies of the Affirmative Action Plan will be made available to all employees and students upon request. The Affirmative Action Plan is available for review by contacting Whitney Stewart Harris, Executive Director for Diversity and Multiculturalism, at 651.201.1746.

EXTERNAL DISSEMINATION

1. All job announcements, vacancy notices, Web site home pages, letterhead, brochures and promotional and other education/employment-related materials shall state, "The Minnesota State Colleges and Universities system is an Equal Opportunity employer and educator."
2. Minnesota State Colleges and Universities' commitment to the recruitment, employment, promotion and retention of women, minorities, and individuals with disabilities will be aggressively publicized via a variety of protected group and non-protected group media sources.

3. Copies of the Affirmative Action Plan will be available to all interested non-Minnesota State Colleges and Universities parties. The Affirmative Action Plan is available for review by contacting Whitney Stewart Harris, Executive Director for Diversity and Multiculturalism, at 651.201.1746.
4. Information on the Office of the Chancellor Affirmative Action Plan and programs shall be made available to all external constituents via the Office of the Chancellor Human Resources Web site at: <http://www.eod.mnscu.edu/index.html>.

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 human resource 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:

Whitney Stewart Harris, Executive Director for Diversity and Multiculturalism, Wells Fargo Place, 30 7th St. E., Ste 350, St. Paul, MN, 55101. Phone: 651.201.1746

Renée Hogoboom, Associate Director for Diversity and Multiculturalism, Wells Fargo Place, 30 7th St. E., Ste 350, St. Paul, MN, 55101. Phone: 651.201.1592.

In the event that these individuals are not available, employees and/or other interested parties are encouraged to report or file complaints with Gail Olson, General Counsel to the Office of the Chancellor, at 651.201.1750.

The 1B.1.1 Procedure will be explained to any person filing a complaint. A complaint form may be requested from Renée Hogoboom in the Office of Diversity and Multiculturalism or obtained from the Web site at:

<http://www.eod.mnscu.edu/forms/index.html>. No specific timelines are required for reporting/filing of complaints, although employees and other interested parties are strongly encouraged to bring their complaints forward as soon as possible after an incident occurs.

The 1B.1.1 Procedure requires a written answer to the complainant within 60 days after a complaint is made unless reasonable cause for delay exists. In addition, disposition of the complaints are filed with the Commissioner of Minnesota Management and Budget within 30 days of final determination. It is the 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 Colleges and Universities supports the employment of individuals with disabilities who have traditionally faced employment barriers to successful employment. Minnesota State Colleges 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.

The Office of the Chancellor Human Resources Director will review opportunities under the Supported Employment Program as job openings become available. It is the Minnesota State Colleges 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 ACCOMMODATIONS

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 a student employee, with a disability may request reasonable accommodation by contacting **Donald Mercado, Wells Fargo Place, at 651.201.1841 or by calling 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.

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 may 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 he or she has been subjected to discriminatory action in regards to a request for a reasonable accommodation, he or she 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 24, 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**

<i>Employee Name:</i>	<i>Employee Classification: [for data collection only]</i>	<i>Date of Request:</i>
<i>Office of the Chancellor Division/Unit:</i>	<i>Brief Statement of Functional Limitations: Attach medical statement[s] as necessary or as requested</i>	
<i>1) Please describe the nature of your physical limitations.</i>		
<i>2) How does this disability limit you in your major life activity [ies]?</i>		
<i>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.</i>		

4.) Type of accommodation requested to assist you in performing your work. You may provide more than one option.

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.

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, and the Minnesota Data Practices Act.

Revised June 2004

PRE-HIRE REVIEW

Attached are the processes for “Creating a New Position” and “Filling a Vacant Position” in the Office of the Chancellor.

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 the position. The hiring process 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 or other appropriate administrator verifies position is within division budget allocation and approves and signs the PRF.
- Supervisor consults with Office of the Chancellor Human Resources Director and prepares a new position description to establish the classification and salary range.
- The hiring supervisor forwards PRF to Budget Unit to verify cost center, funds.
- The position is reviewed and approved by Cabinet.

Office of the Chancellor Human Resources

Human Resources 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.

Human Resources Director assists the supervisor in designing a written recruitment plan taking into account any underutilized protected classes. The recruitment plan is shared with the Affirmative Action Officer.

Human Resources announces the vacancy in the Employment Opportunities Newsletter.
(Unclassified)

Classified positions must be posted for internal bids, as provided for in the appropriate bargaining agreement. If no bids, Human Resources will announce the vacancy and position qualifications on the MMB Web site.

Supervisor

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

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 Web sites, 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.

CREATING A NEW POSITION, continued

Office of the Chancellor Human Resources

Human Resources announces the vacancy in the Employment Opportunities Newsletter.
(Unclassified)

Classified positions must be posted for internal application, as provided for in the appropriate bargaining agreement. If no applications are received, Human Resources will announce the vacancy and position qualifications on the MMB Web site.

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

For classified positions, MMB has adopted a Multi-Source Recruitment and Selection Process (Resumix) to identify prospective candidates who match specific job qualification. Résumés of candidates expressing an interest in the position and other candidates with the skills and abilities who match the vacancy announcement are available to Human Resources Office staff and managers to review online.

Once a finalist pool has been identified, the Human Resources Director seeks Office of Diversity and Multiculturalism approval of the search process and the candidate selection.

The Human Resources 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 Web sites, 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 résumés 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 Executive Director for Diversity and Multiculturalism. 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, continued

Officer of the Chancellor Human Resources

If the verbal offer is accepted, the Human Resources 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 Human Resources 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 or other appropriate administrator verifies position is within the budget allocation and approves and signs the PRF.
- Supervisor consults with the Office of the Chancellor Human Resources Director regarding an emergency/temporary hire, union posting requirements for a permanent hire and/or whether the position will be restructured at a higher or lower level than the existing position.
- The hiring supervisor forwards PRF to Budget Unit to verify cost center and funds.
- The position is reviewed and approved by Cabinet.

Officer of the Chancellor Human Resources

After Cabinet approval, Human Resources authorizes the search process to begin and meets with the supervisor to discuss recruitment, affirmative action commitments and the hiring time line.

Human Resources Director assists the supervisor in designing a written recruitment plan taking into account any underutilized 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, continued

Officer of the Chancellor Human Resources

Human Resources announces the vacancy in the Employment Opportunities Newsletter. (Unclassified)

Classified positions must be posted for internal bids, as provided for in the appropriate bargaining agreement. If no bids, Human Resources will announce the vacancy and position qualifications on the MMB Web site.

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

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

Once a finalist pool has been identified, the Human Resources Director seeks Diversity and Multiculturalism approval of the search process and the candidate selection.

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

Supervisor

Supervisor coordinates the selection process and determines whether or not 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 résumés 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 Executive Director of Diversity and Multiculturalism. 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, continued

Office of the Chancellor Human Resources

The Human Resources Office reviews and approves salary offers before an offer is made.

If the oral offer is accepted, the Human Resources 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 Human Resources 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 an oral 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 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
- Appendix G. Minnesota State Colleges and Universities Office Strategic Diversity Plan

APPENDIX A
AFFIRMATIVE ACTION IN EMPLOYMENT
POLICY

The Affirmative Action in Employment Policy will be available in the Diversity and Multiculturalism Office, Office of the Chancellor Human Resources Office and posted on the Minnesota State Colleges and Universities' Web site at:

<http://www.mnscu.edu/board/policy/1b02.html>.

APPENDIX B
ACCESS FOR INDIVIDUALS WITH
DISABILITIES POLICY

The Office of the Chancellor Access for Individuals with Disabilities Policy will be available in the Diversity and Multiculturalism Office, Office of the Chancellor Human Resources Office and posted on the Minnesota State Colleges and Universities' Web site at: <http://www.mnscu.edu/board/policy/1b04.html>.

APPENDIX C

REASONABLE ACCOMMODATIONS IN EMPLOYMENT PROCEDURE

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, communications, 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 anticipation 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:

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

APPENDIX D

NONDISCRIMINATION IN EMPLOYMENT AND EDUCATION OPPORTUNITY POLICY

1B.1 Nondiscrimination in Employment and Education Opportunity

Part 1. Policy Statement. 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, or sexual orientation. In addition, discrimination in employment based on membership or activity in a local commission as defined by law is prohibited.

Harassment on the basis of race, sex, color, creed, religion, age, national origin, disability, marital status, status with regard to public assistance, or sexual orientation is prohibited. 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 persons having business at, or visiting the educational or working environment.

This policy is directed at verbal or 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, Minnesota State Colleges and Universities will give due consideration to an individual's constitutionally protected right to free speech and academic freedom. However, discrimination and harassment are not within the protections of academic freedom or free speech.

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.

This policy shall apply to all individuals affiliated with Minnesota State Colleges and Universities, including but not limited to, its students, employees, applicants, volunteers, agents, and Board of Trustees, 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 or reprisal. Individuals who violate this policy shall be subject to disciplinary or other corrective action.

This policy supersedes all existing system, college, and university non-discrimination policies.

Part 2. Definitions.

Subpart A. Consensual Relationship. A sexual or romantic relationship between two persons who voluntarily enter into such a relationship. Employees who are members of the same household should also refer to the Board of Trustees Nepotism policy 4.10.

Subpart B. Discrimination. Discrimination is defined as conduct that is directed at an individual because of his or her protected class 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 C. Discriminatory harassment. Discriminatory harassment is defined as a verbal or physical conduct that is directed at an individual because of his or her protected class, and that is sufficiently severe, pervasive, or persistent so as to have the purpose or effect of creating a hostile work or educational environment.

As required by law, Minnesota State Colleges and Universities has further defined sexual harassment as a form of sexual 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 and 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.

Subpart D. Employee. Minnesota State Colleges and Universities personnel include all faculty, staff, administrators, teaching assistants, graduate assistants, residence directors and student employees.

Subpart E. Protected Class. Protected class for the purpose of this policy means that discrimination and harassment in employment and education are prohibited on the basis of: race, sex, color, creed, religion, age, national origin, disability, marital status, status with regard to public assistance or sexual orientation. In addition, membership or activity in a local human rights commission is a protected class in employment.

Subpart F. Retaliation. Retaliation includes, but is not limited to, intentionally engaging in any form of intimidation, reprisal or harassment against an individual because he or she made a complaint under this policy or assisted or participated in any manner in an investigation, or process under this policy, regardless of whether a claim of discrimination or harassment is substantiated; or associated with a person or group of persons who are disabled or are of a different race, color, creed, religion, sexual orientation or national origin. Retaliation may occur whether or not there is a power or authority differential between the individuals involved.

Subpart G. 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 Minnesota Statutes Section 626.556 (reporting of maltreatment of minors) and Minnesota Statutes 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. Minnesota State Colleges and Universities 1B.3 Sexual Violence Policy addresses sexual violence.

Subpart H. Student. “Student” means an individual who is:

1. admitted, enrolled, registered to take or is taking one or more courses, classes, or seminars, credit or noncredit, at any System college or university; or
2. between terms of a continuing course of study at the college or university, such as summer break between spring and fall academic terms; or
3. expelled or suspended from enrollment as a student at the college or university, during the pendency of any adjudication of the student disciplinary action.

Part 3. Consensual Relationships. An employee of Minnesota State Colleges and Universities shall not enter into a consensual relationship with a student or an employee over whom he or she exercises direct or otherwise significant academic, administrative, supervisory, evaluative, counseling, or extracurricular authority or influence. In the event a relationship already exists, each college and university and system office shall develop a procedure to reassign evaluative authority as may be possible to avoid violations of this policy. This prohibition does not limit the right of an employee to make a recommendation on personnel matters concerning a family or household member where the right to make recommendations on such personnel matters is explicitly provided for in the applicable collective bargaining agreement or compensation plan.

Part 4. Retaliation. Retaliation as defined in this policy is prohibited in the system office, colleges and universities. Any individual subject to this policy who intentionally engages in retaliation shall be subject to disciplinary or other corrective action as appropriate.

The chancellor shall establish procedures to implement this policy. The nondiscrimination in employment and education opportunity policy and procedures of colleges and universities shall comply with Policy 1B.1 and Procedure 1B.1.1.

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

The Report/Complaint of Discrimination/Harassment Investigation and Resolution Procedure will be available in the Diversity and Multiculturalism Office and Office of the Chancellor Human Resources Office and posted on the Minnesota State Colleges and Universities' Web site at: <http://www.mnscu.edu/board/procedure/1b01p1.html>.

APPENDIX F
OFFICE OF THE CHANCELLOR
EMERGENCY PLAN AND PROCEDURES

The Office of the Chancellor Emergency Plan and Procedures are available in Office Services, and are posted on the Minnesota State Colleges and Universities' Web site at: <http://www.chancellor.mnscu.edu/employee/emergencyplans/index.html>

APPENDIX G
MINNESOTA STATE COLLEGES AND UNIVERSITIES
SYSTEMWIDE STRATEGIC DIVERSITY PLAN

The Minnesota State Colleges and Universities Systemwide Strategic Diversity Plan is available in the Diversity and Multiculturalism Office and posted on the Minnesota State Colleges and Universities Diversity and Multiculturalism Web site at:

<http://www.diversity.mnscu.edu/>.