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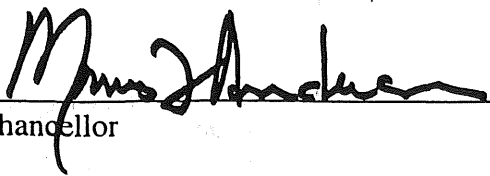
**MINNESOTA STATE COLLEGES AND UNIVERSITIES  
(MnSCU)**

**SYSTEM OFFICE  
AFFIRMATIVE ACTION PLAN**

*July 1998 - July 2000*

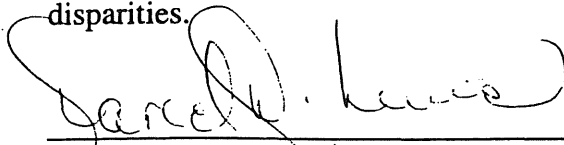
\_\_\_\_\_  
Associate Vice Chancellor for  
Equal Opportunity And Diversity

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Chancellor

10-26-99  
\_\_\_\_\_  
Date

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

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

12-2-99  
\_\_\_\_\_  
Date

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## II. MINNESOTA STATE COLLEGES AND UNIVERSITIES MISSION

*Minnesota State Colleges and Universities (MnSCU) provides accessible high quality, future-oriented education and community service through technical, pre-baccalaureate, baccalaureate, master's occupational, and continuing education programs.*

*Each state college and university has a distinct mission that is consistent with and supportive of the overall mission of Minnesota State Colleges and Universities.*

*Minnesota State Colleges and Universities provides high quality programs comprising:*

*Technical education programs, delivered principally by technical colleges, which prepare students for skilled occupations that do not require a baccalaureate degree.*

*Pre-baccalaureate programs, delivered principally by community colleges, which offer lower division instruction in academic programs, occupational programs in which all credits earned will be accepted for transfer to a baccalaureate degree in the same field of study, and remedial studies.*

*Baccalaureate and graduate programs, delivered principally by state universities, which offer undergraduate and graduate instruction through the master's degree, including specialist certificates, in the liberal arts and sciences and professional education.*

*Mission of the Board - M.S. 136F.05*

The MnSCU System Office is located in St. Paul, Minnesota, in Ramsey County.

### **III. INTRODUCTION -- MINNESOTA STATE COLLEGES AND UNIVERSITIES**

Minnesota State Colleges and Universities (MnSCU) is committed to promoting equal educational and employment opportunities without regard to race, creed, color, sex, national origin, age, marital status, disability, sexual orientation, status with regard to public assistance, religion, or membership or activity in a local commission as defined by law.

Discrimination, and the prejudice from which it results, may be deeply ingrained within our culture. Attempts to merely prevent discrimination can result in the implementation of superficial equality. While such practices may meet the letter of the law, they do not meet the spirit of federal and state legislation or the courts' interpretation of these mandates.

MnSCU strives to implement policies and programs which aid in overcoming the effects of past discrimination in regard to all of the protected groups. Affirmative action must occur, not only in the employment phase of its operation, but also within its internal organizational structure and in its educational programs. The System Office acknowledges that employment and education outcomes may be intertwined, and makes a special effort to promote the presence of both male and female roles of varying racial and ethnic backgrounds and disabilities in order to develop in employees the multi cultural attitudes and awareness which our laws intend to promote.

This plan outlines the goals through which the MnSCU affirmative action policies will be implemented. The system will aggressively attempt to eliminate workforce disparity and to promote genuine equal educational and employment attitudes and opportunities.

#### IV. STATEMENT OF COMMITMENT

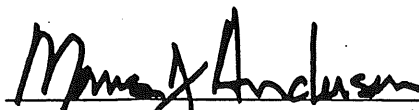
Minnesota State Colleges and Universities (MnSCU) Chancellor's Office is committed to conducting all personnel and education activities without regard to race, sex, color, creed, religion, age, national origin, marital status, disability or, status with regard to public assistance, sexual orientation, or membership or activity in a local commission as defined by law. Personnel activities include such matters as recruitment, selection, assignment, training, promotion, retention, compensation, leaves of absence, discipline and layoffs affecting all employees and job applicants. All activities are consistent with Minnesota Statutes, applicable federal laws, and MnSCU Board policy.

MnSCU is committed to implementation of this affirmative action plan, and to the State of Minnesota's affirmative action efforts. MnSCU will also implement and maintain a program of affirmative action and aggressive affirmative action steps to eliminate any internal barriers to equal opportunity and to provide for the employment, retention and advancement of qualified persons with disabilities, persons of color, and women in accordance with their occurrence in the labor area work force. Commitment to equal opportunity through diversity is a continuing goal for the MnSCU Chancellor's Office.

As Chancellor of MnSCU, I commit the management of this agency to not only comply with the goals, procedures, and policies addressed in MnSCU's Affirmative Action Plan but also to fulfill its spirit. In that regard, MnSCU will continue to seek avenues to enhance the selection and retention of protected group people by:

- continuing MnSCU involvement in the recruitment of protected group persons;
- continuing affirmative action training for employees, with an emphasis on those serving on selection committees;
- supporting the hiring of protected group candidates.

It is the policy of MnSCU to actively encourage equal employment practices whenever hiring opportunities are presented. Further, it is the intention of MnSCU to endeavor to expand the applicant pools to include candidates who may increase the level of racial and ethnic, disabled, and female diversity of its staff.



\_\_\_\_\_  
Morris J. Anderson, Chancellor  
Minnesota State Colleges and Universities

10-26-99

\_\_\_\_\_  
Date

V. AFFIRMATIVE ACTION PLAN TRANSMITTAL FORM 1998-2000

1. This annual review revealed underutilization of the following protected group(s) in the following goal units:

<i>PROTECTED GROUPS</i>			
<i>GOAL UNITS</i>	<i>WOMEN</i>	<i>MINORITIES</i>	<i>DISABLED</i>
System Officials/Managers		•	•
Professionals		•	•
Clerical/Technical			•

- See also: A. XI. Utilization Analysis; page 19.  
 B. Utilization Analysis by EEO-6 Job Category and Job Group, Minorities & Women; page 20.  
 C. Utilization Analysis, Disabled Individuals; page 21.  
 D. XII. Establishment of Hiring Goals; page 22.

2. The MnSCU Affirmative Action Plan will be available in the Affirmative Action Office, the office of the Associate Vice Chancellor for EEO and Diversity, the Personnel Office, and posted on the employee bulletin board on each floor so that employees and other interested parties have access to the plan's annual goals and commitments.
3. This Affirmative Action Plan contains an internal procedure for processing complaints of alleged discrimination from employees, the procedure for reasonable accommodation, and the procedure for weather emergencies/building evacuation. Information regarding these procedures will be distributed to all newly hired employees. Current employees will have been apprised of these procedures.
4. This Affirmative Action Plan designates those persons and groups responsible for implementing the Plan, as well as a description of the MnSCU commitment to equal employment opportunity and affirmative action.

*Dolores K. Gridge*  
 Affirmative Action Officer

10-26-99  
 Date



\_\_\_\_\_  
Associate Vice Chancellor for  
Equal Opportunity And Diversity

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Chancellor

10-26-99  
\_\_\_\_\_  
Date

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

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

\_\_\_\_\_  
Date

## VI. RESPONSIBILITY FOR IMPLEMENTATION

### Chancellor

The Chancellor has the final authority for implementation of all affirmative action/equal opportunity activities within the System Office.

The Chancellor will provide oversight to the AA/EEO diversity programs and will:

1. Ensure that adequate staffing and resources are committed to implement MnSCU policies in the area of AA/EEO.
2. Incorporate into the position descriptions of all line administrators a separate statement of responsibility for implementing AA/EEO policy and procedures.
3. Name an AA Committee responsible for making recommendations concerning AA/EEO programs in the System Office.

### Equal Opportunity/Affirmative Action Officer

Dolores Fridge, the Associate Vice Chancellor for Equal Opportunity and Diversity, is also the EO/AAO. The EO/AAO is accountable to the Chancellor for the overall implementation and administration of MnSCU's AA/EEO programs. To carry out this responsibility the EO/AAO shall:

1. Oversee MnSCU's compliance with Federal and State laws, and MnSCU policy and regulations relating to AA/EEO.
2. Advise the Chancellor on AA/EEO program progress.
3. Ensure that MnSCU is in compliance with Federal, State and MnSCU laws, regulations, and policies pertaining to AA/EEO.
4. Develop, monitor, implement and evaluate MnSCU AA programs, plans and guidelines, in conjunction with the MnSCU AA Committee.
5. Monitor the search and selection process for all classified and unclassified positions in accordance with established guidelines and procedures for recruitment.
6. Provide recommendations to appropriate members of the MnSCU community regarding AA/EEO.

7. Prepare reports on AA/EEO efforts and accomplishments.
8. Coordinate and/or promote AA/EEO training and education programs for employees.
9. Serve as the MnSCU's ombudsperson and primary resource for employees on AA/EEO laws, regulations and procedures.
10. Review, investigate and process complaints of discrimination, sexual harassment and violence, sexual orientation harassment, racial harassment and disability harassment, and/or lack of EEO in accordance with established guidelines.

### **Affirmative Action Committee**

The Chancellor shall appoint representatives to the MnSCU AA Committee based upon recommendations from various managers within the System Office. Committee members are accountable to the Chancellor for their committee work. The committee, in conjunction with the EEO and AAO, shall:

1. Review, update and make recommendations concerning AA/EEO programs and procedures for the System Office.
2. Provide assistance in developing and preparing the Affirmative Action Plan, goals and annual accomplishment reports.
3. Identify and report problem areas and recommend needed corrective action.
4. Serve as a forum and channel for transmitting AA/EEO concerns to MnSCU administrators.
5. Provide leadership and advocacy in implementing MnSCU policies.
6. Perform other activities as needed or as may be deemed appropriate by the committee.

*Administrative Supervisors* (*Vice Chancellors, Associate Vice Chancellors and System Directors*)

Administrative supervisors are responsible for enforcing and implementing AA goals and EEO policies within their functional areas of responsibility. Administrative supervisors shall:

1. Assure that all AA/EEO policies, plans and procedures are complied with and carried out in their respective administrative units.
2. Assure that all employees within their administrative units are informed of the MnSCU AA/EEO policies, procedures and practices.
3. Provide input into elements of the AAP.
4. Identify factors which may impede the MnSCU's pursuit of its AA/EEO goals and objectives.

*Director of Personnel*

In addition to the responsibilities described above for administrative supervisors, the Director of Personnel is also responsible in part for AA efforts for classified and unclassified positions. To carry out this responsibility, the Director of Personnel shall:

1. Monitor the recruitment and selection process of all classified positions at MnSCU, in accordance with Minnesota Statutes 43.18 and 179.74, Department of Employee Relations (DOER) Personnel Rules, and applicable collective bargaining agreements.
2. Ensure that the recommendations of supervisors and others involved in the hiring process are based on job related criteria and are consistent with AA goals and objectives.
3. In addition, the Director of Personnel will work closely with the System Director of Affirmative Action in the filling of all vacancies in the MnSCU System Office. This will include consultation between the AAO, the Personnel Office and the supervisor regarding disparities of protected classes and special recruitment efforts.

## VII. PROGRAM OBJECTIVES

### General

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

### **Recruitment Plan**

The MnSCU System Office actively seeks and encourages the use of broad-based recruitment plans and strategies in filling vacancies within the System Office. The MnSCU System Office will conduct the following activities in the implementation of its recruitment plan.

### Program Objectives

1. Provide In-Service Education and Training to System Office managerial/supervisory staff members in conducting equal opportunity searches and targeted recruitment strategies. [Fall, 1998]
2. Provide on-going support and advice to managerial/supervisory staff in conducting specific searches within the System Office.
3. Develop and implement a strategy to fill future vacancies as a result of the creation of the Campus Services Unit. [Fall, 1998]
4. Develop and implement a system to track expenses incurred for recruitment purposes.
5. Develop and implement a system to track job fairs attended and projections for attendance at future job fairs.
6. Identify projected hiring opportunities and develop strategies for recruitment for projected vacancies.

### Previous Years' Activities

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

Advertisements in the Chronicle of Higher Education  
Advertisements in several minority publications in the Twin Cities area

Publication in Minneapolis Star Tribune  
Direct mailing to members of the Minnesota Minority Education Partnership  
Dissemination of vacancy notice to Statewide Affirmative Action Committee  
Dissemination of vacancy notice at training session by John Reid and Associates on Investigation/Interrogation Techniques [Minneapolis Regency Hotel]  
Posting of vacancy notice at National Association of College and University Attorneys conference  
Targeted recruitment strategy by telephone at the national and local levels  
Targeted notices soliciting nominations and inviting applications sent to bargaining units, discipline-specific targeted constituents, Minnesota Cultural Diversity Center, MN Women's Consortium, etc.

### Specific Action Steps

Provide targeted advertising in protected group media as follows:

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

Utilize student workers and student interns from MnSCU colleges in the System Office as appropriate.

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

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

Utilize DOER recruitment expertise.

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

### Assignment of Responsibility

AAO, System Office Personnel Director

### Target Dates for Completion

This will be an ongoing process.

### Expenditures

Each MnSCU division has budget resources to support searches. Specific dollars in individual searches varies but can range from minimum costs to several thousand dollars depending on the nature and scope of position responsibilities as governed by collective bargaining agreements and the MnSCU administrators plan. For example, advertising costs in a recent search for the Equal Opportunity Manager approximated \$2,600.

### Evaluation

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

### **Retention Plan**

Each MnSCU Manager plays a key role in supporting the retention of employees. The MnSCU System Office will initiate the following activities, among others, to support employee retention.

1. Annual performance reviews for administrators/managers [On-going]
2. Timely performance reviews of classified employees pursuant to collective bargaining agreements [On-going]
3. Analysis of supported programs survey from preceding AAP year [August/September, 1998]
4. Combating Sexual Harassment and Sexual Violence Education and Training Program - System Office Staff [tba]
5. Diversity Awareness Program Initiatives - System Office and MnSCU System Strategic Planning Process - Diversity in Education - Develop Workplan [August/September, 1998-1999]  
Diversity Teleconference - Planning for Success: The Business Case for Building and Retaining a Diverse Workforce - October 1, 1998  
Recruitment and Retaining Our Faculties of Color Conference - Co-sponsored with the University of Minnesota - October 18-20, 1998
6. MnSCU System Office Separation Patterns - page 15

### Assignment of Responsibility

EEO/AAO, Dolores Fridge, Associate Vice Chancellor for Equal Opportunity and Diversity

System Office Personnel Director, Margaret Johnson

All administrators.

Target Dates for Completion

Mixed Blood Theatre presentations (African American and Hispanic) will be presented in Fiscal Year 1998.

Evaluation

Records will be kept of the number of employees attending all performances and training sessions.

Attendees will be offered the opportunity to complete an evaluation form.

**Hiring Process**

MnSCU recently revised its hiring procedure which is found on pages 34-37. Objectives for the AAP years include:

1. Monitor the hiring process for MnSCU presidents and classified and unclassified System Office employees.
2. Review and certify the position advertisement according to AA/EEO guidelines.
3. Complete the Certification of the Applicant Pool for presidential searches and MnSCU System Office hires.
4. Provide information on underutilization to the search process.
5. Review AA guidelines and policy with presidential and System Office search committees.
6. Provide advertising and recruitment sources to presidential and System Office searches.

Assignment of Responsibility

AAO, System Director for Executive Searches

Target Dates for Completion

This will be an ongoing process whenever vacancies are filled.

Evaluation

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



MNSCU SEPARATION ANALYSIS: CHANCELLOR'S OFFICE

	TERMINATION DATA TAKEN FROM DATA WAREHOUSE AND INCLUDES FISCAL 96-98					INVOLUNTARY = LAYOFF (L), TERMINATED (T) AND NONE (N)					VOLUNTARY = QUIT (Q), RETIRED (R), DEATH AND TRANSFER (X)								
	MALES					FEMALES					TOTAL TERMS	TOTAL MALES	TOTAL FEMALES	TOTAL NON-MIN	TOTAL MINORITY	MALE RATE	FEMALE RATE	NON-MIN RATE	MINORI RATE
	W	B	H	AS	AI	W	B	H	AS	AI									
INVOLUNTARY TERMS	21	1	1	0	3	40	5	0	1	0	72	26	46	61	11	36.1%	63.9%	84.7%	15.3
VOLUNTARY TERMS	31	2	0	1	0	59	3	1	0	2	99	34	65	90	9	34.3%	65.7%	90.9%	9.1
TOTAL TERMS	52	3	1	1	3	99	8	1	1	2	171	60	111	151	20	35.1%	64.9%	88.3%	11.7

## VIII. PRIOR YEAR'S AAP GOALS

The MnSCU System and the System Office continue to exhibit continuing change in its staff complements as a result of merger and related changes in strategic directions of the System. The appointment of a new chief administrative officer for the System a year ago resulted in a decision to reconsider earlier substantial downsizing of the System Office. This resulted in increased staffing opportunities, staff reassignments, and identification of opportunities for promotion. There has been success in hiring protected class members in classified positions and administrative positions. However, there could have been broader searches in some of the administrative positions filled in the System Office. This issue was addressed through discussions with the System Office Executive Staff and approval of the hiring procedure included with this year's AAP.

### **Examples of types of positions filled in the MnSCU System Office through broad searches\* :**

- EEO Manager/Investigator
- Executive Director for Internal Auditing
- Publications and Media Relations Director
- MnSCU Program Director (JIPA)
- MnSCU Program Director (Technology Programs/School-to-Work)
- System Director for Budget
- Associate Vice Chancellor for Labor Relations

**Persons with Disabilities:** There was dramatic reduction in workforce in the System Office during the preceding two years. This resulted in a large reduction of staff members who are persons with disabilities.

\* Broad advertising and targeted recruitment strategies used by hiring authorities in these searches. MnSCU has had success in hiring protected class individuals into classified and unclassified positions during the previous AAP year.

## IX. WORKFORCE ANALYSIS

The attached May 1998 Workforce Analysis contains the following information.

There are a total of 151 employees in the MnSCU System Office. Of this total 100 are female and 51 are male. There are a total of 12 minorities in the workforce. Two employees have a disability. Eleven employees are military veterans.

In the System Officials and Manager Group (EEO-6, A) there are 48 employees. There are 28 males and 20 females (42%). There are 5 minorities (10%) in this group.

In the Professionals group (EEO-6, C) there are 68 employees. There are 20 males and 48 females (71%). There are 2 minorities (3%) in this group. One employee has a disability (1%).

In the Clerical group (EEO-6, D) there are 35 employees. There are 3 males and 32 females (91%). There are 5 minorities (14%) in this group. One employee has a disability (3%).

## X. AVAILABILITY (Ideal Goals)

The availability for the following groups has been determined to be as follows.

	<u>Minorities</u>	<u>Women</u>	<u>Disabled</u>
System Officials and Managers EEO-6, A	14.3%	39.6%	12.82%
Professionals EEO-6, C	6.4%	55.2%	12.82%
Clerical EEO-6, D	10.6%	77.6%	12.82%
Technicians EEO-6, E	8.3%	27.5%	12.82%

## XI. UTILIZATION ANALYSIS

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

	<u>Minorities</u>	<u>Women</u>
System Officials and Managers [A2]	-2.1 person(s)	--
Professionals	-2.3 person(s)	--
Technical	--	--

No underutilization was detected in the Clerical/Technical group.

**The utilization for persons with disabilities is attached.**

There are 2 MnSCU employees with disabilities out of a total of 151 or 1%. The availability of employees with disabilities has been set by DOER at 12.82%.

UTILIZATION ANALYSIS BY EEO-6 JOB CATEGORY AND JOB GROUP

FOR:      SYSTEM OFFICE     

21

V CATEGORY OR GROUP V A	CAT OR GROUP CODE B	TOTAL C	MALE D	FEMALE E	MINORITY EMPLOYEES								MINORITIES				WOMEN				
					MALE			FEMALE			TOT	% IN	%	#	STAT	% IN	%	#	STAT		
					BL	HS	AS	AI	BL	HS	AS	AI	MIN	GRP	AVAIL.	UTIL	STAT	GRP	AVAIL.	UTIL	STAT
													F		H			L			
SYSTEM OFFICIALS & MANAGER	A1	19	12	7	1	2							3	15.8%	14.3%	2.7	0.3	36.8%	39.6%	7.5	-0.5
SYSTEM OFFICIALS & MANAGER	A2	29	16	13			1			1			2	6.9%	14.3%	4.1	-2.1	44.8%	39.6%	11.5	1.5
PROFESSIONALS	C	68	20	48	2								2	2.9%	6.4%	4.3	-2.3	70.6%	55.2%	37.5	10.5
CLERICAL	D1	10	0	10									0	0.0%	5.5%	0.5	-0.5	100.0%	77.6%	7.8	2.2
CLERICAL	D2	25	3	22	1					2	2		5	20.0%	5.5%	1.4	3.6	88.0%	77.6%	19.4	2.6
TOTAL		151	51	100	4	2	1	0	0	3	2	0	12								

UTILIZATION ANALYSIS  
 DISABLED INDIVIDUALS

SYSTEM OFFICE

JOB GROUP	JOB GRP CODE	TOTAL EMPL	MALE	FEMALE	DISABILITY ANALYSIS		TOTAL DIS	% IN GRP	% AVAIL	# AVAIL	UTIL STATUS
					DISABLED	DISABLED					
					MALE	FEMALE					
SYSTEM OFFICIALS & MANA	A1	19	12	7			0	0.0%	12.8%	2.4	-2.43
SYSTEM OFFICIALS & MANA	A2	29	16	13			0	0.0%	12.8%	3.7	-3.71
PROFESSIONALS	C	68	20	48	1		1	1.5%	12.8%	8.7	-7.70
CLERICAL	D1	10	0	10			0	0.0%	12.8%	1.3	-1.28
CLERICAL	D2	25	3	22			1	4.0%	12.8%	3.2	-2.20
GRAND TOTAL		151	51	100	1	1	2				

**XII. ESTABLISHMENT OF HIRING GOALS**  
(August 1, 1998 - July 31, 2000)

At a minimum, the MnSCU System Office will seek to fulfill the following hiring goals:

System Officials and Managers:	one racial minority	one person with a disability
Professionals:	one racial minority	one person with a disability
Technical	--	one person with a disability



### XIII. AUDIT AND EVALUATION

The AAP for MnSCU will be reviewed by the MnSCU Associate Vice Chancellor for Equal Opportunity and Diversity/Affirmative Action Officer.

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

A summary of the accomplishments of the prior year's AA goals and objectives will be completed yearly and included in the annual AAP.

Consultation with MnSCU System Officer Personnel and/or the MnSCU Office of Equal Opportunity and Diversity may be necessary prior to the hiring phase if a disparity of protected classes exists in the hiring unit. [See *Hiring for System Office Positions, Page 36.*]

In addition, consultation with the MnSCU System Office Personnel and/or the MnSCU Office of Equal Opportunity and Diversity may be necessary prior to layoff decisions to determine their affect per the MnSCU AAP goals and timetables.

#### **XIV. IDENTIFICATION OF PROBLEM AREAS IN HIRING WOMEN, PEOPLE OF COLOR, AND PERSONS WITH DISABILITIES**

It was noted earlier that the MnSCU System Office will increase its professional staff complement through special legislative initiative funding and several new positions. As indicated, implementation of an improved hiring procedure as well as use of targeted recruitment strategies will help support the System in meeting anticipated hiring targets. Hiring targets for persons with disabilities will remain a particular challenge considering that pre-employment inquiries relating to disability status are prohibited by law. However, the system will continue to take advantage of targeted outreach activities to organizations that serve potential job applicants who may be persons with disabilities.

## XV. ROSTER OF AFFIRMATIVE ACTION COMMITTEE

<u>Name</u>	<u>Department</u>
Lloyd Petri	Academic Affairs
Ann Silgen	Public Relations
Larry Anderson	Office Services
Mary Millar	Human Resources
Marybeth Christenson Jones	Labor Relations
Gerry Rushenberg	Information Services
Margaret Johnson	Personnel Office

## **XVI. WEATHER EMERGENCIES/BUILDING EVACUATIONS**

The entire "Building Emergency Procedures for the MnSCU System Office" document is located in Appendix H.

**XVII. GOVERNMENT CONTRACT WORK**

Following is the extent of the MnSCU office Federal and State Grants for FY 1997:

<u>SOURCE</u>	<u>AMOUNT</u>
<u>Federal</u>	
Displaced Homemaker, Single Parent, and Single Pregnant Women	\$ 976,390.20
Sex Equity	\$ 291,267.34
Job Training Partnerships Act (JTPA) Grant 1998	\$ 678,630.00
<u>State</u>	
Sci-Math Grant	<u>\$ 24,462.91</u>
<b>TOTALS</b>	<b><u>1,970,950.45</u></b>

## **XVIII. INTERNAL AND EXTERNAL DISSEMINATION OF POLICY**

### **INTERNAL DISSEMINATION OF POLICY**

The MnSCU Affirmative Action Plan will be available in the Equal Opportunity and Diversity Office, the office of the Associate Vice Chancellor for Equal Opportunity and Diversity, the Personnel Office, and posted on the employee bulletin board on each floor so that employees and other interested parties have access to the plan's annual goals and commitments.

### **EXTERNAL DISSEMINATION OF POLICY**

Employees, prospective employees and the public are informed of MnSCU's commitment to AA/EEO via the following:

1. The system AA/EEO and nondiscrimination policies and statements may be found in various publications such as informational brochures, MnSCU letterhead, and on the MnSCU website at [www.mnscu.edu](http://www.mnscu.edu).
2. All vacancy advertisements identify MnSCU as an AA/EEO employer.
3. Copies of the system AA plan are distributed to senior administrators, and the AA Committee. The plan is available for review by contacting Dolores Fridge, Associate Vice Chancellor for Equal Opportunity and Diversity, at (651) 296-5313.

## **XIX. COMPLIANCE WITH SEX DISCRIMINATION POLICIES**

It is the policy of MnSCU to provide equal employment and educational opportunities to all persons; therefore MnSCU will not discriminate on the basis of sex. Consistent with this policy, the principle of EO and nondiscrimination shall govern all activities within MnSCU, including hiring, promotion, retention, and participation in all other facets of MnSCU employment.

MnSCU actively recruits members of both sexes for all positions unless sex is a bona fide occupational qualification. No statement of qualification based on sex is permissible for any advertisements, announcements, or recruitment brochures unless sex can be proven to be a bona fide occupational qualification. In addition, a statement indicating that MnSCU is an EO/AA employer and educator will be included on appropriate publications and recruitment materials.

Women will not be discriminated against in their conditions of employment because of pregnancy or any conditions related to childbirth. Following childbirth and upon signifying an intent to return within a reasonable time, women shall be reinstated to their original position or to a position of like status and pay, without loss of service credits and in compliance with the Family Medical Leave Act (FMLA).

Salaries for employees will not be related to, or based on, the sex of the employees. Periodic salary reviews will be conducted to ensure that men and women are being paid equally for comparable work and experience.

It is the policy of MnSCU that affirmative action be taken to recruit women for those jobs where they are underutilized.

## **XX. NONDISCRIMINATION COMPLAINT PROCEDURES**

(See Appendix E. Nondiscrimination Complaint Procedure)

To seek fair and just solutions to problems of discrimination/harassment, complaint procedures are available to all members of MnSCU.

In addition to the complaint procedures, some employees have grievance procedures incident to their respective collective bargaining agreements. Complaints/grievances will be processed in accordance with appropriate procedures.

### How to File a Complaint

Any MnSCU System Office employee has the right to file a complaint.

Complaints may be filed with:

Renee Hogoboom, Equal Opportunity Manager and Investigator  
World Trade Center, 6<sup>th</sup> Floor(651) 296-3756

Linda Hanson, System Director for Equal Opportunity  
World Trade Center, 6<sup>th</sup> Floor(651) 296-1867

Dolores Fridge, Associate Vice Chancellor for Equal Opportunity and Diversity  
World Trade Center, 6<sup>th</sup> Floor(651) 296-5313

In any circumstance where these individuals may not be available, staff members are encouraged to bring issues to the attention of the System Office Personnel Director or other System Office Human Resource managers.

The specific process will be explained to any person bringing a complaint and, if necessary, a complaint form will be made available to help in filing a complaint. Staff guidance will be provided and a determination made to pursue either an informal or formal complaint resolution.

No specific timetables are required for filing and resolution of complaints, although each staff member is strongly encouraged to bring their complaint forward as soon as possible. It is MnSCU's policy to respond as quickly as possible in all cases.



## **XXI. VIETNAM ERA VETERANS READJUSTMENT ASSISTANCE ACT OF 1974**

MnSCU will provide equal opportunity in its education and employment opportunities, and will not discriminate against an employee or applicant because he or she is a disabled veteran or veteran of the Vietnam era.

In an effort to make Vietnam Era Veterans aware of employment opportunities within MnSCU, vacancy notices will be sent to the State Job Service and the Department of Veterans Affairs.

Reasonable accommodations will be provided for disabled Vietnam Veteran applicants and employees in accordance with established MnSCU policies and procedures.

## **XXII. SUPPORTED EMPLOYMENT**

MnSCU supports the employment of individuals with disabilities who have traditionally faced employment barriers to successful employment. MnSCU's objective, either through direct recruitment or providing a host training site, is committed to providing opportunities for individuals to utilize job skills that will mutually benefit the individual and the system.

The MnSCU System Office Personnel Director will review opportunities under the Supported Employment Program as the System Office integrates its Campus Services Unit during 1998-1999.

MnSCU will not discriminate against qualified individuals with disabilities and will comply with ADA and other laws governing employment of persons with disabilities.

### XXIII. REASONABLE ACCOMMODATIONS

Reasonable accommodations will be provided as appropriate in accordance with MnSCU policy and procedure. MnSCU procedures will also be in accordance with pertinent state and federal laws. The MnSCU proposed reasonable accommodations policy is located in Appendix D.

#### How to Request Reasonable Accommodations.

An applicant or employee, including student employee, with a disability may request reasonable accommodations by contacting Margaret Johnson, (651) 296-3357 [World Trade Center, 6<sup>th</sup> Floor] or call (651)282-2660 TTY.

There is no specific form needed to make such a request. Each MnSCU division is responsible to provide funding for reasonable accommodations within its unit. An employee making a request for a reasonable accommodation will be requested to provide documentation of the disability and functional limitations by a licensed physician. There is no specific timeline for such requests and the interview process is informal. A written agreement of the accommodation will be made and given to the employee.

If an employee or applicant believes that they have been subjected to discriminatory action in regards to a request for reasonable accommodations, they would access the Nondiscrimination Complaint Procedure found in Appendix E. [See also *XX. Nondiscrimination Complaint Procedure, Page 31.*]

See also MnSCU 1B.4 Access for Individuals with Disabilities policy is located in Appendix C.

#### **XXIV. PRE-HIRE REVIEW**

The attached procedure was approved during the previous AAP year.



## Hiring for System Office Positions

### Creating a New Position (Unclassified or Classified)

- ◆ Supervisor consults with the appropriate Vice Chancellor and completes Position Request Form (PRF).
- ◆ Vice Chancellor verifies position has Chancellor's approval, is within the budget allocation and signs the PRF.
- ◆ Supervisor consults with Margaret Johnson, System Office Personnel Director, and prepares a new position description.

### System Office Personnel

Forwards PRF to Fiscal Services to verify cost center & funds.

Prepares audit request to MnSCU Staffing Unit or DOER (for classified positions) and to MnSCU Personnel (for excluded management positions.)

Once the position classification and salary range is established, System Office Personnel authorizes search process to begin and meets with the Supervisor regarding search and recruitment strategies, affirmative action commitments and the hiring time line.

Places an ad in the targeted publications, including the *MnSCU Employment Opportunities Newsletter*.

For classified positions, System Office Personnel requests a list of qualified applicants from DOER. If no list exists, System Office Personnel prepares statewide exam announcements for the *Career Opportunities Bulletin* and prepares internal posting announcements for union bulletin boards.

### Supervisor

Sends a Position Request Form, Position Description and Organizational Chart to System Office Personnel.

Consultation with the System Office Personnel or the Office of Equal Opportunity and Diversity may be necessary if a disparity of protected classes exists in the hiring unit.

Supervisor prepares a vacancy announcement and advertising language.



Minnesota State Colleges & Universities

## Hiring for System Office Positions

### Filling a vacant position (Unclassified or Classified)

- ◆ Supervisor determines the need to fill an existing vacancy and completes the Position Request Form (PRF).
- ◆ Vice Chancellor verifies position has Chancellor's approval, is within the budget allocation and signs the PRF.
- ◆ Supervisor consults with the System Office Personnel Director regarding an emergency hire, union posting requirements for a permanent hire, whether the position will be restructured at a higher or lower level than the existing position.

### System Office Personnel

System Office Personnel authorizes the search process to begin and meets with the Supervisor regarding search and recruitment strategies, affirmative action commitments and the hiring time line.

Forwards copy of PRF to Fiscal Services to verify cost center & funds.

Places a vacancy announcement in the MnSCU Employment Opportunities Newsletter.

For classified positions, System Office Personnel prepares internal posting announcements for union bulletin boards and requests a list of qualified applicants from DOER. If no list exists, the Personnel Office must announce the position in the *Career Opportunities Bulletin*.

Once a list of names and resumes has been received from DOER, the list is forwarded to the supervisor to begin interviewing.

Personnel Director reviews and approves salary placement above entry level before an offer of employment is made.

### Supervisor

Consultation with the System Office Personnel or the Office of Equal Opportunity and Diversity may be necessary if a disparity of protected classes exists in the hiring unit.

Supervisor prepares vacancy announcement and assists in preparing exam announcement.

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

Supervisor in consultation with System Office Personnel prepares an appointment letter for the Vice Chancellor's signature to be sent to the selected candidate to confirm the position title, the proposed hire date and the agreed upon salary.

## **System Office Personnel**

Once a list of names and resumes have been received from DOER, the list is forwarded to the supervisor to begin interviewing.

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

System Office Personnel Director reviews the appointment letter before it is mailed and keeps a copy in a pending file. When the original letter is signed and returned by the new employee, System Office Personnel processes the appointment and keeps the original letter in the employee personnel file.

## **Supervisor**

Supervisor coordinates the selection process: whether a search committee will be used, to whom applications will be sent, how interviews will be conducted, what interview questions will be asked and how references will be checked.

Supervisor in consultation with System Office Personnel prepares an appointment letter for the Vice Chancellor's signature to be sent in duplicate to the selected candidate to confirm the position title, the proposed hire date and the agreed upon salary.

Personnel Login Number: \_\_\_\_\_

Revised: 3/98

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

### Type of Request (Check all that apply)

<input type="checkbox"/> Establish New Position (Attach position description and organizational chart)	<input type="checkbox"/> Reclassification of Current Employee (Attach position description and organizational chart)
<input type="checkbox"/> Classified <input type="checkbox"/> Unclassified	<input type="checkbox"/> Temporary Length of Appointment _____ How many applicants do you want to interview? _____
<input type="checkbox"/> Fill Vacant Position <input type="checkbox"/> Same job classification <input type="checkbox"/> Reclassify position	<input type="checkbox"/> Emergency (maximum of 45 days) _____ Number of days How many applicants do you want to interview? _____
<input type="checkbox"/> Reassignment <input type="checkbox"/> Work Out of Class...Length of Appointment _____ <input type="checkbox"/> Mobility...Length of Appointment _____	<input type="checkbox"/> Extend Appointment (Emergency, Temporary, or Work Out of Class) Proposed Extension _____

### Employment Condition

(Check one):  Full Time  Part Time \_\_\_\_\_ % Proposed Start Date: \_\_\_\_\_

Percent of time on VCT/CRT screen: \_\_\_\_\_ % Will employee be required to travel:  Yes  No Percent of time: \_\_\_\_\_ %

Brief description of need and work assignments.

Check one:  Campus Service Unit  
 System Office

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

Supervisor Signature \_\_\_\_\_ Date \_\_\_\_\_

Vice Chancellor Signature \_\_\_\_\_ Date \_\_\_\_\_

**DO NOT WRITE BELOW THIS LINE**

### Personnel Office

Authorized to begin hire  Not approved  Pending \_\_\_\_\_ Date \_\_\_\_\_

System Office Personnel Signature \_\_\_\_\_ Date \_\_\_\_\_

### Fiscal Services

Cost Center # \_\_\_\_\_ Percentage \_\_\_\_\_ % Position Budgeted:  Yes  No

Funding Available:  Yes  No

Authorized Fiscal Services Signature \_\_\_\_\_ Date \_\_\_\_\_

Requisition #: \_\_\_\_\_ Appointee: \_\_\_\_\_ Effective date: \_\_\_\_\_

Final Classification: \_\_\_\_\_



## XXV. POLICY STATEMENTS

The following appendices contain policy statements enacted by the Board of Trustees of Minnesota State Colleges and Universities.

### List of Appendices

- Appendix A. Affirmative Action in Employment Policy
- Appendix B. Nondiscrimination in Employment and Education Opportunity Policy
- Appendix C. Access for Individuals with Disabilities Policy
- Appendix D. Reasonable Accommodations Policy  
(pending MnSCU Board of Trustees approval)
- Appendix E. Nondiscrimination Complaint Procedure
- Appendix F. Detailed Workforce Analysis
- Appendix G. Detailed Utilization Analysis
- Appendix H. Building Emergency Procedures

**AFFIRMATIVE ACTION IN EMPLOYMENT POLICY**

**APPENDIX A**

**BOARD POLICY 1B.2**

apter

1B. SYSTEM ORGANIZATION AND ADMINISTRATION  
EQUAL EDUCATION AND EMPLOYMENT OPPORTUNITY

Section

2. Affirmative Action in Employment

---

## **1B.2 AFFIRMATIVE ACTION IN EMPLOYMENT.**

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

*Date of Implementation:* 9/20/94

*Date of Adoption:* 9/20/94

*Date and Subject of Revisions:*

**APPENDIX B**

**NONDISCRIMINATION IN EMPLOYMENT  
AND EDUCATION OPPORTUNITY POLICY**

**BOARD POLICY 1B.1**

Chapter	1B. SYSTEM ORGANIZATION AND ADMINISTRATION EQUAL EDUCATION AND EMPLOYMENT OPPORTUNITY
Section	1. Nondiscrimination in Employment and Education Opportunity

---

**1B.1 NONDISCRIMINATION IN EMPLOYMENT AND EDUCATION OPPORTUNITY.**

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

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

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

**RACIAL DISCRIMINATION/HARASSMENT**

**Part 1. Definitions.**

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

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

## SEX DISCRIMINATION/HARASSMENT AND VIOLENCE

### Part 2. Definitions.

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

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

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

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

unwelcome pressure for sexual activity;

unwelcome, sexually motivated or inappropriate patting, pinching, or physical contact; physical contact may be appropriate, if necessary to restrain individuals to avoid physical harm to persons or property;

demands for sexual favors or promises of preferential treatment with regard to an individual's employment or educational status accompanied by implied or overt threats concerning an individual's employment or educational status; or

unwelcome behavior or words of a sexual nature directed at an individual because of gender.

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

1. Forcible acts, which include non-consensual sexual contact, and/or sexual contact in which the victim is incapable of giving consent (such as when the complainant is under the influence of alcohol or drugs);
2. Nonforcible sex acts such as incest and statutory rape; and

touching, patting, grabbing, or pinching another person's intimate parts, whether that person is of the same sex or the opposite sex;

coercing, forcing, or attempting to coerce or force the touching of anyone's intimate parts;

coercing, forcing, or attempting to coerce or force sexual intercourse or a sexual act on another; or

threatening to force or coerce sexual acts, including the touching of intimate parts or intercourse, on another.

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

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

Claims of a consensual romantic/sexual relationship will not protect individuals from sexual harassment charges nor guarantee a successful defense if charges are made. It is the faculty member, supervisor or staff who will bear the burden of accountability because of his/her special power and responsibility, and it may be exceedingly difficult to use mutual consent as a defense. Therefore, all employees should be aware of the risks involved in entering into a romantic/sexual relationship where there is a superior/subordinate relationship.

## **SEXUAL ORIENTATION DISCRIMINATION/HARASSMENT**

### **Part 3. Definitions.**

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

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

## **Part 4. Definitions.**

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

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

*Date of Adoption:* 9/20/94  
*Date of Implementation:* 9/20/94  
*Date and Subject of Revisions:* 12/20/95 *Added everything after  
the first paragraph.*



**ACCESS FOR INDIVIDUALS WITH DISABILITIES POLICY**

**APPENDIX C**

BOARD POLICY 1B.4

Chapter 1B. SYSTEM ORGANIZATION AND ADMINISTRATION  
EQUAL EDUCATION AND EMPLOYMENT OPPORTUNITY

Section 4. Access for Individuals with Disabilities

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## 1B.4 ACCESS FOR INDIVIDUALS WITH DISABILITIES

### Part 1. Definitions.

#### Subpart A. An individual with a disability:

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

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

**Subpart C. Qualified individual:** A person who, with or without reasonable modifications to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, or the provision of auxiliary aids and services, meets the essential eligibility requirements for receipt of services or participation in a system office, college, or university program or activity. Essential eligibility requirements include, but are not limited to, academic and technical standards requisite to admission or participation in an education program or activity.

### Part 2. General Access Policy.

The system office, colleges, and universities will provide access to programs, services and activities to qualified individuals with known disabilities as required by law. Where an individual asks for an

accommodation, the system office, college, or university may require the individual to provide documentation.

### **Part 3. Availability and Notice.**

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

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

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

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

Colleges and universities have a responsibility to provide access to services and/or activities that are operated or sponsored by the college or university or that receive significant assistance from the college or university. Such access shall be provided in a reasonable manner as required by law. At a minimum, the following must be offered to qualified students with disabilities: 1) support, counseling, and information services that may include support groups, individual counseling, career counseling and assessment, and referral services, 2) academic assistance services that may include assistive devices, early registration services, early syllabus availability, course selection, and program advising, course work assistance, testing assistance, and modification, and tutoring, and 3) coordination services that may include personnel acting on the student's behalf and serving as the primary contact and coordinator for students needing services, assistance in working individually with faculty and administrators, intervention procedures, and grievance procedures.

### **Part 6. Procedure.**

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

- a. The system policy statement and system definitions.
- b. Assignment and identification of a staff member responsible for administering the delivery of services to individuals with disabilities.

c. Provide a process for appealing a denial of a request for program access.

Date of Implementation: 7/1/95  
Date of Adoption: 6/20/95  
Subject and Date of Revision:

**APPENDIX D**

**REASONABLE ACCOMMODATIONS POLICY**

**(pending MnSCU Board approval)**

**Personnel Responsible: Margaret Johnson, (651) 296-3357**

BOARD OF TRUSTEES  
MINNESOTA STATE COLLEGES AND UNIVERSITIES

<b>BOARD POLICY</b>		<b>1B.6</b>
Chapter	1B.	EQUAL EDUCATION & EMPLOYMENT OPPORTUNITY
Section	6.	Reasonable Accommodations in Employment

1 **1B.6 REASONABLE ACCOMMODATIONS IN EMPLOYMENT**

2  
3 **Part 1. Definitions.**

4  
5 **Subpart A. Individual with a disability:** An individual with a disability is any applicant or  
6 employee, including student employees, who:

- 7 1. has a physical or mental impairment which substantially limits one or more of such  
8 person's major life activities;
- 9 2. has a record of such impairment which means that a person has a history of, or has  
10 been classified as, having a mental or physical impairment that substantially limits one or  
11 more major life activity;
- 12 3. is regarded as having such an impairment which means:
- 13 a. has a physical or mental impairment that may not substantially limit major life  
14 activities but that is treated by an employer as constituting such a limitation;
- 15 b. has a physical or mental impairment that substantially limits major life activities  
16 only as a result of the attitudes of others toward such impairment; or  
17 c. has no impairment but is treated by an employer as having such an impairment.

18  
19 **Subpart B. Qualified Individual with a disability:** A qualified individual with a disability  
20 is an applicant or employee, including student employees, who meets the minimum  
21 education, experience and training requirements of the job and who, with or without  
22 reasonable accommodation, can perform the essential functions of the job.

23  
24 **Subpart C. Temporary Disabling Condition:** Generally, a disabling medical or mental  
25 condition which is expected to be temporary and from which the individual is expected to  
26 recover is not a disability. However, if the temporary disabling condition develops into a  
27 substantial impairment, it may be considered a disability and reasonable accommodations  
28 may be considered.

29  
30 **Subpart D. Reasonable Accommodations:** A reasonable accommodation is any reasonable  
31 change in the work environment or in the way things are customarily done that enables an  
32 individual with a disability to perform the essential functions of the job and to access equal

1 employment opportunities. Reasonable accommodations may also include those things  
2 which make a facility and its operations readily accessible to and usable by persons with  
3 disabilities. Under the ADA the employer has a responsibility to make reasonable  
4 accommodations only to known disabilities of employees, including student employees, and  
5 job applicants.  
6

7 **Subpart E. Undue Hardship:** In determining whether or not the making of a reasonable  
8 accommodation should impose an "undue hardship" on the operation of the system colleges  
9 or universities, the factors to be considered must include:

- 10 1. the overall size of the program (i.e., number and type of facilities, size of budget);
- 11 2. the type of operation including the composition and structure of the workforce;
- 12 3. the cost of the accommodation needed;
- 13 4. the reasonable ability to finance the accommodation at each site of business; and
- 14 5. documented good faith efforts to explore less restrictive or less expensive alternates  
15 including consultation with the disabled person or with knowledgeable disabled persons  
16 or organizations.

17  
18 **Subpart F. Direct Threat:** An individual presents a direct threat where the individual  
19 cannot perform the essential functions of the job without creating a significant risk to the  
health and safety of the individual or others and the risk cannot be eliminated by reasonable  
20 accommodation.  
21

## 22 **Part 2. Reasonable Accommodations in Employment**

23  
24  
25 It is the policy of MnSCU to encourage the employment and promotion of any qualified person  
26 including persons with disabilities. The system and colleges and universities will provide  
27 reasonable accommodations directly related to performing the essential functions of a job or  
28 competing for a job on the basis of qualifications, without regard to a person's disability.  
29

## 30 **Part 3. Procedures.**

31  
32 Procedures for the system and each college and university shall develop procedures, practices and  
33 standards to carry out the intent and spirit of the Americans with Disabilities Act of 1990  
34 consistent with the following principles.  
35

- 36 1. Reasonable accommodations will not be provided for non-job related personal needs of  
37 individuals even though the individual or person may be a disabled individual. In such cases,  
38 questions may arise as to whether the accommodation is personal or job related. The primary  
39 factor in evaluating an accommodation's job relatedness is whether the accommodation  
40 specifically assists the person to perform the job or whether the requested accommodation is  
41 primarily for the benefit of the disabled person to assist that person in daily activities, on and off  
the job. In the latter case, a reasonable accommodation is not required.

1  
2 2. If the system, college or university denies employment or advancement in employment  
3 based on a disabled individual's inability to perform and declines to make reasonable  
4 accommodations to the physical or mental needs of a disabled employee or job applicant to  
5 enable the individual to perform the essential functions of the job, it must be demonstrated that:  
6 a) the accommodation would impose an undue hardship on the MnSCU system office, college or  
7 university; b) the accommodation does not overcome the effects of the person's disability which  
8 allows that person to perform the essential job functions; or c) the disabled person, with or  
9 without reasonable accommodations, is not qualified to perform the essential functions of that  
10 particular job.

11  
12 3. Transportation to and from work is the responsibility of the disabled employee. The  
13 MnSCU and MnSCU colleges and universities will not provide transportation to and from work  
14 as part of reasonable accommodations.

15  
16 4. The system, college or university may require documentation of a disability as part of the  
17 reasonable accommodations process.

18  
19 5. Each MnSCU college and university is responsible for establishing a procedure for  
20 employees with disabilities to make requests for reasonable accommodations. Such procedure, at  
21 a minimum, must include the following:

- 22  
23 a. MnSCU policy statement and definitions;  
24 b. assignment and identification of a staff member responsible for administering  
25 reasonable accommodations;  
26 c. where a college or university determines it cannot provide reasonable  
27 accommodation due, in part, to financial considerations, the college/university shall  
28 consult with the MnSCU System Office Equal Opportunity Division prior to a  
29 final determination.  
30 d. Provide a process for appealing a denial of a request for reasonable  
31 accommodations.

32  
33 *Date of Adoption:* XX/XX/98 (Board Meeting Date)

34 *Date of Implementation:* XX/XX/98 (Recommendation for Implementation Date)



**NONDISCRIMINATION COMPLAINT PROCEDURE**

**APPENDIX E**

**Board Policies****Chapter 1 - System Organization and Administration****Procedure 1B.1.1 Report/Complaint of  
Discrimination/Harassment Investigation and Resolution**for [Board Policy 1B.1](#)**Part 1. Purpose.**

To further implement Minnesota State Colleges and Universities policies relating to non-discrimination by providing a process through which individuals alleging violation of system non-discrimination policies may pursue a complaint. This includes allegations of race discrimination/harassment, sexual discrimination/sexual harassment, sexual violence, discrimination/harassment based on age, disability, color, creed, national origin, religion, sexual orientation, marital status, status with regard to public assistance or membership in a local commission.

**Part 2. Definitions.**

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

**Subpart B. Decision-making authority.** A decision-making authority is an individual designated by the president of an institution to review investigative reports, to make findings whether the discrimination/harassment and sexual violence policies have been violated based upon the investigation, and to determine the appropriate action for the institution to take based upon the findings. The decision-making authority designated by the president shall be a university/college vice president or college dean who reports directly to the president. The president may designate other individuals to assume the role of the decision-making authority as deemed necessary.

**Subpart C. Academic Freedom.** The system, colleges, and universities shall maintain and encourage full freedom, within the law, of 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. In recognition and support of academic freedom for faculty, students, staff members, and other members of the system, college and university community, academic freedom shall be considered in investigating and reviewing complaints of discrimination or harassment. However, raising issues of academic

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freedom will not excuse discriminatory/harassing behaviors that constitute a violation of the Board's non-discrimination policy.

### Part 3. Reports and Complaints.

All complaints and reports of discrimination/harassment or sexual violence will be promptly investigated and appropriate action will be taken as expeditiously as possible. Complaints and reports of discrimination/harassment or sexual violence should be reported as soon as possible after the incident(s) in order to be most effectively investigated. The system office, colleges, and universities will make reasonable efforts to protect the rights of both the complainant and respondent. The system office, colleges, and universities will respect the privacy of the complainant, the individual(s) against whom the complaint is filed (respondent), and the witnesses in a manner consistent with the system's and college or university's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations.

**Subpart A. Discrimination/harassment.** The system office, colleges, and universities encourage any person who feels he or she has been or is being subjected to discrimination/harassment to report the incident to the designated officer. Any student, faculty member or employee who knows of, receives information about or receives a complaint of discrimination/harassment is urged to report the information or complaint to the system office, college, or university designated officer. Administrators and supervisors must report incidents of discrimination/harassment to the designated officer in a timely manner.

**Subpart B. Sexual Violence.** The system office, colleges, and universities encourage any person who has questions about or feels he or she has experienced sexual violence to, individually or through another person, see the designated officer or one of these contact people for assistance: (*insert campus names and numbers*). The system office, colleges, and universities encourage the reporting of any and all incidents of sexual violence to a law enforcement agency; and system colleges and universities will report incidents of sexual violence/assault as required by law. A verbal or written complaint of sexual violence may be made directly to the designated officer or to one of the contact people named above. Any student or employee who receives information about or a complaint of sexual violence is urged to notify the designated officer within two working days. If the complaint is against the designated officer, the verbal or written complaint may be made directly to the president or to the president's designee, who will follow the procedures contained in this policy. If the complaint is against the president, the verbal or written complaint may be made to the chancellor who will follow the procedures contained in this policy.

### Part 4. Exclusive Representative Involvement.

Employees covered by a collective bargaining agreement have the right to request union representation throughout the procedures outlined below. The Designated Officer must inform covered employees of this right. The employer recognizes the obligation of the union to, at the request of the member, represent those bargaining unit members bringing claims of discrimination or defending against allegations of discrimination.

Nothing in this Procedure is intended to expand, diminish or alter in any manner whatsoever any right or remedy available under the collective bargaining agreement. In this regard, if resolution of a complaint is not reached, the issue of whether just cause exists for disciplinary action is subject to a grievance under the collective bargaining agreement through arbitration. The decision of the arbitrator, on just cause, shall be based upon evidence presented during arbitration. If an employee is disciplined under this Complaint Procedure and

there is a subsequent arbitration, under a collective bargaining agreement, the arbitrator shall consider evidence offered and accepted on its own strength. The arbitration is not an appeal from the decision in the Complaint Procedure, but is a new proceeding in which the parties are free to offer evidence and objections on traditional evidentiary grounds.

#### **Part 5. System Office.**

Complaints of discrimination/harassment and sexual violence arising within the system office shall be governed by this complaint process. For complaints which involve allegations against system office employees, the responsibilities identified in this process as those of the president are the responsibilities of the chancellor. Complaints against a president of a MnSCU college or university shall be filed with the MnSCU System Office. Complaints against college/university vice presidents/deans who report directly to the president are filed at the campus level with the president as decision-maker with right of appeal for review to the system office. For complaints which involve allegations against the Chancellor or a member of the Board of Trustees, complaints will be processed according to Board of Trustee's policy.

#### **Part 6. Investigation and Resolution.**

The system complaint process is the procedure to be used to end inappropriate behavior; investigate for the purpose of fact finding; and facilitate resolution in complaints involving allegations of discrimination/harassment or sexual assault. However, as part of the complaint process, the system office, colleges, and universities, in consultation with the MnSCU Office of Equal Opportunity and Diversity, may use alternative dispute resolution/mediation services as a method of resolving discrimination/harassment complaints as deemed necessary.

**Subpart A. Discrimination/harassment.** Complainants of discrimination/harassment will be informed by the appropriate system office, college, or university authorities that the investigation and resolution of a complaint under this policy do not replace the right to pursue other options.

1. **Informal Process.** The procedures for informal resolution are optional. The designated officer shall determine whether and/or how to proceed. The goal of informal resolution is to stop inappropriate behavior, investigate, and/or facilitate resolutions, if possible.

a.

Personal resolution. Individuals may choose to bypass personal resolution and request institutional informal resolution and/or formal resolution. If the complainant is able and/or feels safe, he or she should clearly explain to the alleged offender that the behavior is objectionable and state that it stop. The complainant should do so as soon as possible after the incident. For assistance, use system office, college, or university personnel (counselor, designated officer, or other). Communication with the alleged offender may be in person, on the telephone, or in writing. If the behavior does not stop or if the complainant believes some employment or education consequences may result from the discussion, he or she should go to a higher level of supervision, such as the complainant's supervisor or the designated officer to document the complaint. The supervisor should report the complaint to the designated officer.

b.

Informal institutional resolution. An allegation of discrimination/harassment may be pursued through the institution's informal procedure. The designated officer must

be contacted in order to initiate a complaint. The complaint should be brought as soon as possible after the most recent incident. The designated officer will:

- determine whether the complaint is one which should be processed through another college or university dispute resolution procedure available to the complainant; if appropriate, the designated officer shall direct the complainant to that procedure(s) as soon as possible;
- determine who will conduct the investigation;
- inform the individual of the provisions of both the informal and formal discrimination/harassment complaint procedures and provide a copy of the complaint procedure;
- when deemed appropriate, inform the person against whom the complaint is brought of its existence;
- maintain the appropriate documentation;
- disclose appropriate information to others only on a need to know basis consistent with state and federal law. An informal complaint may be investigated without identifying the complainant, if in the judgment of the designated officer, this would increase the likelihood of satisfactory resolution of the complaint. Confidentiality cannot be guaranteed; however, care will be taken to keep investigation discussions sufficiently broad to protect the complainants' identities when requested. If a complainant no longer desires to pursue a complaint, the system office, colleges, and universities reserve the right to investigate and resolve the complaint. In such cases, the respondent shall be informed of the status of the investigation at reasonable times up until the college/university's final disposition of the complaint as well as ensuring that the respondent is able to respond to the substance of the complaint during meetings convened by the decision-making authority to consider discipline based on the substance of the investigation report.

If the designated officer finds there is evidence that the complained of behavior occurred, the designated officer may use one or more of the following methods (which may also be part of the formal process) to stop the behavior:

- discussion with the alleged offender, informing him or her of the policy and indicating that the behavior must stop;
- suggesting counseling and/or sensitivity training;
- conducting training for the unit, division, or department, calling attention to the consequences of engaging in such behavior;
- requesting a letter of apology to the complainant;
- facilitating meetings between the parties; and
- separating the parties, etc.
- composing a written letter of agreement confirming that respondent has been informed of the policy, identifying and accepting the designated officer's resolution of the complaint, and stating that retaliation

is prohibited;

If the informal procedures do not resolve the complaint within a reasonable period of time to the satisfaction of the designated officer, or the designated officer feels additional steps should be taken, the designated officer should commence the formal procedures unless reasonable delays are deemed appropriate by the designated officer.

2. **Formal institutional process.** If a complaint is not resolved through the informal complaint procedures or if the designated officer determines that the complaint should be pursued through formal complaint procedures, the formal procedures must be used. The designated officer will:

- prepare a formal complaint in writing on the complaint form available from the system office, college, or university authorities. The complaint must include a detailed description of the facts upon which the charge is based, a list of possible witnesses as deemed appropriate by the designated officer, and the resolution sought.
- notify the respondent in writing of the nature of the allegations and send a copy of the nondiscrimination policy and process. The respondent may provide a written response to the allegations.
- conduct an investigation of the complaint, including appropriate interviews and meetings. The designated officer will inform the complainant and respondent whether other individuals may accompany them during interviews and meetings and the permitted extent of their involvement.
- prepare a report to the decision-making authority. If the respondent is the decision-making authority, the designated officer will prepare a report to the president or the president's designee. The report may be provided to the complainant or respondent as deemed appropriate in keeping with state and federal law.

After receiving the report of the designated officer, the decision-making authority may, at his/her discretion, meet with a party; request additional information which may include written arguments from the complainant/respondent and/or his/her representative relating to the allegations of the complaint; or, take other measures deemed necessary to reach a decision. If a meeting involving a bargaining unit member is convened, the complainant or respondent may be accompanied by their bargaining unit representative, an attorney or other support person. The decision-making authority will report in writing to the parties and the designated officer his or her findings as to whether or not the system nondiscrimination policy has been violated. The decision-making authority will take into account, the surrounding circumstances; the nature of the behaviors; the relationship(s) between the parties; the context in which the alleged incident(s) occurred; and other relevant facts upon which he/she relied in reaching a decision. The decision-making authority will determine the nature and scope of sanctions and when/how to implement sanctions if a violation of policy occurs.

3. **Investigative Data.** During the investigation, the designated officer will keep private the information gathered during the investigation in keeping with state and federal law. The designated officer or designee shall exercise due caution in sharing identifiable information about students or staff. If possible, and to aid in the

investigation, the designated officer shall obtain informed consent from the complainant and witnesses to disclose information. However, the investigation must go forward even in the absence of consent.

4. **Summary Action.** In certain circumstances involving allegations against students, the president or her/his designee may impose a summary suspension prior to the informal or formal proceedings described in the previous articles. A summary suspension may be imposed only when, in the judgment of the administrator, the accused student's presence on the college or university campus would constitute a threat to the safety and well-being of members of the campus community. Before implementing the summary suspension, the accused student shall be given oral or written notice of the intention to impose the summary suspension and shall be given an opportunity to present oral or written arguments against the imposition of the suspension. Notice of the intention to impose the summary suspension shall be provided in writing to the student. After the student has been summarily suspended, the formal 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 without obtaining prior permission from the administrator. Summary action may be similarly taken against any employee; action against employees who are members of bargaining units may be taken consistent with collective bargaining agreements.

**Subpart B. Sexual violence.** The system office, colleges, and universities will take appropriate action to protect a student or employee who files a complaint of sexual violence. The designated officer will inform complainants of sexual violence of the following rights and ensure that the following responsibilities of the system office, college, or university are met within the confines of law:

1. The complainant has the right to file criminal charges with local law enforcement officials.
2. Upon request, the complainant will be provided prompt assistance in notifying the appropriate law enforcement officials and disciplinary authorities of any incident of sexual violence.
3. At the direction of law enforcement authorities, person(s) designated by the institution will provide complete and prompt assistance in obtaining, securing, and maintaining evidence in connection with an incident of sexual violence.
4. The complainant will be provided assistance in preserving materials relevant to a campus disciplinary proceeding.
5. All sexual violence complaints will be investigated and resolved by the appropriate campus disciplinary authorities.
6. The complainant and respondent may be accompanied by an attorney or other support person at any campus disciplinary proceeding concerning the sexual violence complaint and may participate in any meetings to the extent permitted by the decision-making authority.
7. The complainant and respondent will be informed of the outcome of any campus disciplinary proceeding concerning the sexual violence complaint, consistent with laws relating to data practices.
8. Upon request of the complainant and in cooperation with appropriate law enforcement authorities, the complainant will be provided assistance to be shielded from unwanted contact with the respondent, including, but not limited to transferring a student complainant to alternative classes or alternative institutionally owned housing, if alternative classes or housing are available and

- feasible; and transferring an employee to an alternative unit, division, or department, if such options are reasonably available.
- 9. The complainant will be informed of his or her rights under the Crime Victims Bill of Rights, including the right to assistance from the Office of the Crime Victim Ombudsman and the Crime Victims Reparations Board and will be provided assistance in contacting these offices.
- 10. The complainant will be notified of existing on and off campus counseling, mental health, or other services for victims of sex offenses.

**Investigation of sexual violence.** The system office, colleges, and universities will investigate complaints of sexual violence. If a complainant reports sexual violence to law enforcement, the system office, college, or university will take the involvement of local law enforcement into account in determining the nature and scope of the investigation. The system office, college, or university will conduct an investigation according to the following:

1. The designated officer is responsible for initiating an investigation promptly upon receiving a report or complaint alleging sexual violence. This investigation may be conducted by the designated officer, other system office, college, or university authorities, or by a designated third party.
2. The system office, college, or university may take immediate steps, at its discretion, to protect the complainant, other students and/or employees, pending completion of the investigation of alleged sexual violence.
3. The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods deemed pertinent by the investigator.
4. The complainant and the respondent may have in their presence a support person of their choice during all contacts with the designated officer and/or authorized investigator.
5. The designated officer shall provide a written report of the investigation to the decision-making authority. If the investigator is not the designated officer, the investigator shall provide a written report of the investigation to the designated officer for review and presentation to the decision-making authority.
6. The decision-making authority will report in writing to the parties and the designated officer his or her findings as to whether or not the discrimination/harassment or sexual violence policy has been violated and the appropriate action to take. The decision-making authority will consider the surrounding circumstances, the nature of the sexual conduct, the relationship(s) between the parties, and the context in which the alleged incident(s) occurred.

#### **Part 7. System Office, College, or University Action.**

The system office, college, or university will take the appropriate remedial action based on results of the investigation and will follow up as appropriate to ensure that the remedial action is effective. Complainants are encouraged to report any reoccurrences of conduct which was found to violate the system discrimination/harassment or sexual violence policy. The Decision-making authority will notify the complainant and respondent in writing of the results of the formal investigation. Written notice to parties relating to discipline, resolutions, and/or final dispositions resulting from the process is deemed to be official



correspondence from the system office, college or university.

#### **Part 8. Right to Appeal.**

The complainant and the respondent shall have the right to appeal decisions of the decision-making authority to the president or his/her designee pursuant to this policy. In exercising the right of appeal to the president or system office as provided by this procedure, a written appeal must be made within ten (10) working days after notification of the decision which is being appealed. The president or designee may receive additional information if he/she believes such information would aid in the decision. A decision will be made within a reasonable time and the designated officer, the complainant, and the respondent will be notified of the decision. During the time of appeal and review, disciplinary action taken as a result of the complaint may 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 law (Minnesota Statutes, Chapter 14).

#### **Part 9. Retaliation/Reprisal.**

No retaliation or intimidation directed towards anyone who reports or makes a complaint of discrimination/harassment or violence will be tolerated by the system office, colleges, and universities. Such retaliation is prohibited by state law. The designated officer will be responsible for providing follow-up to ensure against retaliation. The system office, colleges, and universities will discipline any individual who retaliates against any person who testifies, assists, or participates in an investigation, proceeding or hearing in relation to a discrimination/harassment or violence complaint. Retaliation includes, but is not limited to, any form of intimidation, reprisal, coercion, discrimination, harassment, or unwanted sexual contact toward a complainant, his/her relatives, friends or associates. Reprisal also includes discrimination against an individual because that person is associated with a protected group member.

#### **Part 10. Education and Training.**

The system, colleges and universities will provide education and training programs to promote awareness and prevent discrimination/harassment and sexual violence, such as education seminars, peer-to-peer counseling, operation of hotlines, self-defense courses, and informational material development and distribution. Education and training programs should include education about the system office, colleges and universities discrimination/harassment and sexual violence policies as well as conducting investigations, management and implementation of the complaint procedure.

#### **Part 11. Dissemination of Procedure.**

Information regarding this procedure and the institution policy, including the rights enumerated under victim's rights, must be provided to each student during student registration and each employee on acceptance of employment. Copies of the policies will be conspicuously posted at appropriate locations on college and university campuses at all times.

#### **Part 12. Files.**

During an investigation of a complaint, and, upon the completion of an investigation and/or the completion of a grievance related to the outcome of an investigation, the file shall be repositied in the office of the Designated Officer for the system, college, or university. Future access shall be in keeping with the Minnesota Government Data Practices Act and the Family Educational Rights and Privacy Act.

#### **Part 13. Administrative Manual.**

The system office shall develop an administrative manual for use by designated officers and decision-making authorities for implementation of this procedure.

*Effective date: February 17, 1997*

## DISCRIMINATION/HARASSMENT COMPLAINT FORM

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

Name of COMPLAINANT: \_\_\_\_\_

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

Address (local): \_\_\_\_\_

Address (residence): \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Sex:  Male  Female

Phone: [work] \_\_\_\_\_

[home] \_\_\_\_\_

Status:

Student  Faculty  Staff  Administrator  External/Non-Campus

TYPE OF COMPLAINT:  DISCRIMINATION  HARASSMENT  RETALIATION

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

Race

Age

Sexual Orientation

Sex

National Origin

Veteran's Status

Color

Disability

Status with Regard

Creed

Marital Status

to Public Assistance

Religion

Membership/Activity in Local  
Commission

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

Name of RESPONDENT: \_\_\_\_\_

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

Address (local): \_\_\_\_\_

Address (residence): \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Sex:  Male  Female

Phone: [work] \_\_\_\_\_

[home] \_\_\_\_\_

Status:

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

Address (local): \_\_\_\_\_

Address (residence): \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Sex:  Male  Female Phone: [work] \_\_\_\_\_  
[home] \_\_\_\_\_

Status:  
 Student  Faculty  Staff  Administrator  External/Non-Campus

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

Address (local): \_\_\_\_\_

Address (residence): \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Sex:  Male  Female Phone: [work] \_\_\_\_\_  
[home] \_\_\_\_\_

Status:  
 Student  Faculty  Staff  Administrator  External/Non-Campus

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

Address (local): \_\_\_\_\_

Address (residence): \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Sex:  Male  Female Phone: [work] \_\_\_\_\_  
[home] \_\_\_\_\_

Status:  
 Student  Faculty  Staff  Administrator  External/Non-Campus

**EXPLAIN YOUR COMPLAINT IN DETAIL. INCLUDE THE FOLLOWING INFORMATION. ADD ADDITIONAL PAGES IF NECESSARY. ATTACH DOCUMENTS YOU BELIEVE MAY BE HELPFUL IN INVESTIGATING YOUR COMPLAINT.**

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

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

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

Address (local): \_\_\_\_\_

Address (residence): \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Home phone \_\_\_\_\_ Work phone \_\_\_\_\_ Work hours \_\_\_\_\_

What information can this witness provide? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

Address (local): \_\_\_\_\_

Address (residence): \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Home phone \_\_\_\_\_ Work phone \_\_\_\_\_ Work hours \_\_\_\_\_

What information can this witness provide? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

Address (local): \_\_\_\_\_

Address (residence): \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Home phone \_\_\_\_\_ Work phone \_\_\_\_\_ Work hours \_\_\_\_\_

What information can this witness provide? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

LIST DOCUMENTS YOU BELIEVE MAY HELP IN INVESTIGATING YOUR COMPLAINT. PROVIDE THE NAME, DATE AND EXPLANATION OF THE CONTENTS OF EACH DOCUMENT. ADD MORE PAGES IF NECESSARY.

NAME OF DOCUMENT #1: \_\_\_\_\_

DATE: \_\_\_\_\_ EXPLANATION OF CONTENTS: \_\_\_\_\_

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NAME OF DOCUMENT #2: \_\_\_\_\_

DATE: \_\_\_\_\_ EXPLANATION OF CONTENTS: \_\_\_\_\_

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NAME OF DOCUMENT #3: \_\_\_\_\_

DATE: \_\_\_\_\_ EXPLANATION OF CONTENTS: \_\_\_\_\_

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# DISCRIMINATION/HARASSMENT INTAKE FORM

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

Person Making Initial Contact: \_\_\_\_\_

Other Agencies Contacted Prior to Initial Contact:

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

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

Address (local): \_\_\_\_\_

Address (residence): \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Sex:  Male  Female Phone: [work] \_\_\_\_\_  
[home] \_\_\_\_\_

Status:  
 Student  Faculty  Staff  Administrator  External/Non-Campus

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

Address (local): \_\_\_\_\_

Address (residence): \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Sex:  Male  Female Phone: [work] \_\_\_\_\_  
[home] \_\_\_\_\_

Status:  
 Student  Faculty  Staff  Administrator  External/Non-Campus





TYPE OF COMPLAINT:  DISCRIMINATION       HARASSMENT       RETALIATION

**BASIS OF COMPLAINT:**

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

**BRIEF DESCRIPTION OF INCIDENT OF ALLEGED DISCRIMINATION/HARASSMENT:**

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**DISPOSITION:**

Referred to:

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

Resolution:

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

**Sanction:**

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

**DETAILED WORKFORCE ANALYSIS**

**APPENDIX F**

**AFFIRMATIVE ACTION PLAN**  
**Workforce Analysis**  
**May 1998**

Name	Job Title	EEO-6*	Group	B/U*	1*	2*	Male			1*	2*	Female		
							3*	5*	6*			3*	5*	6*
<b>Office of the Chancellor</b>														
	Chancellor	A1	EAM 1	220			X							
	Deputy to the Chanc/Chief of Staff	A1	EAM 2	220								X		
	Executive Aide	C	PCT 2	220								X		
	Executive 1	D1	PCT 2	217								X		
	Executive 2, Secretary to the Board	D1	PCT 2	217								X		
	Clerk Typist 3	D2	PCT 2	217									X	
	Clerk Typist	D2	PCT 2	217								X		
<b>Akita</b>														
	Director, Akita Support Office	C	EAM 3	211								X		
	Akita, MnSCU Program Director	C	PCT 1	211			X							
	Personnel Officer	C	PCT 1	208								X		
<b>Equal Opportunity/Diversity</b>														
	Associate Vice Chancellor	A1	EAM 1	220	X									
	Director for Equal Opportunity	A2	EAM 3	220								X		
	Executive 1	D1	PCT 2	217								X		
<b>Internal Audit</b>														
	Executive Director for Internal Auditing	A1	EAM 1	220										
	Deputy Director for Internal Auditing	A2	EAM 3	220										
	Publications & Media Relations Director	A2		220										
	Audit Coordinator	C	PCT 1	214										
	Audit Coordinator	C	PCT 1	214										
	Internal Auditor, Principal	C	PCT 1	214										
	Executive 1	D1	PCT 2	206										
<b>Public Affairs</b>														
	Deputy to the Chancellor	A1	EAM 1	220										
	Senior Writer (.75)	C	EAM 3	220										
	Information Officer 2	C	PCT 1	214										
	Executive 1	D1	PCT 2	217										
	Clerk Typist 3	D2	PCT 2	206										X
<b>Government Relations</b>														
	Deputy to the Chancellor, Govt Rel	A1	EAM 2	220										
	Deputy to the Chancellor, Legis & Policy Anal	A1	EAM 2	220										
	Assistant Director for Govt Rel	A2	EAM 3	220										
	Management Analyst 1	C	PCT 1	214										
<b>Academic &amp; Student Affairs</b>														
	Sr Vice Chanc for Acad and Stud Aff	A1	EAM 1	220								X		
	Executive 1	D1	PCT 2	217								X		

Name	Job Title	EEO-6*	Group	B/U*	1*	2*	3*	5*	6*	1*	2*	3*	5*	6*
<b>Academic Resources</b>														
	Assoc Vice Chancellor for Acad Res	A1	EAM 1	220									X	
	Sys Dir for Continuing/Customized Educ	A2	EAM 2	220			X							
	Sys Dir for Educational Grants Prog	A2	EAM 2	220									X	
	MnSCU PD 3 (JTPA)	C	EAM 3	220									X	
	MnSCU PD 3 (Perkins Law Grants)	C	PCT 1	214			X							
	MnSCU PD 3 (Gender Equity)	C	PCT 1	214									X	
	MnSCU PD 3 (Skills Stds Coord)	C	PCT 1	214			X							
	Tech College Licensure Specialist	C	PCT 1	214									X	
	MnSCU PD 3 (Grant Activities)	C	PCT 1	214			X							
	Management Analyst 1 (Licensure)	C	PCT 1	214									X	
	Clerk Typist 4	D2	PCT 2	206									X	
	Clerk Typist 3 (Licensure)	D2	PCT 2	206									X	
	Clerk Typist 2	D2	PCT 2	206									X	
							Male				Female			
<b>Academic Programs</b>														
	Assoc Vice Chanc for Acad Programs	A1	EAM 1	220				X						
	Sys Dir for Acad Program Review	A2	EAM 2	220			X							
	System Director for Internat'l Education	A2	EAM 2	220									X	
	System Director for Educational Dev	A2	EAM 2	220									X	
	System Director for Program Collab	A2	EAM 2	220			X							
	MnSCU PD 4 (Academic Prog Review)	C	PCT 1	214									X	
	Program Director	C	PCT 1	214									X	
	MnSCU PD 4 (Academic Prog Review)	C	PCT 1	214									X	
	Clerk Typist 4 (Academic Programs)	D2	PCT 2	217									X	
	Clerk Typist 4 (Academic Programs)	D2	PCT 2	206									X	
	Clerk Typist 4 (Academic Programs)	D2	PCT 2	206									X	
<b>Student Affairs</b>														
	Assoc Vice Chanc for Student Affairs	A1	EAM 1	220				X						
	Director Disabilities/Student Life	A2	EAM 2	220			X							
	Director, Financial Aid	A2	EAM 2	220			X							
	Executive 1	D1	PCT 2	217									X	
<b>MnSAT</b>														
	Director of MnSAT (Ed Spec 2)	C	PCT 1	214										X
	Management Analyst 3/Producer	C	PCT 1	214			X							X
	Planner, Intermediate (.5)	C	PCT 1	214										X
	Planner, Intermediate	C	PCT 1	214										X
	Clerk Typist 2	D2	PCT 2	206										X
<b>Policy &amp; Planning</b>														
	Associate Vice Chancellor	A1	EAM 1	220										X
	System Director for Research	A2	EAM 2	220			X							
	System Director for Planning	A2	EAM 3	220			X							
	Assoc Dir, Educ Policy Research	A2	EAM 3	220			X							
	Program Director	C	PCT 1	214			X							
	MnSCU PD 4 (Educ Policy Research)	C	PCT 1	214			X							
	Research Analyst	C	PCT 1	214									X	
	Administrative Secretary	D1	PCT 2	206									X	
	Clerk Typist 3	D2	PCT 2	206									X	

No.	Job Title	EEO-6*	Group	3/U*	1*	2*	3*	5*	6*	1*	2*	3*	5*	6
<b>Technology Innovation</b>	Associate Vice Chancellor	A1	EAM 1	220			X							
<b>Other</b>	Acad Affairs/Disting Sr Fellow	A2	EAM 2	220								X		
<b>Finance</b>	Vice Chancellor/Chief Financial Officer	A1	EAM 1	220									X	
	Executive Assistant to Vice Chancellor	C	PCT 1	220									X	
	Executive 1	D1	PCT 2	217									X	
<b>Budget &amp; Negotiations</b>	Associate Vice Chancellor	A1	EAM 1	220									X	
	System Director for Budget	A2	EAM 2	220									X	
	Management Analyst 2, Allocations	C	PCT 1	214									X	
	Management Analyst 4, Allocations	C	PCT 1	217									X	
	Clerk Typist 3	D2	PCT 2	217									X	
<b>Financial Reporting</b>	Associate Vice Chancellor	A1	EAM 1	220									X	
	System Director for Accounting	A2	EAM 2	220			X							
	System Director for Campus Acctg	A2	EAM 2	220									X	
	Retirement Plan	C	PCT 1	216									X	
	Senior Accounting Officer	C	PCT 1	214			X							
	Acctg Officer Sr (Recon & SO Budget)	C	PCT 1	214									X	
	Office Services Supervisor 2	C	PCT 1	214									X	
	Accounting Officer Intermediate	C	PCT 1	214									X	
	Accounting Officer Intermediate	C	PCT 1	214									X	
	Acctg Officer Intermediate (MAPS)	C	PCT 1	214									X	
	Technical Writer	C	PCT 1	214									X	
	Accounting Technician	C	PCT 3	207									X	
<b>Financial Reporting</b>	Associate Vice Chancellor/MIS	A1	EAM 1	220			X							
	System Director, Software Dev	A2	EAM 2	220			X							
	Dir of MnSCU Region Cptr Center	A2	EAM 2	220			X							
	Information Technology Spec 4	C	PCT 1	214			X							
	Sys Dir, Software Maintenance	C	EAM 3	220									X	
	Information Technology Spec 4	C	PCT 1	214									X	
	Information Technology Spec 2	C	PCT 1	214									X	
	Information Technology Spec 2	C	PCT 1	214									X	
	Information Technology Spec 1	C	PCT 1	214									X	
<b>Facilities</b>	Associate Vice Chancellor	A1	EAM 1	220			X							
	Supervisor, Prog Planning Services	A2	EAM 1	220									X	
	Supervisor, Architectural & Engineering Svcs	A2	EAM 2	220			X							
	Clerk Typist 3	D2	PCT 2	208							X			
<b>Office Services</b>	Office Services Supervisor 1	C	PCT 1	216									X	
	Clerk Typist 4	D2	PCT 2	206									X	
	Clerk Typist 3	D2	PCT 2	206									X	
	Clerk Typist 3, Receptionist	D2	PCT 2	206	X									
	Clerk Typist 3	D2	PCT 2	206							X			
	Clerk 2, Courier	D2	PCT 2	206								X		
	Clerk 2, Office Services Assistant	D2	PCT 2	206								X		

Name	Job Title	EEO-6*	Group	B/U *	1*	2*	3*	5*	6*	1*	2*	3*	5*	6*
Human Resources	Vice Chancellor for LR & Pers	A1	EAM 1	220			X							
	Administrative Secretary	D2	PCT 2	217								X		
Personnel	Associate Vice Chancellor	A1	EAM 1	220								X		
	Director	A2	EAM 2	220								X		
	System Director	A2	EAM 2	220			X							
	System Director	A2	EAM 2	220									X	
	Personnel Program Manager	C	EAM 3	220								X		
	System Office Personnel	C	EAM 3	220								X		
	Director of Personnel Mgmt	C	EAM 3	220								X		
	Personnel Representative	C	PCT 1	217								X		
	Management Analyst 2	C	PCT 1	217								X		
	Management Analyst 2	C	PCT 1	217			X							
	Personnel Representative	C	PCT 1	217								X		
	Management Analyst 2	C	PCT 1	217								X		
	Personnel Aide Senior	C	PCT 1	217								X		
	Executive 1	D1	PCT 2	217								X		
	Management Analyst 1	C	PCT 1	217								X		
	Clerk Typist 2/Receptionist	D2	PCT 2	217								X		
	Clerk 4	D2	PCT 2	217								X		
	Personnel Aide	D2	PCT 1	217								X		
Labor Relations	Associate Vice Chancellor	A1	EAM 1	220			X							
	System Director for Labor Relations	A2	EAM 2	220		X								
	System Director	A2	EAM 2	220			X							
	LR Representative, Principal	C	PCT 1	217	X									
	Director of Labor Policy	C	EAM 3	220			X							
	LR Representative	C	PCT 1	217			X							
	Clerk Typist 4	D2	PCT 2	217								X		
Clerk Typist 4	D2	PCT 2	217								X			
ETC	Info System Applications Mgr	A2	EAM 2	220			X							
	Information Technology Specialist 5	C	PCT 1	214			X							
	System Analysis Unit Supervisor	C	PCT 1	216								X		
	Information Technology Specialist 4	C	PCT 1	214			X							
	Information Technology Specialist 3	C	PCT 1	214			X							
	Information Technology Specialist 4	C	PCT 1	214								X		
	Information Technology Specialist 2	C	PCT 1	214								X		
	EDP Operation Supervisor 3	C	PCT 1	216			X							
	Information Technology Specialist 3	C	PCT 1	214			X							
Information Technology Specialist 1	C	PCT 1	214			X								

KEY:

EEO-6:

- A = Excluded Administrators (220)
- C = Paraprof/Prof/Tech (211,214,216,217)
- D = Clerical/Secretarial (206,217)
- E = Technical Support (207)

B/U = Bargaining Unit

- 1 = Black
- 2 = Asian
- 3 = White
- 5 = Hispanic
- 6 = Native American
- Dis'd = Disabled

Group:

- EAM 1 -- BU 220, Excluded Mgrs, Range 9-12
- EAM 2 -- BU 220, Excluded Mgrs, Range 6-8
- EAM 3 -- BU 220, Excluded & Classified Mgrs, Range 1-5
- PCT 1 -- BU 214, MMA/MAPE Employees
- PCT 2 -- BU 206, AFSCME Clerical Unit
- PCT 3 -- BU 207, AFSCME Technical Unit

AFFIRMATIVE ACTION PLAN  
May 1998

Name	Job Title	EEO-6*	Group	B/U *	Male						Female							
					1*	2*	3*	5*	6*	1*	2*	3*	5*	6*				
Chancellor		A1	EAM 1	220			1											
Sr Vice Chanc for Acad and Stud Aff		A1	EAM 1	220													1	
Vice Chancellor/Chief Financial Officer		A1	EAM 1	220													1	
Vice Chancellor for LR & Pers		A1	EAM 1	220			1											
Assoc Vice Chanc for Acad Programs		A1	EAM 1	220					1									
Deputy to the Chancellor		A1	EAM 1	220													1	
Executive Director for Internal Auditing		A1	EAM 1	220				1										
Associate Vice Chancellor		A1	EAM 1	220				1										
Associate Vice Chancellor		A1	EAM 1	220													1	
Assoc Vice Chanc for Student Affairs		A1	EAM 1	220					1									
Deputy to the Chancellor, Govt Rel		A1	EAM 2	220				1										
Associate Vice Chancellor		A1	EAM 1	220				1										
Associate Vice Chancellor		A1	EAM 1	220														1
Associate Vice Chancellor/MIS		A1	EAM 1	220				1										
Associate Vice Chancellor		A1	EAM 1	220														1
Associate Vice Chancellor		A1	EAM 1	220						1								
Associate Vice Chancellor		A1	EAM 1	220														1
Assoc Vice Chancellor for Acad Res		A1	EAM 1	220														1
Deputy to the Chanc/Chief of Staff		A1	EAM 2	220														1
Associate Vice Chancellor		A1	EAM 1	220														1
Deputy to the Chancellor, Legis & Policy Anal		A1	EAM 2	220														1
Supervisor, Prog Planning Services		A2	EAM 1	220		1	0	9	2	0	0	0	0	9	0	0	0	0
Acad Affairs/Disting Sr Fellow		A2	EAM 2	220														1
Supervisor, Architectural & Engineering Svcs		A2	EAM 2	220														1
System Director, Software Dev		A2	EAM 2	220				1										
Dir of MnSCU Region Cptr Center		A2	EAM 2	220				1										
Info System Applications Mgr		A2	EAM 2	220				1										
Sys Dir for Continuing/Customized Educ		A2	EAM 2	220				1										
Director		A2	EAM 2	220														1
Sys Dir for Educational Grants Prog		A2	EAM 2	220														1
System Director for Labor Relations		A2	EAM 2	220			1											
System Director for Research		A2	EAM 2	220				1										
Director Disabilities/Student Life		A2	EAM 2	220				1										
Sys Dir for Acad Program Review		A2	EAM 2	220				1										
System Director		A2	EAM 2	220				1										
System Director for Planning		A2	EAM 3	220				1										
System Director for Internat'l Education		A2	EAM 2	220														1
System Director for Budget		A2	EAM 2	220														1
Deputy Director for Internal Auditing		A2	EAM 3	220														1
System Director for Educational Dev		A2	EAM 2	220														1
Publications & Media Relations Director		A2		220														1
Director, Financial Aid		A2	EAM 2	220				1										
System Director for Program Collab		A2	EAM 2	220				1										
System Director		A2	EAM 2	220				1										
Assoc Dir, Educ Policy Research		A2	EAM 3	220				1										
System Director		A2	EAM 2	220														1
Assistant Director for Govt Rel		A2	EAM 3	220														1
System Director for Campus Acctg		A2	EAM 2	220														1
System Director for Accounting		A2	EAM 2	220				1										
Director for Equal Opportunity		A2	EAM 3	220														1
Information Technology Specialist 5		C	PCT 1	214		0	1	15	0	0	0	0	0	12	1	0	0	
MnSCU PD 4 (Academic Prog Review)		C	PCT 1	214				1										1
System Analysis Unit Supervisor		C	PCT 1	216														1
MnSCU PD 3 (JTPA)		C	EAM 3	220														1







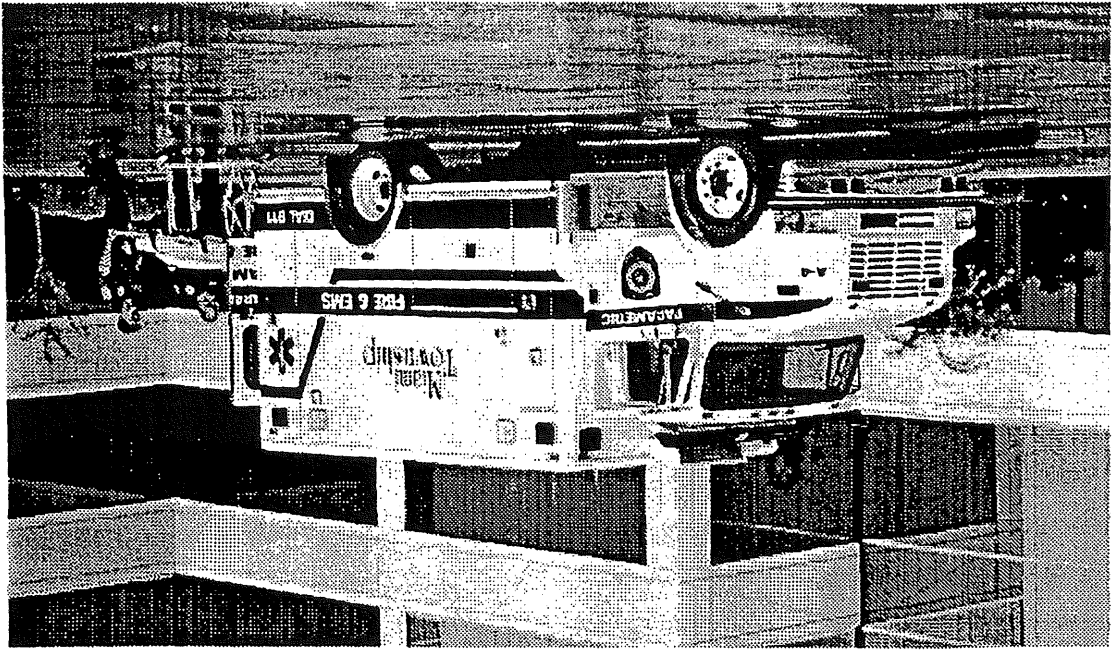
**DETAILED UTILIZATION ANALYSIS**

**APPENDIX G**



**BUILDING EMERGENCY PROCEDURES**

**APPENDIX H**



**EMERGENCY  
PLAN  
and  
PROCEDURES**

**MMSCU**

# EMERGENCY PLAN & PROCEDURES

## MNSCU SYSTEM OFFICE

### WORLD TRADE CENTER BUILDING

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

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

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

#### I. PURPOSE

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

#### II RESPONSIBILITIES

##### A. Chancellor or designee:

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

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

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

C. Floor Monitors

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

D. Mobility and Sensory Impaired Attendants:

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

E. Managers and supervisors:

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

F. Employees:

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

G. World Trade Center Security and Operations Departments:

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



## BOMB THREAT PROCEDURE

### In Case of a bomb threat:

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

### THIS IS WHAT HAPPENS DURING A BOMB THREAT:

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

**SEE EVACUATION PROCEDURE**

# **FIRE PROCEDURE**

## **In Case of fire:**

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

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

### **THIS IS WHAT HAPPENS IN A FIRE EMERGENCY:**

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

**SEE EVACUATION PROCEDURE**

## **TORNADO PROCEDURE (Severe Weather Emergency)**

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

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

### **ACTION TO TAKE:**

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

### **IF YOU ARE CAUGHT IN AN OUTSIDE PERIMETER OFFICE:**

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

### **IF YOU ARE IN TRANSIT IN THE BUILDING:**

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

**Security personnel will arrive and help as soon as possible.**

**Attachment 1**

**MnSCU - System Office  
Floor Monitor List**

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

<b>Building Location</b>	<b>Name</b>	<b>Telephone</b>
6th Floor- South Side	Cathy Meyer	296-4957
6th Floor - North Side	Elaine Stump	296-5791
6th Floor - Alternate	Pat Justice	296-5326
5th Floor - MnSAT	Joyce Petsch or Vicki Schoenbeck	297-2720 296-5709
5th Floor - South Side	Joyce Petsch	297-2720
5th Floor - North Side	Pam Laven	282-5519
5th Floor - Alternate	Vicki Schoenbeck	296-5709
7th Floor - South Side	Teresa Durant	297-3152
7th Floor - North Side	Kathy Weersma	296-3874
7th Floor - Alternate	Joan Woessner	296-0667

## Attachment 2

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

What were the callers exact words? \_\_\_\_\_  
\_\_\_\_\_

Time: Call Received \_\_\_\_\_ Terminated \_\_\_\_\_

Delay - ask caller to repeat.

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

a. Get voice characteristics:

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

<input type="checkbox"/> soft	<input type="checkbox"/> rough	<input type="checkbox"/> if so, who
<input type="checkbox"/> loud	<input type="checkbox"/> raspy	<input type="checkbox"/> speech impediment
<input type="checkbox"/> nervous	<input type="checkbox"/> deep	

continued

b. Threat language

<input type="checkbox"/> well spoken	<input type="checkbox"/> irrational	<input type="checkbox"/> message read by threat maker
<input type="checkbox"/> educated	<input type="checkbox"/> incoherent	
<input type="checkbox"/> foul	<input type="checkbox"/> taped	

Remarks: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

c. Background Sound

<input type="checkbox"/> street noises	<input type="checkbox"/> office machines	<input type="checkbox"/> long distance
<input type="checkbox"/> eating utensils	<input type="checkbox"/> factory noises	<input type="checkbox"/> phone booth
<input type="checkbox"/> voices	<input type="checkbox"/> animal noises	<input type="checkbox"/> aircraft
<input type="checkbox"/> PA system	<input type="checkbox"/> clear	other usual or unusual sounds:
<input type="checkbox"/> music	<input type="checkbox"/> static	_____
<input type="checkbox"/> house noises	<input type="checkbox"/> quiet	_____
<input type="checkbox"/> motor	<input type="checkbox"/> local	_____

ADDITIONAL INFORMATION

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

B. What line did the call come in on? \_\_\_\_\_

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

D. Is this your main number? \_\_\_\_\_

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

**AFTER HANG UP - IMMEDIATELY DIAL \*57**



