

State of Minnesota

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# **North Hennepin Community College**

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## **Affirmative Action Plan**

**August 2014 – August 2016**

7411 85<sup>th</sup> Avenue North  
Brooklyn Park, MN 55445

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## North Hennepin Community College

### 2014 – 2016 Affirmative Action Plan

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#### Table of Contents:

I.	EXECUTIVE SUMMARY .....	4
II.	STATEMENT OF COMMITMENT .....	5
III.	PERSONS RESPONSIBLE FOR DIRECTING/IMPLEMENTING THE AFFIRMATIVE ACTION PLAN .....	7
A.	President – Lisa Larson (763-424-0820).....	7
B.	Equal Opportunity/ Affirmative Action Officer – Michael Birchard (763-424-0944) .....	7
C.	Americans with Disabilities Act Coordinator – Tom Lynch (763-493-0556).....	8
D.	Chief Human Resources Officer – Michael Freer (763-424-0955).....	9
E.	Directors, Managers and Supervisors.....	10
F.	All Employees .....	11
IV.	COMMUNICATION OF THE AFFIRMATIVE ACTION PLAN .....	11
A.	Internal Methods of Communication .....	11
B.	External Methods of Communication .....	11
V.	STATEWIDE POLICY PROHIBITING DISCRIMINATION AND HARASSMENT .....	<b>Error! Bookmark not defined.</b>
VI.	COMPLAINT PROCEDURE FOR PROCESSING COMPLAINTS OF ALLEGED HARASSMENT/DISCRIMINATION .....	12
VII.	REASONABLE ACCOMMODATION POLICY .....	24
VIII.	EVACUATION PROCEDURES FOR PERSONS WITH DISABILITIES .....	1
IX.	GOALS AND TIMETABLES .....	4
X.	AFFIRMATIVE ACTION PROGRAM OBJECTIVES .....	6
XI.	METHODS OF AUDITING, EVALUATING AND REPORTING PROGRAM SUCCESS .....	11
A.	Pre-Employment Review Procedure/Monitoring the Hiring Process.....	11
B.	Pre-Review Procedure for Layoff Decisions .....	13
C.	Other Methods of Program Evaluation .....	13
XII.	RECRUITMENT PLAN .....	15
A.	Advertising Sources.....	15
B.	Job and Community Fairs.....	16
C.	College and University Recruitment Events.....	16
D.	Recruitment for Persons with Disabilities.....	16
E.	Relationship Building and Outreach.....	16
F.	Internships .....	16
G.	Supported Employment (M.S. 43A.191, Subd. 2(d)).....	17
XIII.	RETENTION PLAN .....	17
A.	Person’s Responsible for North Hennepin Community College’s Retention Program/Activities: .....	17
B.	Separation and Retention Analysis by Protected Groups .....	18
C.	Methods of Retention of Protected Groups .....	18

APPENDIX.....	24
<b>A. Complaint Of Harassment/Discrimination .....</b>	<b>24</b>
<b>B. Employee Request for Reasonable Accommodation Form .....</b>	<b>27</b>

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## I. EXECUTIVE SUMMARY

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### North Hennepin Community College Affirmative Action Plan 2014-2016

Review revealed underutilization of the following protected group(s) in the following EEO-4 job categories:


Table 1.

EEO-4 Job Categories	PROTECTED GROUPS			
	Women	Racial/Ethnic Minorities	Persons With Disabilities	Veterans
Administrators				X
Professionals			X	X
Faculty		X	X	X
Technicians			X	X
Office/Clerical			X	X
Protected Services: Non-sworn	X			
Skilled Craft				
Service Maintenance	X		X	

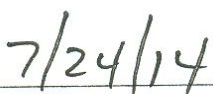
Once approved, information about how to obtain or view a copy of this plan will be provided to every employee of the College. Our intention is that every employee is aware of the North Hennepin Community College's commitments to affirmative action and equal employment opportunity. The plan will also be posted on the College's website and maintained in the Human Resources/Affirmative Action office.

This affirmative action plan meets the requirements as set forth by Minnesota Management & Budget, and contains affirmative action goals and timetables, as well as reasonable and sufficiently assertive hiring and retention methods for achieving these goals.

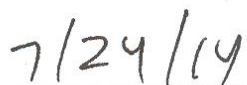
  
Chief Diversity and Affirmative Action Officer

  
(date)

  
Chief Human Resources Officer

  
(date)

  
President

  
(date)

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## II. STATEMENT OF COMMITMENT

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This statement reaffirms North Hennepin Community College is committed to Minnesota's statewide affirmative action efforts and to providing equal employment opportunity to all employees and applicants for employment in accordance with equal opportunity and affirmative action laws.

North Hennepin Community College 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 with disabilities, persons of color, and women.

I affirm my personal and official support of these policies which provide that:

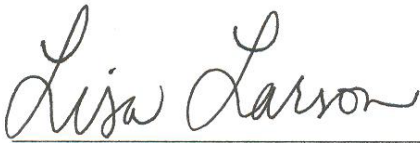
- Discrimination against applicants or employees on the basis of race, color, creed, religion, national origin, sex, sexual orientation, disability, age, marital status, membership or activity in a local human rights commission, or status with regard to public assistance will not be tolerated.
- NHCC is committed to the implementation of the affirmative action policies, programs, and procedures included in this plan to ensure that employment practices are free from discrimination. Employment practices include but are not limited to, the following: hiring, promotion, demotion, transfer, recruitment or recruitment advertising, layoff, disciplinary action, termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. We will provide reasonable accommodation to applicants and employees with disabilities.
- NHCC will continue to actively promote a program of affirmative action, wherever minorities, women, and persons with disabilities are underrepresented in the workforce; and work to retain all qualified, talented employees, including protected group employees.
- NHCC will evaluate its efforts, including those of its managers and supervisors in promoting equal opportunity and achieving affirmative action objectives contained herein. In addition, NHCC will expect all employees to perform their job duties in a manner that promotes equal opportunity for all.

It is NHCC's policy to provide an employment environment free of any form of discriminatory harassment as prohibited by federal, state, and local human rights laws. I strongly encourage suggestions as to how we may improve. We strive to provide equal employment opportunities and the best possible service to all Minnesotans.

North Hennepin Community College further believes diversity enhances the campus environment and regards affirmative action in a broader context than merely employment opportunity. North Hennepin Community College promotes the representation of ethnic/minority, female, and persons with disabilities in underrepresented areas whenever possible. We strive to evidence that diversity in leadership positions. That practice may also affect employment, recruitment, hiring, promotion,

committee assignments, transfer, layoff, training, compensation, and retention. Affirmative action thus includes an internal focus as well as an external one.

I personally encourage all employees to become acquainted with our Affirmative Action plan. It is the responsibility of the employees to promote and apply the principles of equal opportunity in their work and to cooperate fully with North Hennepin Community College's plan of action. Affirmative action is a positive effort to utilize the skills and resources not only of those who have been denied opportunity in the past, but also of all present and future employees. I encourage you to join me in a continuing effort to make equal employment opportunity a reality.

A handwritten signature in cursive script that reads "Lisa Larson".

Lisa Larson, President  
North Hennepin Community College

A handwritten date in cursive script that reads "July 28, 2014".

Date

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### **III. PERSONS RESPONSIBLE FOR DIRECTING/IMPLEMENTING THE AFFIRMATIVE ACTION PLAN**

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#### **A. President – Lisa Larson (763-424-0820)**

##### **Responsibilities:**

The college president is responsible for the establishment of an affirmative action plan that complies with all federal and state laws and regulations.

##### **Duties:**

The duties of the President shall include, but are not limited to the following:

- Appoint the affirmative action officer or designee and include accountability for the administration of the college's affirmative action plan in his or her position description;
- To take action, if needed, on complaints of discrimination;
- To ensure the affirmative action plan is effectively communicated to all employees on an annual basis;
- Make decisions and changes in policy, procedures or accommodations as needed to facilitate effective affirmative action and equal employment opportunity;
- To actively promote equal opportunity employment;
- Require all college managers and supervisors to include responsibility for supporting affirmative action, diversity and/or cultural responsiveness in their position descriptions and annual objectives.

##### **Accountability:**

The President is directly accountable to the Governor and indirectly to the MMB Commissioner on matters pertaining to equal opportunity and affirmative action.

#### **B. Equal Opportunity/ Affirmative Action Officer – Michael Birchard (763-424-0944)**

##### **Responsibilities:**

The Affirmative Action Officer (“AAO”) is responsible for implementation of the college’s affirmative action and equal opportunity program, and oversight of the college’s compliance with equal opportunity and affirmative action laws.

##### **Duties:**

The duties of the AAO shall include, but are not limited to the following:

- Preparation and oversight of the college's affirmative action and equal opportunity plan, including development and setting of college-wide goals;
- Monitoring the college's compliance and fulfill all affirmative action reporting requirements;
- Inform the college president of progress in affirmative action and equal opportunity and report potential concerns;
- Review of the college's Affirmative Action and Equal Opportunity Plan at least annually and provide updates as appropriate;
- Provide the college with perspectives on issues relating to affirmative action and equal opportunity and assist in the identification and development of effective solutions in problem areas related to affirmative action and equal opportunity;
- Identify opportunities for infusing affirmative action and equal opportunity into the college's considerations, policies and practices;
- Participate in and/or develop strategies to recruit protected class persons for employment, promotion and training opportunities;
- Stay current on changes to equal opportunity and affirmative action laws and interpretation of the laws;
- Providing consultation and/or training to hiring managers and supervisors regarding recruitment, selection and retention best practices and resources, progress on hiring goals, providing reasonable accommodations and other opportunities for improvement;
- Serving as the college's liaison with MMB's Office of Equal Opportunity & Diversity and enforcement agencies.

**Accountability:**

The AAO is directly accountable to the College President for the overall implementation and indirectly to the Chief Human Resources Officer on matters pertaining to affirmative action and equal opportunity.

**C. Americans with Disabilities Act Coordinator – Tom Lynch (763-493-0556)**

**Responsibilities:**

The Americans with Disabilities Act ("ADA") Coordinator is responsible for the oversight of the college's compliance with the Americans with Disabilities Act ("ADA") Title I – Employment and Title II – Public Services, in accordance with the ADA - as amended, the Minnesota Human Rights Act, and Executive Order 96-09.

**Duties:**

The duties of the ADA Coordinator shall include, but are not limited to the following:

- Provide guidance, coordination and direction to college management with regard to the ADA in the development and implementation of college policy, procedures and practices to ensure the college's employment practices and programs are accessible and nondiscriminatory;
- Provide training, technical guidance and consultation to college management and staff on compliance and best practices with regard to hiring and retention of individuals with disabilities, as well as the provision of reasonable accommodations to employees and job applicants;
- Track and facilitate requests for reasonable accommodations for job applicants and employees, as well as members of the public accessing college services, and reports reasonable accommodations annually to MMB.

**Accountability:**

The ADA Coordinator is directly accountable to Dean of Student Affairs.

**D. Chief Human Resources Officer – Michael Freer (763-424-0955)****Responsibilities:**

The Chief Human Resources Officer ("HR") is responsible for ensuring equitable and uniform administration of all personnel policies, including taking action to remove barriers to equal employment opportunity with the college.

**Duties:**

The duties of the Chief HR Officer include, but are not limited to the following:

- Provide leadership to HR staff and others; ensure personnel decision-making processes adhere to equal opportunity and affirmative action principles;
- Ensure, to the extent possible, development and utilization of selection criteria that is objective, uniform and job-related;
- Initiate and report on specific program objectives contained in the affirmative action plan;
- Ensure the pre-hire review process is implemented and receives support from hiring managers and supervisors;
- Include the AAO in the decision-making process regarding personnel actions involving protected group members, including hiring, promotion, disciplinary actions, reallocation, transfer and termination, and department and division-wide classification studies;

- Include responsibility statements for affirmative action/equal employment opportunity in position descriptions and annual performance objectives;
- Assist in recruitment and retention of protected class persons, and notify managers and supervisors of existing disparities;
- Make available to the AAO and ADA Coordinator all necessary records and data necessary to perform duties related to equal opportunity and affirmative action.

**Accountability:**

The Chief HR Officer is directly accountable to the College President.

**E. Directors, Managers and Supervisors**

**Responsibilities:**

Directors, managers and supervisors are responsible for implementation of equal opportunity and affirmative action within their respective areas of supervision and compliance with the college's affirmative action programs and policies to ensure fair and equal treatment of all applicants and employees.

**Duties:**

The duties of directors, managers and supervisors shall include, but are not limited to the following:

- To assist the AAO in identifying and resolving problems and eliminating barriers which inhibit equal employment opportunity;
- To communicate the college's affirmative action policy to assigned staff;
- To carry out supervisory responsibilities in accordance with the equal employment opportunity and affirmative action policies embodied in this plan;
- To maintain a consistent standard within the workforce so that employees are evaluated, recognized, developed and rewarded on a fair and equitable basis;
- To include responsibility statements for affirmative action/equal opportunity in faculty and staff position descriptions;
- To provide a positive and inclusive work environment;
- To refer complaints of discrimination to the appropriate parties.

**Accountability:**

Directors, managers, and supervisors are directly accountable to their designated supervisor and indirectly to the College President.

## **F. All Employees**

### **Responsibilities:**

All employees are responsible for conducting themselves in accordance with the college's equal opportunity and affirmative action plan and policies.

### **Duties:**

The duties of all employees shall include, but are not limited, to the following:

- Exhibit an attitude of respect, courtesy and cooperation towards fellow employees and the public;
- Refrain from any actions that would adversely affect the performance of a coworker with respect to their race, color, creed, religion, national origin, sex, marital status, public assistance, disability, genetic information, sexual orientation, or membership in a local human rights commission.

### **Accountability:**

Employees are directly accountable to their designated supervisor and indirectly to the College President.

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## **IV. COMMUNICATION OF THE AFFIRMATIVE ACTION PLAN**

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The following information describes the methods that the college takes to communicate the Affirmative Action Plan to employees and the general public:

### **A. Internal Methods of Communication**

- A memorandum detailing the location of the affirmative action plan and the responsibility to read, understand, support and implement equal opportunity and affirmative action will be sent from college leadership or alternatively, the AAO, to all faculty and staff on an annual basis.
- The college's affirmative action plan is available to all employees on the college's SharePoint Site under Documents in the "College Plans" folder, or in print copy to anyone who requests it. As requested, the college will make the plan available in alternative formats.
- Nondiscrimination and equal opportunity statements and posters are prominently displayed and available in areas frequented and accessible to employees.

### **B. External Methods of Communication**

- The college's affirmative action plan is available on the college's external website at [www.nhcc.edu/affirmativeaction](http://www.nhcc.edu/affirmativeaction), or in print copy to anyone who requests it. As requested, the college will make the plan available in alternative formats.
- The college's web site home page, college letterhead, publications and all job postings, will include the statement "an equal opportunity employer. "
- Nondiscrimination and equal opportunity statements and posters are prominently displayed and available in areas frequented by and accessible to members of the public. Examples of posters displayed include: EEO is the law, Employee Rights under the Fair Labor Standards Act, and the ADA Notice to the Public.

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## V. MnSCU's EQUAL OPPORTUNITY AND NONDISCRIMINATION IN EMPLOYMENT AND EDUCATION POLICY

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### Part 1. Policy Statement.

**Subpart A. Equal opportunity for students and employees.** Minnesota State Colleges and Universities has an enduring commitment to enhancing Minnesota's quality of life by developing and fostering understanding and appreciation of a free and diverse society and providing equal opportunity for all its students and employees. To help effectuate these goals, Minnesota State Colleges and Universities is committed to a policy of equal opportunity and nondiscrimination in employment and education.

**Subpart B. Nondiscrimination.** 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, gender identity, or gender expression. 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, sexual orientation, gender identity, or gender expression 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 equal opportunity and nondiscrimination policies.

## **Part 2. Definitions.**

**Subpart A. Consensual Relationship.** Consensual relationship means 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 Policy 4.10, of Trustees Nepotism policy 4.10.

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

- 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
- 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
- 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.

**Subpart D. Employee.** Employee means any individual employed by Minnesota State Colleges and Universities, including all faculty, staff, administrators, teaching assistants, graduate assistants, residence directors and student employees.

**Subpart E. Protected class.** For purposes of this policy:

- Protected class includes race, sex, color, creed, religion, age, national origin, disability, marital status, status with regard to public assistance, sexual orientation, gender identity, or gender expression. In addition, membership or activity in a local human rights commission is a protected class in employment.
- This policy prohibits use of protected class status as a factor in decisions affecting 96 education and employment where prohibited by federal or state law.

**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;
- 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;
- Associated with a person or group of persons with a disability or are of a different race, color, creed, religion, sexual orientation, gender identity, gender expression, or national origin; or
- Made a complaint or assisted or participated in any manner in an investigation or process with the Equal Employment Opportunity Commission, the U.S. Department of Education Office for Civil Rights, the Minnesota Department of Human Rights or other enforcement agencies, under any federal or stated nondiscrimination law, including the Civil Rights Act of 1964; Section 504 of the Rehabilitation Act of 1973; the Minnesota Human Rights Act, Minn. Stat. Ch. 363A, and their amendments.

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 any college or university or the system office from taking immediate action to protect victims of alleged sexual abuse. Board Policy 1B.3 Sexual Violence addresses sexual violence.

**Subpart H. Student.** For purposes of this policy, the term “student” includes all persons who:

- Are enrolled in one or more courses, either credit or non-credit, through a college or university;
- Withdraw, transfer or graduate, after an alleged violation of the student conduct code;
- Are not officially enrolled for a particular term but who have a continuing relationship with the college or university;
- Have been notified of their acceptance for admission or have initiated the process of application for admission or financial aid; or
- Are living in a college or university residence hall although not enrolled in, or employed by, the institution.

**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.

**Part 5. Policies and procedures.** The chancellor shall establish procedures to implement this policy. The equal opportunity and nondiscrimination in employment and education policy and procedures of colleges and universities shall comply with Board Policy 1B.1 and Procedure 1B.1.1.

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## **VI. MnSCU'S REPORT/COMPLAINT OF DISCRIMINATION/HARASSMENT INVESTIGATION AND RESOLUTION PROCEDURE**

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### **Part 1. Purpose and applicability.**

**Subpart A. Purpose.** This procedure is designed to further implement Minnesota State Colleges and Universities policies relating to nondiscrimination by providing a process through which individuals alleging violation of Board Policy 1B.1 Equal Opportunity and Nondiscrimination in Employment and Education may pursue a complaint. This includes allegations of retaliation, or discrimination or harassment based on sex, race, age, disability, color, creed, national origin, religion, sexual orientation, gender identity, gender expression, marital status, or status with regard to public assistance. In addition, discrimination in employment based on membership or activity in a local human rights commission as defined by law is prohibited.

**Subpart B. Applicability.** 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.

A single act of discrimination or harassment 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; discrimination against a transgender or transsexual individual might be based on sex or sexual orientation.

Not every act that may be offensive to an individual or group constitutes discrimination or harassment. Harassment includes action beyond the mere expression of views, words, symbols or thoughts that another individual finds offensive. To constitute a violation of Board Policy 1B.1, conduct must be considered sufficiently serious to deny or limit a student's or employee's ability to participate in or benefit from the services, activities, or privileges provided by Minnesota State Colleges and Universities.

**Subpart C. Scope.** This procedure is not applicable to allegations of sexual violence; allegations of sexual violence are handled pursuant to Board Policy 1B.3 Sexual Violence and System Procedure 1B.3.1. In addition, harassment and discrimination complaints not arising from alleged violations of Board Policy 1B.1, are to be addressed under other appropriate policies and established practices.

**Part 2. Definitions.** The definitions in Board Policy 1B.1 also apply to this procedure.

**Subpart A. Designated officer.** Designated officer means an individual designated by the president or chancellor to be primarily responsible for conducting an initial inquiry, determining whether to proceed with an investigation under this procedure, and investigating or coordinating the investigation of reports and complaints of discrimination/harassment in accordance with this procedure.

Prior to serving as the designated officer, the individual must complete investigator training provided by the system office.

**Subpart B. Decisionmaker.** Decisionmaker means a high level administrator designated by the president or chancellor to review investigative reports, to make findings whether Board Policy 1B.1 has been violated based upon the investigation, and to determine the appropriate action for the institution to take based upon the findings.

Prior to serving as a decisionmaker for complaints under this procedure, administrators must complete decisionmaker training provided by the system office.

**Subpart C. Retaliation.** Retaliation is as defined in Board Policy 1B.1 Equal Opportunity and Nondiscrimination in Employment and Education policy

**Part 3. Consensual relationships.** Board Policy 1B.1 Equal Opportunity and Nondiscrimination in Employment and Education prohibits consensual relationships between an employee and a student or

another employee over whom he or she exercises direct or otherwise significant academic, administrative, supervisory, evaluative, counseling, or extracurricular authority or influence, whether or not both parties appear to have consented to the relationship, except as noted.

Examples of prohibited consensual relationships include, but are not limited to:

- An employee and a student if the employee is in a position to evaluate or otherwise significantly influence the student's education, employment, housing, participation in athletics, or any other college or university activity (employee includes, for example, graduate assistants, administrators, coaches, advisors, program directors, counselors and residence life staff);
- A faculty member and a student who is enrolled in the faculty member's course, who is an advisee of the faculty member, or whose academic work is supervised or evaluated by the faculty member; and
- A supervisor and an employee under the person's supervision.

A faculty member or other employee is prohibited from undertaking a romantic or sexual relationship or permitting one to develop with a student or supervisee who is enrolled in the person's class or is subject to that person's supervision or evaluation.

If a consensual, romantic or sexual relationship exists between an employee and another individual and subsequent events create a supervisor/supervisee, faculty/student or similar relationship between them, the person with evaluative or supervisory authority is required to report the relationship to his or her supervisor so that evaluative functions can be reassigned if possible.

This procedure does not cover consensual relationships between individuals that do not require one to exercise direct or otherwise significant academic, administrative, supervisory, evaluative, counseling, or extracurricular authority or influence over the other.

This prohibition does not limit the right of an employee to make a recommendation on personnel matters concerning a person with whom they have a consensual relationship 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. Reporting incidents of discrimination/harassment.**

**Subpart A. Reporting an incident.** Any individual who believes she or he has been or is being subjected to conduct prohibited by Board Policy 1B.1 is encouraged to report the incident to the designated officer. The report/complaint should be brought as soon as possible after an incident occurs.

Any student, faculty member or employee who knows of, receives information about or receives a complaint of discrimination/harassment is strongly encouraged to report the information or complaint to the designated officer of the system office, college, or university.

**Subpart B. Duty to report.** Administrators and supervisors shall refer allegations of conduct that they reasonably believe may constitute discrimination or harassment under Board Policy 1B.1 to the designated officer, or in consultation with the designated officer may inquire into and resolve such matters.

**Subpart C. Reports against a president.** A report/complaint against a president of a college or university shall be filed with the system office. However, 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.

**Subpart D. Reports against system office employees or Board of Trustees.** For reports/complaints that 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 that 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 personnel or outside investigatory assistance may be designated.

**Subpart E. False statements prohibited.** Any individual who is determined to have provided false information in filing a discrimination report/complaint or during the investigation of such a report/complaint may be subject to disciplinary or corrective action.

**Subpart F. Withdrawn complaints.** If a complainant no longer desires to pursue a complaint, the system office, colleges, and universities reserve the right to investigate and take appropriate action.

**Part 5. 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 6. Investigation and Resolution.** The system office, college or university has an affirmative duty to take timely and appropriate action to stop behavior prohibited by Board Policy 1B.1, conduct investigations and take appropriate action to prevent recurring misconduct.

**Subpart A. Personal resolution.** This procedure neither prevents nor requires the use of informal resolution by an individual who believes he or she has been subject to conduct in violation of Board Policy 1B.1. In such a situation, the individual should clearly explain to the alleged offender as soon as possible after the incident that the behavior is objectionable and must stop. If the behavior does not stop or if the individual believes retaliation may result from the discussion, the individual should report to the designated officer. Under no circumstance shall an individual be required to use personal resolution to address prohibited behaviors.

**Subpart B. Information privacy.** Confidentiality of information obtained during an investigation cannot be guaranteed; such information, however, will be handled in accordance with applicable federal and state data privacy laws.

**Subpart C. Processing the complaint.** The designated officer must be contacted in order to initiate a report/complaint under this procedure. The scope of the process used in each complaint/report shall be determined by the designated officer based on the complexity of the allegations, the number and relationship of individuals involved, and other pertinent factors.

- **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.
- **Conflicts.** The designated officer should identify to the president or chancellor/designee any real or perceived conflict of interest in proceeding as the designated officer for a specific complaint. If the president or chancellor/designee determines that a conflict exists, another designated officer shall be assigned.
- **Information provided to complainant.** At the time the report/complaint is made, the designated officer shall:
  - Inform the complainant of the provisions of the Board Policy 1B.1 and this procedure;
  - Provide a copy of or Web address for Board Policy 1B.1 and this procedure to the complainant;
  - Determine whether other individuals are permitted to accompany the complainant during investigatory interviews and the extent of their involvement; and
  - Inform the complainant of the provisions of Board Policy 1B.1 prohibiting retaliation.
- **Complaint documentation.** The designated officer shall insure that the complaint is documented in writing. The designated officer may request, but not require the complainant to document the complaint in writing using the complaint form of the system office, college or university.
- **Information provided to the respondent.** At the time initial contact is made with the respondent, the designated officer shall inform the respondent in writing of the existence and general nature of the complaint and the provisions of the nondiscrimination policy. At the initial meeting with the respondent, the designated officer shall:
  - Provide a copy of or Web address for Board Policy 1B.1 and this procedure to the respondent;

- 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;
- Explain to the respondent that in addition to being interviewed by the designated officer, the respondent may provide a written response to the allegations;
- Determine whether other individuals are permitted to accompany the respondent during investigative interviews and the extent of their involvement; and
- Inform the respondent of the provisions of Board Policy 1B.1 prohibiting retaliation.
- Investigatory process. The designated officer shall:
  - Conduct a fact-finding inquiry or investigation into the complaint, including appropriate interviews and meetings;
  - Inform the witnesses and other involved individuals of the prohibition against retaliation;
  - Create, gather and maintain investigative documentation as appropriate;
  - Disclose appropriate information to others only on a need to know basis consistent with state and federal law, and provide a data privacy notice in accordance with state law; and
  - Handle all data in accordance with applicable federal and state privacy laws.
- Interim actions.
  - Employee reassignment or administrative leave. Under appropriate circumstances, the president or chancellor may, in consultation with system legal counsel and labor relations, 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.
  - Student summary suspension or other action. Under appropriate circumstances, the president or designee may, in consultation with system legal counsel, summarily suspend a student at any point in time during the report/complaint process. A summary suspension may be imposed only in accordance with Board Policy 3.6 and associated system procedures. 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 president or designee. Other temporary measures may be taken in lieu of summary suspension where the president or designee determines such measures are appropriate.

- No basis to proceed. At any point during the processing of the complaint, the designated officer may determine that there is no basis to proceed under Board Policy 1B.1. The designated officer shall refer the complaint as appropriate. The designated officer shall notify the complainant and respondent of the outcome as appropriate, in accordance with applicable data privacy laws.
- Timely Completion. Colleges, universities and the system office must provide resources sufficient to complete the investigative process and issue a written response within 60 days after a complaint is made, unless reasonable cause for delay exists. The designated officer shall notify the complainant and respondent if the written response is not expected to be issued within the 60 day period. The college, university or system office must meet any applicable shorter time periods, including those provided in the applicable collective bargaining agreement.

**Subpart D. Resolution.** After processing the complaint the designated officer may consider one or more of the following methods to resolve the complaint as appropriate:

- Conduct or coordinate education/training;
- Facilitate voluntary meetings between the parties;
- Recommend separation of the parties, after consultation with appropriate system office, college or university personnel;
- Other possible outcomes may include recommending changes in workplace assignments, enrollment in a different course or program, or other appropriate action;
- The system office, college or university may use alternative dispute resolution or mediation services as a method of resolving discrimination or harassment complaints. Alternative dispute resolution and mediation options require the voluntary participation of all parties to the complaint;
- Upon completion of the inquiry, the designated officer may dismiss or refer the complaint to others as appropriate.

**Subpart E. Decision process.** If the above methods have not resolved 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.

- **Designated officer.** The designated officer shall:

- Prepare an investigation report and forward it to the decisionmaker for review and decision;
  - Take additional investigative measures as requested by the decisionmaker; and
  - Be responsible for coordinating responses to requests for information contained in an investigation report in accordance with the Minnesota Government Data Practices Act and other applicable law including, but not limited to the Family Educational Rights and Privacy Act (FERPA). In determining the appropriate response, the designated officer shall consult with the campus data practice compliance official and/or the Office of General Counsel.
- **Decision maker.** After receiving the investigation report prepared by the designated officer, the decisionmaker shall:
    - Determine whether additional steps should be taken prior to making the decision. Additional steps may include:
      - A request that the designated officer conduct further investigative measures;
      - 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; and
      - A request for additional information which may include a written response from the complainant or respondent relating to the allegations of the complaint.
    - Take other measures deemed necessary to determine whether a violation of Board Policy 1B.1 has been established;
    - When making the decision, take into account the totality of the circumstances, including the nature and extent of the behaviors, the relationship(s) between the parties, the context in which the alleged incident(s) occurred, and other relevant factors;
    - 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 resources or supervisory personnel to determine appropriate discipline;
    - As appropriate, consistent with applicable state and federal data privacy laws, report in writing to the complainant, respondent and the designated officer her or his findings, and the basis for those findings, as to whether Board policy 1B.1 has been violated; and

- Conduct that is determined not to have violated Board policy 1B.1 shall be referred to another procedure for further action, if appropriate.

**Part 7. 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 the designated officer shall make appropriate inquiries to ascertain the effectiveness of any corrective or disciplinary action. Complainants are encouraged to report any subsequent conduct that violates Board Policy 1B1.1, as well as allegations of retaliation.

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. In accordance with state law, the system office, college or university is responsible for filing the complaint disposition concerning complaints against employees with the Commissioner of Employee Relations within 30 days of final disposition.

## **Part 8. Appeal.**

**Subpart A. Filing an appeal.** The complainant or the respondent may appeal the decision of the decisionmaker. 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 §14.

**Subpart C. Appeal process.** The president or designee shall review the record and determine whether to affirm or modify the decision. 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 shall be made within a reasonable time and the complainant, respondent and designated officer shall be notified in writing of the decision, consistent with applicable state and federal data privacy laws. The decision on appeal exhausts the complainant's and respondent's administrative remedies under this procedure except as provided herein.

**Part 9. Education and training.** The system office, colleges and universities shall provide education and training programs to promote awareness and prevent discrimination/harassment, such as educational seminars, peer-to-peer counseling, operation of hotlines, self-defense courses, and informational resources. Education and training programs should include education about Board Policy 1B.1 and this procedure. All colleges and universities and the system office shall promote awareness of Board Policy 1B.1 and this procedure, and shall publicly identify the designated officer.

**Part 10. Distribution of board policy 1B.1 and this procedure.** Information regarding Board Policy 1B.1 and this procedure shall, at a minimum, be distributed to students at the time of registration and to employees at the beginning of employment. Distribution may be accomplished by posting on an internet website, provided all students and employees are directly notified of how to access the policy and procedure by an exact address, and that they may request a paper copy. Copies of the policy and procedure 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 and other appropriate public announcements.

**Part 11. Maintenance of report/complaint procedure documentation.** During and upon the completion of the complaint process, the complaint file shall be maintained in a secure location in the office of the designated officer for the system office, college or university in accordance with the applicable records retention schedule. 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.

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## **VII. MnSCU'S REASONABLE ACCOMMODATIONS IN EMPLOYMENT POLICY**

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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.

- A job function may be considered essential for any of several reasons, including but not limited to the following:

- The function may be essential because the reason the position exists is to perform that function;
  - 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
  - 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.
- Evidence of whether a particular function is essential includes, but is not limited to:
    - The employer's judgment as to which functions are essential;
    - Written job descriptions;
    - The amount of time spent on the job performing the function;
    - The consequences of not requiring the incumbent to perform the function;
    - The terms of a collective bargaining agreement;
    - The work experience of past incumbents in the job; and/or
    - 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:

- The accommodation would impose an undue hardship on the system office, college or university as provided under Subpart C.;
- The individual with a disability, with or without reasonable accommodations, is not qualified to perform the essential functions of that particular job; or
- 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:

- The nature and net cost of the accommodation needed;
- 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;
- 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;

- 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
- 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:

- MnSCU policy statement and definitions;
- Assignment and identification of a staff member responsible for administering requests for reasonable accommodations;
- 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.

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## VIII. EVACUATION PROCEDURES FOR PERSONS WITH DISABILITIES

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A copy of the college's weather and emergency evacuation plans can be found at: [http://www.nhcc.edu/~media/Departments/PublicSafety/NHCC Emerg Proc Guide2013.ashx](http://www.nhcc.edu/~media/Departments/PublicSafety/NHCC_Emerg_Proc_Guide2013.ashx)

Knowledge and preparation by both persons needing assistance and those who don't is key to reducing the impact of emergencies.

All persons have a responsibility to develop their own personal emergency evacuation plans; this includes persons with disabilities or persons who will need assistance during evacuation. The ADA Coordinator at the college will work to develop a plan and consult the appropriate building and safety personnel. Individuals should work with your safety administrators to ensure an appropriate plan is in place and list the appropriate contacts in the affirmative action plan.

Supervisors should review the emergency evacuation procedures with staff, including informing all staff that if additional assistance may be needed, individuals should contact the college contact below to request the type of assistance they may need.

**Public Safety:** Erik Pakieser, Director of Public Safety, 763-424-0806, [erik.pakieser@nhcc.edu](mailto:erik.pakieser@nhcc.edu)  
**Disability Access Services:** Tom Lynch, Director of Disability Access Services, 763-493-0556, [tom.lynch@nhcc.edu](mailto:tom.lynch@nhcc.edu)

### Evacuation Options

Persons with disabilities have four basic evacuation options:

- **Horizontal evacuation:** using building exits to the outside ground level or going into unaffected wings of multi-building complexes.
- **Stairway evacuation:** using steps to reach ground level exits from building.
- **Shelter in Place:** unless danger is imminent, remaining in a room with an exterior window, a telephone and a solid or fire resistant door. If individual requiring special evacuation assistance remains in place, they should dial 911 immediately and report their location to emergency services, who will in turn relay that information to on-site responders. The Shelter in Place approach may be more appropriate for sprinkler protected buildings where an area of refuge is not nearby or available. It may be more appropriate for an occupant who is alone when the alarm sounds.

- ***Area of Rescue Assistance:*** Identified areas that can be used as a means of egress for persons with disabilities. These areas, located on floors above or below the buildings' exits, can be used by persons with disabilities until rescue can be facilitated by emergency responders.

## **Evacuation Procedures**

### ***Mobility disabilities (Individuals who use wheelchairs or other personal mobility devices ("PMDs"))***

Persons using wheelchairs should be accompanied to an Area of Rescue Assistance by an employee or Shelter in Place when the alarm sounds. The safety and security staff will respond to each of the areas of rescue assistance every time a building evacuation is initiated to identify for emergency responders how many individuals need assistance to safely evacuate.

### ***Mobility disabilities (Individuals who do not use wheelchairs)***

Persons with mobility disabilities, who are able to walk independently, may be able to negotiate stairs in an emergency with minor assistance. If danger is imminent, the individual should wait until the heavy traffic has cleared before attempting the stairs. If there is no immediate danger (detectable smoke, fire, or unusual odor), the person with disability may choose to wait at the Area of Rescue Assistance until emergency responders arrive to assist them.

### ***Hearing Disabilities***

The college's buildings are equipped with fire alarm horns/strobes that sound the alarm and flash strobe lights. The strobe lights are for persons with who are deaf and/or hard of hearing. Persons with hearing disabilities may not notice or hear emergency alarms and will need to be alerted of emergency situations.

### ***Visual Disabilities***

The college's buildings are equipped with fire alarm horn/strobes that sound the alarm and flash strobe lights. The horn will alert individuals who are blind or have visual disabilities of the need to evacuate. Most individuals with visual disabilities will be familiar with their immediate surroundings and frequently traveled routes. Since the emergency evacuation route is likely different from the common traveled route, persons with visual disabilities may need assistance in evacuating. The assistant should offer assistance, and if accepted, guide the individual with a visual disability through the evacuation route.

## **Severe Weather Evacuation Options**

Persons with disabilities or who are in need of assistance during an evacuation have three evacuation options based on their location in their building:

- ***Horizontal evacuation:*** If located on the ground floor, severe weather shelter areas are located throughout each floor.
- ***Elevator evacuation:*** If there are no safe areas above the ground floor, the elevator may be used to evacuate to the ground level.
- ***Shelter in Place:*** Seeking shelter in a designated severe weather shelter and remaining there until the all clear is used.

## IX. GOALS AND TIMETABLES

Through the utilization analysis, the college has determined which job groups are underutilized for women, minorities and persons with disabilities within the college and has set the following hiring goals for the next two years.

Table 2

Job Group	Underutilization - # of Persons				Hiring Goals for 2014-16			
	Women	Minorities	Persons with Disability	Veterans	Women	Minorities	Persons with Disability	Veterans
Administrators	0	0	0	1	0	0	0	0
Professionals	0	0	2	4	0	0	2	1
Faculty	0	20	10	7	0	4	2	1
Technicians	0	0	1	1	0	0	1	0
Office/Clerical	0	0	2	3	0	0	1	1
Protected Services – NonSworn	3	0	0	0	1	0	0	0
Skilled Craft	0	0	0	0	0	0	0	0
Service Maintenance	1	0	1	0	1	0	0	0

### Underutilization Analysis

#### **Availability**

The college determined the recruitment area for Professionals, Technicians, Office/Clerical, Protected Services-Non Sworn, Skilled Craft and Service Maintenance to be the Twin Cities metropolitan area and Nationwide for Administrators and Faculty positions. In conducting its underutilization analysis, North Hennepin Community College used the one factor analysis.

Underutilization Analysis worksheets are attached in the appendix. Numbers less than 10 are indicated with “<10” in accordance with MMB’s guidance on data privacy.

#### **Women**

At the college, the population of women has improved in the Service Maintenance area. The college did not see a decrease in any other job category and was not underutilized. The college used recruitment methods cited in other parts of this plan to accomplish the goal of recruiting women into the Service Maintenance area and will continue to make good faith efforts to recruit and hire one (1) woman in this job group. The college will also make good faith effort to hire one (1) woman in the Protected Services-Non Sworn category.

### **Minorities**

At the college, the population of minorities has improved in the Administration category. The college did not see improvement in the Faculty category. In all other categories the college was not underutilized. The college used recruitment methods cited in other parts of this plan to accomplish the goal of recruiting minorities into the Administration area. As faculty positions open the college will continue to make good faith efforts to recruit and hire four (4) minorities in this job group.

### **People with Disabilities**

At the college, the population of persons with disabilities has improved in the following job categories: Administration and Technicians. The college has not seen improvement in the following job categories: Professionals, Office/Clerical and Service Maintenance. The college used recruitment methods cited in other parts of this plan to accomplish the goal of recruiting people with disabilities into the Administration and Technicians category. As positions open the college will continue to make good faith efforts to recruit and hire two (2) people with disabilities in each of the Professional and Faculty categories and one (1) person in each of the Technicians and Office/Clerical categories. North Hennepin Community College is committed to hiring individuals with disabilities who can perform the essential job functions with or without reasonable accommodation.

### **Veterans:**

The college is using recruitment methods cited in other parts of this plan to accomplish the goal of recruiting veterans into the Professional, faculty and Office/Clerical categories. As positions open the college will continue to make good faith efforts to recruit and hire one (1) veteran in each of the Professional, Faculty and Office/Clerical categories. North Hennepin Community College is committed to hiring veterans.

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## **X. AFFIRMATIVE ACTION PROGRAM OBJECTIVES**

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In pursuing North Hennepin Community College's commitment to affirmative action, the college will take the following actions during 2014-2016.

### **Objective 1:** Enhance North Hennepin Community College Employee Recruitment Efforts

#### **Action Steps:**

- The college recognizes that managers and supervisors play a key role in the hiring process. The Affirmative Action Officer and the Office of Human Resources will work closely with managers and supervisors to:
  - A) Ensure that managers and supervisors have a clear understanding of NHCC's affirmative action goals and objectives;
  - B) Assist managers and supervisors with creating and reviewing job postings and position functions;
  - C) Ensure all job postings include the preferred qualification of "Demonstrated knowledge of and interest in diverse cultures and populations;"
  - D) Provide ongoing support and advice to managers and supervisors who are conducting searches and provide feedback regarding the status of hiring goal accomplishments.
- Recruit affirmatively through a diverse collection of on-line resources, publications and attendance at a wide variety of diversity related events to recruit and to highlight the college's diversity efforts.
- Build community connections by Executive Team's and the college's Deans meeting with at least two different community organizations that primarily serve diverse populations. Each team member will report the results to the college president.
- The college will strive to include a Affirmative Action advocate on all search committees.
- Examine and evaluate recruitment, hiring guidelines, and the search process periodically to ensure freedom from bias and to support and advance North Hennepin Community College's commitment to affirmative action.
- Review hiring data quarterly to ensure affirmative action goals are being supported.
- The college will provide a search committee training for all persons serving on search committees.

#### **Assignment of Responsibility**

Chief Human Resources Officer and Chief Diversity & Affirmative Action Officer

#### **Target Dates of Completion**

Ongoing

### **Previous Years' Activities**

A number of strategies were used in the filling of North Hennepin Community College vacancies during the past two years including:

- Provided comprehensive training and support to all search committees;
- Nearly all search committee membership included a woman, a minority, and/or a person with a disability;
- Recruitment conducted through personal contacts and professional networking at conferences and community events;
- Advertised all unlimited full-time faculty positions in the Chronicle of Higher Education, conducting nation-wide searches;
- Advertised positions in publications that are focused on protected class groups to expand our reach to traditionally underserved populations;
- Began using social media and listservs to recruit protected class applicants

### **Evaluation**

This objective was a part of our last affirmative action plan and we have seen an increase in protected class applicants. We expect to see a continued increase in protected class applicants. Records on the number of missed opportunities will continue to be maintained by the Human Resources office, and shared with the Affirmative Action Officer, other appropriate administrators, and Minnesota Management and Budget.

### **Objective 2: Enhance North Hennepin Community College Employee Retention Efforts**

#### **Action Steps**

North Hennepin Community College maintains a strong commitment to equality, diversity and a workplace where employees feel valued for their individuality and unique contributions. The college sees this commitment as a major factor to long-term employee retention. Further, the college recognizes the key role each manager plays in supporting employee retention efforts. Therefore, the college will work closely with each manager to ensure the success of the college's employee retention initiatives. These efforts will enhance the retention of all employees and allow the evaluation of specific efforts to women, minorities, and persons with disabilities. Specifically, the college will:

- Provide a robust New Employee Orientation program to help new hires succeed in their early years with the college. This will include the a review of the college's commitment to equality, diversity, affirmative action goals and an invitation to join one or more of the diverse committees on campus, i.e. Diversity Committee, American Indian Education Advisory Committee to the President, Health and Wellness. The New Employee Orientation will be reviewed annually to update and enhance its effectiveness.

- Create a welcoming community by managers formally introducing new employees to colleagues within the department and various departments throughout the college to encourage future collaborative work.
- Provide a campus environment free of discrimination, harassment and violence. The college will distribute an annual notice of relevant policies and procedures to all college employees to emphasize the college's commitment to a campus free of discrimination, harassment and violence.
- Encourage opportunities for personal and professional growth for all employees. This includes the opportunity for each employee to apply for continuing education funds.
- Promote collegiality by providing cultural competency training to all North Hennepin Community College employees on an ongoing basis.
- Ensure promotion opportunities are transparent and open.
- Notify all employees annually of the procedure for requesting and providing reasonable accommodations.
- Annually provide all employees information about the Employee Assistance Program which includes services for employees and work related concerns.
- Conduct annual performance reviews for all employees.
- College Executive Team will send an all college email after each Executive Team meeting sharing key decisions, information, and updates.
- The Executive Team will host at least bi-monthly college-wide meetings to answer questions and concerns, as well as seek feedback.

### **Assignment of Responsibility**

Chief Human Resources Officer, Chief Diversity and Affirmative Action Officer and all administrators, managers and supervisors.

### **Target Dates for Completion**

Ongoing

### **Previous Years' Activities**

- Continued to provide day-long new employee orientation sessions to all new employees (including temporary employees) each academic semester. Orientation curriculum is reviewed and updated regularly and is supported by the Human Resources Department.
- Representatives from the college's Executive Team and all collective bargaining representatives will regularly meet and confer.
- Increased Staff Development Days Planning Committee to include administrators and staff.
- Improved Staff Development Days to include opportunities for staff to train their colleagues.

- Offered an Affirmative Action training to Administrative Assistants and Deans to increase their understanding of NHCC's Affirmative Action Plan.

### **Evaluation**

Recordkeeping on retention efforts will be maintained by the Chief Human Resources Officer with a report provided to the college President, Executive Team, and Affirmative Action Officer annually.

### **Objective 3: Promote diversity awareness efforts with the goal of increasing employee cultural competency**

#### **Action Steps**

North Hennepin Community College values the concept of each employee being committed to a diverse and culturally competent work place. The college believes that every person plays a part in creating a welcoming environment that emphasizes diversity and cultural awareness. To ensure these values are entrenched in the day-to-day operations of the college, North Hennepin Community College will:

- Provide campus-wide trainings and workshops during Faculty and Staff Professional Development Days to promote and advance inclusive language, respect, interaction, and cultural knowledge.
- Continue the Lesbian, Gay, Bi-sexual, Transgender Ally Training for all employees.
- Continue the Anti-Racism Training for all employees.
- Provide campus-wide outreach through the Diversity and Equity office and the college's Diversity Committee by organizing a variety of events that are directly related to diversity and cultural competency.
- Ensure that the Office of Human Resources, the Sexual and Racial Harassment Officers, and the ADA Officer provide regular trainings and information sessions to the campus regarding the 1.B1 Nondiscrimination in Education and Employment policy and campus procedures to promote a campus environment free of discrimination and harassment.
- Managers and supervisors will encourage employee participation in the various campus committees and activities that are dedicated to diversity and cultural enrichment, i.e. Diversity Committee, American Indian Education Advisory Committee to the President, Martin Luther King Jr. Celebration Subcommittee, Earth Week, Faculty Lecture series, Heritage Month events, etc.

#### **Assignment of Responsibility**

Chief Human Resources Officer, Chief Diversity and Affirmative Action Officer, members of the NHCC Diversity Committee, Sexual and Racial Harassment Officers and ADA Officer

#### **Target Dates for Completion**

Ongoing

### **Previous Years' Activities**

- Provided several cultural competency training sessions and workshops, i.e., GLBT Ally training, Thinking Interracial, Microaggression Training, Dr. Joy DeGruy Training, etc.
- Provided training and information to individuals, groups, and departments on the college's non-discrimination in education and employment policy and procedures.
- Diversity Committee supported and/or sponsored numerous events on campus that were open to all college employees, students and community members.
- The Diversity and Equity office continued to offer training workshops and classroom lectures on topics such as gender and sexuality, religion, racism, nonviolent communication, socioeconomic status and social class.
- The Trust and Respect Committee hosted campus open meetings with the college president to discuss issues of importance to the campus community and to provide feedback. The committee also hosted college Community Meetings.
- The college continued its online Code of Ethics training in the D2L learning environment for all college employees that included a component on recognizing and responding to sexual harassment.
- All search committees received training on search procedures and affirmative action principles from the Chief Diversity and Affirmative Action Officer.

### **Evaluation**

Progress will be reported to the college President and the Executive Team.

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## **XI. METHODS OF AUDITING, EVALUATING AND REPORTING PROGRAM SUCCESS**

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### **A. Pre-Employment Review Procedure/Monitoring the Hiring Process**

State law governing affirmative action programs requires North Hennepin Community College to establish methods of auditing, evaluating and reporting program success. That includes a procedure for pre-employment review of all hiring decisions for units where underutilization currently exists. When such a vacancy occurs, the procedure below will be followed **before** an offer of employment is made:

1. The supervisor/manager, with approval from the President, will notify the Human Resources Department about a vacancy that will be filled and begin the search process.
2. The President, or designee, will appoint a search chair and committee. The composition of the search committee membership will be evaluated by the Affirmative Action Officer to ensure that it reflects the diversity of the college community.
3. The Search Committee Chairperson and the Chief Human Resources Officer (*ex-officio*) will prepare an advertisement for review and approval by the President, or designee. Once approved, the Chief Human Resources Officer will send the advertisement to local and national publications, appropriate individuals, protected group agencies/publications, college graduate placement offices and/or other places as needed or requested. Furthermore, the search chair will also provide at least three additional locations to advertise the open position to underutilized communities.
4. Potential candidates will submit their applications through the established online application process linked within the college's website, which includes the Optional Supplemental Data Form (used to identify protected class applicants). The Human Resources office will maintain the database of all applications received and provide access of all applications for search committee review.
5. The Chief Human Resources Officer and Affirmative Action Officer will maintain a confidential log of all protected-class applicants.
6. The Chief Human Resources Officer, or designee, and the Affirmative Action Officer will provide training to all search committee members to review the search committee's responsibilities and discuss affirmative action goals.
7. The search committee will develop criteria, procedures, interview questions, and reference-check questions for the evaluation of applicants. The Affirmative Action Officer will review that material to protect against possible bias.

8. The Affirmative Action Officer will review the applicant pool to determine whether the pool contains sufficient diversity at all stages of the search process. If the Affirmative Action Officer determines the applicant pool is sufficiently diverse, he/she will authorize the continuation of the hiring process. If the Affirmative Action Officer determines the pool is not sufficiently diverse, he/she will discuss it with the President and/or the Chief Human Resources Officer and the search chair. The President, or designee, will make a determination of whether to continue with the hiring process or suspend it while attempts are made to enhance the diversity of the applicant pool.
9. Once the Affirmative Action Officer approves the initial applicant pool and the pool that has been screened for minimum qualifications, the search committee will review all applications and select applicants to be interviewed. No arrangements to interview any applicant will be made until the list of applicants to be interviewed has been approved by the Affirmative Action Officer.
10. If an applicant inquires about reasonable accommodation, the search chair will notify the Human Resources office immediately.
11. Once the Affirmative Action Officer has approved the list of applicants to be interviewed the search committee will conduct the interviews. The search committee will provide the Chief Human Resources Officer or designee with the interview schedule.
12. The search committee will conduct the interviews and select finalists. The search committee will also provide the strengths and weaknesses of each candidate. Unranked candidates will then be recommended to the President, or designee. The search committee chairperson and/or designee will conduct reference checks on the finalists.
13. The President, or designee, may conduct additional interviews of finalists.
14. The President, or designee, will select the person to fill the position and will make the employment offer.
15. After the employment offer has been accepted, the search chair will notify non-select interviewees, and the Human Resources office will be responsible for notifying all other applicants.
16. All search committee materials, i.e. ratings, reference check notes, any other notes, and all applicant files will be returned immediately to the Human Resources office after the employment offer has been accepted.
17. At any stage of the process, the Affirmative Action Officer may request the President and/or Chief Human Resources Officer extend or close the search if the pool does not contain sufficient diversity.

## **B. Pre-Review Procedure for Layoff Decisions**

The Affirmative Action Officer, in conjunction with the college's human resources office, shall be responsible for reviewing all pending layoffs to determine their effect on the college's affirmative action goals and timetables.

If it is determined that there is an adverse impact on affirmative action groups, the college will document the reasons why the lay off is occurring, such as positions targeted for layoff, applicable personnel policies or collective bargaining agreement provisions, or other relevant reasons. The college will determine if other alternatives are available to minimize the impact on protected groups.

## **C. Other Methods of Program Evaluation**

The college submits the following compliance reports to Minnesota Management & Budget as part of our efforts to evaluate our affirmative action program.

- Quarterly Monitoring the Hiring Process Reports
- Biannual Affirmative Action Plan

The college also evaluates our affirmative action plan in the following ways:

- Quarterly, the Affirmative Action Officer and Chief Human Resources Officer will monitor progress toward stated goals by job category;
- Annually, the Affirmative Action Officer and Chief Human Resources Officer will analyze employment activity – hires, promotions, and terminations by job group to determine if there is adverse impact. If an adverse impact exists, this will be brought to the attention of the President's executive team to develop a plan of action;
- Annually, the Affirmative Action Officer and Chief Human Resources Officer will analyze the college compensation program to determine if there are patterns of discrimination. If a pattern of discrimination is discovered, the Affirmative Action Officer and Chief Human Resources Officer will work with the President's executive team to develop a plan of action to correct the disparity;
- Quarterly, the ADA Officer will review the accessibility of online systems and websites and ensure that reasonable accommodations can be easily requested. The ADA coordinator will work in collaboration with the Intuition Technology Department to formulate a corrective action plan with a firm deadline;
- Discussion of progress will be discussed semi-annually with the President's Leadership Team and if necessary, provide recommendations for improvement;

- Semi-annually, the President's Executive Team and Affirmative Action Officer shall review the above information and re-evaluate/identify priorities, based on degree of disparity and opportunity to hire, or to remove barriers to progress; new or continuing action objectives shall be established for the remainder of the year;
- On a quarterly basis, the Affirmative Action Officer will consult the President's Executive Team to provide updated information on affirmative action goals;
- The information gathered from the above analysis will be shared with supervisors and managers on a semi-annual basis.

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## **XII. RECRUITMENT PLAN**

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The objective of this recruitment plan is to ensure our college recruitment programs are publicly marketed, attract and obtain qualified applicants, enhance the image of state employment and to assist in meeting the college's affirmative action goals to achieve a diverse work force.

Recruitment costs incurred during the 2012-2014 plan year is as follows:

Fiscal Year 13 the college spent \$14,000 on recruitment

Fiscal Year 14 the college spent \$19,000 on recruitment

Listed below are various recruitment methods or strategies utilized by this college during the past year.

### **A. Advertising Sources**

Routine advertising for faculty, professional and administrative searches included the following publications and/or websites:

- Minneapolis *StarTribune*
- *Chronicle of Higher Ed* (national searches)
- HigherEdJobs.com
- *MnSCU Career Opportunities Bulletin*
- Upper Midwest Higher Education Resources Consortium publications and websites:
- American Indian Graduate Center
- *Diverse: Issues in Higher Education*
- Facebook
- Google AdWords and Content Network
- *Hispanic Outlook in Education Magazine*
- Indeed.com
- LatinosinHigherEd.com
- *MinnesotaDiversity.com*
- Minnesota Network of Latinos in Higher Education
- Modern Language Association
- National Conference on Race and Ethnicity in Higher Education program
- National Society of Black Engineers
- *New York Times* Diversity in Higher Education Supplement
- Pudget.com
- ScienceCareers.org

Advertising is the greatest expense. The average cost for advertising a particular search is approximately \$700-\$2500. Results were satisfactory, particularly the *Chronicle of Higher Ed*, HigherEdJobs.com and the *MnSCU Career Opportunities Bulletin*, which feeds to a number of advertisers that target underrepresented populations.

#### **B. Job and Community Fairs**

The college has attended many job and community fairs in the last two years, such as, the Diversity Career Fair, the Brooklyn Park Tater Days, the Veteran's Resource Fair and the Twin Cities Pride Festival. The college plans to continue its practice of attending job and community fairs.

#### **C. College and University Recruitment Events**

The college has co-sponsored community-wide events that are aimed at assisting the college to meet its affirmative action goals. This has included, the African Immigrant Services and NHCC's Diversity and Equity office co-sponsoring an event in Brooklyn Park (Minnesota's most diverse city) to increase the participations of underserved populations participation in community affairs. The college has also sponsored community-wide events at the college that encouraged underserved populations to participate, such as TechFest, NHCC Women In Leadership, the Hack-a-thon, the Annual Deaf and Hard Of Hearing Comedian, Martin Luther King, Jr. Celebration, and Earth Week. The college plans to continue its practice of sponsoring and co-sponsoring recruitment events.

#### **D. Recruitment for Persons with Disabilities**

The college will make efforts to recruit persons with disabilities through targeted advertising of agencies listed by the Hennepin County Human Services Council and The Equal Opportunity Recruitment Directory developed by the State of Minnesota Office of Diversity and Equal Opportunity. The college will also contact the State Council on Disabilities, Rehabilitation Services at the Department of Economic Security, Minneapolis rehabilitation Center, and Courage Center. When appropriate, the college will allocate additional funds to advertise in publications such as *Access Press*. Recruitment materials are available in alternate format upon request. Reasonable accommodations will be made, and selection process locations will be accessible.

#### **E. Relationship Building and Outreach**

Over the last two year's college administrators have met with or joined local organizations that are focused on underserved populations. The college has also invited and met with many community organizations and leaders to discuss recruitment strategies and to build partnerships. This has included African Immigrant Services, African Career, Education and Resource, Inc. (ACER), Comunidades Latinas Unidas En Servicio (CLUES), Navigate Minnesota and Brain Injury Alliance of Minnesota. The college plans to continue building relationships to find ways to outreach to underutilized communities.

#### **F. Internships**

The college will identify internship positions and job duties to provide work opportunities and practical learning experiences to students to enhance their academic preparation and expose them to state government employment. Recruitment efforts will be accomplished through the mailing list directed at colleges and universities, along with referrals from North Hennepin

Community College faculty and staff. Recruitment efforts will also comply with state Internship Administrative Procedures.

**G. Supported Employment (M.S. 43A.191, Subd. 2(d))**

This college supports the employment of individuals with disabilities and will review vacant positions to determine if job tasks can be performed by supported employment workers. We will work with community organizations that provide employment services to people with disabilities to recruit for these positions.

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### **XIII. RETENTION PLAN**

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Our college is committed to not just the recruitment of women, minorities, and persons with disabilities, but also to the retention of these affirmative action groups.

**A. Person's Responsible for North Hennepin Community College's Retention Program/Activities:**

North Hennepin Community College will strive to create an environment which promotes the retention of a diverse workforce. The Affirmative Action Officer and the Chief Human Resources Officer are responsible for overseeing the retention programs/activities. Retention efforts are also the responsibility of the President's executive team and all managers, supervisors and key resource staff in the college. The following individuals will assist in the plan's implementation:

Lisa Larson, Interim President  
Jane Reinke, Vice President of Academic Affairs  
Daniel Hall, Vice President of Finance and Facilities/CFFO  
Landon Pirus, Interim Chief Academic Officer and Vice President of Student Affairs and Enrollment Management/CSAO  
Michael Freer, Chief Human Resources Officer  
Michael Birchard, Chief Diversity and Affirmative Action Officer  
Kristine Boike, Dean of Academic and Technology Services/CIO  
Elaina Bleifield, Dean of Science, Mathematics, and Health Careers  
Renae Fry, Dean of Business Career Programs  
Suellen Rundquist, Dean of Liberal Arts  
Doris Hill, Dean of Health Sciences, Wellness and Human Services  
Jane Wilson, Dean of Fine Arts, Assessment, and Professional Development  
Margaret Kotek, Associate Dean of Nursing  
Tadael Emiru, Dean of Student Development  
Jackie Olsson, Dean of Enrollment  
Jennifer Lambrecht, Foundation Executive Director

All managers and supervisors are responsible for assisting employees under their supervision with development and training by informing them of training and educational opportunities that could lead to advancement. The Human Resources office will post job vacancies and promotional opportunities as they arise. The Diversity Committee was established to promote awareness,

acceptance and appreciation of all aspects of our community. One of the objectives of that committee is to create an atmosphere that will promote the retention of all employees.

## B. Separation and Retention Analysis by Protected Groups

North Hennepin Community College Separation Analysis

Worksheet for conducting separation analysis of protected group members as total separations and in each job category.

TOTAL SEPARATIONS										
Types of Separation	Total Number	Total Percentage	Total Number of Women	Percentage of Women	Total Number of Minorities	Percentage of Minorities	Total Number of Individuals w/Disabilities	Percentage of Individuals w/Disabilities	Total Number of Veterans	Percentage of Veterans
Dismissal or Non-Certification	1	1.18%	1	100.00%	0	0.00%	0	0.00%	0	0.00%
Resignations	37	43.53%	30	81.08%	8	21.62%	0	0.00%	1	2.70%
Enhanced Separation	4	4.71%	4	100.00%	0	0.00%	0	0.00%	0	0.00%
Retirement	29	34.12%	21	72.41%	2	6.90%	0	0.00%	5	17.24%
Deaths	0	0.00%	0	0%	0	0%	0	0.00%	0	0.00%
Lay-off	0	0.00%	0	0%	0	0%	0	0.00%	0	0.00%
Termination without Rights	14	16.47%	11	78.57%	5	35.71%	0	0.00%	0	0.00%
Total Separations	85	100.00%	67	78.82%	15	17.65%	0	0.00%	6	7.06%

**North Hennepin Community College**  
AA Plan 2014-2016

**OFFICIALS/ADMINISTRATORS**

<b>Types of Separation</b>	<b>Total Number</b>	<b>Total Percentage</b>	<b>Total Number of Women</b>	<b>Percentage of Women</b>	<b>Total Number of Minorities</b>	<b>Percentage of Minorities</b>	<b>Total Number of Individuals w/Disabilities</b>	<b>Percentage of Individuals w/Disabilities</b>	<b>Total Number of Veterans</b>	<b>Percentage of Veterans</b>
Dismissal or Non-Certification	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Resignations	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Enhanced Separation	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Retirement	2	100.00%	2	100.00%	0	0.00%	0	0.00%	0	0.00%
Deaths	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Lay-off	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Termination without Rights	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Total Separations	2	100.00%	2	100.00%	0	0.00%	0	0.00%	0	0.00%

**PROFESSIONALS**

<b>Types of Separation</b>	<b>Total Number</b>	<b>Total Percentage</b>	<b>Total Number of Women</b>	<b>Percentage of Women</b>	<b>Total Number of Minorities</b>	<b>Percentage of Minorities</b>	<b>Total Number of Individuals w/Disabilities</b>	<b>Percentage of Individuals w/Disabilities</b>	<b>Total Number of Veterans</b>	<b>Percentage of Veterans</b>
Dismissal or Non-Certification	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Resignations	17	70.83%	14	82.35%	2	11.76%	0	0.00%	0	0.00%
Enhanced Separation	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Retirement	7	29.17%	7	100.00%	0	0.00%	0	0.00%	0	0.00%
Deaths	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Lay-off	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Termination without Rights	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Total Separations	24	100.00%	21	87.50%	2	8.33%	0	0.00%	0	0.00%

**North Hennepin Community College**  
AA Plan 2014-2016

FACULTY										
Types of Separation	Total Number	Total Percentage	Total Number of Women	Percentage of Women	Total Number of Minorities	Percentage of Minorities	Total Number of Individuals w/Disabilities	Percentage of Individuals w/Disabilities	Total Number of Veterans	Percentage of Veterans
Dismissal or Non-Certification	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Resignations	2	10.00%	1	50.00%	0	0.00%	0	0.00%	1	50.00%
Enhanced Separation	4	20.00%	4	100.00%	0	0.00%	0	0.00%	0	0.00%
Retirement	13	65.00%	8	61.54%	2	15.38%	0	0.00%	2	15.38%
Deaths	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Lay-off	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Termination without Rights	1	5.00%	1	100.00%	0	0.00%	0	0.00%	0	0.00%
Total Separations	20	100.00%	14	70.00%	2	10.00%	0	0.00%	3	15.00%

PROTECTIVE SERVICES: NON-SWORN										
Types of Separation	Total Number	Total Percentage	Total Number of Women	Percentage of Women	Total Number of Minorities	Percentage of Minorities	Total Number of Individuals w/Disabilities	Percentage of Individuals w/Disabilities	Total Number of Veterans	Percentage of Veterans
Dismissal or Non-Certification	1	50.00%	1	100.00%	0	0.00%	0	0.00%	0	0.00%
Resignations	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Enhanced Separation	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Retirement	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Deaths	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Lay-off	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Termination without Rights	1	50.00%	0	0.00%	1	100.00%	0	0.00%	0	0.00%
Total Separations	2	100.00%	1	50.00%	1	50.00%	0	0.00%	0	0.00%

**North Hennepin Community College**  
AA Plan 2014-2016

**OFFICE/CLERICAL**

<b>Types of Separation</b>	<b>Total Number</b>	<b>Total Percentage</b>	<b>Total Number of Women</b>	<b>Percentage of Women</b>	<b>Total Number of Minorities</b>	<b>Percentage of Minorities</b>	<b>Total Number of Individuals w/Disabilities</b>	<b>Percentage of Individuals w/Disabilities</b>	<b>Total Number of Veterans</b>	<b>Percentage of Veterans</b>
Dismissal or Non-Certification	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Resignations	8	44.44%	8	100.00%	2	25.00%	0	0.00%	0	0.00%
Enhanced Separation	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Retirement	4	22.22%	4	100.00%	0	0.00%	0	0.00%	0	0.00%
Deaths	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Lay-off	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Termination without Rights	6	33.33%	5	83.33%	3	50.00%	0	0.00%	0	0.00%
<b>Total Separations</b>	<b>18</b>	<b>100.00%</b>	<b>17</b>	<b>94.44%</b>	<b>5</b>	<b>27.78%</b>	<b>0</b>	<b>0.00%</b>	<b>0</b>	<b>0.00%</b>

**TECHNICIANS**

<b>Types of Separation</b>	<b>Total Number</b>	<b>Total Percentage</b>	<b>Total Number of Women</b>	<b>Percentage of Women</b>	<b>Total Number of Minorities</b>	<b>Percentage of Minorities</b>	<b>Total Number of Individuals w/Disabilities</b>	<b>Percentage of Individuals w/Disabilities</b>	<b>Total Number of Veterans</b>	<b>Percentage of Veterans</b>
Dismissal or Non-Certification	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Resignations	7	53.85%	6	85.71%	2	28.57%	0	0.00%	0	0.00%
Enhanced Separation	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Retirement	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Deaths	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Lay-off	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Termination without Rights	6	46.15%	5	83.33%	1	16.67%	0	0.00%	0	0.00%
<b>Total Separations</b>	<b>13</b>	<b>100.00%</b>	<b>11</b>	<b>84.62%</b>	<b>3</b>	<b>23.08%</b>	<b>0</b>	<b>0.00%</b>	<b>0</b>	<b>0.00%</b>

**North Hennepin Community College**  
AA Plan 2014-2016

SKILLED CRAFT										
Types of Separation	Total Number	Total Percentage	Total Number of Women	Percentage of Women	Total Number of Minorities	Percentage of Minorities	Total Number of Individuals w/Disabilities	Percentage of Individuals w/Disabilities	Total Number of Veterans	Percentage of Veterans
Dismissal or Non-Certification	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Resignations	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Enhanced Separation	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Retirement	2	100.00%	0	0.00%	0	0.00%	0	0.00%	2	100.00%
Deaths	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Lay-off	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Termination without Rights	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Total Separations	2	100.00%	0	0.00%	0	0.00%	0	0.00%	2	100.00%

SERVICE MAINTENANCE										
Types of Separation	Total Number	Total Percentage	Total Number of Women	Percentage of Women	Total Number of Minorities	Percentage of Minorities	Total Number of Individuals w/Disabilities	Percentage of Individuals w/Disabilities	Total Number of Veterans	Percentage of Veterans
Dismissal or Non-Certification	1	50.00%	1	100.00%	0	0.00%	0	0.00%	0	0.00%
Resignations	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Enhanced Separation	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Retirement	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Deaths	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Lay-off	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Termination without Rights	1	50.00%	0	0.00%	1	100.00%	0	0.00%	0	0.00%
Total Separations	2	100.00%	1	50.00%	1	50.00%	0	0.00%	0	0.00%

**C. Methods of Retention of Protected Groups**

- Provide a robust New Employee Orientation program to help new hires succeed in their early years with the college.
- Create a welcoming community by managers formally introducing new employees to colleagues within the department and various departments throughout the college to encourage future collaborative work.
- Encourage opportunities for personal and professional growth for all employees. This includes the opportunity for each employee to apply for continuing education funds.
- Provide cultural competency training for North Hennepin employees on an ongoing basis.
- Ensure promotion opportunities are transparent and open.
- Notify all employees annually of the procedure for requesting and providing reasonable accommodations.
- Annually provide all employees information about the Employee Assistance Program which includes services for employees and work related concerns.
- Conduct annual performance reviews for all employees.

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## APPENDIX

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### A. Complaint Of Harassment/Discrimination



## North Hennepin Community College 1B.1 Complaint of Discrimination/Harassment

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

Name of Complainant:	Phone: (    )
Address:	
City, State, Zip:	Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female
Status: <input type="checkbox"/> Student <input type="checkbox"/> Faculty <input type="checkbox"/> Staff <input type="checkbox"/> Administrator <input type="checkbox"/> External/non-campus	

Type of Complaint: ☐ Discrimination ☐ Harassment ☐ Retaliation

I feel that I was discriminated/harassed/retaliated against because of my:

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Race               | <input type="checkbox"/> Sex             | <input type="checkbox"/> Religion                                |
| <input type="checkbox"/> Age                | <input type="checkbox"/> Color           | <input type="checkbox"/> Marital Status                          |
| <input type="checkbox"/> Disability         | <input type="checkbox"/> National Origin | <input type="checkbox"/> Status with Regard to Public Assistance |
| <input type="checkbox"/> Sexual Orientation | <input type="checkbox"/> Gender Identity | <input type="checkbox"/> Gender Expression                       |
| <input type="checkbox"/> Creed              |  |  |

I feel that I was discriminated/harassed/retaliated against by: *(If more than one respondent, list information for each one.)*

Name of Respondent (#1):	Phone: (    )
Address:	
City, State, Zip:	Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female
Status: <input type="checkbox"/> Student <input type="checkbox"/> Faculty <input type="checkbox"/> Staff <input type="checkbox"/> Administrator <input type="checkbox"/> External/non-campus	

Name of Respondent (#2):	Phone: (    )
Address:	
City, State, Zip:	Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female
Status: <input type="checkbox"/> Student <input type="checkbox"/> Faculty <input type="checkbox"/> Staff <input type="checkbox"/> Administrator <input type="checkbox"/> External/non-campus	

*(Add additional pages if necessary.)*

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Please list potential witnesses you believe possess information about your complaint.

Name of Witness (#1):	Phone: (    )
Address:	
City, State, Zip:	Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female
Status: <input type="checkbox"/> Student <input type="checkbox"/> Faculty <input type="checkbox"/> Staff <input type="checkbox"/> Administrator <input type="checkbox"/> External/non-campus	
What information can this witness provide? _____	

Name of Witness (#2):	Phone: (   )
Address:	
City, State, Zip:	Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female
Status: <input type="checkbox"/> Student <input type="checkbox"/> Faculty <input type="checkbox"/> Staff <input type="checkbox"/> Administrator <input type="checkbox"/> External/non-campus	
What information can this witness provide? _____	

Please explain your complaint in detail.

- (a) Describe the specific incident(s) of alleged discrimination, harassment, and/or retaliation. List times, dates, location, names and titles of the people involved in the incident(s).
- (b) State the specific reason(s) why you believe you were discriminated/harassed/retaliated against because of your protected class status (e.g., race, sex, age, disability, etc.).
- (c) 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 blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and extend across the width of the page. There are no margins, text, or other markings on the paper.

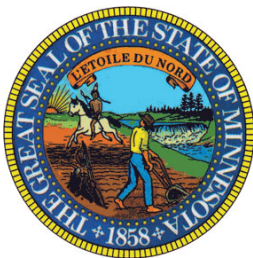
If any, please attach documentation that you believe may be helpful in investigating this complaint.

I certify that the above statements are true and correct.

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Complainant Signature

## B. Employee Request for Reasonable Accommodation Form



### State of Minnesota – North Hennepin Community College Employee/Applicant Request for ADA Reasonable Accommodation Form

The State of Minnesota is committed to complying with the Americans with Disabilities Act (“ADA”) and the Minnesota Human Rights Act (“MHRA”). To be eligible for an ADA accommodation, you must be 1) qualified to perform the essential functions of your position and 2) have a disability that limits a major life activity or function. The ADA Coordinator/Designee will review each request on an individualized case-by-case basis to determine whether or not an accommodation can be made.

Employee Name: \_\_\_\_\_ Job Title: \_\_\_\_\_

Work Location: \_\_\_\_\_

Data Privacy Statement: This information may be used by the college’s Human Resources representative, ADA coordinator, the college’s legal counsel or any other person who is authorized by the college to receive medical information for purposes of providing reasonable accommodations under the ADA and MHRA. This information is necessary to determine whether you have a disability as defined by the ADA or MHRA, and to determine whether any reasonable accommodation can be made. The provision of this information is strictly voluntary; however, if you refuse to provide it, the college may refuse to provide reasonable accommodation.

#### Questions to clarify accommodation requested.

1. What specific accommodation are you requesting?
2. If you are not sure what accommodation is needed, do you have any suggestions about what options we can explore.
  - a. If yes, please explain.

**Questions to document the reason for the accommodation request.** *(Please attach additional pages as necessary).*

1. What, if any job function are you having difficulty performing?
  
2. What, if any employment benefit are you having difficulty accessing?

**State of Minnesota – North Hennepin Community College  
Reasonable Accommodation Request Form, Page 2**

3. What limitation as result of your physical or mental impairment is interfering with your ability to perform your job or access an employment benefit?
  
4. If you are requesting a specific accommodation, how will that accommodation be effective in allowing you to perform the functions of your job?

**Information Pertaining to Medical Documentation**

In the context of assessing an accommodation request, medical documentation may be needed to determine if the employee has a disability covered by the ADA and to assist in identifying an effective accommodation.

The ADA Coordinator is tasked with collecting necessary medical documentation. In the event that medical documentation is needed, the employee will be provided with the appropriate forms to submit to their medical provider. The employee has the responsibility to ensure that the medical provider follows through on requests for medical information.

**Genetic Information Nondiscrimination Act of 2008 Disclosure:** This authorization does not cover, and the information to be disclosed should not contain, genetic information. **“Genetic Information”** includes: Information about an individual’s genetic tests; information about genetic tests of an individual’s family members; information about the manifestation of a disease or disorder in an individual’s family members (family medical history); an individual’s request for, or receipt of, genetic services, or the participation in clinical research that includes genetic services by the individual or a family member of the individual; and genetic information of a fetus carried by an individual or by a pregnant woman who is a family member of the individual and the genetic information of any embryo legally held by the individual or family member using an assisted reproductive technology.

Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**C. Underutilization Analysis Worksheets**

**North Hennepin Community College**

**Job Category Availability/Utilization/ Underutilization Analysis and Annual Goals**

Worksheet for comparing incumbency to availability and setting goals to correct underutilization.

WOMEN									
Job Categories	Total Employees in Job Group	Total Number of Women in Group	% of Women in the Group	Availability %	Availability Number	AAP 2014-2016 Number Underutilized	AAP 2012-2014 Underutilized	Improved, Not Improved, Same	Numerical Difference in the Two Plans
Administrators	14	10	71.43%	63.40%	9	-1	0	Same	0
Professionals	62	39	62.90%	53.70%	33	-6	0	Same	0
Faculty	137	96	70.07%	47.60%	65	-31	0	Same	0
Technicians	21	14	66.67%	51.00%	11	-3	0	Same	0
Office/Clerical	39	32	82.05%	61.30%	24	-8	0	Same	0
Protected Service- Non Sworn	5	0	0.00%	59.10%	3	3	n/a	n/a	n/a
Skilled Craft	5	0	0.00%	6.50%	0	0	0	Same	0
Service Maintenance	21	8	38.10%	43.90%	9	1	2	Improved	1
Totals	304	199	65.46%						

**North Hennepin Community College**  
AA Plan 2014-2016

MINORITIES									
Job Categories	Total Employees in Job Group	Total Number of Minorities in Group	% of Minorities in the Group	Availability %	Availability Number	AAP 2014-2016 Number Underutilized	AAP 2012-2014 Underutilized	Improved, Not Improved, Same	Numerical Difference in the Two Plans
Administrators	14	3	21.43%	21.70%	3	0	1	Improved	1
Professionals	62	23	37.10%	12.50%	8	-15	0	Same	0
Faculty	137	14	10.22%	24.90%	34	20	1	Not Improved	19
Technicians	21	3	14.29%	14.00%	3	0	0	Same	0
Office/Clerical	39	13	33.33%	13.40%	5	-8	0	Same	0
Protected Service- Non Sworn	5	3	60.00%	11.90%	1	-2	n/a	n/a	n/a
Skilled Craft	5	1	20.00%	12.20%	1	0	0	Same	0
Service Maintenance	21	10	47.62%	26.60%	6	-4	0	Same	0
Totals	304	169	55.59%						

**North Hennepin Community College**  
AA Plan 2014-2016

INDIVIDUALS WITH DISABILITIES									
Job Categories	Total Employees in Job Group	Total Number of Individuals with Disabilities in Group	% of Indiv./ with Disabilities in the Group	Availability %	Availability Number	AAP 2014-2016 Number Underutilized	AAP 2012-2014 Underutilized	Improved, Not Improved, Same	Numerical Difference in the Two Plans
Administrators	14	1	7.14%	7.00%	1	0	2	Improved	2
Professionals	62	2	3.23%	7.00%	4	2	1	Not Improved	1
Faculty	137	0	0.00%	7.00%	10	10	10	Same	0
Technicians	21	0	0.00%	7.00%	1	1	2	Improved	1
Office/Clerical	39	1	2.56%	7.00%	3	2	3	Not Improved	1
Protected Service- Non Sworn	5	0	0.00%	7.00%	0	0	n/a	n/a	n/a
Skilled Craft	5	0	0.00%	7.00%	0	0	0	Same	0
Service Maintenance	21	0	0.00%	7.00%	1	1	3	Not Improved	2
Totals	304	4	1.32%						

**North Hennepin Community College**  
AA Plan 2014-2016

VETERANS									
Job Categories	Total Employees in Job Group	Total Number of Veterans in Group	% of Veterans in the Group	Availability %	Availability Number	AAP 2014-2016 Number Underutilized	AAP 2012-2014 Underutilized	Improved, Not Improved, Same	Numerical Difference in the Two Plans
Administrators	14	0	0.00%	8.00%	1	1	n/a	n/a	n/a
Professionals	62	1	1.61%	8.00%	5	4	n/a	n/a	n/a
Faculty	137	4	2.92%	8.00%	11	7	n/a	n/a	n/a
Technicians	21	1	4.76%	8.00%	2	1	n/a	n/a	n/a
Office/Clerical	39	0	0.00%	8.00%	3	3	n/a	n/a	n/a
Protected Service- Non Sworn	5	0	0.00%	8.00%	0	0	n/a	n/a	n/a
Skilled Craft	5	0	0.00%	8.00%	0	0	n/a	n/a	n/a
Service Maintenance	21	2	9.52%	8.00%	2	0	n/a	n/a	n/a
Totals	304	<10	2.63%						