
State of Minnesota

St. Cloud State University

Affirmative Action Plan

August 2014 – August 2016

720 Fourth Ave South
St. Cloud State University

Individuals with disabilities may request this document in alternative formats by contacting Equity & Affirmative Action Office or through their preferred relay service.

St. Cloud State University 2014 – 2016 Affirmative Action Plan

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I. EXECUTIVE SUMMARY

St. Cloud State University
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
Officials/Administrators		XX	XX
Professionals		XX	XX
Technicians			
Protected Services: sworn	XX		XX
Protected Serv: non-sworn			XX
Paraprofessionals			
Office/Clerical			
Skilled Craft	XX		
Service Maintenance			

Once approved, information about how to obtain or view a copy of this plan will be provided to every employee of the agency. Our intention is that every employee to is aware of the St. Cloud State University's commitments to affirmative action and equal employment opportunity. The plan will also be posted on the agency'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.

Affirmative Action Officer

(date)

Human Resources Director or Designee

(date)

Commissioner/Agency Head

(date)

II. STATEMENT OF COMMITMENT

This statement reaffirms St. Cloud State University is committed to Minnesota's statewide affirmative action efforts and providing equal employment opportunity to all employees and applicants for employment in accordance with equal opportunity and affirmative action laws.

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

- No individual shall be discriminated against in the terms and conditions of employment, personnel practices, or access to the 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, or membership or activity in a local human rights commission.
- This university 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.
- This university 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.
- This university will evaluate its efforts, including those of its managers and supervisors in promoting equal opportunity and achieving affirmative action objectives contained herein. In addition, the university will expect all employees to perform their job duties in a manner that promotes equal opportunity for all.

It is the agency'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.

Commissioner/Agency Head

(date)

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

A. University President

President Earle H. Potter, III

Responsibilities:

The 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 not be limited to the following:

- Appoint the affirmative action officer or designee and include accountability for the administration of the university'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 agency managers and supervisors include responsibility for supporting affirmative action, diversity and/or cultural responsiveness in their position descriptions and annual objectives;

Accountability:

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

B. Affirmative Action Officer/Equal Opportunity Consultant or Designee(s)

Dr. Ellyn L. Bartges

Responsibilities:

The Affirmative Action Officer ("AAO") is responsible for implementation of agency-wide affirmative action and equal opportunity program, and oversight of the agency's compliance with equal opportunity and affirmative action laws.

Duties:

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

- Preparation and oversight of agency affirmative action and equal opportunity plan, including development and setting of agency-wide goals;
- Monitoring agency compliance and fulfill all affirmative action reporting requirements;
- Inform agency head of progress in affirmative action and equal opportunity and report potential concerns;
- Review of the Agency's Affirmative Action and Equal Opportunity Plan at least annually, and provide updates as appropriate;
- Provide an agency-wide perspective 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 agency'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; and
- Serving as the agency liaison with MMB's Office of Equal Opportunity & Diversity and enforcement agencies .

Accountability:

The AAO is accountable directly to **the President of St. Cloud State University** and indirectly to the Commissioner or Agency Head on matters pertaining to affirmative action and equal opportunity.

C. Americans with Disabilities Act Coordinator or Designee

Dr. Ellyn L. Bartges

Responsibilities:

The Americans with Disabilities Act (“ADA”) Coordinator is responsible for the oversight of the agency’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 not limited, to the following:

- Provide guidance, coordination, and direction to agency management with regard to the ADA in the development and implementation of agency policy, procedures, and practices to ensure agency employment practices and programs are accessible and nondiscriminatory.
- Provide training, technical guidance, and consultation to agency 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; and
- Track and facilitate requests for reasonable accommodations for job applicants and employees, as well as members of the public accessing agency services, and reports reasonable accommodations annually to MMB.

Accountability:

The ADA Coordinator reports directly to **the President of St. Cloud State University**.

D. Human Resources Director or Designee

Dr. Holly Schoenherr

Responsibilities:

The Human Resources (“HR”) Director is responsible for ensuring equitable and uniform administration of all personnel policies including taking action to remove barriers to equal employment opportunity with the agency.

Duties:

The duties of the HR Director 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 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 HR Director is directly accountable to **Vice President of Finance and Administration**.

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 agency'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 not be limited to, the following:

- To assist the AAO in identifying and resolving problems and eliminating barriers which inhibit equal employment opportunity;
- To communicate the agency'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 staff position descriptions;
- To provide a positive and inclusive work environment; and
- To refer complaints of discrimination to the appropriate parties.

Accountability:

Directors, managers, and supervisors are accountable directly to their designated supervisor and indirectly to the agency's commissioner.

F. All Employees

Responsibilities:

All employees are responsible for conducting themselves in accordance with the agency'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, gender identity or gender expression, or membership in a local human rights commission.

Accountability:

Employees are accountable to their designated supervisor and indirectly to the university's **President**.

IV. COMMUNICATION OF THE AFFIRMATIVE ACTION PLAN

The following information describes the methods that the university 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 university's leadership or alternatively, the AAO, to all staff on an annual basis.
- The university's affirmative action plan is available to all employees on the university's internal website at (<http://www.stcloudstate.edu/affirmativeaction/program.asp>) or in print copy to anyone who requests it. As requested, the agency 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 agency's affirmative action plan is available on the agency's external website at (<http://www.stcloudstate.edu/affirmativeaction/program.asp>) or in print copy to anyone who requests it. As requested, the agency will make the plan available in alternative formats.
- The agency's web site home page, agency 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.

V. STATEWIDE POLICY PROHIBITING DISCRIMINATION AND HARASSMENT

(Note: This is a statewide policy and is currently undergoing revision. All Affirmative Action Plans will contain this statewide policy. Agency-specific policies should be contained in the appendix.)

It is the policy of the of the State of Minnesota to prohibit harassment of its employees based on race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, membership or activity in a local human rights, disability, sexual orientation, gender identity, gender expression or age. This prohibition with respect to harassment includes both overt acts of harassment and those acts that create a negative work environment. Any employee subjected to such harassment should file a complaint internally with the agency's Affirmative Action Officer or designee. If the employee chooses, s/he may file a complaint externally with the Minnesota Department of Human Rights, the Equal Employment Opportunity Commission, or through other legal channels. These agencies have time limits for filing complaints, so individuals should contact the agencies for more information. In extenuating circumstances, the employee should contact the State Affirmative Action Program Coordinator in the Office of Equal Opportunity & Diversity at Minnesota Management & Budget for information regarding the filing of a complaint. Any unintentional or deliberate violation of this policy by an employee will be cause for appropriate disciplinary action.

Each employee is responsible for the application of this policy. This includes initiating and supporting programs and practices designed to develop understanding, acceptance, commitment, and compliance within the framework of this policy. All employees must be informed that harassment is unacceptable behavior. The Affirmative Action Officer or designee will be expected to keep St. Cloud State University and its employees apprised of any changes in the law or its interpretation regarding this form of discrimination. The Affirmative Action Officer or designee is also responsible for:

1. Notifying all employees, and orienting each new employee who is hired, of this policy; and employees and applicants
2. Informing all employees of the complaint procedure and ensuring that all complaints will be investigated promptly and carefully.

Definitions

Discriminatory harassment is any behavior based on protected class status which is not welcome, which is personally offensive, which, therefore, may effect morale and interfere with the employee's ability to perform. For example, harassment based on national origin has been defined by the U.S. Equal Employment Opportunity Commission as "Ethnic slurs and other verbal or physical conduct relating to an individual's national origin."

Sexual harassment has also been specifically defined by the Minnesota Human Rights Act, which states in regard to employment, that:

"Sexual harassment" includes unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact or other verbal or physical conduct or communication of a sexual nature when: (1) submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment; (2) submission to or rejection of that

conduct or communication by an individual is used as a factor in decision affecting that individual's employment; or (3) that conduct or communication has the purpose or effect of substantially interfering with an individual's employment, and in the case of employment, the employer knows or should know of the existence of the harassment and fails to take timely and appropriate action.

It is possible for discriminatory harassment to occur: 1) among peers or coworkers, 2) between managers and subordinates, or 3) between employees and members of the public. Employees who experience discriminatory harassment should bring the matter to the attention of the St. Cloud State's Affirmative Action Officer or designee. In fulfilling our obligation to maintain a positive and productive work environment, the Affirmative Action Officer designee and all employees are expected to address or report any suspected harassment or retaliation.

Varying degrees of discriminatory harassment violations can occur and require varying levels of progressive discipline. Individuals who instigate harassment are subject to serious disciplinary actions up to and including suspension, demotion, transfer, or termination. Additionally, inappropriate behaviors that do not rise to the level of discriminatory harassment, but are none the less disruptive, should be corrected early and firmly in the interests of maintaining a barrier-free work place. Individuals who participate in inappropriate behaviors at work are also subject to disciplinary actions.

Any employee or applicant who believes that she/he has experienced discrimination or harassment based on his/her race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, membership or activity in a local human rights commission, disability, sexual orientation, or age may file a complaint of discrimination.

Complaints of discrimination or harassment can be filed using the internal discrimination complaint procedure included in this affirmative action plan.

VI. COMPLAINT PROCEDURE FOR PROCESSING COMPLAINTS OF ALLEGED HARASSMENT/DISCRIMINATION

(Note: The following is a template procedure. An agency may choose to write their own procedure as long as it meets the requirements set forth in [Minnesota Rules 3905.0500](#).)

St. Cloud State University is a member of the Minnesota State Colleges and University System which has established the following discrimination complaint procedure to be used by all employees and applicants. Coercion, reprisal, or intimidation against anyone filing a complaint or serving as a witness under this procedure is prohibited.

1B.1 Equal Opportunity and Nondiscrimination in Employment and Education

Board Policies

Chapter 1 - System Organization and Administration

Section B - Equal Education and Employment Opportunity

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:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education, evaluation of a student's academic performance, or term or condition of participation in student activities or in other events or activities sanctioned by the college or university; or
2. Submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions or other decisions about participation in

student activities or other events or activities sanctioned by the college or university;
or

3. Such conduct has the purpose or effect of threatening an individual's employment; interfering with an individual's work or academic performance; or creating an intimidating, hostile, or offensive work or educational environment.

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:

1. 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.
2. 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:

1. made a complaint under this policy;
2. 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;
3. associated with a person or group of persons who are disabled or are of a different race, color, creed, religion, sexual orientation, gender identity, gender expression, or national origin; or
4. 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:

1. Are enrolled in one or more courses, either credit or non-credit, through a college or university;
2. Withdraw, transfer or graduate, after an alleged violation of the student conduct code;
3. Are not officially enrolled for a particular term but who have a continuing relationship with the college or university;
4. Have been notified of their acceptance for admission or have initiated the process of application for admission or financial aid; or
5. 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.

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

System Procedures

Chapter 1B - Equal Education and Employment Opportunity

[Click here for a PDF copy of this procedure.](#)

for [Board Policy 1B.1](#)

Part 1. Purpose and applicability.

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Part 5. Right to representation.

Part 6. Investigation and resolution.

[Subpart A. Personal resolution](#)

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Part 7. System office, college or university Action.

Part 8. Appeal.

[Subpart A. Filing an appeal](#)

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[Subpart C. Appeal process](#)

Part 9. Education and training.

Part 10. Dissemination of report/complaint procedure.

Part 11. Maintenance of report/complaint procedure documentation.

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 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.

1. **Jurisdiction.** The designated officer shall determine whether the report/complaint is one which should be processed through another system office, college or university procedure available to the complainant; if appropriate, the designated officer shall direct the complainant to that procedure as soon as possible.
2. **Conflicts.** 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.
3. **Information provided to complainant.** At the time the report/complaint is made, the designated officer shall:
 - a.) inform the complainant of the provisions of the Board Policy 1B.1 and this procedure;
 - b.) provide a copy of or Web address for Board Policy 1B.1 and this procedure to the

complainant;

c.) determine whether other individuals are permitted to accompany the complainant during investigatory interviews and the extent of their involvement; and

d.) inform the complainant of the provisions of Board Policy 1B.1 prohibiting retaliation.

4. **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.

5. **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:

a) provide a copy of or Web address for Board Policy 1B.1 and this procedure to the respondent;

b.) 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;

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

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

e.) inform the respondent of the provisions of Board Policy 1B.1 prohibiting retaliation.

6. **Investigatory process.** The designated officer shall:

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

b.) inform the witnesses and other involved individuals of the prohibition against retaliation;

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

d.) 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

e.) handle all data in accordance with applicable federal and state privacy laws.

7. **Interim actions.**

a.) 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.

b.) 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.

8. **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.

9. **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:

1. conduct or coordinate education/training;
2. facilitate voluntary meetings between the parties;
3. recommend separation of the parties, after consultation with appropriate system office, college or university personnel;
4. other possible outcomes may include recommending changes in workplace assignments, enrollment in a different course or program, or other appropriate action;
5. 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;

6. 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.

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

a.) prepare an investigation report and forward it to the decisionmaker for review and decision;

b.) take additional investigative measures as requested by the decisionmaker; and

c) 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.

2. **Decision maker.** After receiving the investigation report prepared by the designated officer, the decisionmaker shall:

a.) determine whether additional steps should be taken prior to making the decision.

Additional steps may include:

1. a request that the designated officer conduct further investigative measures;

2. a meeting with the complainant, respondent or other involved individuals. If a meeting involving a represented employee is convened, the complainant or respondent may choose to be accompanied by the bargaining unit representative, in accordance with the applicable collective bargaining agreement and federal and state law; and

3. a request for additional information which may include a written response from the complainant or respondent relating to the allegations of the complaint.

b.) take other measures deemed necessary to determine whether a violation of Board Policy 1B.1 has been established;

c.) 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;

d.) determine the nature, scope and timing of disciplinary or corrective action and the process for implementation if a violation of the nondiscrimination policy occurs. This may include

consultation with human resources or supervisory personnel to determine appropriate discipline;

e.) 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.

f.) 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 Web site, 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 Web sites 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.

VII. REASONABLE ACCOMMODATION POLICY

(Note: This is a statewide policy and is currently undergoing revision. All Affirmative Action Plans will contain this statewide policy.)

POLICY

The State of Minnesota is committed to the fair and equal employment of people with disabilities. Reasonable accommodation is the key to this non-discrimination policy. While many individuals with disabilities can work without accommodation, other qualified employees and applicants face barriers to employment without the accommodation process. It is the

policy of this agency to reasonably accommodate qualified individuals with disabilities unless the accommodation would impose an undue hardship. In accordance with the Minnesota Human Rights Act and the Americans with Disabilities Act, as amended, accommodations will be provided to qualified individuals with disabilities when such accommodations are directly related to performing the essential functions of a job, competing for a job, or to enjoy equal benefits and privileges of employment. This policy applies to all applicants, employees, and employees seeking promotional opportunities.

Definitions

Disability:

For purposes of determining eligibility for a reasonable accommodation, a person with a disability is one who has a physical or mental impairment that substantially limits one or more major life activities; or a record of such an impairment; or being regarded as having such an impairment.

Reasonable Accommodation:

A reasonable accommodation is a modification or adjustment to a job, an employment practice, or the work environment that makes it possible for a qualified individual with a disability to enjoy an equal employment opportunity.

Examples of accommodations may include acquiring or modifying equipment or devices; modifying training materials; making facilities readily accessible; modifying work schedules; and reassignment to a vacant position.

Reasonable accommodation applies to three aspects of employment:

- a. To assure equal opportunity in the employment process;
- b. To enable a qualified individual with a disability to perform the essential functions of a job; and
- c. To enable an employee with a disability to enjoy equal benefits and privileges of employment.

Procedure - Current Employees and Employees Seeking Accommodation

1. This agency will inform all employees that this accommodation policy can be made available in accessible formats.
2. The employee shall inform their supervisor or the ADA Coordinator designee of the need for an accommodation.

3. The ADA Coordinator or designee may request documentation of the individual's functional limitations to support the request. Any medical documentation must be collected and maintained on separate forms and in separate, locked files. No one will be told or have access to medical information unless the disability might require emergency treatment.
4. When a qualified individual with a disability has requested an accommodation, the employer shall, in consultation with the individual:
 - a. Discuss the purpose and essential functions of the particular job involved. Completion of a step-by-step job analysis may be necessary.
 - b. Determine the precise job-related limitation.
 - c. Identify the potential accommodations and assess the effectiveness each would have in allowing the individual to perform the essential functions of the job.
 - d. Select and implement the accommodation that is the most appropriate for both the individual and the employer. While an individual's preference will be given consideration, the agency is free to choose among equally effective accommodations and may choose the one that is less expensive or easier to provide.
5. The ADA Coordinator or designee will work with the employee to obtain technical assistance, as needed.
6. The ADA Coordinator will provide a decision to the employee within a reasonable amount of time.
7. If an accommodation cannot overcome the existing barriers or if the accommodation would cause an undue hardship on the operation of the business, the employee and the ADA Coordinator or designee shall work together to determine whether reassignment may be an appropriate accommodation.

Procedure-Job Applicants

1. The job applicant shall inform the ADA Coordinator or designee of the need for an accommodation. The ADA Coordinator or designee will discuss the needed accommodation and possible alternatives with the applicant.
2. The ADA Coordinator or designee will make a decision regarding the request for accommodation and, if approved, take the necessary steps to see that the accommodation is provided.

Policy for Funding Accommodations

Funding must be approved by this agency for accommodations that do not cause an undue hardship.

Definition of Undue Hardship

An undue hardship is an action that is unduly costly, extensive, substantial, or disruptive, or that would fundamentally alter the nature or operation of this agency.

Procedure for Determining Undue Hardship

In determining whether or not providing a reasonable accommodation would impose an "undue hardship," the agency will consider at least the following factors:

1. overall size of the program (i.e., number and type of facilities, size of budget);
2. type of the operation including the composition and structure of the work force;
3. nature and cost of the accommodation needed;
4. reasonable ability to finance the accommodation; and
5. documented good-faith efforts to explore less restrictive or less expensive alternatives including consultation with the disabled person or with knowledgeable disabled persons or organizations.

The ADA Coordinator or designee will provide a decision to the employee.

Appeals

Employees or applicants who are dissatisfied with the decisions pertaining to his/her accommodation request may file an appeal with the University President, within a reasonable period of time, for a final decision.

If the individual believes the decision is based on discriminatory reasons, then they may file a complaint internally through the agency's complaint procedure as outlined in this plan.

Supported Work

This agency will review vacant positions and assess the current workload and needs of the office, to determine if job tasks might be performed by a supported employment worker(s). If appropriate, the agency will work with the agency ADA Coordinator and organizations that provide employment services to persons with disabilities to recruit and hire individuals for supported employment if such a position is created.

VIII. EVACUATION PROCEDURES FOR PERSONS WITH DISABILITIES

A copy of the agency's weather and emergency evacuation plans can be found at:

Knowledge and preparation by both persons needing assistance and those who don't is key to reducing the impact of emergencies. When developing a plan, safety needs should be determined on a case-by-case basis because it varies with each individual and building.

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 or designee in each agency will work to develop a plan and consult the appropriate building and safety personnel. 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 agency contact below to request the type of assistance they may need.

Evacuation Options

Persons with disabilities have four basic, possibly five, 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.
- ***For agencies equipped with an evacuation chair*** – this may be an option. Evacuation chairs or a light-weight solution to descending stairways and generally require single user operation. If an agency is equipped with an evacuation chair, best practice indicates that all employees are trained and have practiced evacuating using an evacuation chair.

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 and 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 agency'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 agency'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 or basement 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 or basement levels.

- **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 agency has determined which job groups are underutilized for women, minorities and persons with disabilities within the agency and has set the following hiring goals for the next two years.

Table 1

Job Group	Underutilization - # of Persons			Hiring Goals for 2014-16		
	Women	Minorities	Persons with Disability	Women	Minorities	Persons with Disability
Officials and Administrators						
Professionals						
Technicians						
Office/Clerical						
Skilled Craft						
Service Maintenance						
Protected Services – Sworn						
Protected Services – NonSworn						

Underutilization Analysis

Availability

The agency used determined the recruitment area to be the statewide for all job categories. In conducting its underutilization analysis, the agency used the multiple 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 agency, the population of women has improved in the following job categories: e).

Minorities

At the agency, the population of minorities has improved in the following job categories

People with Disabilities

At the agency, the population of persons with disabilities has improved in the following job categories and not improved in the following job categories

X. AFFIRMATIVE ACTION PROGRAM OBJECTIVES

In pursuing the agency's commitment to affirmative action, the agency will take the following actions during 2014-2016.

Objective #1: (Name Objective here)

Action Steps:

Evaluation:

Objective #2: (Name objective here)

Action Steps

Evaluation:

Objective #3: (Name objective here)

Action Steps:

Evaluation:

XI. METHODS OF AUDITING, EVALUATING AND REPORTING PROGRAM SUCCESS

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

The agency will evaluate its selection process to determine if our requirements unnecessarily screen out a disproportionate number of women, minorities, or people with disabilities. The agency will use the monitoring the hiring process form for every hire to track the number of women, minorities, and individuals with disabilities in each

stage of the selection process. Hiring managers and supervisors will work closely with human resources and the affirmative action officer in reviewing the requirements for the position, posting the position, and interviewing and selection to ensure that equal opportunity and affirmative action is carried out. Hiring managers will be asked to document their hiring decisions and equal opportunity professionals will review for bias.

Any time the agency cannot justify a hire, the agency takes a missed opportunity. Agency leadership will be asked to authorize the missed opportunity. The agency will report the number of affirmative and nonaffirmative hires as well as missed opportunities to Minnesota Management & Budget on a quarterly basis.

When candidates are offered interviews, personnel scheduling interviews will describe the interview format to the candidate and provide an invitation to request a reasonable accommodation notice to candidates with disabilities to allow the candidate equal opportunity to participate in the interview process. For example, if interview questions are offered ahead of time or what technology may be used during the interview process.

All personnel involved in the selection process will be trained and accountable for the agency's commitment to equal opportunity and the affirmative action program and its implementation.

B. Pre-Review Procedure for Layoff Decisions

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

If it is determined that there is an adverse impact on affirmative action groups, the agency 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 agency will determine if other alternatives are available to minimize the impact on protected groups.

C. Other Methods of Program Evaluation

Our agency 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
- Annual ADA Report
- Annual Internal Complaint Report

- Disposition of Internal Complaint (within 30 days of final disposition)

Our agency also evaluates our affirmative action plan in the following ways:

- Monitors progress toward stated goals by job category;
- Analyzes employment activity – hires, promotions, and terminations by job group to determine if there is adverse impact;
- Analyzes compensation program to determine if there are patterns of discrimination;
- Reviews the accessibility of online systems, websites, and ensures that reasonable accommodations can be easily requested;
- Discussion of progress with agency leadership on a periodic basis and recommendations for improvement.

XII. RECRUITMENT PLAN

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

Recruitment costs incurred during the 2012-2014 plan year includes:

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

- A. Advertising Sources**
- B. Job and Community Fairs**
- C. College and University Recruitment Events**
- D. Recruitment for Persons with Disabilities**
- E. Relationship Building and Outreach**
- F. Internships**
- G. Supported Employment (M.S. 43A.191, Subd. 2(d))**

This agency supports the employment of individuals with disabilities and will review vacant positions to determine if job tasks can be performed by a supported employment workers. We

will work with community organizations that provide employment services to people with disabilities to recruit for these positions.

H. Additional Recruitment Activities

XIII. RETENTION PLAN

Our agency 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 Responsible for Agency's Retention Program/Activities

B. Separation and Retention Analysis by Protected Groups

C. Methods of Retention of Protected Groups

APPENDIX

A. Complaint Of Harassment/Discrimination

Please Read Before Completion of Form

Any complaint of harassment/discrimination is considered confidential data under Minnesota Statute 13.39, Subd. 1 and 2. This information is being collected for the purpose of determining whether harassment/discrimination has occurred. You are not legally required to provide this information, but without it, an investigation cannot be conducted. This information may only be released to the Affirmative Action Officer designee, the complainant, the respondent, and appropriate personnel.

Complainant (You)

Name	Job Title	
Work Address	City, State, Zip Code	Telephone ()
Agency	Division	Manager
Respondent (Person Who Harassed/Discriminated Against You)		
Name	Job Title	
Work Address	City, State, Zip Code	Telephone ()
Agency	Division	Manager

The Complaint	
<p>Basis of Complaint ("X" all that apply):</p> <p> <input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> Disability <input type="checkbox"/> Sexual Orientation <input type="checkbox"/> Sex <input type="checkbox"/> Creed <input type="checkbox"/> Marital Status <input type="checkbox"/> Status with Regard to Public Assistance <input type="checkbox"/> Age <input type="checkbox"/> Religion <input type="checkbox"/> National Origin <input type="checkbox"/> Membership or Activity in a Local Human Rights Commission </p>	
Date most recent act of harassment/discrimination took place:	If you filed this complaint with another agency, give the name of that agency:
<p>Describe how you believe that you have been harassed/discriminated against (names, dates, places, etc.). Use a separate sheet of paper if needed and attach to this form.</p>	

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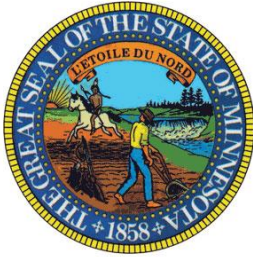
Information on Witnesses Who Can Support Your Case		
Name	Work Address	Work Telephone
1.		()
2.		()
3.		()

Additional witnesses may be listed in "Additional Information" or on a separate sheet attached to this form.

This complaint is being filed on my honest belief that the State of Minnesota has harassed/discriminated against me. I hereby certify that the information I have provided in this complaint is true, correct and complete to the best of my knowledge and belief.	
Complainant Signature	Date

Affirmative Action Officer Signature	Date
--------------------------------------	------

B. Employee Request for Reasonable Accommodation Form



**State of Minnesota – St. Cloud State University
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 your agency Human Resources representative, ADA coordinator/designee, your agency legal counsel or any other person who is authorized by your agency 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, your agency 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 – St. Cloud State University
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/Designee in each agency 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

SECTION FIVE – AFFIRMATIVE ACTION PLAN 2014-2016

APPENDICES

- APPENDIX A** SCSU Organizational Chart
- APPENDIX B** Equal Education and Employment Policies:
a) MnSCU Policy 1B.1 and Procedure 1B.1.1
b) Discrimination/Harassment Complaint Form
c) MnSCU Policy 1B.3 and Procedure 1B.3.1
d) U.S. Dept. of Education, OCR, Dear Colleague Letter 4-4-11
- APPENDIX C** Classified and Unclassified Vacancies – Search Guidelines
- APPENDIX D** Search Checklist
- APPENDIX E** Request to Hire Approval – Administrative & Classified Form
Request to Hire Approval – Faculty
- APPENDIX F** Affirmative Action Recruitment Plan – Administrative & Faculty
- APPENDIX G** Notice of Vacancy Template
- APPENDIX H** Request for Reasonable Accommodation form
- APPENDIX I** Overall Underutilization Chart – Women
Overall Underutilization Chart - People of Color/Minorities
- APPENDIX J** Unit Underutilization Chart – Women

Key: EEO Job Groups
- APPENDIX K** Unit Underutilization Chart – People of Color/Minorities

Key: EEO Job Groups
- APPENDIX L** Glossary of Definitions – MnSCU Diversity and Equity Office

SCSU Organizational Chart

President: Earl H. Potter III

*Provost/Vice President for <u>Academic Affairs</u> :	Devinder Malhotra
*Vice President for <u>Finance and Administration</u> :	Tammy L.H. McGee
*Vice President for <u>Student Life and Development</u> :	Wanda Overland
*Vice President for <u>University Advancement</u> :	Matt Andrew
*Special Advisor to the President	Judith Siminoe
*Equity and Affirmative Action Officer	Ellyn Bartges
*Director of Athletics	Heather Weems
*Director of University Relations/Legislative Relations	Bernie Omann
*Associate Vice President /Associate Provost for Strategy, Planning and Effectiveness	Lisa Foss
*Assistant Vice President for Marketing and Communications	Loren Boone
*Associate Vice President for Technology/Chief Information Officer	Henry May

**President's Council includes the above administrators who report directly to the president and additional advisors for budget and HR indicated below with an asterisk.*

Provost/Vice President for Academic Affairs: Devinder Malhotra

Herberger Business School	Walter Roettger, Dean (interim)
School of Education	Osman Alawiye, Dean
School of Health & Human Services	Monica Devers, Dean
College of Liberal Arts; School of the Arts	Mark Springer, Dean
School of Public Affairs	Orn Bodvarsson, Dean (interim)

College of Science & Engineering; School of Computing, Engineering & Environment	Daniel Gregory, Dean
Continuing Studies	John Burgeson, Dean
Learning Resources	Mark Vargas, Dean
Associate Provost for Research and Dean of Graduate Studies	Patricia Hughes, Dean (interim)
University College and Associate Provost for Student Success	Bruce Busby
--Admissions	Richard Shearer (Director)
--Financial Aid	Michael Uran (Director)
Special Advisor to the Provost for Faculty and Student Relations	Phil Godding
Associate Vice President for International Studies	Margaret Vos
Associate Vice President/Associate Provost for Strategy, Planning and Effectiveness	Lisa Foss
Vice President for Finance and Administration: Tammy L.H. McGee	
*Associate Vice President for Financial Management and Budget	vacant
Business Services	Jeff Wagner (Director)
Campus Dining Services	Gene Wescott (Food Services Director)
Facilities Management	John Frischmann (Interim Director)
*Human Resources	Holly Schoenherr (Director)
Husky Bookstore	Ted Mears (Store Manager)
Public Safety	Jennifer Furan Super

Vice President for Student Life and Development: Wanda Overland

Assistant Dean of Students	Gerald Bulisco
Assistant Dean of Students	Jen Sell-Matzke
American Indian Center	Jim Knutson-Kolodzne (Director)
Atwood Center	Anne Buttke (Director)
Campus Involvement	Jessica Ostman (Director)
Career Services	Addie Turkowski (Director)
Counseling and Psychological Services	John Eggers (Director)
LGBT Resource Center	Brandon Johnson (Director)
Lindgren Child Care Center	Debra Carlson (Director)
Multicultural Student Services	Shahzad Ahmad (Director)
Residential Life (Housing)	Dan Pedersen (Director)
Student Disability Services	Owen Zimpel (Director)
Student Health Services	Corie Beckermann (Director)
Women's Center	Jane Olsen (Director)
Vice President for University Advancement: Matt Andrew	
Alumni and Constituent Engagement	Terri Mische (Director)
University Development	Bob Beumer (Director)
Development - Athletics	Kurt Stelten (Director)
Development - Annual Giving	Dottie Seamans (Director)
University Advancement - Finance	Roger Lewis (Director)
University Advancement - Research	Sharon Carter (Director)
University Advancement - Data	Paula Eckerman (Director)

Classified Vacancies <http://www.stcloudstate.edu/employeeprocedures>

The Human Resources Office conducts the recruitment of University classified employees. Consistent with Minnesota State Colleges and Universities Board Policies on Nondiscrimination in Employment and Education Opportunity and Affirmative Action, St. Cloud State University has established the following selection process:

1. Position becomes vacant. Supervisor informs Human Resources that there will be a vacancy.
2. Human Resources contact the appropriate supervisor to determine whether position should be filled. If it is determined that a position will be filled, Human Resources provides the appropriate supervisor with a Request to Hire Approval form (Appendix E). Before a position is filled, this form must be approved (signed) by the Supervisor, Dean or Director of Area, Assistant Human Resources Director, appropriate Vice-President, and the President.
3. Human Resources and Supervisor review position description to see if any changes are needed.
4. The job announcement is posted for bidding, interest bidding, or expressions of interest according to applicable [Collective Bargaining Agreement \(CBA\)](#). If there are eligible bidders, bidder interviews are scheduled (check appropriate bargaining agreement).
5. Claimers get first priority, work comp and layoff lists are second and then (in no particular order), promotional list, open competitive list, transfers, demotions, reassignment, reinstatement are other options. (May be different depending on CBA; check appropriate bargaining agreement for details.)

Information from these lists pertaining to protected group status such as race, disability, etc., is private information and may not be released to the prospective supervisor or members of the interview committee. Only public personnel data as defined by the Minnesota Data Government Practices Act, Section 13.43, Subd. 2, may be released.

6. A list of job related questions is devised by the Supervisor and reviewed by Human Resources to ensure that the questions are uniform, appropriate, and job-related. Human Resources meet with the Supervisor and others to review procedures for an objective interview.
7. The Supervisor, using uniform job-related questions, conducts interviews. Other staff members may be involved in the interviews at the Supervisor's discretion. Every staff member involved in the interview will complete an evaluation form for each candidate, which contains job-related criteria.
For AFSCME only: AFSCME employees may not be on interview committees when current AFSCME employees are interviewing for promotions (This was requested by Local AFSCME leadership and agreed to by SCSU administration).
For all CBA's: Every member on the interview committee will sign a confidentiality form prior to viewing applicant materials.
8. Supervisor gives recommendation for hire. If a member of a protected class group where there is a disparity is not selected, a written justification will be given as to why all non-selected finalists were not hired.
9. If the Human Resources Office concurs with the selection, all candidates are notified of the hiring decision. The written justification is attached to the Protected Group Report.
10. If the HR Office does not concur with the decision, the Assistant Director of HR will review the file and make a final recommendation to reaffirm or to reconsider. All candidates are notified of the hiring decision.

Unclassified Vacancies <http://www.stcloudstate.edu/employeeprocedures>

The Equity & Affirmative Action Office provides guidance and assists hiring departments across the university in the recruitment of University unclassified employees (faculty and administrative) consistent with MnSCU Board policies on Nondiscrimination in Employment and Education Opportunity and Affirmative Action. A search is conducted for all hires of 50% or more FTE.

In early 2012, university administration approved and EAAO office staff implemented a NEW online applicant tracking system called NEOGOV. The new system: 1) includes a more efficient online internal Requisition approval process component (formerly paper Request to Hire form); 2) requires applicants to apply securely online instead of submitting paper applications directly to departments (providing better management, tracking and control of applicants); and 3) allows screening committee members to view applications online (instead of going to a central, secured location to review paper applications).

The EAAO tracks all steps of the search and hire process on a Search Checklist (Appendix D), including screening committee demographic composition, recruitment/advertising information, form approval, meeting date with EAAO. The new online system provides reports for applicant gender and ethnicity. Following is the search process (see Appendices for a sample of each form):

1. **Requisition entered online in NEOGOV** (Appendix E), the current position description (draft of notice of vacancy for faculty) and unit organizational chart must be submitted as a packet to the appropriate Vice-Presidential area. Once approved by the Vice-President, Equity & Affirmative Action Office, Human Resources approves position and Budget Officer approves budget line for position. The HR Position Description Tracking site is located at: <http://scsusp02/default.aspx>.
2. In conjunction with the EAAO, the department and screening committee chair create an **Affirmative Action Recruitment Plan** (Appendix F), which is sent to the Equity & Affirmative Action Officer for approval.
3. Any changes to the **Notice of Vacancy** (NOV-Appendix G) by the department or supervisor should be sent to the EAAO for approval.
4. A **meeting of the screening committee with the EAAO** is scheduled to discuss uniform hiring guidelines, committee ground rules, search process, recruitment strategies and equal employment opportunity.
5. The committee develops an initial **applicant screening form, phone, reference and on-campus interview questions and departmental or open session evaluation feedback forms**, as needed, based on the advertised qualifications and responsibilities posted in the NOV. All of these forms must be approved through the EAAO prior to use by the committee.
6. As applications are received in the online application system for a search, EAAO staff grants screening committee members electronic access to them. Additionally, in **all** searches, SCSU is required by federal law ([41 CFR, 60-3.15](#)) to provide each applicant the opportunity to self-identify their gender and race or ethnicity. This EEO data collection is now built into the new online application and applicants can voluntarily provide this information, which is then used by EAAO staff to evaluate the applicant pools and for EEO statistical reporting. Email notices are sent to applicants who have incomplete files and/or are not minimally qualified.
7. Each application should be read by all screening committee members and discussed by the full committee. Initial screening of the applicant pool should cut only applicants who do not meet the advertised required qualifications published in the NOV. The screening committee

chair, will enter each applicant's disposition into NEOGOV in the Candidate Disposition screen, providing specific reasons for non-selection for each person cut. Additionally, the committee should indicate what their next step in the search process would be (phone interview, reference calls or campus interview). Once the search chair finishes entering the committee's consensus for each applicant, he/she will notify EAAO and hiring manager so that they can review and discuss, if necessary. No formal or informal offers of interview, reference check or employment/hire may be extended prior to unit supervisor and EAAO approval.

8. Second round of screening will be conducted by the screening committee after fully reviewing each remaining applicant's file and discussing each applicant as a committee to determine non-discriminatory reasons for non-selection for those not advanced to the next level of screening. NEOGOV will be updated with specific reasons for non-selection for those applicants eliminated during the second round of cuts and again notifies the EAAO for review. At this point the EAA Officer, after reviewing the dispositions and reasons for non-selection, may choose to review all applicant files. If requested, the committee shall provide access to the evaluation tool each committee member used to evaluate each applicant file. Questions from the EAA Officer will be directed to the chair and the screening committee initially, but may include deans and/or directors if Equal Access and Opportunity or Equal Employment Opportunity questions are not adequately resolved. No formal or informal offers of interview, reference or employment/hire may be extended prior to unit supervisor and EAAO approval.
9. Candidate strengths and weaknesses are entered into NEOGOV Candidate Disposition Comments area for each of the remaining applicants and notice is again provided to the EAAO and the hiring authority for review and approval prior to any formal or informal offers of interview or employment/hire.
10. All interviews questions and forms should have been previously approved by EAAO. Itineraries for each interviewee should be thoughtfully constructed to make the best use and opportunity of the candidate's time on campus. The interview experience for each applicant should be as close to identical as possible, acknowledging schedules vary wildly. Time should be built into the schedule to move the interviewee from location to location and for daylong interviews; a short 15-minute break is a thoughtful consideration in scheduling.
11. The screening committee will convene to discuss each of the interviewees and construct a written summary of strengths and weaknesses after on-campus interviews are complete. The summary should be forwarded as quickly as possible to the hiring authority and the EAAO for approval. At this point, the screening committee's work should be completed.
12. The screening committee chair shall collect all rubrics and/or evaluation sheets from the members of the screening committee as well as all public feedback forms, and place them with all of the applicant files in a locked secured place within the hiring unit office. A cover sheet containing the name of the person hired, the title of the position and the completion date of the search as well as the date three years forward from the completion of the search should be placed with the official search documents. All completed search documents should be shredded three (3) years after the date of hire.

A search committee serves the function of a screening committee; it does not serve the role as the hiring authority. A screening committee (as a whole, not individually) acts as an agent of the university and is obligated to follow law and policy applying to personnel matters in carrying out the President's authority to hire, which is delegated, in writing, to the Provost. The summary of strengths and weaknesses for those interviewed is intended to provide the best available professional assessment of the screening committee to the respective hiring authority. A screening committee should note if an applicant is acceptable or unacceptable, based on non-

discriminatory professional qualifications, with specific reasons and examples for their findings. The final summary of strengths and weaknesses should contain greater depth and breadth for the hiring authority based on the composite application, reference, and interview experience as part of final discussions among the screening committee membership. The hiring of new colleagues is an integral avenue for the university to expand the knowledge base of a department, as well as contributing to the overall diversity of the university community. A commitment to accepting differences of background, experience, research, and service are vital to St. Cloud State University's diversification goals.

NEOGOV Online Requisition (faculty version sample)

NOTICE OF VACANCY

St. Cloud State University Employee Request for ADA Reasonable Accommodation

Employee Name: _____ Date: _____

Job Title: _____ Department: _____

Human Resources and any other person who is authorized by my employer to will use this information handle medical information for ADA purposes and, any information concerning my physical or mental condition, that is necessary to determine whether I have a disability as defined by the American with Disabilities Act, and to determine whether any reasonable accommodations can be made. The provision of this information is voluntary, however if you refuse to provide it, your employer may refuse to provide reasonable accommodation.

1. Please describe the nature of your limitations, what life activity(s) it substantially limits, and how this life activity is substantially limited.

2. How does it affect your ability to perform your job?

3. Type of accommodation you are requesting:

Making facilities readily accessible Modification of equipment or devices

Job restructuring Qualified reader or interpreter

Part time or modified work schedule Acquisition of equipment or devices

Modification to a rule, policy or practice Other: _____

Please describe in detail the accommodation you are requesting:

4. How will the requested accommodation be effective in allowing you to perform the essential functions of your job?

5. Additional comments:

Signature of Employee Date

APPENDIX I

PROTECTED GROUP: WOMEN									
A	B	C	D	E	F	G	H	I	J
EEO JOB GROUP	Total Number in Group	Total Number of WOMEN in Group	% WOMEN in the Group	Availability % (Census Table) MN Statewide	Availability Number	AAP 2012-2014 Number Underutilized	AAP 2010-2012 Number Underutilized	Improved, Not Improved, Same	Numerical Difference
Officials and Administrators	32	12	37.5%	37.8%	12	0	2	Improved	-2
Professionals	718	352	49.0%	53.8%	386	34	55	Improved	-21
Technicians	30	25	83.3%	63.1%	19	0	0	Same	0
Paraprofessionals	0	0	0.0%	21.3%	0	0	0	Same	0
Office/Clerical	0	0	0.0%	64.4%	0	0	0	Same	0
Skilled Craft	117	38	32.5%		0	0	0		
Service Maintenance	180	172	95.6%	67.7%	122	0	0	Same	0

PROTECTED GROUP: PEOPLE OF COLOR / MINORITIES									
A	B	C	D	E	F	G	H	I	J
EEO JOB GROUP	Total Number in Group	Total Number of MINORITIES in Group	% MINORITIES in the Group	Availability % (Census Table) MN Statewide	Availability Number	AAP 2012-2014 Number Underutilized	AAP 2010-2012 Number Underutilized	Improved, Not Improved, Same	Numerical Difference
Officials and Administrators	32	5	15.6%	5.1%	2	0	0	Same	0
Professionals	718	150	20.9%	8.0%	57	0	0	Same	0
Technicians	30	1	3.3%	6.8%	2	-1	-1	Same	0
Paraprofessionals	117	4	3.4%		0	0			
Office/Clerical	180	3	1.7%	8.2%	15	-12	-13	Same	-1
Skilled Craft	40	0	0.0%	7.1%	3	-3	-3	Same	0
Service Maintenance	95	4	4.2%	14.3%	14	-10	-14	Not Improved	-4

APPENDIX J

UTILIZATION ANALYSIS CHART							
UNIT UTILIZATION ANALYSIS for a State Agency - St. Cloud State University						2012-2014 (as of 5/1/12)	
ACADEMIC AFFAIRS		Protected Group: WOMEN					
EEO Job Group	A	B	C	D	E	F	
	Total Number in Group	Total Number of Women in Group	% Women in the Group	Availability % (from Census Tables)	Availability Number	Number (-) Underutilized	%
Officials and Administrators	19	5	26.3%	37.8%	7	-2	-11.5%
Professionals	598	298	49.8%	53.8%	322	-24	-4.0%
Technicians	16	13	81.3%	63.1%	10	3	18.2%
Paraprofessionals	64	21	32.8%	0.0%	0	21	32.8%
Office/Clerical	97	97	100.0%	67.7%	66	31	32.3%
Skilled Craft	1	0	0.0%	7.8%	0	0	-7.8%
Service Maintenance	1	0	0.0%	43.6%	0	0	-43.6%
Totals	796	434	54.5%				
ADMINISTRATIVE AFFAIRS		Protected Group: WOMEN					
EEO Job Group	A	B	C	D	E	F	
	Total Number in Group	Total Number of Women in Group	% Women in the Group	Availability % (from Census Tables)	Availability Number	Number (-) Underutilized	%
Officials and Administrators	5	2	40.0%	37.8%	2	0	2.2%
Professionals	8	5	62.5%	53.8%	4	1	8.7%
Technicians	6	4	66.7%	63.1%	4	0	3.6%
Paraprofessionals	31	6	19.4%	0.0%	0	6	19.4%
Office/Clerical	42	34	81.0%	67.7%	28	6	13.3%
Skilled Craft	38	1	2.6%	7.8%	3	-2	-5.2%
Service Maintenance	89	31	34.8%	43.6%	39	-8	-8.8%
Totals	219	83	37.9%				
PRESIDENT / incl. ATHLETICS*		Protected Group: WOMEN					
EEO Job Group	A	B	C	D	E	F	
	Total Number in Group	Total Number of Women in Group	% Women in the Group	Availability % (from Census Tables)	Availability Number	Number (-) Underutilized	%
Officials and Administrators	6	4	66.7%	37.8%	2	2	28.9%
Professionals	42	13	31.0%	53.8%	23	-10	-22.8%
Technicians	0	0	0.0%	63.1%	0	0	-63.1%
Paraprofessionals	6	1	16.7%	0.0%	0	1	16.7%
Office/Clerical	10	10	100.0%	67.7%	7	3	32.3%
Skilled Craft	0	0	0.0%	7.8%	0	0	-7.8%
Service Maintenance	3	1	33.3%	43.6%	1	0	-10.3%
Totals	67	29	43.3%				
STUDENT LIFE & DEVELOPMENT		Protected Group: WOMEN					
EEO Job Group	A	B	C	D	E	F	
	Total Number in Group	Total Number of Women in Group	% Women in the Group	Availability % (from Census Tables)	Availability Number	Number (-) Underutilized	%
Officials and Administrators	1	1	100.0%	37.8%	0	1	62.2%
Professionals	63	32	50.8%	53.8%	34	-2	-3.0%
Technicians	7	7	100.0%	63.1%	4	3	36.9%
Paraprofessionals	12	7	58.3%	0.0%	0	7	58.3%
Office/Clerical	26	26	100.0%	67.7%	18	8	32.3%
Skilled Craft	1	0	0.0%	7.8%	0	0	-7.8%
Service Maintenance	2	1	50.0%	43.6%	1	0	6.4%
Totals	112	74	66.1%				

UNIT UTILIZATION ANALYSIS for a State Agency - St. Cloud State University **2012-2014**

UNIVERSITY ADVANCEMENT		Protected Group: WOMEN					
EEO Job Group	A	B	C	D	E	F	
	Total Number in Group	Total Number of Women in Group	% Women in Group	Availability % (from Census Tables)	Availability Number	Number (-) Underutilized	%
Officials and Administrators	1	0	0.0%	37.8%	0	0	-37.8%
Professionals	7	4	57.1%	53.8%	4	0	3.3%
Technicians	1	1	100.0%	63.1%	1	0	36.9%
Paraprofessionals	4	3	75.0%	0.0%	0	3	75.0%
Office/Clerical	5	5	100.0%	67.7%	3	2	32.3%
Skilled Craft	0	0	0.0%	7.8%	0	0	-7.8%
Service Maintenance	0	0	0.0%	43.6%	0	0	-43.6%
Totals	18	13	72.2%				

GRAND TOTALS		A	B	C	D	E	F	
EEO Job Group	Total Number in Group	Total Number of Women in Group	% Women in Group	Availability % (from Census Tables)	Availability Number	Number (-) Underutilized	%	
	Officials and Administrators	32	12	37.5%	37.8%	12	0	-0.3%
Professionals	718	352	49.0%	53.8%	386	-34	-4.8%	
Technicians	30	25	83.3%	63.1%	19	6	20.2%	
Paraprofessionals	117	38	32.5%	0.0%	0	38	32.5%	
Office/Clerical	180	172	95.6%	67.7%	122	50	27.9%	
Skilled Craft	40	1	2.5%	7.8%	3	-2	-5.3%	
Service Maintenance	95	33	34.7%	43.6%	41	-8	-8.9%	
Totals	1212	633	52.2%					

* ATHLETICS		Protected Group: WOMEN					
EEO Job Group	A	B	C	D	E	F	
	Total Number in Group	Total Number of Women in Group	% Women in the Group	Availability % (from Census Tables)	Availability Number	Number (-) Underutilized	%
Officials and Administrators	2	1	50.0%	37.8%	1	0	12.2%
Professionals	36	10	27.8%	53.8%	19	-9	-26.0%
Technicians	0	0	0.0%	63.1%	0	0	-63.1%
Paraprofessionals	0	0	0.0%	0.0%	0	0	0.0%
Office/Clerical	4	4	100.0%	67.7%	3	1	32.3%
Skilled Craft	0	0	0.0%	7.8%	0	0	-7.8%
Service Maintenance	3	1	33.3%	43.6%	1	0	-10.3%
Totals	45	16	35.6%				

Key: EEO Job Group	B.U. Code	Barg. Unit Description
1. Officials and Managers	220	MnSCU Administrators - VPs, deans, administrators
2. Professionals-Faculty	209	IFO - faculty
2. Professionals-MSUAASF	211	MSUAASF
2. Professionals-Health	213	Health Professionals
3. Technicians	204	AFSCME - LPNs
3. Technicians	205	AFSCME - Nurse Practicioners
3. Technicians	207	AFSCME - technical
5. Paraprofessionals	214	MAPE - support staff
5. Paraprofessionals	216	Supervisory MMA - middle-management
6. Office/Clerical	206	AFSCME - clerical
6. Office/Clerical	217	Confidential/Commissioner's Plan - clerical
7. Skilled Craft Worker	202	AFSCME - crafts, maintenance, labor
8. Service-Maintenance	203	AFSCME - custodians (GMW)

APPENDIX K

UNIT UTILIZATION ANALYSIS for St. Cloud State University						2012-2014 (as of 5/1/12)	
ACADEMIC AFFAIRS		Protected Group: Minorities					
EEO Job Group	A	B	C	D	E	F	
	Total Number in Group	Total Number of People of Color in Group	% People of Color in the Group	Availability % (from Census Tables)	Availability Number	Number (-) Underutilized	%
Officials and Administrators	19	5	26.3%	5.1%	1	4	21.2%
Professionals	598	134	22.4%	8.0%	48	86	14.4%
Technicians	16	0	0.0%	6.8%	1	-1	-6.8%
Paraprofessionals	64	2	3.1%	0.0%	0	2	3.1%
Office/Clerical	97	3	3.1%	8.2%	8	-5	-5.1%
Skilled Craft	1	0	0.0%	7.1%	0	0	-7.1%
Service Maintenance	1	0	0.0%	14.3%	0	0	-14.3%
Totals	796	144	18.1%				
ADMINISTRATIVE AFFAIRS		Protected Group: Minorities					
EEO Job Group	A	B	C	D	E	F	
	Total Number in Group	Total Number of People of Color in Group	% People of Color in the Group	Availability % (from Census Tables)	Availability Number	Number (-) Underutilized	%
Officials and Administrators	5	0	0.0%	5.1%	0	0	-5.1%
Professionals	8	0	0.0%	8.0%	1	-1	-8.0%
Technicians	6	0	0.0%	6.8%	0	0	-6.8%
Paraprofessionals	31	1	3.2%	0.0%	0	1	3.2%
Office/Clerical	42	0	0.0%	8.2%	3	-3	-8.2%
Skilled Craft	38	0	0.0%	7.1%	3	-3	-7.1%
Service Maintenance	89	4	4.5%	14.3%	13	-9	-9.8%
Totals	219	5	2.3%				
PRESIDENT / incl. ATHLETICS *		Protected Group: Minorities					
EEO Job Group	A	B	C	D	E	F	
	Total Number in Group	Total Number of People of Color in Group	% People of Color in the Group	Availability % (from Census Tables)	Availability Number	Number (-) Underutilized	%
Officials and Administrators	6	0	0.0%	5.1%	0	0	-5.1%
Professionals	42	6	14.3%	8.0%	3	3	6.3%
Technicians	0	0	0.0%	6.8%	0	0	-6.8%
Paraprofessionals	6	0	0.0%	0.0%	0	0	0.0%
Office/Clerical	10	0	0.0%	8.2%	1	-1	-8.2%
Skilled Craft	0	0	0.0%	7.1%	0	0	-7.1%
Service Maintenance	3	0	0.0%	14.3%	0	0	-14.3%
Totals	67	6	9.0%				
STUDENT LIFE & DEVELOPMENT		Protected Group: Minorities					
EEO Job Group	A	B	C	D	E	F	
	Total Number in Group	Total Number of People of Color in Group	% People of Color in the Group	Availability % (from Census Tables)	Availability Number	Number (-) Underutilized	%
Officials and Administrators	1	0	0.0%	5.1%	0	0	-5.1%
Professionals	63	9	14.3%	8.0%	5	4	6.3%
Technicians	7	1	0.0%	6.8%	0	1	-6.8%
Paraprofessionals	12	0	0.0%	0.0%	0	0	0.0%
Office/Clerical	26	0	0.0%	8.2%	2	-2	-8.2%
Skilled Craft	1	0	0.0%	7.1%	0	0	-7.1%
Service Maintenance	2	0	0.0%	14.3%	0	0	-14.3%
Totals	112	10	8.9%				

UNIT UTILIZATION ANALYSIS for St. Cloud State University

2012-2014

UNIVERSITY ADVANCEMENT		Protected Group: Minorities					
EEO Job Group	A	B	C	D	E	F	
	Total Number in Group	Total Number of People of Color in Group	% People of Color in the Group	Availability % (from Census Tables)	Availability Number	Number (-) Underutilized	%
Officials and Administrators	1	0	0.0%	5.1%	0	0	-5.1%
Professionals	7	1	14.3%	8.0%	1	0	6.3%
Technicians	1	0	0.0%	6.8%	0	0	-6.8%
Paraprofessionals	4	1	25.0%	0.0%	0	1	25.0%
Office/Clerical	5	0	0.0%	8.2%	0	0	-8.2%
Skilled Craft	0	0	0.0%	7.1%	0	0	-7.1%
Service Maintenance	0	0	0.0%	14.3%	0	0	-14.3%
Totals	18	2	11.1%				

GRAND TOTALS		A	B	C	D	E	F	
EEO Job Group	Total Number in Group	Total Number of People of Color in Group	% People of Color in the Group	Availability % (from Census Tables)	Availability Number	Number (-) Underutilized	%	
	Officials and Administrators	32	5	15.6%	5.1%	2	3	10.5%
Professionals	718	150	20.9%	8.0%	57	93	12.9%	
Technicians	30	1	0.0%	6.8%	2	-1	-6.8%	
Paraprofessionals	117	4	3.4%	0.0%	0	4	3.4%	
Office/Clerical	180	3	1.7%	8.2%	15	-12	-6.5%	
Skilled Craft	40	0	0.0%	7.1%	3	-3	-7.1%	
Service Maintenance	95	4	0.0%	14.3%	14	-10	-14.3%	
Totals	1212	167	13.8%					

Note: 10 of 1212 employees have not self-identified and are Unknown

* ATHLETICS		Protected Group: Minorities					
EEO Job Group	A	B	C	D	E	F	
	Total Number in Group	Total Number of People of Color in Group	% People of Color in the Group	Availability % (from Census Tables)	Availability Number	Number (-) Underutilized	%
Officials and Administrators	2	0	0.0%	5.1%	0	0	-5.1%
Professionals	34	5	14.7%	8.0%	3	2	6.7%
Technicians	0	0	0.0%	6.8%	0	0	-6.8%
Paraprofessionals	0	0	0.0%	0.0%	0	0	0.0%
Office/Clerical	3	0	0.0%	8.2%	0	0	-8.2%
Skilled Craft	0	0	0.0%	7.1%	0	0	-7.1%
Service Maintenance	3	0	0.0%	14.3%	0	0	-14.3%
Totals	42	5	11.9%				

Key: EEO Job Group	B.U. Code	Barg. Unit Description
1. Officials and Managers	220	MnSCU Administrators - VPs, deans, administrators
2. Professionals-Faculty	209	IFO - faculty
2. Professionals-MSUAASF	211	MSUAASF
2. Professionals-Health	213	Health Professionals
3. Technicians	204	AFSCME - LPNs
3. Technicians	205	AFSCME - Nurse Practitioners
3. Technicians	207	AFSCME - technical
5. Paraprofessionals	214	MAPE - support staff
5. Paraprofessionals	216	Supervisory MMA - middle-management
6. Office/Clerical	206	AFSCME - clerical
6. Office/Clerical	217	Confidential/Commissioner's Plan - clerical
7. Skilled Craft Worker	202	AFSCME - crafts, maintenance, labor
8. Service-Maintenance	203	AFSCME - custodians (GMW)