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*Below is a listing of all Policies / Regulations found in this employee handbook.
All other Policies / Regulations can be found on the websites listed below each section.

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MMB POLICIES / REGULATIONS

- The website for the State Laws, Rules & Policies is:
 - <http://mn.gov/mmb/employee-relations/laws-policies-and-rules/>
- #1423: State Policy: Appropriate Use of Electronic Communication and Technology

Winona State University Regulations

<http://www.winona.edu/faculty/488.asp>

*University regulations are currently under review. Those regulations listed below with a "revised" date have been reviewed and are current. Reviewed regulations are posted with the WSU seal in the header. If you have any questions or concerns, please contact Academic Affairs.

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Winona State University

Fire/Emergency Evacuation Procedure for Academic Buildings

1. **PURPOSE:** The purpose of this procedure is to establish the evacuation of all academic buildings in the event of a fire alarm or other designated emergency as well as to establish the responsibility for evacuation of buildings and alerting the fire department and/or other appropriate emergency agencies.
2. **PROCEDURE:** All Winona State University (WSU) personnel will be responsible for knowing appropriate emergency information for their work areas and/or classrooms. Emergency information includes, but is not limited to, emergency plans, evacuation exits, alternate exits, etc.

Emergency floor plans are posted in all areas for reference. Also, periodic training sessions will be conducted on appropriate safety/evacuation topics.

The first person to become aware of a fire or emergency will sound an alarm and notify the appropriate emergency agency by dialing the universal emergency number 9-911 (from any campus telephone). At the sounding of the (fire) alarm, all building occupants will evacuate the building immediately. All occupants will evacuate through the nearest exterior door; no building elevators will be used. After evacuation, building entrances and walkways should not be blocked.

Upon the arrival of the fire department or other emergency agency, the caller will advise as to the location of the emergency, as specifically as possible. All available supervisors will report individuals or groups that are not evacuated from the building to the fire department or emergency agency. Building occupants will only return to the building when the fire department or emergency agency gives approval for return.

In order to test the effectiveness of building evacuation plans, this evacuation procedure and alarms, each academic building will have a periodic (fire) alarm drill. All building occupants will participate.

3. **PROCEDURE FOR EVACUATION OF PERSONS WITH DISABILITIES:** All WSU personnel with disabilities will be responsible for knowing appropriate emergency information for their work areas (as stated above).

Each department or supervisory area, employing a person with a disability, will work with the campus Safety Officer to develop an evacuation plan (including an alternate plan), specific to the needs and requirements of the employee. This may include training of co-workers to assist with the evacuation of the employee, and participation of the employee and those co-workers in evacuation drills.

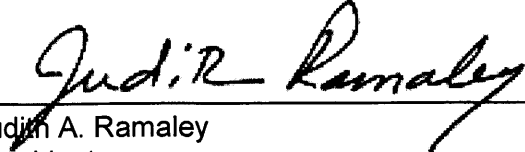
Because of the difficulty in identifying and locating all students with disabilities, it will be the responsibility of those students to identify themselves and plan, where necessary, proper

Regulation 2-15

evacuation methods. To assist these students, informational training sessions, covering evacuation methods, will also be held periodically for faculty and staff.

This WSU Regulation supersedes WSU Procedure 2-15 dated August 18, 1988.

AUTHENTICATED BY:



Judith A. Ramaley
President

August 13, 2007

Date of Adoption

Authoritative References:
President

Initial Date of Adoption: 1/3/81
Dates of Revisions: 8/18/88, 8/13/07

WINONA STATE UNIVERSITY POLICY STATEMENT ON AND PLAN TO PREVENT WORKPLACE VIOLENCE

INTRODUCTION

In 1992, the Minnesota Legislature adopted the following act: Freedom from Violence

The State of Minnesota hereby adopts a policy of zero tolerance of violence. It is state policy that every person in the state has a right to live free from violence.

In furtherance of this policy, Minn. Stat. 15.86 mandates that each agency of the state government adopt a goal of zero tolerance of violence in, and around, the workplace.

DEFINITION OF VIOLENCE

"Violence is the abusive or unjust exercise of power, intimidation, harassment and/or the threatened or actual use of force which results in or has a high likelihood of causing hurt, fear, injury, suffering or death."

Violence Prevention Advisory Task Force, 1994.

WINONA STATE UNIVERSITY GOAL

It is the goal of Winona State University to achieve a work and educational environment which is free from threats and acts of violence. Winona State University is committed to seeking to eliminate potential for violence on the campus. The University will not tolerate workplace violence of any type, from any source. This includes threatening or violent actions by employees directed against other employees, by employees directed against students or other workplace visitors, and by students or visitors directed against university employees or each other.

POLICY

It is the policy of Winona State University and the responsibility of its administration, faculty, staff, and students to maintain a workplace and educational environment free from threats and acts of violence. The university will work to provide a safe workplace for employees and visitors to the campus. Each employee and everyone with whom we come into contact in our work, will be treated with respect and dignity. Winona State University will foster an environment where students, visitors, faculty and staff are at low risk of involvement in workplace violence.

This plan outlines guidelines for Winona State University employees, students, and guests toward prevention of workplace violence. In instances where prevention is ineffective, this plan provides a means of responding to workplace violence and recovery support. Through informed training, the university will work to foster a work environment and culture that is devoid of violence for its students, employees and visitors.

The university's policy on work-related violence includes:

- The university will actively work to prevent and eliminate acts of work-related violence.
- The university will clarify and enforce expectations regarding behaviors of employees, students and visitors.

- The university will respond promptly, positively, and aggressively to deal with threats or acts of violence. This response may include timely involvement of law enforcement agencies, as appropriate.
- Incidents of work-related threats or acts of violence will be treated seriously by the university. Reports of all such acts will be promptly investigated. Supervisors and/or administration will take action, as necessary, to appropriately address each incident.
- Retaliation against any individual acting in good faith who reports threats of real or perceived violent behavior will not be tolerated and may be the basis for appropriate disciplinary sanctions.
- The university will support criminal prosecution of those who threaten or commit work-related violence against its employees, students or visitors to its campus.
- Individuals who intentionally falsify reports of violence will be subject to university disciplinary action.
- Pursuant to Minnesota Statute 15.86, this policy does not create any civil liability on the part of the State of Minnesota.
- The university will provide information and training for its employees in an effort to foster 1) a safe work environment, 2) a respectful work environment, and 3) environment that is proactive and able to be responsive to threats (perceived or real) in the workplace.
- Possession, use or threat of use of a dangerous weapon (Appendix A), is not permitted at work or in any University building or grounds, unless such weapon is a necessary and approved requirement of the person's position. This section includes weapons kept in automobiles while on university property.

PLAN FOR IMPLEMENTING ZERO TOLERANCE OF VIOLENCE IN, AND AROUND, THE WORKPLACE

1. The University Will Provide a Safe Workplace at both Winona and Rochester Campuses.

Winona State University is committed to ensuring that the workplace provides for the safety of employees, students and visitors, and for reasonable protection from workplace violence.

- A "Campus Protection Plan" will be prepared for both Rochester and Winona campuses. The Plan will address physical security requirements of each campus, and will include procedures for appropriate response to threats and acts of violence.

2. The University Will Attempt to Limit Violence From External Sources by Positively Affecting the Attitudes and Behavior of its Visitors.

- The university will continue to place emphasis on providing services in a manner that is fair, efficient, reliable and understandable. In doing so, and by treating visitors with respect and dignity, the potential for workplace violence from external sources will be greatly reduced.

3. Prevention: The University Will Attempt to Reduce the Potential for Internal Workplace Violence by Positively Affecting the Attitudes and Behavior of its Employees and Students.

- **Behaviors and Interactions:** Clear expectations of behaviors and interactions for employees, students and visitors in the workplace are established by virtue of this policy. This will include a zero tolerance for behaviors that have the effect or intent of threatening, intimidating or harassing others. Examples of such behaviors may include: name calling; obscene language or gestures; stalking; bullying; hazing; negative racial or sexual comments; interpersonal

aggression such as throwing things, pushing, or striking others; inappropriate touching; carrying weapons; or power used as intimidation or control. Members of the WSU community are expected to show respect for colleagues, co-workers, students and visitors within the office, classroom and campus."

- **Creating a Low-Risk Work Environment:** University administration, faculty, and staff, are expected to lead by example, by treating each other, students, and visitors with respect and dignity. Supervisors will emphasize creating a workplace where the established standards of conduct are clear, communicated, and consistently enforced, and where discipline is used fairly and appropriately to deal with instances of unacceptable behavior.
- **Employee Training:** Appropriate to their position, all university employees will be provided with training on managing conflict. Supervisor training will focus on prevention and de-escalation of violence, and will include suggestions for appropriate responses to threats and acts of violence, and will identify resources which are available for use once a potential problem has been identified or an incident has occurred. (Human Resource Office will schedule and arrange the training.)

Other training and/or information that foster a positive workplace environment, such as enhanced communication or stress management, etc. will be made available.

- **Employee Counseling and Assistance:** The university will encourage use of the Employee Assistance Program (EAP). The EAP is primarily an assessment, short-term counseling and referral agency. While supervisors, colleagues, union representatives, or family members may encourage employees to seek help from the EAP, the decision to use its services must be a voluntary one. Employees may also choose to seek assistance from private health services to deal with pressures, stress, emotional problems, or other personal issues which could, if ignored, lead to threats or acts of violence.
- **Safety Promotion:** Information and instruction will be provided or posted for university employees, students and visitors regarding appropriate responses to potential safety threats. For example, evacuation routes will be posted for all workplace areas to ensure the safe evacuation of all employees, students and visitors. A reception area policy will be strictly enforced to enhance security generally.
- **Self-help:** Informational brochures and other methods will be used to make employees familiar with the services offered by the EAP, and will provide information on how to take advantage of those services. Information will also be provided about other options for the resolution of personal and work-related problems that may have a potential for escalating to a violent incident. Employees will be encouraged to utilize available resources.
- **Valuing and Respecting Diversity:** It is the university's policy and practice to value and respect individual differences among people. Harassment of any person in the workplace is strictly prohibited. Harassment can be any behavior which is unwelcome, personally offensive, insulting, or demeaning, when:
 - submission to such conduct is explicitly or implicitly made a term or condition of an individual's employment;
 - submission to, or rejection of, such conduct is used as the basis for employment decisions affecting such an individual; or
 - such conduct has the primary purpose or effect of unreasonably interfering with an employee's performance, or of creating an intimidating, hostile, or offensive working environment.

Harassment and discrimination are serious concerns. Incidents of this nature, if not corrected, may result in workplace violence. Management will continue to treat reports of harassment and

discrimination seriously. Complaints of alleged harassment or discrimination will be investigated and, as necessary, appropriate disciplinary action will be taken.

- The University Will Effectively Address Threats of Violence, and Actual Incidents of Violence.
- Supervisory Responsibilities: University supervisors have primary responsibility for ensuring a safe work environment. Supervisors are specifically empowered to take immediate action to resolve or stabilize violent situations in the workplace, and to protect people from harm. (Supervisors are defined as secretaries supervising students; chairpersons supervising secretaries; deans/vice presidents supervising faculty and/or staff; department/program directors supervising staff and/or students; and unit supervisors supervising staff and/or students.) They will ensure that, when a threat is made or a violent incident occurs, an appropriate and timely response is taken. Supervisors will also ensure that appropriate disciplinary responses to internal workplace violence and aggression are made. Supervisors will carry out these responsibilities with the assistance of the Human Resource Office, and as appropriate the Campus Security Office (5555), and other state and local agents as is necessary for the circumstances.
- Incident Reports of Threats or Acts of Violence: All incidents should be reported to the department or unit supervisor and the Human Resource Office. Reports should fully detail the specific incident and the names of all persons involved, including witnesses. All incidents will be fully investigated by the department/unit supervisor and Human Resource personnel with assistance from other agents as necessary.
- Critical Incident Stress Debriefing: Critical incidents are defined as: (1) any incident involving an employee which results in death, great bodily harm, or substantial bodily harm to an employee or a member of the public; (2) any incident in which deadly force, as defined in M.S. 609.0661 Subd. 1, is used by an employee or against an employee; (3) any incident deemed serious enough by the circumstances to warrant investigation and review. All critical incidents are to be reported immediately to the supervisor. The supervisor or designee shall prepare a complete written report of the incident and submit it to the Director of Human Resources. Responses to a critical incident can include the following as appropriate: (1) provide paid administrative leave time, if deemed appropriate; (2) encourage professional counseling; (3) referral to the Employee Assistance Program; (4) relocating employees on a temporary basis, if a facility is inhabitable; (5) reassigning employees to different work sites.
- Media inquiries regarding incidents of workplace violence will be handled by authorized administrative personnel.

5. The University Will Work to Eliminate Dangerous Weapons from the Workplace.

Dangerous Weapon Prohibition: The possession of any dangerous weapon, including firearms, on university property is, by any person other than a law enforcement officer, strictly prohibited. University personnel are prohibited from possessing any dangerous weapon while in work status. (See Appendix A for a list of dangerous weapons and exceptions.)

AS WARRANTED, LOCAL LAW ENFORCEMENT AGENCIES OR EMERGENCY MEDICAL PERSONNEL SHOULD BE CONTACTED IMMEDIATELY BY DIALING 911.

AUTHENTICATED BY:

Darrell W. Krueger
President

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APPENDIX A

Dangerous Weapons

For the purpose of this Policy/Plan, the following items are considered to be "dangerous weapons":

- any weapon which, per applicable law, is illegal to possess;
- any firearms, loaded or unloaded, assembled or disassembled, including pellet, "BB", and stun guns (electronic incapacitation devices);
- replica firearms, as defined in Minn. Stat. 609.713;
- knives (and other similar instruments) with a blade length of more than three inches, other than those present in the workplace for the specific purpose of food preparation and service; any "switchblade" knife;
- "brass knuckles", "metal knuckles", and similar weapons;
- bows, cross-bows and arrows;
- explosives and explosive devices, including fireworks and incendiary devices;
- "throwing stars", "numchucks", clubs, saps, and any other item commonly used as, or primarily intended for use as, a weapon;
- any object that has been modified to serve as, or has been employed as, a dangerous weapon;

Exceptions

- Archery and fencing equipment may be possessed on campus by students or employees while enrolled in a University archery or fencing course. When not in class the arrows must be kept in the weapons storage area or a locked vehicle.
- Knives with blades exceeding three inches may be possessed on campus when required to perform coursework. When not being used in class, the knives must be kept in a locked storage area.
- Employees and organizations contracting with the University required to use knives with blades greater than three inches in length to perform their job duties may do so. Those knives must be kept in a limited access area when not in use.
- Martial arts weapons may be possessed on campus when required to perform coursework. When not being used in class, the martial arts weapons must be kept in a locked storage area.
- Firearms used for theatrical purposes must be disabled and stored with the faculty advisor/director when not being used in practice or during a production.

- Swords, daggers and other knifelike theatrical props may be used for theatrical presentations. Any props with cutting surfaces must have all those surfaces dulled and be stored with the faculty advisor/director when not being used in practice or during a production.
- On the infrequent occasions where a presentation involves dangerous weapons, as defined in Appendix A, the prior approval of the Director of Security must be obtained.

APPENDIX B

I ACKNOWLEDGE THAT I HAVE RECEIVED AND READ A COPY OF THE WINONA STATE UNIVERSITY ZERO TOLERANCE OF WORKPLACE VIOLENCE AND THE WORKPLACE VIOLENCE PREVENTION POLICY AND PLAN.

NAME: _____

DATE: _____

SIGNATURE: _____

Please sign and return this form to the WSU Human Resource Office

Regulation 7-1



Winona State University

Personal Use of University Equipment and/or Services by Employees

1. **PURPOSE:** To establish guidelines for the use of university equipment and/or services for personal purposes by its employees.

Administrative and instructional services, areas, and equipment are intended to support the major mission of the institution. No private business is to be undertaken utilizing university services or equipment. Limited personal use of university services and equipment is permitted according to the following conditions:

A. The personal use of university resources must not impede or conflict with scheduled functions pertinent to the prime responsibility and objectives of the University.

B. Employees should not use university equipment or services for personal use without notice to and the consent of the appropriate Vice President.

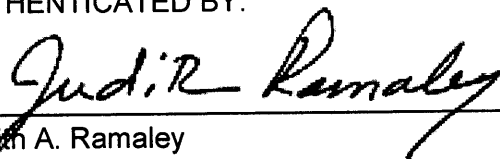
C. In those instances where consent is granted for the personal use of equipment and/or services of the university, reimbursement to the University is required at rates established by the Business Office at levels that will ensure no loss to the State. In establishing the rates, the Business Office should take into consideration recommendations from the performing service areas.

E. Reimbursement to the University is due immediately upon completion of the work performed. Remittance should be made payable to "Winona State University" and should be submitted to the Cashier's Office. Records of these transactions are maintained in the Business Office.

2. Procedures for the use of university vehicles are governed by Regulation 2-2.

This WSU Regulation supersedes WSU Regulation 2-20, dated August 18, 1988.

AUTHENTICATED BY:



Judith A. Ramaley
President

August 13, 2007

Date of Adoption

Authoritative References:

MnSCU Policy 5.22 Acceptable Use of Computers and Information Technology Resources
MnSCU Procedure 5.22.1 Acceptable Use of Computers and Information Technology Resources

Regulation 7-1

MnSCU Policy 5.23 Security and Privacy of Information Resources
President

Initial Date of Adoption: 8/18/88

Date of Revisions: 8/13/07



Winona State University

Tobacco-Free Environment Policy

1. **PURPOSE:** Winona State University is a *community of learners improving our world*. In accordance with our mission, we are devoted to improving the health and well-being of our campus community by setting an example of healthy practice. In order to conform to the Minnesota Statute 16B.24, Subdivision 8 [Smoking in State Buildings] and to demonstrate the core value of health and wellness at Winona State University (WSU), we will provide a safe and healthy environment for work and study for students, employees and visitors by making WSU a fully tobacco-free campus.
2. **DEFINITIONS:** Smoking/smokeless tobacco usage includes all tobacco products, such as the carrying of a lighted cigarette, cigar or pipe; the use of other lighted smoking materials; and/or the use of any smokeless tobacco products such as chewing tobacco, snuff, smokeless pouches or other forms of loose leaf tobacco.

A. Policy

1. Smoking/smokeless tobacco usage is prohibited in all campus buildings including academic and administrative buildings, the student union, and all residence halls including private rooms and campus-owned apartments.
2. Smoking and the use of smokeless tobacco is prohibited in all university-owned vehicles.
3. Smoking and the use of smokeless tobacco is prohibited on all university properties, including outdoor athletic facilities.
4. The sale of tobacco products on campus is prohibited, as well as the free distribution of tobacco products on campus, including fraternities and sororities.
5. Tobacco advertisements are prohibited in WSU-sponsored publications and tobacco companies are prohibited from sponsoring any University event.

B. Smoking/Smokeless Tobacco Cessation Programs

WSU makes a strong commitment to work with employees to arrange a flexible work schedule that will allow for participation in structured smoking/smokeless tobacco usage cessation programs for those who wish to reduce and/or quit using tobacco products.

Regulation 8-3

A listing of community resources for cessation programs is available in the Office of Human Resources.

Students are encouraged to contact the Student Health Service for information about available cessation programs and services.

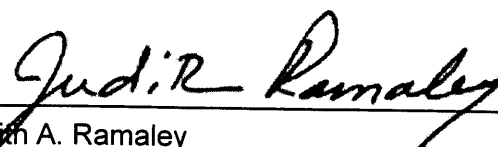
3. **ENFORCEMENT**: Enforcement of this policy will depend upon the cooperation of all faculty, staff and students as well as campus visitors not only to ensure that WSU becomes truly tobacco-free but also to help and encourage others to comply with the policy. The University will develop training programs to assist and prepare students and employees to help one another honor the tobacco-free environment that this policy supports.

In the event of a violation, the person will be informed of the WSU Tobacco-Free Campus Policy. Should that person continue to violate the policy, a report should be made to the appropriate office; in the case of an employee, to that person's supervisor; in the case of a student, to the Student Conduct Officer; in the case of a visitor, to Campus Security. Employees who violate the policy shall be subject to discipline in accordance with the appropriate bargaining agreement. Students who violate the policy will be reviewed through the student judicial process and may expect either a fine or a requirement to perform community service in the form of a suitable project that addresses some aspect of health and safety.

4. **Implementation Date**: The new policy will be implemented at the start of the spring semester, January 12, 2009. A small team will meet during the fall 2008 semester to prepare a plan to guide the implementation.

This WSU Regulation supersedes WSU Regulation 8-3 dated August 13, 2007.

AUTHENTICATED BY:



Judith A. Ramaley
President

August 25, 2008

Date of Adoption

Authoritative References:

Minnesota Statute 16B.24, Subd. 9, Smoking in state buildings

FDA Letter to Stakeholders: Regulation of E-Cigarettes and Other Tobacco Products
President

Initial Date of Adoption: 11/19/93

Date of Revisions: 8/20/01, 8/13/07, 8/25/08, 10/9/13



Winona State University

Drug and Alcohol Use Policy

-
1. **PURPOSE:** To establish and set forth the State's policy regarding alcohol and other drug use in the workplace. It is the State's policy to maintain a drug and alcohol-free workplace.
 2. **NON-DISCRIMINATION:** The University's policy on work-related substance abuse is non-discriminatory in intent and application. However, in accordance with Minnesota Statutes, Chapter 363, disability does not include any condition resulting from alcohol or other drug abuse, which prevents a person from performing essential functions of the job or creates a direct threat to property or the safety of individuals. In accordance with the Drug-Free Workplace Act of 1988, all employees engaged in the performance of federal grants will be given a copy of this policy.
 3. **CONSEQUENCES OF VIOLATIONS:** Violations of this policy may constitute just cause for discipline, including possible discharge. Each situation will be evaluated on a case-by-case basis depending upon the severity and circumstances involved.
 4. **STATE EMPLOYEE ASSISTANCE PROGRAM:** The University has in place a formal Employee Assistance Program to assist employees in addressing problems such as alcohol or other drug abuse. Employees who may have an alcohol or other drug abuse problem are encouraged to seek a professional assessment from the Employee Assistance Program before the problem affects their employment status. Participation in this program is voluntary and confidential.
 5. **PROHIBITIONS:**
 - A. No employee shall report to work under the influence of alcohol, marijuana, controlled substances, or other drugs, which affect his/her alertness, coordination, reaction, response, judgment, decision-making, or safety.
 - B. No employee shall operate, use, or drive any equipment, machinery, or vehicle of the State or University while under the influence of alcohol, marijuana, controlled substances, or other mood-altering drugs. Employees are under an affirmative duty to immediately notify his/her supervisor that he/she is not in appropriate mental or physical condition to operate, use, or drive University equipment.
 - C. During work hours, while on the University's premises or wherever the University's work is being performed, no employee shall manufacture, use, sell, possess, or transfer any illegal drug, including marijuana, or any prescription drug (except as medically prescribed and directed). Additionally, employees shall not participate in these activities during rest breaks or during overtime work.

During work hours or while on the University's premises, or wherever the University's work is being performed, no employee shall use, sell, possess, or transfer alcoholic beverages, with the following exceptions:

Regulation 8-4

- Consumption, possession, sale, or purchase of alcohol when authorized by a Commissioner under separate statutory or executive agency authority.
- Possession of alcohol while being transported in a University vehicle in compliance with applicable statutory requirements.
- Possession of alcohol while in an employee's personal vehicle on the University's premises in compliance with applicable statutory requirements.

Additionally, employees shall not participate in these activities during rest breaks or during overtime work.

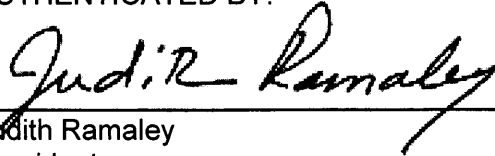
- D. Engaging in off-duty sale, purchase, transfer, use, or possession of illegal drugs, or controlled substances may have a negative effect on an employee's ability to perform his/her work for the University. In such circumstances, the employee is subject to discipline.
- E. When an employee is taking medically authorized drugs or other substances which may negatively alter job performance, the employee is under an affirmative duty to notify the appropriate supervisor of his/her temporary inability to perform the job duties of his/her position.
- F. Supervisors shall notify the Human Resources Office before notifying the appropriate law enforcement agency when they have reasonable suspicion to believe that an employee may have illegal drugs in his/her possession at work or on University premises. Where appropriate, the University shall also notify licensing boards.
- G. Employees are not prohibited from consuming alcoholic beverages during lunch or dinner meals, they are however, discouraged from this practice if they will be returning immediately thereafter to perform work on behalf of the University. Employees are advised that in any situation subsequent to the intake of alcohol where the employee must continue conducting the University's business, any employee whose condition or behavior adversely affects his/her work performance shall be subject to possible discipline, up to, and including discharge.
6. LEGAL SANCTIONS EXAMPLE: Federal and state sanctions for illegal possession of controlled substances range from up to one year imprisonment and up to \$100,000 in fines for a first offense, to three years imprisonment and \$250,000 in fines for repeat offenders. Additional penalties include forfeiture of personal property and the denial of federal student aid benefits. Under federal laws, trafficking in drugs such as heroin or cocaine may result in sanctions up to and including life imprisonment for a first offense involving 100 gm or more. Fines for such an offense can reach \$8 million. First offenses involving lesser amounts, 10-99 gm, may result in sanctions up to and including 20 years imprisonment and fines of up to \$4 million. A first offense for trafficking in marijuana may result in up to five years imprisonment and fines of up to \$500,000 for an offense involving less than 50 kg, and up to life imprisonment and fines of up to \$8 million for an offense involving 1,000 kg or more. The State of Minnesota may impose a wide range of sanctions for alcohol-related violations. For example, driving while intoxicated (blood alcohol content of .10 or more) may result in a \$700 fine, 90 days in jail, and/or revocation of driver's license for 30 days. Possession of alcohol under age 21 or use of false identification to purchase alcohol results in a \$100 fine. Furnishing alcohol to persons under 21 is punishable by up to a \$3,000 fine and/or one year imprisonment.

Regulation 8-4

A resource is available in Human Resources and Health Services regarding the legal sanctions and health risks pertaining to substance abuse.

This WSU Regulation supersedes WSU Regulation 7-4 dated April 13, 1989.

AUTHENTICATED BY:



Judith Ramaley
President

December 12, 2007

Date of Adoption

Authoritative References:

DOER Policy, Alcohol and Other Drug Use by State Employees

Drug-Free Workplace Act of 1988

Minnesota Statute 340A.101, Definitions

MnSCU Policy 5.18, Alcoholic Beverages or Controlled Substances on Campus

MnSCU Procedure 5.18.1, Alcohol Use and Controlled Substances on Campus

President

Initial Date of Adoption: 4/13/89

Date of Revisions:

Severe Weather Notification Plan: Winona Campus

Severe winter weather conditions may cause individual class and/or event cancellations even though the campus remains open.

WSU students, faculty and staff are urged to make cautious decisions regarding travel. If you feel the weather is too threatening, contact your professors and/or supervisors and explain your situation.

How can students find out if individual classes are cancelled?

The [WSU homepage](#) is the official source for information on closings and cancellations. In the event of any weather-related cancellations, an initial campus-wide notice will be sent, linking to a list of cancelled classes and/or events posted in an orange "Severe Weather Alert" banner on the [WSU homepage](#). New in fall 2013, students will also receive an individual message to their WSU email account when a specific class for which they are registered has been cancelled.

How can instructors cancel individual classes?

WSU faculty members cancel their classes via an online program (<http://www.winona.edu/classcancellation>) available via desktop, laptop or smartphone. The cancellation will prompt an automatic confirmation email to the faculty member as well as to the students enrolled in the cancelled class, and the notice will be added to the list of cancelled classes linked from the orange "Severe Weather Alert" banner on the [WSU homepage](#). Faculty members without internet access may contact their office manager and provide name, verification and course information.

How should event organizers cancel events/activities occurring during evening hours or over the weekend?

Bad weather may force event organizers to cancel an event/activity scheduled during evening hours or over the weekend. If possible, the event sponsor should contact the University Communications Office (507.457.5024) ahead of time if inclement weather is predicted. When the final decision is made to cancel the event/activity, the sponsor should call WSU Security at 507.457.5555 to provide event details such as time, location and any rescheduling/ticketing information. The University Communications Office will post notice of such cancellations in an orange "Severe Weather Alert" section on the [WSU homepage](#).

Severe winter weather conditions may result in any of the following actions, which will be decided by WSU administration:

1. closing the University
2. cancellation of all classes
3. cancellation of non-academic activities
4. delayed opening

How can students and employees find out if the University is closed or all classes are cancelled?

Because WSU is primarily a residential student campus, closings are rare. When weather conditions are extreme and pose a serious danger for travel within the City of Winona, the campus may close, and the information will be announced publicly on the [WSU homepage](#), via WSU email and using various media resources. In case of imminent adverse weather conditions—such as a tornado or flood advisory—additional methods of communication may be employed for campus notification purposes.

When the campus is officially closed, all classes, events and extracurricular activities are cancelled. The decision to close [Winona State University-Rochester](#) is made independent of the Winona campus and in consultation with University Center Rochester partner institutions.

Please note that WSU only announces closings or cancellations. If you hear nothing about WSU being closed, assume the campus is open and classes are being held as scheduled.

The decision to close the Winona campus is normally made by 6 a.m. The decision to cancel evening classes is normally made by 3 p.m. University officials will notify the following news media. To verify media announcements on campus closings/class cancellations, consult the [WSU homepage](#). The [WSU homepage](#) is the official source for information on closings and cancellations.

Print/Online:

Winona
 Winona Daily News
www.winonadailynews.com

Radio:

| Winona | Rochester | Red Wing | La Crosse | Twin Cities |
|---|---|-------------------------------|---|-------------|
| KQAL 89.5-FM KAGE 1380-AM KAGE 95.3-FM KWNO 1230-AM KWNO 99.3-FM KHME 101.1-FM | KNXR 97.5-FM KROC 106.9-FM KROC 1340-AM KYBA 105.3 KWWK 96.5 KLCX 103.9 KWEB 1270-AM KRCH 101.7-FM | KCUE 1250-AM KWNG 105.9-FM | WIZM 1410-AM WIZM 93.3-FM WKBH 100.1-FM WKTY 580-AM CC106.3-FM Magic 105 (104.9-FM) Eagle 102.7-FM Classic Rock 100.1-FM WLFN 1490-AM | WCCO 830-AM |

Television:

| Winona | Rochester | La Crosse | Twin Cities | Eau Claire |
|---------------------|------------------------|---|----------------------|------------|
| HBC Cable 20 and 25 | KTTC - 10 KXLT - 47 | WKBT - 8 (7) [7] WXOW - 19 (11) [18] | KSTP - 5 WCCO - 4 | WEAU - 13 |

(The number in parentheses is Winona Charter Cable system's channel designation for La Crosse stations.)

[The number in brackets is Winona HBC Cable system's channel designation for La Crosse stations.]

Internet:

In the event of weather-related cancellations, the WSU Communications Office will post a list of cancellations in an orange "Severe Weather Alert" section on the [WSU homepage](#). The posting will contain specific information about severe weather closing or class cancellations on days when such events occur.



Winona State University

Closing of the University (Winona Campus) or Cancellation of Classes or Activities Due to Inclement Weather or Other Emergencies

1. PURPOSE:

This policy articulates the procedures that are followed when it becomes necessary to close the Winona campus of Winona State University (WSU), to begin daily operations later than regularly scheduled, or to cancel academic or non-academic activities due to inclement weather or other emergency conditions. A second purpose is to describe work conditions that prevail during the time that the university is closed. A third purpose is to describe procedures that are followed when an employee is unable to meet work responsibilities because of inclement weather.

This policy does not apply to off-campus student activities, including internships, student teaching, clinicals, and away-from-home co-curricular activities. Attendance at these activities will be determined by an instructor, if one is present, or, in the absence of an instructor, by each of the students involved. If no instructor is present at the site of the activity, it is suggested that students, if possible, reach a decision after consulting with the sponsoring agency supervisor or their instructor. Students who determine that weather conditions make attendance at such activities impossible should not be penalized for that decision.

The WSU-Rochester campus is governed by a separate policy and operating procedures in collaboration with Rochester Community and Technical College.

2. DEFINITIONS:

- A. Closing the University (Winona Campus). Closing the university means to cease all operations other than those operations deemed essential to the protection of life and property. Closing the university results in the cancellation of classes, student and staff activities, and meetings. All general offices are closed.
- B. Cancellation of Classes. Cancellation of classes (off-campus or on-campus) means to cancel one (1), several, or all classes, in the absence of officially closing the entire university.
- C. Cancellation of Non-Academic Activities. Cancellation of non-academic activities refers to cancellation of an event or events such as basketball games, concerts, or theatrical productions.
- D. Delayed Opening. Delayed opening refers to opening of all operations at a later time with the exception of those operations essential to the protection of life and property which would continue under any conditions.
- E. Winona Campus. Includes all university owned and operated facilities (i.e., main, east, west locations).

3. AUTHORITY:

- A. The decision to close the university or to delay a daily opening, for whatever reason, is made by the President or the President's designees: the Vice President for Finance and Administrative Services or his/her designees.
- B. In times of weather or other emergency conditions, assessment of conditions shall be the responsibility of the Vice President for Finance and Administrative Services or his/her designee. The vice president or his/her designee shall consult with, at minimum, one state or one local authority and other available weather resources regarding weather conditions.
- C. Cabinet-level officers shall develop procedures for notification of essential personnel who must report to work during times the university is closed due to weather or other emergencies. The following positions are designated as "weather essential" for purposes of closing due to inclement weather or other emergencies:

Vice President for Student Life and Development

Residence Hall Directors
Director of Student Union or designee

If the campus is closed, the Vice President for Student Life and Development will be in contact with the essential employees by phone, by e-mail, or in person.

Vice President for Finance and Administrative Services

Facilities Employees (See attached list)
Director of Security

Vice President for University Advancement

Assistant Vice President for Marketing and Communications
Director of Public Information

Chief Information Officer

Telephone Console Operator

- E. Individual faculty members have the authority to cancel one (1) or more classes. Faculty members should contact their academic departments and the director of Public Information via e-mail, phone or voicemail. Instructors should identify classes cancelled due to weather and supply a call-back number to verify the call.
- F. The decision to cancel a non-academic event or close the Library, in the absence of closing the university, will be made by the director of the activity or director of the Library/designee in consultation with his/her supervisor.
- G. Whenever possible, decisions to cancel day classes will be made by six (6) a.m., and decisions to cancel night classes will be made by three (3) p.m. and immediately communicated to employees, students, and the public as detailed in the "PUBLIC NOTIFICATION" section of this regulation, as well as Section seven (7).

4. PUBLIC NOTIFICATION:

- A. Closing the University or Cancellation of Classes. Upon the closing of the university or cancellation of classes or activities, Winona State University's "Weather Closing Plan: Winona Campus" will be activated by the director of Public Information at the direction of the vice president for Finance and Administrative Services. The WSU homepage is the official source for information on closings and cancellations. Area and local media will be notified, including the university's radio station, KQAL, only when the university closes or all classes are cancelled. University switchboard personnel will also be contacted.
- B. Cancellation of Selected Classes or Non-Academic Activities. Notification of the cancellation of selected classes or non-academic activities will be posted on the WSU homepage. Individual faculty members or appropriate supervisors are responsible for utilizing media and/or other appropriate means if additional coverage is desired.

5. WORK RESPONSIBILITIES WHEN THE UNIVERSITY IS CLOSED OR CLASSES AND NON-ACADEMIC ACTIVITIES ARE CANCELED:

- A. When the university is closed due to an emergency that threatens the health and safety of individuals, employees not deemed vital for the safe operation of the university may be excused from duty with full pay. In regard to such closure, the following additional guidelines will prevail:
 - 1. Employees who reported to work and were sent home should not be paid for more than their regular scheduled hours. Employees shall not be enriched through additional compensation, including compensatory time, or increased benefits as a result of an emergency situation.
 - 2. Employees who were required by their appointing authorities to remain at work should not be paid for more than their regular scheduled hours or the actual number of hours worked inclusive of any overtime.
 - 3. Employees on approved sick or pre-arranged vacation leave shall not have such leave time restored to their balances.
 - 4. Employees on any approved leave without pay shall not be paid for this emergency leave time.
 - 5. Employees who called in on the day of an emergency, for vacation time, compensatory time or leave without pay, will be credited with emergency leave from the point of the declaration of the emergency to the end of the scheduled shift, if the appointing authority ceased operations during their regular shift.
 - 6. Employees using the positive time reporting system should instruct employees to record this time under "Other Authorized Leave Hours Taken" with an "X" designating the type of leave taken. Also note in the remarks section "Weather Emergency".
- B. When classes are canceled, appropriate curricular adjustments shall be made by faculty on an individual basis.
- C. When non-academic activities are canceled, the activities shall be rescheduled when appropriate and possible.

6. WORK RESPONSIBILITIES DURING INCLEMENT WEATHER WHEN THE UNIVERSITY IS NOT CLOSED

Due to personal circumstances during inclement weather, such as place of residence, employees might be unable to get to work or may find it necessary to leave work early even though the university has not been closed. In such cases, employees can elect several options for time missed: time without pay, emergency/personal leave, vacation leave or, if working conditions permit and supervisors agree, the time may be made up.

7. CANCELING ALL CLASSES/CLOSING THE CAMPUS

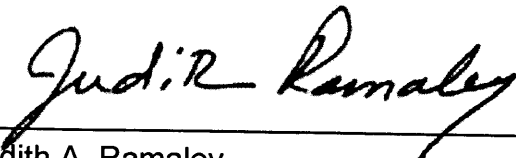
The procedure for canceling all classes is as follows:

For Winona, the president or president's designee shall determine whether day classes and evening classes should be canceled. The director of Public Information notifies the campus via email and posts the information on the WSU homepage. The news media identified in the WSU Weather Closing Plan will be notified following the campus announcements. Whenever possible, notification will be made by 6 a.m. for day classes and by 3 p.m. for evening classes. The WSU switchboard will be notified on the same schedule.

For WSU-Rochester, the decision to close campus or cancel classes is a joint decision made by the President of the Rochester Community and Technical College and the Director of the WSU-Rochester campus (or their designee). Any decisions that affect WSU-R campus operations will be communicated by the WSU-R Director (or designee) to the WSU Director of Public Information. The Director of Public Information notifies the WSU community via email and posts the information on the WSU homepage.

This WSU Regulation supersedes WSU Regulation 5-13 dated February 1, 1997.

AUTHENTICATED BY:



Judith A. Ramaley
President

April 11, 2011

Date of Adoption

Authoritative References:

MnSCU Policy 4.4 Weather /Emergency Closings
President

Initial Date of Adoption: 9/10/96

Date of Revisions: 2/1/97

LIST OF ATTACHMENTS

Listing of Weather Essential Facilities Employees

WINONA STATE UNIVERSITY - FACILITIES SERVICES ESSENTIAL LIST

Facilities Manager

Campus Planner
 Facilities Coordinator
 Chief Engineer
 Building Maintenance Supervisor
 Building Service Supervisor
 Building Services Supervisor

Building Maintenance Supervisor
 Administrative Assistant
 Office Manager
 OAS Facilities
 Building Services Supervisor
 Office Service Supervisor

Chief Engineer

Plant Maintenance Engineer
 Plant Maintenance Engineer
 Plant Maintenance Engineer
 Plant Maintenance Engineer
 Refrigeration Mechanic

Plant Maintenance Engineer
 Plant Maintenance Engineer
 Plant Maintenance Engineer
 Plant Maintenance Engineer
 Plant Maintenance Engineer

Building Maintenance Supervisor

Locksmith
 Electrician
 BUM/Plumber

BUM/Building Utilities Mechanic
 Plumber

Building Maintenance Supervisor

Mason
 Groundskeeper
 Groundskeeper Sr.
 Groundskeeper Sr.

General Repair Worker
 General Repair Worker
 Painter

Office Services Supervisor

Central Services Admin. Spec. Int.
 Central Services – Admin. Spec. Int.

ACADEMIC GMWs (DAY SHIFT): Supervisor 2:00AM – 10:30AM

| DAY | GMW | GMW | GMW |
|-----------|-----|-----|-----|
| Monday | | | |
| Tuesday | | | |
| Wednesday | | | |
| Thursday | | | |
| Friday | | | |

ACADEMIC GMWs (EVENING SHIFT): Supervisor 3:00PM – 11:30PM

| DAY | GMW | GMW | GMW |
|-----------|-----|-----|-----|
| Monday | | | |
| Tuesday | | | |
| Wednesday | | | |
| Thursday | | | |
| Friday | | | |

STUDENT HOUSING GMWs – MAIN CAMPUS : Supervisor 7:00AM – 3:30PM

| DAY | GMW | GMW | GMW |
|-----------|-----|-----|-----|
| Monday | | | |
| Tuesday | | | |
| Wednesday | | | |
| Thursday | | | |
| Friday | | | |

FACILITIES SERVICES ESSENTIAL LIST

**STUDENT HOUSING GMWs – WEST CAMPUS
GMWs
Supervisor**

7:00AM – 3:30PM

KRYZSKO COMMONS/EAST LAKE APT.

Supervisor

| DAY | GMW | GMW |
|-----------|-----|-----|
| Monday | | |
| Tuesday | | |
| Wednesday | | |
| Thursday | | |
| Friday | | |

| GMW | Day | Shift |
|-----|-------------------------|-----------------|
| | <u>KRYZSKO</u> | |
| | Tues-Fri | 6:00AM – 2:30PM |
| | Tues-Fri | 3:00PM – 1:30PM |
| | Sun-Thurs | 3:00PM – 1:30PM |
| | Mon-Fri | 7:00AM – 3:30PM |
| | <u>EAST LAKE</u> | |
| | Mon-Fri | 6:00AM – 2:30PM |

STUDENT HOUSING GMW FLOATER:

Medical Emergencies

If you are involved in or witness any medical emergency immediately call 911 and WSU Security (ext. 5555). Be prepared to provide the following information to the police dispatcher

- Name of the injured or ill person, if known.
- Current location of the person (i.e. building, room number, etc.)
- Nature and type of injury, if known.
- If safe to do so, remain with the individual until help arrives; try to keep the individual still. Do not attempt to move a seriously injured person (unless a more serious injury or life threatening situation may result). Provide first aid only if you are trained to do so.
- Provide any assistance to emergency medical personnel at the scene upon request.

Exposure Control Plan

Immediate treatment for an individual exposed to blood and/or body fluids is to thoroughly wash the exposed area with non-abrasive antibacterial soap and running water. Students should be sent to WSU Health Services or to the emergency room at Community Memorial Hospital. Employees should be referred to the emergency room at Community Memorial Hospital for treatment.

Communicable Disease Protocol

If you believe a student has contracted a contagious disease that may pose a health risk to others notify the WSU Clinical Director of Health Services. Refer the student to Health Services for treatment or further referral. If Health Services is closed students will be sent to the emergency room of Community Memorial Hospital. The Clinical Director and Medical Director will be notified by WSU Security.

Disaster/Terrorism Protocol

The Winona County Public Health Services has the authority and responsibility to respond to a mass disaster or terrorism act. All WSU Health Services employees will be placed on call and should remain in Winona County in the event of a mass disaster. WSU Health Services may provide supplies and medications to public health services as needed.

The staff of WSU Health Services is prepared to offer first aid at Health Services. If Health Services is the site of the emergency or there is a large number of injuries, the McCown Gym will be used by WSU Health Services. Winona County Health Services will be contacted to provide additional medical personnel.

Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students."

- Parents or eligible students have the right to inspect and review the student's education records maintained by the school. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies.
- Parents or eligible students have the right to request that a school correct records which they believe to be inaccurate or misleading. If the school decides not to amend the record, the parent or eligible student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the parent or eligible student has the right to place a statement with the record setting forth his or her view about the contested information.
- Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):
 - School officials with legitimate educational interest;
 - Other schools to which a student is transferring;
 - Specified officials for audit or evaluation purposes;
 - Appropriate parties in connection with financial aid to a student;
 - Organizations conducting certain studies for or on behalf of the school;
 - Accrediting organizations;
 - To comply with a judicial order or lawfully issued subpoena;
 - Appropriate officials in cases of health and safety emergencies; and
 - State and local authorities, within a juvenile justice system, pursuant to specific State law.

Schools may disclose, without consent, "directory" information such as a student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. However, schools must tell parents and eligible students about directory information and allow parents and eligible students a reasonable amount of time to request that the school not disclose directory information about them. Schools must notify parents and eligible students annually of their rights under FERPA. The actual means of notification (special letter, inclusion in a PTA bulletin, student handbook, or newspaper article) is left to the discretion of each school.

For additional information, you may call 1-800-USA-LEARN (1-800-872-5327) (voice). Individuals who use TDD may use the [Federal Relay Service](#).

Or you may contact us at the following address:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-8520

MnSCU Board Policies and System Procedures

Website: <http://www.mnscu.edu/board/policy/index.html>

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Minnesota State Colleges and Universities
System Procedures
Chapter 1B – System Organization and Administration /
Equal Education and Employment Opportunity

Procedures 1B.0.1 Reasonable Accommodations in Employment

Part 1. Purpose. This procedure sets forth the process to be used for responding to requests for reasonable accommodations in employment based on an applicant's or employee's disability. The scope of this procedure is limited to reasonable accommodations, and is not intended to fully describe other provisions of the Americans with Disabilities Act or the Minnesota Human Rights Act.

Part 2. Reasonable Accommodations in Employment. It is the policy of MnSCU to encourage the employment and promotion of any qualified individual including qualified individuals with disabilities. The system office, college or university will not discriminate in providing reasonable accommodations to qualified individuals with a disability in regard to job application procedures, hiring, advancement, discharge, employee compensation, job training or other terms, conditions, and privileges of employment.

Part 3. Definitions. For purposes of this procedure, the following terms have the meaning given them.

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

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

1. A job function may be considered essential for any of several reasons, including but not limited to the following:
 - a. The function may be essential because the reason the position exists is to perform that function;
 - b. The function may be essential because of the limited number of employees available among whom the performance of that job function can be distributed; and/or
 - c. The function may be highly specialized so that the incumbent in the position is hired for his or her expertise or ability to perform the particular function.
2. Evidence of whether a particular function is essential includes, but is not limited to
 - a. The employer's judgment as to which functions are essential;
 - b. Written job descriptions;
 - c. The amount of time spent on the job performing the function;
 - d. The consequences of not requiring the incumbent to perform the function;
 - e. The terms of a collective bargaining agreement;
 - f. The work experience of past incumbents in the job; and/or
 - g. The current work experience of incumbents in similar jobs.

Subpart C. Individual with a Disability: An individual with a disability for the purposes of determining reasonable accommodations is any applicant, current employee, including student employees, or employees seeking promotion, who has a physical or mental impairment which

substantially or materially limits one or more of such individual's major life activities. Generally, a disabling physical or mental condition which is expected to be temporary and from which the individual is expected to recover is not a disability under this procedure.

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

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

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

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

Part 6. Providing Reasonable Accommodations.

Subpart A. Job Relatedness. Reasonable accommodations will be provided only for job-related needs of individuals with a disability. The primary factor in evaluating an accommodation's job relatedness is whether the accommodation specifically assists the individual to perform the essential functions of the job as identified at the time of the reasonable accommodation request. If the requested accommodation is primarily for the benefit of the individual with a disability to assist that individual in daily personal activities, the employer is not required to provide the accommodation. The appropriate reasonable accommodation is best determined through a flexible, interactive process that involves both the employer and the qualified individual with a disability; it may include the appropriate union representative as provided by the applicable collective bargaining agreement.

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

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

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

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

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

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

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

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

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

*Approval Date: 05/24/00,
Effective Date: 05/24/00,*

Date and Subject of Revision:

1/25/12 – The Chancellor amends all current system procedures effective February 15, 2012, to change the term “Office of the Chancellor” to “system office” or similar term reflecting the grammatical context of the sentence.



Minnesota State Colleges and Universities
Board Policies
Chapter 1 - System Organization and Administration
Section B - Equal Education and Employment
Opportunity

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

Part 1. Policy Statement

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

Subpart B. Nondiscrimination. No person shall be discriminated against in the terms and conditions of employment, personnel practices, or access to and participation in, programs, services, and activities with regard to race, sex, color, creed, religion, age, national origin, disability, marital status, status with regard to public assistance, sexual orientation, gender identity, or gender expression. In addition, discrimination in employment based on membership or activity in a local commission as defined by law is prohibited.

Harassment on the basis of race, sex, color, creed, religion, age, national origin, disability, marital status, status with regard to public assistance, sexual orientation, gender identity, or gender expression is prohibited. Harassment may occur in a variety of relationships, including faculty and student, supervisor and employee, student and student, staff and student, employee and employee, and other relationships with persons having business at, or visiting the educational or working environment.

This policy is directed at verbal or physical conduct that constitutes discrimination/ harassment under state and federal law and is not directed at the content of speech. In cases in which verbal statements and other forms of expression are involved, Minnesota State Colleges and Universities will give due consideration to an individual's constitutionally protected right to free speech and academic freedom. However, discrimination and harassment are not within the protections of academic freedom or free speech. The system office, colleges, and universities shall maintain and encourage full freedom, within the law, of expression, inquiry, teaching and research. Academic freedom comes with a responsibility that all members of our education community benefit from it without intimidation, exploitation or coercion.

This policy shall apply to all individuals affiliated with Minnesota State Colleges and Universities, including but not limited to, its students, employees, applicants, volunteers, agents, and Board of Trustees, and is intended to protect the rights and privacy of both the complainant and

respondent and other involved individuals, as well as to prevent retaliation or reprisal. Individuals who violate this policy shall be subject to disciplinary or other corrective action.

This policy supersedes all existing system, college, and university equal opportunity and nondiscrimination policies.

Part 2. Definitions.

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

Subpart B. Discrimination. Discrimination means conduct that is directed at an individual because of his or her protected class and that subjects the individual to different treatment by agents or employees so as to interfere with or limit the ability of the individual to participate in, or benefit from, the services, activities, or privileges provided by the system or colleges and universities or otherwise adversely affects the individual's employment or education.

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

As required by law, Minnesota State Colleges and Universities further defines sexual harassment as a form of sexual discrimination which is prohibited by state and federal law. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct, and other verbal or physical conduct of a sexual nature when:

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

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

Subpart E. Protected Class. For purposes of this policy:

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

and employment where prohibited by federal or state law.

Subpart F. Retaliation. Retaliation includes, but is not limited to, intentionally engaging in any form of intimidation, reprisal or harassment against an individual because he or she:

- a) made a complaint under this policy;
- b) assisted or participated in any manner in an investigation, or process under this policy, regardless of whether a claim of discrimination or harassment is substantiated;
- c) associated with a person or group of persons who are disabled or are of a different race, color, creed, religion, sexual orientation, gender identity, gender expression, or national origin; or
- d) Made a complaint or assisted or participated in any manner in an investigation or process with the Equal Employment Opportunity Commission, the U.S. Department of Education Office for Civil Rights, the Minnesota Department of Human Rights or other enforcement agencies, under any federal or stated nondiscrimination law, including the Civil Rights Act of 1964; Section 504 of the Rehabilitation Act of 1973; the Minnesota Human Rights Act, Minn. Stat. Ch. 363A, and their amendments.

Retaliation may occur whether or not there is a power or authority differential between the individuals involved.

Subpart G. Sexual harassment and violence as sexual abuse. Under certain circumstances, sexual harassment or violence may constitute sexual abuse according to Minnesota law. In such situations, the system office and colleges and universities shall comply with the reporting requirements in Minnesota Statutes Section 626.556 (reporting of maltreatment of minors) and Minnesota Statutes Section 626.557 (Vulnerable Adult Protection Act). Nothing in this policy will prohibit any college or university or the system office from taking immediate action to protect victims of alleged sexual abuse. Board Policy 1B.3 Sexual Violence addresses sexual violence.

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

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

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

the right to make recommendations on such personnel matters is explicitly provided for in the applicable collective bargaining agreement or compensation plan.

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

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

Date of Adoption: 09/20/94,

Date of Implementation: 09/20/94,

Date and Subject of Revision:

5/15/13 - Amended a technical error in 1B.1, Part 2, Subpart C3, changing "purpose and effect" to "purpose or effect" to be consistent with the requirement of state and federal law and with Board Policy 1B.1, in the first section of Part 2.

11/14/12 - Amended the name of the policy to include equal opportunity. Amended policy by expanding language on equal opportunity; adding gender expression and gender identity as protected classes protected from discrimination; specifically prohibiting retaliation on the basis of participation in a discrimination complaint under state or federal law; modifying the definition of student for purposes of the policy; and other changes to streamline or clarify language. Amendments take effect upon adoption.

6/21/06 - Amended policy to streamline and clarify language. Part 3 was amended to prohibit relations between employees and students or employees over whom the employee exercises direct or significant authority or influence. Amendments do not take effect until November 1, 2006

12/20/95 - Added everything after the first paragraph.



Minnesota State Colleges and Universities
System Procedures
Chapter 1B – System Organization and Administration /
Equal Education and Employment Opportunity

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

Part 1. Purpose and Applicability.

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

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

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

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

Subpart C. Scope. This procedure is not applicable to allegations of sexual violence; allegations of sexual violence are handled pursuant to Board Policy 1B.3 Sexual Violence and System Procedure 1B.3.1. In addition, harassment and discrimination complaints not

arising from alleged violations of Board Policy 1B.1, are to be addressed under other appropriate policies and established practices.

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

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

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

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

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

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

Part 3. Consensual Relationships. Board Policy 1B.1 Equal Opportunity and Nondiscrimination in Employment and Education prohibits consensual relationships between an employee and a student or another employee over whom he or she exercises direct or otherwise significant academic, administrative, supervisory, evaluative, counseling, or extracurricular authority or influence, whether or not both parties appear to have consented to the relationship, except as noted.

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

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

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

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

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

This prohibition does not limit the right of an employee to make a recommendation on personnel matters concerning a person with whom they have a consensual relationship where the right to make recommendations on such personnel matters is explicitly provided for in the applicable collective bargaining agreement or compensation plan.

Part 4. Reporting Incidents of Discrimination/Harassment.

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

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

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

Subpart C. Reports against a president. A report/complaint against a president of a college or university shall be filed with the system office. However, complaints against a president shall be processed by the college or university if the president's role in the alleged incident was limited to a decision on a recommendation made by another administrator, such as tenure, promotion or non-renewal, and the president had no other substantial involvement in the matter.

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

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

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

Part 5. Right to Representation. In accordance with federal law and applicable collective bargaining agreement and personnel plan language, represented employees may have the right to request and receive union representation during an investigatory meeting.

Nothing in this procedure is intended to expand, diminish or alter in any manner whatsoever any right or remedy available under a collective bargaining agreement, personnel plan or law. Any disciplinary action imposed as a result of an investigation conducted under this procedure will be processed in accordance with the applicable collective bargaining agreement or personnel plan.

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

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

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

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

- 1. Jurisdiction.** The designated officer shall determine whether the report/complaint is one which should be processed through another system office, college or university procedure available to the complainant; if appropriate, the designated officer shall direct the complainant to that procedure as soon as possible.
- 2. Conflicts.** The designated officer should identify to the president or chancellor/designee any real or perceived conflict of interest in proceeding as the

designated officer for a specific complaint. If the president or chancellor/designee determines that a conflict exists, another designated officer shall be assigned.

3. **Information provided to complainant.** At the time the report/complaint is made, the designated officer shall:
 - a.) inform the complainant of the provisions of the Board Policy 1B.1 and this procedure;
 - b.) provide a copy of or Web address for Board Policy 1B.1 and this procedure to the complainant;
 - c.) determine whether other individuals are permitted to accompany the complainant during investigatory interviews and the extent of their involvement; and
 - d.) inform the complainant of the provisions of Board Policy 1B.1 prohibiting retaliation.
4. **Complaint documentation.** The designated officer shall insure that the complaint is documented in writing. The designated officer may request, but not require the complainant to document the complaint in writing using the complaint form of the system office, college or university.
5. **Information provided to the respondent.** At the time initial contact is made with the respondent, the designated officer shall inform the respondent in writing of the existence and general nature of the complaint and the provisions of the nondiscrimination policy. At the initial meeting with the respondent, the designated officer shall:
 - a) provide a copy of or Web address for Board Policy 1B.1 and this procedure to the respondent;
 - b.) provide sufficient information to the respondent consistent with federal and state data privacy laws to allow the respondent to respond to the substance of the complaint;
 - c.) explain to the respondent that in addition to being interviewed by the designated officer, the respondent may provide a written response to the allegations;
 - d.) determine whether other individuals are permitted to accompany the respondent during investigative interviews and the extent of their involvement; and
 - e.) inform the respondent of the provisions of Board Policy 1B.1 prohibiting retaliation.
6. **Investigatory process.** The designated officer shall:
 - a.) conduct a fact-finding inquiry or investigation into the complaint, including appropriate interviews and meetings;
 - b.) inform the witnesses and other involved individuals of the prohibition against retaliation;
 - c.) create, gather and maintain investigative documentation as appropriate;
 - d.) disclose appropriate information to others only on a need to know basis consistent with state and federal law, and provide a data privacy notice in accordance with state law; and
 - e.) handle all data in accordance with applicable federal and state privacy laws.
7. **Interim actions.**
 - a.) **Employee reassignment or administrative leave.** Under appropriate circumstances, the president or chancellor may, in consultation with system legal counsel and labor relations, reassign or place an employee on administrative leave at any point in time during the report/complaint process. In determining whether to place an employee on administrative leave or reassignment, consideration shall be

given to the nature of the alleged behavior, the relationships between the parties, the context in which the alleged incidents occurred and other relevant factors. Any action taken must be consistent with the applicable collective bargaining agreement or personnel plan.

b.) Student summary suspension or other action. Under appropriate circumstances, the president or designee may, in consultation with system legal counsel, summarily suspend a student at any point in time during the report/complaint process. A summary suspension may be imposed only in accordance with Board Policy 3.6 and associated system procedures. After the student has been summarily suspended, the report/complaint process should be completed within the shortest reasonable time period, not to exceed nine (9) class days. During the summary suspension, the student may not enter the campus or participate in any college or university activities without obtaining prior permission from the president or designee. Other temporary measures may be taken in lieu of summary suspension where the president or designee determines such measures are appropriate.

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

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

1. conduct or coordinate education/training;
2. facilitate voluntary meetings between the parties;
3. recommend separation of the parties, after consultation with appropriate system office, college or university personnel;
4. other possible outcomes may include recommending changes in workplace assignments, enrollment in a different course or program, or other appropriate action;
5. the system office, college or university may use alternative dispute resolution or mediation services as a method of resolving discrimination or harassment complaints. Alternative dispute resolution and mediation options require the voluntary participation of all parties to the complaint;
6. upon completion of the inquiry, the designated officer may dismiss or refer the complaint to others as appropriate.

Subpart E. Decision process. If the above methods have not resolved the complaint within a reasonable period of time to the satisfaction of the designated officer, or the designated officer feels additional steps should be taken, the procedures in this subpart shall be followed.

1. **Designated officer.** The designated officer shall:
 - a.) prepare an investigation report and forward it to the decisionmaker for review and decision;
 - b.) take additional investigative measures as requested by the decisionmaker; and
 - c.) be responsible for coordinating responses to requests for information contained in an investigation report in accordance with the Minnesota Government Data Practices Act and other applicable law including, but not limited to, the Family Educational Rights and Privacy Act (FERPA). In determining the appropriate response, the designated officer shall consult with the campus data practice compliance official and/or the Office of General Counsel.

2. **Decisionmaker.** After receiving the investigation report prepared by the designated officer, the decisionmaker shall:
 - a.) determine whether additional steps should be taken prior to making the decision. Additional steps may include:
 1. a request that the designated officer conduct further investigative measures;
 2. a meeting with the complainant, respondent or other involved individuals. If a meeting involving a represented employee is convened, the complainant or respondent may choose to be accompanied by the bargaining unit representative, in accordance with the applicable collective bargaining agreement and federal and state law; and
 3. a request for additional information which may include a written response from the complainant or respondent relating to the allegations of the complaint.
 - b.) take other measures deemed necessary to determine whether a violation of Board Policy 1B.1 has been established;
 - c.) when making the decision, take into account the totality of the circumstances, including the nature and extent of the behaviors, the relationship(s) between the parties, the context in which the alleged incident(s) occurred, and other relevant factors;
 - d.) determine the nature, scope and timing of disciplinary or corrective action and the process for implementation if a violation of the nondiscrimination policy occurs. This may include consultation with human resources or supervisory personnel to determine appropriate discipline;
 - e.) As appropriate, consistent with applicable state and federal data privacy laws, report in writing to the complainant, respondent and the designated officer her or his findings, and the basis for those findings, as to whether Board Policy 1B.1 has been violated.
 - f.) Conduct that is determined not to have violated Board Policy 1B.1 shall be referred to another procedure for further action, if appropriate.

Part 7. System Office, College, or University Action. The system office, college, or university shall take the appropriate corrective action based on results of the investigation, and the designated officer shall make appropriate inquiries to ascertain the effectiveness of any corrective or disciplinary action. Complainants are encouraged to report any subsequent conduct that violates Board Policy 1B1.1, as well as allegations of retaliation.

Written notice to parties relating to discipline, resolutions, and/or final dispositions resulting from the report/complaint process is deemed to be official correspondence from the system office, college or university. In accordance with state law, the system office, college or university is responsible for filing the complaint disposition concerning complaints against employees with the Commissioner of Employee Relations within 30 days of final disposition.

Part 8. Appeal.

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

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

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

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

Part 10. Distribution of Board Policy 1B.1 and this Procedure. Information regarding Board Policy 1B.1 and this procedure shall, at a minimum, be distributed to students at the time of registration and to employees at the beginning of employment. Distribution may be accomplished by posting on an internet Web site, provided all students and employees are directly notified of how to access the policy and procedure by an exact address, and that they may request a paper copy. Copies of the policy and procedure shall be conspicuously posted at appropriate locations at the system office and on college and university campuses at all times and shall include the designated officers' names, locations and telephone numbers.

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

Part 11. Maintenance of Report/Complaint Procedure Documentation. During and upon the completion of the complaint process, the complaint file shall be maintained in a secure location in the office of the designated officer for the system office, college or university in accordance with the applicable records retention schedule. Access to the data shall be in accordance with the respective collective bargaining agreement or personnel plan, the Minnesota Government Data Practices Act, the Family Educational Rights and Privacy Act or other applicable law.

*Approval Date: 02/17/97,
Effective Date: 05/08/03,*

Date and Subject of Revision:

- 5/31/13 - The procedure has been amended to support the policy changes in the 1B.1 policy concerning gender identity and gender expression and an amendment to the following: Part 6, Subpart C, 9 - Clarified and moved language that had been stated included in Part 6, Subpart E. 2.e. Technical changes throughout for consistency.*
- 1/25/12 - The Chancellor amends all current system procedures effective February 15, 2012, to change the term "Office of the Chancellor" to "system office" or similar term reflecting the grammatical context of the sentence.*
- 1/31/07 - Procedure completely reviewed - Technical changes throughout. Part 3 - Revised to support the change in the 1B.1 policy concerning consensual relationships.*
- 4/02/03 - amended portions of the policy - Part 1. - added second paragraph, Part 2, Subpart A - added second paragraph, Part 2, Subpart B - added second paragraph, Part 3, Subpart D, 1, 2. - slight modifications, Part 5, Subpart G, 3. - slight modification, Part 6 - deleted last sentence, Part 7, Subpart A - deleted a sentence, Part 7, Subpart C - slight addition, Part 10 - added second paragraph, December 18, 2000 - amended the entire policy*



Minnesota State Colleges and Universities
Board Policies
Chapter 1 - System Organization and Administration
Section B - Equal Education and Employment
Opportunity

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 Adoption: 09/20/94,

Date of Implementation: 09/20/94,

Date and Subject of Revision:

3/22/10 - Policy 1B.2 was reviewed. No changes were recommended.



Minnesota State Colleges and Universities
Board Policies
Chapter 1 - System Organization and Administration
Section B - Equal Education and Employment
Opportunity

1B.3 Sexual Violence Policy

Part 1. Policy statement. Sexual violence is an intolerable intrusion into the most personal and private rights of an individual, and is prohibited at Minnesota State Colleges and Universities. Minnesota State Colleges and Universities is committed to eliminating sexual violence in all forms and will take appropriate remedial action against any individual found responsible for acts in violation of this policy. Acts of sexual violence may also constitute violations of criminal or civil law, or other Board Policies that may require separate proceedings. To further its commitment against sexual violence, Minnesota State Colleges and Universities provides reporting options, an investigative and disciplinary process, and prevention training or other related services as appropriate.

Subpart A. Application of policy to students, employees, and others. This policy applies to all Minnesota State Colleges and Universities students and employees and to others, as appropriate, where incidents of sexual violence on system property have been reported. Reports of sexual violence committed by a student at a location other than on system property are covered by this policy pursuant to the factors listed in Board Policy 3.6, Part 2. Reports of sexual violence committed by a system employee at a location other than system property are covered by this policy.

Reports of sexual violence committed on system property by individuals who are not students or employees are subject to appropriate actions by Minnesota State Colleges and Universities, including, but not limited to, pursuing criminal or civil action against them.

Allegations of discrimination or harassment are governed by Board Policy 1B.1.

Subpart B. College and university policies. Each Minnesota State Colleges and Universities college and university shall adopt a clear, understandable written policy on sexual violence that applies to its campus community, including, but not limited to, its students and employees. The policy content and implementation shall be consistent with the standards in this Policy and Procedure 1B.3.1.

Part 2. Definitions. The following definitions apply to this Policy and Procedure 1B.3.1.

Subpart A. Sexual violence. Sexual violence includes a continuum of conduct that includes sexual assault, non-forcible sex acts, dating and relationship violence, stalking, as well as aiding acts of sexual violence.

Subpart B. Sexual assault. “Sexual assault” means an actual, attempted, or threatened sexual act with another person without that person’s consent. Sexual assault is often a criminal act that can be prosecuted under Minnesota law, as well as form the basis for discipline under Minnesota State Colleges and Universities student conduct codes and employee disciplinary standards. Sexual assault includes but is not limited to:

1. Involvement without consent in any sexual act in which there is force, expressed or implied, or use of duress or deception upon the victim. Forced sexual intercourse is included in this definition, as are the acts commonly referred to as “date rape” or “acquaintance rape.” This definition also includes the coercing, forcing, or attempting to coerce or force sexual intercourse or a sexual act on another.
2. Involvement in any sexual act when the victim is unable to give consent.
3. Intentional and unwelcome touching, or coercing, forcing, or attempting to coerce or force another to touch a person’s intimate parts (defined as primary genital area, groin, inner thigh, buttocks, or breast).
4. Offensive sexual behavior that is directed at another such as indecent exposure or voyeurism.

Subpart C. Dating and relationship violence. Dating and relationship violence includes physical harm or abuse, and threats of physical harm or abuse, arising out of a personal intimate relationship. This violence also may be called domestic abuse or spousal/partner abuse and may be subject to criminal prosecution under Minnesota state law.

Subpart D. Stalking. Stalking is conduct directed at a specific person that is unwanted, unwelcome, or unreciprocated and that would cause a reasonable person to fear for her or his safety or the safety of others or to suffer substantial emotional distress.

Subpart E. Consent. Consent is informed, freely given and mutually understood. If coercion, intimidation, threats, and/or physical force are used, there is no consent. If the complainant is mentally or physically incapacitated or impaired so that the complainant cannot understand the fact, nature, or extent of the sexual situation, there is no consent; this includes conditions due to alcohol or drug consumption, or being asleep or unconscious. Silence does not necessarily constitute consent, and past consent of sexual activities does not imply ongoing future consent. Whether the respondent has taken advantage of a position of influence over the complainant may be a factor in determining consent.

Subpart F. Non-forcible sex acts. Non-forcible acts include unlawful sexual acts where consent is not relevant, such as sexual contact with an individual under the statutory age of consent, as defined by Minnesota law, or between persons who are related to each other within degrees wherein marriage is prohibited by law.

Subpart G. System property. “System property” means the facilities and land owned, leased, or under the primary control of Minnesota State Colleges and Universities, its Board of Trustees, system office, colleges and universities.

Subpart H. Employee. “Employee” means any individual employed by Minnesota State Colleges and Universities, its colleges and universities and system office, including student workers.

Subpart I. Student. The term “student” includes all persons who:

1. Are enrolled in one or more courses, either credit or non-credit, through a college or university;
 2. Withdraw, transfer or graduate, after an alleged violation of the student conduct code;
 3. Are not officially enrolled for a particular term but who have a continuing relationship with the college or university; or
 4. Have been notified of their acceptance for admission or have initiated the process of application for admission or financial aid; or
 5. Are not college or university employees and are not enrolled in the institution but live in a college or university residence hall.
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Date of Adoption: 04/21/04,

Date of Implementation: 04/21/04,

Date and Subject of Revision:

11/21/13 - Added definitions of dating and relationship violence and stalking to Part 2. This change was required under reauthorization of the Violence Against Women Reauthorization Act.

11/16/11 - Amended Part 1 and Part 1A to clarify policy. Amended Part 2C to further define consent. Amended Part 2G to reflect the definition of “student” in other Board policies.



Minnesota State Colleges and Universities
System Procedures
Chapter 1B – Equal Education and Employment
Opportunity

Procedure 1B.3.1 Sexual Violence Procedure

Part 1. Procedure objective. This procedure is designed to further implement Minnesota State Colleges and Universities Board Policy 1B.3 prohibiting sexual violence. This procedure provides a process through which individuals alleging sexual violence may pursue a complaint.

This procedure is intended to protect the rights and privacy of both the complainant and respondent and other involved individuals, as well as to prevent retaliation and reprisal.

Part 2. Definitions.

Subpart A. Policy definitions. The definitions in Policy 1B.3 also apply to this procedure.

Subpart B. Campus security authority. Campus security authority includes the following categories of individuals at a college or university:

1. A college or university security department;
2. Other individuals who have campus security responsibilities in addition to a college or university security department;
3. Any individual or organization identified in a college or university security policy as an individual or organization to which students and employees should report criminal offenses;
4. An official of a college or university who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings; advisors to recognized student organizations, and athletic coaches. Professional counselors, whose official responsibilities include providing mental health counseling, and who are functioning within the scope of their license or certification are not included in this definition.

Part 3. Reporting incidents of sexual violence.

Subpart A. Prompt reporting encouraged. Complainants of sexual violence may report incidents at any time, but are strongly encouraged to make reports promptly in order to best preserve evidence for a potential legal or disciplinary proceeding.

Complainants are strongly encouraged to report incidents of sexual violence to law enforcement for the location where the incident occurred. Complainants are also encouraged to contact the local victim/survivor services office, counseling and health care providers, campus Title IX coordinators or Minnesota State Colleges and Universities campus security authorities for appropriate action.

Subpart B. Assistance in reporting. When informed of an alleged incident of sexual violence, all Minnesota State Colleges and Universities students and employees are urged to encourage and assist complainants, as needed, to report the incident to local law enforcement, local victim/survivor services, campus Title IX coordinators or campus security authorities.

Minnesota State Colleges and Universities campus security authorities, when informed of an alleged incident of sexual violence, shall promptly assist the complainant, as requested, including providing guidance in filing complaints with outside agencies including law enforcement; obtaining appropriate assistance from victim/survivor services or medical treatment professionals; and filing a complaint with campus officials responsible for enforcing the student conduct code or employee conduct standards.

When appropriate, Minnesota State Colleges and Universities may pursue legal action against a respondent, including, but not limited to, trespass or restraining orders, in addition to disciplinary action under the applicable student or employee conduct standard. A college or university may take actions it deems necessary or appropriate in response to all protection, restraining or no contact orders.

Part 4. Confidentiality of reporting.

Subpart A. Confidential reports. Because of laws concerning government data contained in Minnesota Statutes §13, the Minnesota Government Data Practices Act, colleges and universities cannot guarantee confidentiality to those who report incidents of sexual violence except where those reports are privileged communications with licensed health care professionals. Some off-campus reports also may be legally privileged by law, such as reports to clergy, private legal counsel, or health care professionals.

Subpart B. Reports to campus security authorities. Complainants of sexual violence may contact any campus security authority for appropriate assistance or to report incidents. Absolute confidentiality of reports made to campus security authorities cannot be promised. However, campus security authorities shall not disclose personally identifiable information about a complainant of sexual violence without the complainant's consent except as may be required or permitted by law. There may be instances in which Minnesota State Colleges and Universities determines it needs to act regardless of whether the parties have reached a personal resolution or if the complainant requests that no action be taken. In such instances, Minnesota State Colleges and Universities will investigate and take appropriate action, taking care to protect the identity of the complainant and any other reporter in accordance with this procedure.

Subpart C. Required Reports. Any campus security authority or any college or university employee with supervisory or student-advising responsibility who has been informed of an alleged incident of sexual violence must follow college or university procedures for making a report for the annual crime statistics report. In addition, the campus security authority shall report to other school officials, as appropriate, such as the campus affirmative action office, the campus office responsible for administering the student conduct code, and/or the designated Title IX compliance coordinator, in order to initiate any applicable investigative or other resolution procedures.

Campus security authorities may be obligated to report to law enforcement the fact that a sexual assault has occurred, but the name or other personally identifiable information about the complainant will be provided only with the consent of the complainant, except as may be required or permitted by law.

Part 5. Policy notices.

Subpart A. Distribution of policy to students. Each college or university shall, at a minimum, at the time of registration make available to each student information about its sexual violence policy and procedure, and shall additionally post a copy of its policy and procedure at appropriate locations on campus at all times. A college or university may distribute its policy and procedure by posting on an Internet or Intranet Web site, provided all students are directly notified of how to access the policy by an exact address, and that they may request a paper copy.

Subpart B. Distribution of policy to employees. All colleges, universities and the system office shall make available to all employees a copy of its sexual violence policy and procedure. Distribution may be accomplished by posting on an Internet or Intranet Web site, provided all employees are directly notified of the exact address of the policy and procedure and that they may receive a paper copy upon request.

Subpart C. Required Notice. Each college or university shall have a sexual violence policy, which shall include the notice provisions in this part.

1. **Notice of complainant options.** Following a report of sexual violence the complainant shall be promptly notified of:
 - a. Where and how to obtain immediate medical assistance; complainants should be informed that timely reporting and a medical examination within 72 hours are critical in preserving evidence of sexual assault and proving a criminal or civil case against a perpetrator. Complainants should be told, however, that they may report incidents of sexual violence at any time.
 - b. Where and how to report incidents of sexual violence to local law enforcement officials, and/or appropriate Minnesota State Colleges and Universities system contacts for employees, students and others. Such contacts should be identified by name, location and phone number for 24-hour availability, as applicable.
 - c. Resources for where and how complainants may obtain on- or off-campus counseling, mental health or other support services.
2. **Notice of complainant rights.** Complainants shall be notified of the following:
 - a. Their right to file criminal charges with local law enforcement officials in sexual assault cases;
 - b. Rights under the crime victims bill of rights, Minnesota Statutes §611A.01 – 611A.06, including the right to assistance from the Crime Victims Reparations Board and the commissioner of public safety;
 - c. Availability of prompt assistance from campus officials, upon request, in notifying the appropriate campus investigating authorities and law enforcement officials, and, at the direction of law enforcement authorities, assistance in obtaining, securing and maintaining evidence in connection with a sexual violence incident;

- d. Assistance available from campus authorities in preserving for a sexual violence complainant materials relating to a campus disciplinary proceeding;
- e. That complaints of incidents of sexual violence made to campus security authorities shall be promptly and appropriately investigated and resolved;
- f. That, at a sexual assault complainant's request, the college, university or system office may take action to prevent unwanted contact with the alleged assailant, including, but not limited to, transfer of the complainant and/or the respondent to alternative classes, or a work site or to alternative college-owned housing, if such alternatives are available and feasible.

Part 6. Investigation and disciplinary procedures.

Subpart A. Immediate action. A college or university may, at any time during the report/complaint process, reassign or place on administrative leave an employee alleged to have violated this policy, in accordance with the procedures in System Procedure 1B.1.1. Such action must be consistent with the applicable collective bargaining agreement or personnel plan.

A college or university may summarily suspend or take other temporary measures against a student alleged to have committed a violation of this policy, in accordance with System Procedure 1B.1.1 or Board Policy 3.6.

Subpart B. General principles. Colleges, universities and the system office shall use system procedure 1B.1.1 Report/Complaint of Discrimination/Harassment Investigations and Resolution when investigating complaints of sexual violence. Procedures used in response to a complaint of sexual violence should avoid requiring complainants to follow any plan of action, to prevent the possibility of re-victimization.

College and university investigation and disciplinary procedures concerning allegations of sexual violence against employees or students shall:

1. Be respectful of the needs and rights of individuals involved;
2. Proceed as promptly as possible;
3. Permit a student complainant and a student respondent to have the same opportunity to have an appropriate support person or advisor present at any interview or hearing, in a manner consistent with the governing procedures and applicable data practices law;
4. Employees shall have the right to representation consistent with the appropriate collective bargaining agreement or personnel plan;
5. Be conducted in accordance with applicable due process standards and privacy laws;
6. Simultaneously inform both the complainant and respondent of the outcome in a timely manner, as permitted by applicable privacy law.
7. Be based on a preponderance of evidence standard, meaning that it is more likely than not that the policy or code has been violated.

The past sexual history of the complainant and respondent shall be deemed irrelevant except as that history may directly relate to the incident being considered.

A respondent's use of any drug, including alcohol, judged to be related to an offense may be considered to be an exacerbating rather than mitigating circumstance.

Subpart C. Relationship to parallel proceedings. In general, Minnesota State Colleges and Universities investigation and disciplinary procedures for allegations of sexual violence will proceed independent of any action taken in criminal or civil courts. A college or university need not, and in most cases should not, delay its proceedings while a parallel legal action is on-going. If a college or university is aware of a criminal proceeding involving the alleged incident, they may contact the prosecuting authority to coordinate when feasible. Criminal or civil court proceedings are not a substitute for Minnesota State Colleges and Universities procedures.

Subpart D. False statements prohibited. Minnesota State Colleges and Universities takes allegations of sexual violence very seriously and recognizes the consequences such allegations may have on a respondent as well as the complainant. Any individual who knowingly provides false information regarding the filing of a complaint or report of sexual violence or during the investigation of such a complaint or report may be subject to discipline or under certain circumstances, legal action. Complaints of conduct that are found not to violate policy are not assumed to be false.

Subpart E. Withdrawn complaint. If a complainant no longer desires to pursue a complaint through the college or university's proceeding, the college or university reserves the right to investigate and resolve the complaint as it deems appropriate.

Subpart F. Minnesota State Colleges and Universities discretion to pursue certain allegations. Minnesota State Colleges and Universities reserves discretion whether to pursue alleged violations of policy under appropriate circumstances, including, but not limited to, a determination that an effective investigation is not feasible because of the passage of time, or because the respondent is no longer a student or employee of the college or university.

Subpart G. Minnesota State Colleges and Universities discretion to deal with policy violations disclosed in investigation. Minnesota State Colleges and Universities reserves the right to determine whether to pursue violations of policy by students or employees other than the respondent, including a complainant or witness, that come to light during the investigation of an incident of sexual violence. In order to encourage reporting of sexual violence, under appropriate circumstances college or university administrators may choose to deal with violations of Minnesota State Colleges and Universities policy in a manner other than disciplinary action.

Subpart H. Sanctions. Sanctions that may be imposed if a finding is made that sexual violence has occurred include, but are not limited to, suspension, expulsion of students or termination from employment. The appropriate sanction will be determined on a case-by-

case basis taking into account the severity of the conduct, the student's or employee's previous disciplinary history, and other factors as appropriate.

Subpart I. Retaliation prohibited. Actions by a student or employee intended as retaliation, reprisal or intimidation against an individual for making a complaint or participating in any way in a report or investigation under this policy are prohibited and are subject to appropriate disciplinary action.

Part 7. Sexual violence prevention and education.

Subpart A. Campus-wide training. Colleges, universities, and the system office must:

1. Include in their sexual violence policy a description of educational programs that they offer to students and employees to promote the awareness of sexual violence offenses, including sexual violence prevention measures and procedures for responding to incidents.
2. Provide training on awareness of sexual violence prevention measures and procedures for responding to incidents of sexual violence. At a minimum, all incoming students and all new employees must be provided this training.

Education shall emphasize the importance of preserving evidence for proof of a criminal offense, safe and positive options for bystander intervention, and information on risk reduction to recognize warning signs of abusive behavior and risk associated with the perpetration of sexual violence.

Subpart B. Other training and education. Colleges and universities and affiliated student organizations are encouraged to develop educational programs, brochures, posters and other means of information to decrease the incidence of sexual violence and advise individuals of the legal and other options available if they are the complainants of an incident or they learn of such an incident.

Subpart C. Training for individuals charged with decision making authority. Prior to serving as either an investigator or decision maker for complaints under this procedure, administrators must complete investigator or decisionmaker training provided by the system office. Investigators/decisionmakers and anyone else involved in the adjudication process must receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.

Part 8. Maintenance of report/complaint procedure documentation. Data that is collected, created, received, maintained or disseminated about incidents of sexual violence will be handled in accordance with the privacy requirements of the Minnesota Statutes §13 (Minnesota Government Data Practices Act), and other applicable laws.

Information on reports of incidents of sexual violence that are made to Campus Security Authorities shall be documented in accordance with the Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act, codified at 20 United States Code section 1092 (f). Such information will be used to report campus crime statistics on college and university campuses as required by that Act.

During and upon the completion of the complaint process, the complaint file shall be maintained in a secure location. Access to complaint file information shall be in accordance with the applicable collective bargaining agreement or personnel plan, the Minnesota Government Data Practices Act, the Family Educational Rights and Privacy Act and other applicable law and policy.

Approval Date: 05/17/04,

Effective Date: 05/17/04,

Date and Subject of Revision:

2/13/14 – The procedure was amended to better comport with recent legislative changes regarding sexual violence.

1/25/12 – The Chancellor amends all current system procedures effective February 15, 2012, to change the term “Office of the Chancellor” to “system office” or similar term reflecting the grammatical context of the sentence.



Minnesota State Colleges and Universities

Board Policies

Chapter 1 - System Organization and Administration

Section B - Equal Education and Employment Opportunity

1B.4 Access and Accommodation for Individuals with Disabilities

Part 1. Policy Statement. Minnesota State Colleges and Universities is committed to ensuring its programs, services and activities are accessible to individuals with disabilities, through its compliance with state and federal laws. The system recognizes that individuals with disabilities may need accommodations to have equally effective opportunities to participate in or benefit from the system's programs, services and activities.

Part 2. Definitions.

Subpart A. An individual with a disability:

1. Any person who has a physical or mental impairment which materially limits one or more of the 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 materially limits one or more major life activities.

Subpart B. Qualified individual with a disability. An individual 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.

Subpart C. Personal devices and services may 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.

Part 3. General Access Policy. Colleges, universities and the system office shall provide access to programs, services and activities to qualified individuals with known disabilities as required by law. An individual requesting an accommodation may be required to provide documentation of eligibility for the accommodation.

Part 4. Availability and Notice. Colleges, universities, and the system office shall post notices to the public in an accessible format stating 1) prohibition against discrimination on the basis of disability, and 2) contact information for the person designated to provide information about or respond to requests for reasonable accommodation.

Part 5. Reasonable Accommodations.

Subpart A. Programs, Services, and Activities. Colleges, universities and the system office 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 programs, services, 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.

Subpart B. Employment. System Procedure 1B.0.1, Reasonable Accommodations in Employment, applies to accommodation requests by employees and applicants for employment.

Part 6. Offered and/or Sponsored Services or Activities for Qualified Students with Disabilities. Colleges and universities have a responsibility to provide a qualified student with a disability access to services and activities that are operated or sponsored by the institution or that receive significant assistance from the institution. Such access shall be provided in a reasonable manner as required by law. At a minimum, the following must be available 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, 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 7. Process. Each college and university shall establish a process for an individual with a disability to request an accommodation to access the institution's programs, services, or activities consistent with state and federal laws. The process for individuals with disabilities to request an accommodation must, at a minimum include the following:

- a. Provide the requesting individual with a copy of Board Policy 1B.4.
- b. Assignment and identification of a staff member responsible for making a determination about the request for accommodation or the delivery of services.
- c. Provide a process for appealing a denial of a request for accommodation.

Date of Adoption: 06/20/95,
Date of Implementation: 07/01/95,

Date and Subject of Revision:

1/25/13 – technical change made to Part 2, Subpart C, amended “Program devices” to “Personal devices.”

7/20/11 - Amended title to include both access and accommodation. Added new Part 1 - policy statement. Amended language in Parts 2-7 for clarification.



Minnesota State Colleges and Universities System Procedures Chapter 1C – Code of Conduct & Ethics

Please see the electronic version of this procedure at www.mnscu.edu/board/procedure/1cOp1.html for links to source documents, including statutes, policies and procedures.

Procedure 1C.0.1 Employee Code of Conduct

Part 1. Purpose and Scope. This procedure establishes the code of conduct expected of all employees of Minnesota State Colleges and Universities, including administrators, faculty, staff, and student employees, whether full or part-time, temporary or unlimited.

The laws, board policies, system procedures, and standards referenced in this employee code of conduct are subject to change without amendment to this procedure.

In addition to this code of conduct, employees are subject to general standards of conduct for employees and are expected to meet any professional standards of conduct or ethical requirements applicable to their discipline.

Part 2. General. In striving to fulfill our system's vision and carry out our mission, all employees of Minnesota State Colleges and Universities must meet public expectations for excellence by providing high quality education and related services, demonstrating sound stewardship of resources, acting with integrity, and displaying fair treatment and respect for all, ensuring that employment and education opportunities are inclusive and serve all the state's diverse communities.

Those acting on behalf of the Minnesota State Colleges and Universities System have a general duty to conduct themselves with honesty and trustworthiness, with efficiency and effectiveness, and to demonstrate accountability and compliance with state and federal laws, and Board policies and system procedures.

The summaries included in this employee code of conduct are intended to serve as a quick reference guide to actual statutes, policies or procedures; employees should consult the actual statute, policy or procedure to fully understand their obligations. To the extent a provision in this procedure is determined to be inconsistent with the terms of a statute, policy, procedure or applicable bargaining agreement, the statute, policy, procedure or bargaining agreement governs. If you have questions regarding application of the employee code of conduct, contact your supervisor or the chief human resources officer for your college, university, or system office.

Part 3. Employee Ethics. Employee ethics are important in every organization. The Code of Ethics for Employees in the Executive Branch and other state laws require that system employees comply with high ethical standards. If we fail to comply with ethical requirements, we may be subject to disciplinary action, up to and including termination of employment, and under certain circumstances, criminal or civil legal action.

Under state law, board policies, and system procedures, we must comply with legally established standards. The Code of Ethics is summarized below, but you should consult the actual language of the statute to determine your ethical obligations.

Subpart A. Conflicts of interest. Employees are obligated to avoid situations that involve a potential conflict of interest with Minnesota State Colleges and Universities. If you have questions regarding these provisions, contact your supervisor or the chief human resources officer. A conflict exists when you:

1. Use your system position to secure an advantage for yourself, your immediate family or an organization with which you are associated that is not available to the general public;
2. Accept employment or a contractual obligation which would affect your independence of judgment in your system job;
3. Perform other work subject to direct or indirect control, review or enforcement by you in your system job;
4. Use state time, facilities, equipment, supplies, badge, uniform, influence of your office, or confidential information for personal gain;
5. Receive payment from non-state sources for work you are expected to do during your regular employment; or
6. Compete with the system for services the system provides.

Subpart B. Compensation, benefits or gifts from other sources. Except as noted below or otherwise provided by law employees are not allowed to accept payment of expenses, gifts, compensation, rewards, or other benefits in connection with their employment from a source other than the state.

1. **Course materials exception.** Faculty members may accept free samples of textbooks and related teaching materials. Minnesota Statutes §15.43. Because of the provisions of the Code of Ethics for Employees in the Executive Branch and pursuant to this procedure, such materials may not be sold for the personal benefit of the faculty member.
2. **Acceptance of certain gifts is not prohibited.** Allowable gifts are:
 - a. Gifts of nominal value. Nominal value means an item of little or no marketable value. Examples are a keychain with a vendor's name on it, a cup of coffee, or other trinket-type items
 - b. Plaques or similar items recognizing individual services in a field of specialty or to a charitable cause.
 - c. Honoraria or expenses paid for papers, talks, demonstrations or appearances made by employees on their own time, for which they are not compensated by the state, and which are not impermissible conflicts of interest with Minnesota State Colleges and Universities.
3. **Travel or meals from another source.** An employee may not accept travel or meals or reimbursement related to the employee's work assignment with the college, university or system office from a source other than the state, unless it is:
 - a. Approved in advance in writing by the president or chancellor;
 - b. For no more than actual expenses incurred; and
 - c. Not reimbursed by the state.

4. **Consulting work by non-administrative university faculty.** It is not a violation of the ethics code for non-administrative university faculty to accept remuneration and expense reimbursement from an outside source for outside consulting, employment, or other activities performed on duty days, if such activities are in accordance with Inter Faculty Organization Master Agreement Article 27, Section C.

Subpart C. Personal advantage. Employees are not allowed to use their position to procure personal advantages not available to the general public.

Faculty members may require the use of self-authored classroom textbooks, software and other course materials, subject to any applicable bargaining agreement provisions and college/university procedures.

Subpart D. Use of state property. All system property is also state property. With limited exceptions, state property is not to be used for personal or private use except as specifically authorized (such as limited personal use of computers—see System Procedure 5.22.1).

State long distance service, business cell phones, or frequent flyer miles earned through state-authorized travel for state-related purposes may not be used for personal or private purposes.

Subpart E. Political influence. Employees may not use their position or system resources to advance a political party or candidate.

Subpart F. Purchasing state property. Employees involved in purchasing or contract decisions for the college, university, or system office may not have any personal financial interest in the purchase or contract, and may not accept any gift (other than one of nominal value) or other thing of value directly or indirectly from a vendor.

You can see these statutes at the links below:

[Minnesota Statutes §43A.38-.39](#) (Code of ethics for employees in the executive branch)

[Minnesota Statutes §43A.32](#) (Political activities)

[Minnesota Statutes §15.43](#) (Financial interest; textbook exception)

Part 4. Other Policies and Procedures. As system employees, we must comply with all board policies and system procedures, and we are each responsible for being familiar with all policies and procedures that apply to our areas of responsibility. The following policies apply to all system employees. Hyperlinks in titles are to the applicable policy or procedure.

Subpart A. Nondiscrimination. Our system strives to provide all members of our community with a work and educational environment that is collegial and free of illegal discrimination or harassment based on race, sex color, creed, religion, age, national origin, disability, marital status, status with regard to public assistance or sexual orientation, or membership in a local commission as defined by law. The policy and procedure explain that policy and tell employees, students or others how to seek assistance or make complaints, as may be appropriate.

Employees are not to enter into a romantic or sexual relationship with a student or another employee over whom the employee has direct supervisory responsibility or other significant authority, such as a student enrolled in a faculty member's class.

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

Subpart B. Sexual violence prohibited. All of us deserve to work in an atmosphere that is free from sexual violence. Board policy prohibits sexual violence and the system procedure describes the process through which individuals alleging sexual violence may pursue a complaint. It is intended to protect the rights and privacy of both the complainant and respondent and other involved individuals, as well as to prevent retaliation and reprisal.

See System Procedure 1B.3.1 Sexual Violence Procedure

Subpart C. Fraud and other dishonest acts. In order to ensure that we use our resources as effectively as possible and that we comply with the law, fraudulent and other dishonest acts are not tolerated. Employees are required to report fraud or other dishonest acts when they have a reasonable basis to believe such an act has occurred. Managers and supervisors are responsible for educating employees about proper conduct, creating an environment that deters dishonesty and maintains internal controls that provide reasonable assurance of achieving management objectives and detecting dishonest acts.

Examples of fraud or dishonest acts include taking cash or other property; making false time reports or reimbursement claims; forgery or alteration of documents or reports; improper handling or reporting of financial transactions or audit information; and incurring contractual or other obligations that exceed appropriations.

Subpart D. Intellectual property. As a higher education system we recognize that research and development of original works and inventions that require intellectual property protection are a vital part of the academic community. This policy establishes the intellectual property ownership rights for the employer, employees, and students, and the procedures for ensuring protection of those rights.

Subpart E. Nepotism. In an effort to ensure that we avoid any perception that state employment is based on favoritism and not on individual merit we have a policy on nepotism. Under this policy, we may not participate in the hiring, supervision, performance reviews, or compensation decisions for any person who is a member of our family or household. In very limited cases where this is not possible without discriminating against the family member one or more of these activities may be permitted under strict procedures adopted by the chancellor.

Subpart F. Weapons and safety. To create a safe learning and working environment for students and employees, Board Policy 5.21, Possession or Carry of Firearms, and individual institution policies concerning Zero Tolerance for Workplace Violence prohibit the presence of weapons and use of harassment.

Under the policy, employees and students generally are prohibited from having firearms on campus, except in their vehicles in college or university parking areas or for approved academic purposes. This policy is in accordance with the Minnesota Citizens' Personal Protection Act of 2003, Minnesota Statutes §624.714 and other applicable laws.

Zero Tolerance for Workplace Violence policies at each college or university and the system office promote a workplace that is free from violence, threats of violence harassment, intimidation, and other disruptive behavior. You can obtain copies of this policy from your human resources office.

Subpart G. Acceptable use of computers and technology. Computer and information technology resources are essential tools in accomplishing the mission of Minnesota State Colleges and Universities and its individual institutions. As with all public resources, we are to use these resources responsibly in order to ensure their availability for the competing demands of teaching, scholarship, administration, and other mission-related uses. Responsible management includes not sharing passwords, not allowing access by unauthorized users, and not using the resources for unauthorized purposes. Some types of limited personal use are allowed in accordance with System Procedure 5.22.1.

Subpart H. Information security and privacy. As state employees we are entrusted with public and private data every day in fulfilling our assigned work. Each of us is responsible for protecting the privacy, security, retention and disposal of the government records and data under our control or to which we have access, in accordance with applicable state and federal laws.

You can see these related topics at the links below:

[Minnesota Government Data Practices Act](#)
[Family Educational Rights and Privacy Act](#)

Subpart I. Alcohol and drug use. Employees are expected to perform their jobs efficiently, safely and in a professional business-like manner. An employee's ability to perform effectively may be hampered by alcohol or other drug use, and under state policy employees may not report to work under the influence, or operate machinery, vehicles or equipment while under the influence. Recognizing that alcoholism and other drug dependencies are a significant societal and personal problem, the state's employee assistance program is available to assist system employees who may have an alcohol or drug abuse problem. The state's policy on work-related substance abuse is non-discriminatory in intent and application. However, in accordance with Minnesota Statutes §363A, disability does not include any condition resulting from alcohol or other drug abuse which prevents a person from performing essential functions of the job or creates a direct threat to property or the safety of individuals.

Part 5. Reporting Suspected Fraud or Abuse. As System employees we are required to report suspected acts of fraud, abuse, or other dishonest conduct if we have a reasonable basis to believe that such an act is occurring or has occurred, in accordance with [Board Policy 1C.2 Fraudulent or Other Dishonest Acts](#). The report should be made to your supervisor or manager, unless you believe your supervisor or manager participated in or condoned the act. In that case, you should report the matter to the next highest level of supervision or management or directly to the college, university,

or system office human resources office, or the Office of Internal Auditing. You also may report such acts to the Office of the Legislative Auditor.

The following link provides answers to Frequently Asked Questions about employee ethics issues.

*Approval Date: 05/19/08,
Effective Date: 07/01/08,*

Date and Subject of Revision:

1/25/12 – The Chancellor amends all current system procedures effective February 15, 2012, to change the term “Office of the Chancellor” to “system office” or similar term reflecting the grammatical context of the sentence.



Minnesota State Colleges and Universities
Board Policies
Chapter 1 - System Organization and Administration
Section C - Code of Conduct & Ethics

1C.1 Board of Trustees Code of Conduct

Part 1. Purpose. The purpose of this policy is to establish the general standards of conduct required of trustees. As public officials, trustees are required to file annual statements of economic interest, and are subject to gift prohibitions and other provisions of Minnesota Chapter 10A. Those provisions and any other applicable law shall govern in the event of any conflict between applicable law and this policy.

Part 2. General Standards Of Conduct. In order to fulfill its statutory authority and support the vision, mission, values and goals of the MnSCU system, the Board functions as a collegial unit. The Board functions well as a unit when the individual members act ethically, are committed to working together, operate in a non-partisan manner and speak with one voice. The Board creates a positive climate when it focuses on the future, acts with integrity and civility and uses its influence appropriately.

Subpart A. Authority to act. Each board member is encouraged to contribute his or her talents and perspectives to the Board. Although board members are free to voice their personal opinions, no board member has the authority to act on his or her own to further a personal agenda or to direct college, university or system employees or operations.

Subpart B. Informed decision-making. Trustees strive to make informed decisions based on sufficient information, thoughtful deliberation and comprehensive understanding of issues. To achieve that goal, board members gather information by listening, asking questions, analyzing materials and exploring issues thoroughly in conjunction with other trustees, faculty, staff, students and constituency groups.

Subpart C. Support for Board decisions. Individual trustees are able to express their opinions vigorously and openly during the decision making process and may respectfully disagree with colleagues. However, once a decision has been made and the Board has taken action, it is each member's responsibility to support the decision.

Subpart D. Official spokesperson. Trustees are the stewards of the system and advocates of its policies and programs. The official spokesperson for the Board is the chair of the Board or the chair's designee.

Part 3. Conflicts Of Interest.

Subpart A. Disclosure of potential conflicts. A trustee who in the discharge of official duties would be required to take an action or make a decision that would substantially affect the

trustee's financial interests or those of an associated business, unless the effect on the trustee is no greater than on other members of the trustee's business classification, profession, or occupation, must take the following actions:

1. Prepare a written statement describing the matter requiring action or decision and the nature of the potential conflict of interest; and
2. Deliver copies of the statement to the Board chair for distribution to the Board.

If a potential conflict of interest presents itself and there is insufficient time to provide the written statement under paragraphs 1 and 2, the trustee must orally inform the Board of the potential conflict in open meeting session.

Subpart B. Required actions for trustee with potential conflict of interest. If a potential conflict of interest arises for a trustee, the Board chair must assign the matter in which the potential conflict arises, if possible, to another trustee or other individual who does not have a conflict of interest.

A trustee with a potential conflict of interest shall:

1. Abstain, if possible, from influence over the action or decision in question.
2. File a statement describing the potential conflict and the action taken, if the trustee is not permitted or is otherwise unable to abstain from action in connection with the matter. The statement shall be filed with the Campaign Finance and Public Disclosure Board, and copied to the Board chair, within a week of the action taken.

The Board chair shall promptly distribute copies of the statement to Board members.

Subpart C. Abstention. A trustee who has a potential conflict of interest shall not chair a meeting, participate in any vote, offer any motion or discussion, or otherwise attempt to influence other trustees on the matter giving rise to the potential conflict of interest.

Part 4. Employment With Minnesota State Colleges And Universities. Except as provided in this part, a trustee shall not seek or accept employment with the System or its colleges or universities while serving as a trustee. This provision does not prohibit any trustee from employment as an adjunct faculty member or a student trustee from employment with a college or university in a non-administrative, part-time position, such as the work study program.

Part 5. Prohibited Activities.

Subpart A. Use of position to secure benefits. Except as otherwise provided by law or policy of the Board, a trustee shall not use the position, authority, title, influence, or prestige of trustee to secure special privileges or exemptions not available to the general public for the benefit of the trustee, trustee's family members, or others.

Subpart B. Confidential or protected communications. Except as otherwise required by law or authorized by the Board, a trustee shall not disclose to any unauthorized persons information or communication subject to confidentiality by action of the Board or other applicable law or policy, including privileged attorney/client communications.

Subpart C. Use of influence. Except for those decisions that are subject to the direct authority of the Board, no trustee shall attempt to influence the hiring of System, college or university employees, or the awarding of consulting or other contracts.

Part 6. Removal. If the Board determines that the conduct of a trustee has violated the trustee's professional or fiduciary responsibilities, Board policy or other governing law, the Board may recommend that the Governor remove the trustee from the Board for cause under Minnesota Statutes section 15.0575.

Date of Adoption: 05/21/03,

Date of Implementation: 05/21/03,

Date and Subject of Revision:



Minnesota State Colleges and Universities
Board Policies
Chapter 1 - System Organization and Administration
Section C - Code of Conduct & Ethics

1C.2 Fraudulent or Other Dishonest Acts

Part 1. Purpose. MnSCU is committed to creating an environment where fraudulent and other dishonest acts are not tolerated. All MnSCU employees are responsible for complying with the State Code of Ethics (Minnesota Statutes Section 43A.38), other state statutes and board policies that govern their conduct, and ensuring that all resources entrusted to them are used ethically, prudently, and for their designated purpose. In addition, to ensure that MnSCU resources are used appropriately, managers and supervisors are responsible for educating employees about proper conduct, creating an environment that deters dishonesty and maintaining internal controls that provide reasonable assurance of achieving management objectives, and detecting dishonest acts. Furthermore, managers and supervisors must be cognizant of the risks and exposures inherent in their area of responsibility and be aware of symptoms of fraudulent or dishonest acts, should they occur. This policy establishes responsibilities for investigating potential incidents of fraud or other dishonest acts, taking remedial actions, and reporting evidence to the Legislative Auditor and other appropriate authorities.

Part 2. Applicability. This policy applies to all MnSCU trustees and, employees, including faculty (full-time, adjunct and part-time faculty), administrative staff, and student employees. It also requires employees to report the actions of other parties that may result in financial losses or possible criminal conduct affecting MnSCU resources or information. These other parties include (1) students; (2) contractors and vendors; (3) organizations affiliated with MnSCU, including foundations governed by MnSCU policy 8.3; and (4) any other person or organization that uses MnSCU resources or information, with or without authorization.

This policy does not apply to destruction or misappropriation of personal or private property. Those matters shall be reported to appropriate college, university, or system office officials and to law enforcement officials when appropriate. Also, substantiated violations involving personal or private property are subject to personnel action or discipline under the student conduct code.

This policy does not apply to allegations of academic misconduct. Those matters shall be referred to appropriate college or university officials.

This policy also does not apply to allegations of discrimination or harassment. Those matters are governed by MnSCU policy 1.B.1.

Part 3. Definitions.

Subpart A. Dishonest act. A dishonest act generally involves a deliberate act or failure to act with the intention of obtaining an unauthorized benefit, destruction of property or otherwise fraudulent behavior. Dishonest acts include, but are not limited to:

- Theft or misappropriation of funds, long distance telephone services, supplies, property, computer software, intellectual property, or other resources;
- Forgery or alteration of documents;
- Bribery or attempted bribery;
- Unauthorized use of records or access to information systems, including unauthorized sharing of computer security clearances;
- Unauthorized alteration, manipulation, or destruction of computer files and data;
- Falsification of reports to management or external agencies;
- Conflicts of interest that pursue a personal benefit or advantage while compromising the public interest;
- Improper handling or reporting of financial transactions;
- Authorizing or receiving compensation for goods not received or services not performed;
- Authorizing or receiving compensation for hours not worked;
- Incurring obligations in excess of appropriation authority, and
- Willful violation of laws, regulations or policies, or contractual obligations when conducting MnSCU business.

Subpart B. Fraud Inquiry. A fraud inquiry is the initial process for examining complaints, allegations, and other possible evidence of dishonest acts. The objective of a fraud inquiry is to determine whether sufficient evidence exists to warrant a fraud investigation.

Subpart C. Fraud Investigation. A fraud investigation is the process of collecting and examining evidence to determine whether a dishonest act involving possible criminal action or significant financial loss has occurred.

Part 4. Responsibilities.

Subpart A. Compliance. Dishonest acts are prohibited pursuant to this policy and applicable law. Employees found to have committed a dishonest act as defined by this policy shall be subject to sanctions, restitution and other remedies as deemed appropriate by MnSCU officials.

Subpart B. Employee reporting of suspected fraudulent or other dishonest acts. An employee with a reasonable basis for believing fraudulent or other dishonest acts have occurred has a responsibility to report the suspected act in a timely manner. Reports should be made to the employee's immediate supervisor or manager, unless the employee suspects that the supervisor or manager has participated in or condoned the act. In that case, the employee should report the matter to the next highest level of supervision or management or directly to the college, university, or system office Director of Human Resources. Employees are encouraged to report matters through their designated college, university or system office channels, but may report any matters directly to the MnSCU Office of Internal Auditing.

This policy shall not prohibit prompt notification to appropriate authorities when an immediate threat to personal safety exists or other circumstances justify such notice. Upon discovering evidence of possible fraudulent or dishonest acts, employees should not confront individuals suspected of wrongdoing or initiate fraud investigations on their own because such actions may compromise any ensuing investigation. Employees shall not make statements or disclosures knowing they are false or in reckless disregard of the truth.

Subpart C. Conducting a fraud inquiry. Presidents, the Chancellor, or the Executive Director of Internal Auditing shall be responsible for conducting fraud inquiries to determine whether evidence of fraudulent or other dishonest acts is substantiated and merits a fraud investigation or other remedy. Presidents or the Chancellor may seek the assistance of the Office of Internal Auditing in conducting fraud inquiries. If a fraud inquiry reveals evidence of possible criminal action or significant financial loss, then a fraud investigation shall be conducted pursuant to Part 4, Subpart D of this policy. If a fraud inquiry does not reveal evidence of possible criminal actions or significant financial loss related to a dishonest act, but substantiates a violation of state or federal law, MnSCU or college or university policies, or other applicable requirements, the matter shall be referred to the appropriate campus or system office official for further action. Any incident that reveals possible employee misconduct may be subject to a personnel investigation by the college, university, or system office, as appropriate, and subject to personnel action in accordance with the provisions of the applicable collective bargaining agreement or other personnel plan.

Subpart D. Conducting a fraud investigation. If it is determined under Part 4, Subpart C that a fraud inquiry merits a fraud investigation, the president or Chancellor shall report the matter to the Office of Internal Auditing. The president or Chancellor shall consult with the Executive Director of Internal Auditing to determine responsibilities for conducting the fraud investigation. The MnSCU General Counsel, the Legislative Auditor, or other administrative officials also shall be consulted, as appropriate and when required by this policy.

Part 5. Remedial Actions. If a fraud investigation substantiates that a violation has occurred, the following remedial actions against or by MnSCU employees shall be taken as appropriate:

Subpart A. Recovery of Losses. Appropriate action will be taken to recover assets lost as a result of an act of dishonesty. Full recovery will constitute the value of benefits gained by an employee or beneficiary other than MnSCU or the documented loss, whichever is larger, and, if appropriate, the cost of investigation, recovery, or other costs. For misuse of long-distance telephone services, recoveries must include the fair market value of the service, taxes, and interest. All reasonable means, consistent with state law, will be sought to recover losses, including voluntary repayments, withholding from salary and wages, insurance proceeds when applicable, and legal action when necessary. Significant financial losses shall be reported to the Vice Chancellor - Chief Financial Officer. Dishonest acts that result in significant loss or damage to electronic information or information systems shall be reported to the MnSCU Chief Information Officer. The MnSCU General Counsel shall determine whether the evidence available and the cost of recovery justify legal action to recover losses.

Subpart B. Referral to Law Enforcement. A college, university or system office shall consult with the MnSCU General Counsel prior to disclosing private or confidential data on employees to law enforcement authorities pursuant to Minnesota Statutes section 13.43, subd. 15.

Subpart C. Internal Control Deficiencies. The Office of Internal Auditing shall consider whether evidence of possible fraudulent or other dishonest acts reveals areas or practices in college, university, or system internal controls needing modification. The Office of Internal Auditing shall recommend corrective actions to the president or chancellor, as appropriate, and the Vice Chancellor – Chief Financial Officer. Internal Auditing shall follow-up on its recommendations and report progress to the board of trustees consistent with procedures for audit follow-up.

Subpart D. Employee Disciplinary Actions. Employees found to have participated in fraudulent or other dishonest acts, or any employee who hinders a fraud inquiry or investigation by making a false or misleading statement, or any employee who has knowledge of a dishonest act, but fails to report it according to this policy shall be subject to disciplinary action. The appropriate campus official or Vice Chancellor for Human Resources shall determine whether employee disciplinary action is warranted. The provisions of collective bargaining agreements shall be observed for any employee disciplinary proceedings.

Part 6. Data Practices. Fraud inquiry or investigation data must be handled in accordance with the Minnesota Government Data Practices Act and other applicable law.

Part 7. Whistleblower Protection. Employees who report suspected fraudulent or other dishonest acts pursuant to Minnesota Statutes Section 181.932 shall be protected from retaliation. The identity of information sources shall be protected when required by Minnesota Statutes Section 181.932 or Minnesota Statutes Section 13.392.

Part 8. Other Policies. This policy shall not be construed to limit the ability to enforce any other applicable policy or law not incorporated under this policy or to limit the remedies available for violations that occur.

Part 9. Reporting To The Board Of Trustees And The Legislative Auditor. The Executive Director of Internal Auditing shall notify the Board of Trustees of any significant violations of law or board policies, as required by board policy 1D, or any material departures from this policy.

The Executive Director of Internal Auditing is responsible for reporting evidence to the Office of the Legislative Auditor as required by Minnesota Statutes Sections 10.47, 43A.39, and 609.456, Subdivision 2 and, if federal funds are involved, to the responsible federal authority. Employees who have reported evidence according to the provisions of this policy will have fulfilled their statutory reporting obligations for reporting to the Office of the Legislative Auditor.

Date of Adoption: 06/19/02,

Date of Implementation: 06/19/02,

Date and Subject of Revision:

11/16/11– Effective 1/1/12, the Board of Trustees amends all board policies to change the term “Office of the Chancellor” to “system office,” and to make necessary related grammatical changes.
6/19/02, repeals Board Policy 7.2, Part 3.



Minnesota State Colleges and Universities
Board Policies
Chapter 5 – Administration

5.22 Acceptable Use of Computers and Information Technology Resources

Policy Statement. Computer and information technology resources are essential tools in accomplishing the mission of Minnesota State Colleges and Universities and its individual institutions. These resources must be used and managed responsibly in order to ensure their availability for the competing demands of teaching, scholarship, administration and other mission-related uses. This policy establishes responsibilities for acceptable use of Minnesota State Colleges and Universities information technology resources.

Part 1. Purpose.

Subpart A. Acceptable use. System information technology resources are provided for use by currently enrolled system students, administrators, faculty, other employees, and other authorized users. System information technology resources are the property of Minnesota State Colleges and Universities, and are provided for the direct and indirect support of the system's educational, research, service, student and campus life activities, administrative and business purposes, within the limitation of available system technology, financial and human resources. The use of Minnesota State Colleges and Universities information technology is a privilege conditioned on adherence to this policy and any procedures or guidelines adopted pursuant to this policy.

Subpart B. Academic freedom. Nothing in this policy shall be interpreted to expand, diminish or alter academic freedom, articulated under Board policy and system collective bargaining agreements, or the terms of any charter establishing a system library as a community or public library.

Part 2. Applicability. This policy applies to all users of system information technology, whether or not the user is affiliated with Minnesota State Colleges and Universities, and to all uses of those resources, wherever located.

Minnesota State Colleges and Universities is not responsible for any personal or unauthorized use of its resources. Security of data transmitted on its information technology resources cannot be fully guaranteed.

Part 3. Definitions.

Subpart A. System. System means the Board of Trustees, the system office, the state colleges and universities, and any part or combination thereof.

Subpart B. System information technology. System information technology means all system facilities, technologies, and information resources used for information processing, transfer, storage and communications. This includes, but is not limited to, computer hardware and software, computer labs, classroom technologies such as computer-based instructional management systems, and computing and electronic communications devices and services, such as modems, e-mail, networks, telephones, voicemail, facsimile transmissions, video, mobile computing devices, and multimedia materials.

Subpart C. Transmit. Transmit means to send, store, collect, transfer or otherwise alter or affect information technology resources or data contained therein.

Subpart D. User. User means any individual, including, but not limited to, students, administrators, faculty, other employees, volunteers, and other authorized individuals using system information technology in any manner, whether or not the user is affiliated with Minnesota State Colleges and Universities.

Part 4. Scope.

Subpart A. Procedures. The chancellor shall adopt procedures under this policy, including, but not limited to: security; employee use, consistent with Minnesota Statutes section 43A.38 and other applicable law; monitoring; unauthorized uses and other limitations on use.

Subpart B. Sanctions. Users who violate this policy or related system, college or university procedures shall be subject to disciplinary action through appropriate channels. Violations may be referred to appropriate law enforcement authorities consistent with applicable law and procedures.

Date of Adoption: 07/16/03,

Date of Implementation: 07/16/03,

Date and Subject of Revision:

11/16/11 - Effective 1/1/12, the Board of Trustees amends all board policies to change the term "Office of the Chancellor" to "system office," and to make necessary related grammatical changes.

03/17/10 - amends Part 3, Subpart B to include "mobile computing devices and multimedia materials" to the list of technical information resources.



**Minnesota State Colleges and Universities
Board Policies
Chapter 5 – Administration**

5.23 Security and Privacy of Information Resources

Part 1. Policy Statement. Minnesota State Colleges and Universities is committed to protecting the security and privacy of its information resources and to make information accessible to fulfill its mission of providing high quality higher education. The system shall maintain the confidentiality, integrity and availability of information resources; ensure continuity of operations; prevent, control and minimize the impact of security incidents; and manage risks to those resources regardless of the storage medium, transmission or disposal methods. Each college and university and the system office shall adopt and implement privacy and security policies, procedures, plans, programs and training for its information resources consistent with applicable system policy, procedures and other applicable standards and state and federal law.

All users of Minnesota State Colleges and Universities system information resources are responsible for the privacy, security, and appropriate use of those resources over which they have authority, access or control, and for compliance with applicable laws, regulations, policies, procedures and other standards. Each college, university and the system office shall provide appropriate security awareness resources for its users.

Part 2. Applicability. This policy applies to all users of system information resources; and to all system information resources in any form or storage media, wherever located.

Part 3. Definitions.

Subpart A. Access. Access means the authority to view information, and when appropriate, insert, update, delete, or download information. Access shall be authorized to individuals or groups of users depending on the application of law or system policy or procedure. Technical ability to access information is not necessarily equivalent to legal authority.

Subpart B. Information Resources. Information resources means all data collected, created, received, maintained or disseminated by any Minnesota State Colleges and Universities user, regardless of its form, storage media or conditions of use.

Subpart C. System. System, or Minnesota State Colleges and Universities system, means the Board of Trustees, the state colleges and universities, the system office, and any part or combination thereof.

Subpart D. User. User means any individual, including but not limited to, students, administrators, faculty, other employees, volunteers, and other authorized individuals using system information resources, whether or not the user is affiliated with Minnesota State Colleges and Universities.

Subpart E. Integrity. Integrity means assuring that information is kept intact, and not lost, damaged or modified.

Subpart F. Availability. Availability means assuring that information is accessible to authorized users when needed.

Subpart G. Confidentiality. Confidentiality means assuring that information is accessible only as authorized.

Part 4. Scope

Subpart A. Procedures. The chancellor shall adopt security and privacy procedures under this policy.

Subpart B. Sanctions. Users who violate this policy or related system, college or university procedures shall be subject to disciplinary action through appropriate channels. Violations may be referred to appropriate law enforcement authorities.

Date of Adoption: 04/19/06,

Date of Implementation: 04/19/06,

Date and Subject of Revision:

11/20/13 - amended Part 1 to add the requirement that Minnesota State Colleges and Universities adopt plans, programs and training consistent with the commitment, direction, and expectations to minimize risks with regard to information resources.

11/16/11 - Effective 1/1/12, the Board of Trustees amends all board policies to change the term "Office of the Chancellor" to "system office," and to make necessary related grammatical changes.

State Laws, Rules & Policies (MMB)

This page provides one-stop access to laws, rules, policies and procedures related to current statewide human resources operations. The website for all Minnesota State Laws, Rules & Policies is:

<http://mn.gov/mmb/employee-relations/laws-policies-and-rules/>

Our human resources policies and procedures serve four basic functions.

- **Compliance:** Our policies and procedures uniformly apply human resources laws and rules in a manner consistent with legislative and management directives, and ensure that managers will be able to comply with these rules as well.
- **Risk management:** Documented rules foster an effective system of internal controls.
- **Operations:** Human resources policies and procedures promote effective communication and practices which will allow employers and employees to meet their objectives.
- **Process improvement:** Reviewing our human resources policies and procedures will help managers develop sound practices which ensure the rights of employers and employees.

The materials below serve as excellent reference and training resources. Please review these documents and use them to develop and implement human resources procedures.

Federal Laws

References to federal employment-related statutes and regulations that affect employers and employees.

State Laws

References to state employment-related laws affecting employers and employees.

Administrative Rules

Links to state administrative rules relevant to personnel, state agencies & affirmative action, local government pay equity, and credit card disclosure reports.

Administrative Procedures

Administrative Procedures for internal use.

Human Resources & Labor Relations Policies & Procedures

Statewide HR/LR policies and procedures.

HR/LR Policy and Procedure #1423

State Policy: Appropriate Use of Electronic Communication and Technology

Issued 11/15/1997
Revised 10/16/2002
 06/26/2006
 01/03/2012
Authority Enterprise Human Resources along with Department of Administration and Office of Enterprise Technology

OVERVIEW

| | |
|-----------------------------|---|
| Objective | To set standards for the use of electronic communication and technology by state employees |
| Policy Statement | <p>The State of Minnesota provides a variety of electronic tools for employees whose job performance requires or would be enhanced by the use of its technology.</p> <p>These electronic tools include, but are not limited to, the following:</p> <ul style="list-style-type: none"> • Desk telephones • Mobile devices (e.g., iPhones, iPads, BlackBerry's, Android phones) • Computers • Facsimile machines and printers • Pagers • Electronic mail (e-mail) systems • Internet access <p>The State faces the challenge of making maximum use of the benefits of such tools, meeting legal requirements for access to information, and providing adequate protection for proprietary information. This policy memorandum governs access to and the appropriate use of State-provided electronic tools and technology at all times, including both work and non-work time, by State employees in the executive branch, consultants and/or contractors.</p> <p>Employee access to and use of electronic tools is intended for business-related purposes. Limited and reasonable incidental use of these tools for occasional employee personal purpose that does not result in any additional costs or loss of time or resources for their intended business purpose is permitted. Incidental use is defined as minimal duration in length and frequency.</p> |
| Scope | Applies to all state employees |
| Definitions | N/A |
| Exclusions | N/A |
| Statutory References | M.S. 43A.38, Subd. 4; M.S. 43A.39, Subd. 2; Minnesota Statute 169.475 |

GENERAL STANDARDS AND EXPECTATIONS

Department Head Responsibility: Appointing authorities are encouraged to use this policy as a framework for issuing their own departmental policies. Modifications may be made to accommodate individual departmental needs, so long as they do not enlarge or diminish what the statutes allow. In the event that an appointing authority does not promulgate an agency-specific policy, this policy shall be the applicable policy.

Employee Responsibility: Executive branch employees are responsible for appropriate use of all state-owned electronic tools. They are expected to adhere to the highest ethical standards when conducting State business and to follow the Code of Ethics and related State statutes applicable to executive branch employees.

M.S. 43A.38, Subd. 4 provides "Use of state property":

- a. An employee shall not use or allow the use of state time, supplies, or state-owned or leased property and equipment for the employee's private interest or any other use not in the interest of the state, except as provided by law.
- b. An employee may use state time, property, or equipment to communicate electronically with other persons including, but not limited to, elected officials, the employer, or an exclusive bargaining representative under chapter 179A, provided this use, including the value of time spent, results in no incremental cost to the state or results in an incremental cost that is so small as to make accounting for it unreasonable or administratively impracticable.
- c. The commissioners of administration and management and budget shall issue a statewide policy on the use of electronic mail and other forms of electronic communications by executive branch state employees. The policy is not subject to the provisions of chapter 14 or 179A. Appointing authorities in the legislative and judicial branches shall issue policies on these issues for their employees. The policies shall permit state employees to make reasonable use of state time, property, and equipment for personal communications and shall address issues of privacy, content of communications, and the definition of reasonable use as well as other issues the commissioners and appointing authorities identify as necessary and relevant.

M.S. 43A.39, Subd. 2 provides "Noncompliance":

- a. Any employee who intentionally fails to comply with the provisions of Chapter 43A shall be subject to disciplinary action and action pursuant to Chapter 609.

Managers and supervisors are responsible for ensuring that employees appropriately use all electronic tools through training, supervising, coaching and taking disciplinary action, when necessary.

Each agency is responsible for establishing internal policies regarding password management, encryption, data practices, monitoring access, records retention, and the like, and for communicating those policies to staff. Each agency will ensure that the responsible authorities within their agencies know who can access what, using what technology, and under what conditions.

Appropriate Use: State employees need to use good judgment in the use of all State-provided electronic tools and technology. They are expected to ensure that messages conveyed are appropriate in both the types of messages created and the tone and content of those messages. Employee use of all State-provided electronic tools and technology must be able to withstand public scrutiny without embarrassment to the agency or the State of Minnesota.

Examples of inappropriate use include, but are not limited to:

1. Illegal activities
2. Wagering, betting, or selling
3. Harassment, disparagement of others, stalking, and/or illegal discrimination
4. Fund-raising for any purpose unless agency sanctioned

GENERAL STANDARDS AND EXPECTATIONS

5. Commercial activities, e.g., personal for-profit business activities
6. Promotion of political or religious positions or activities
7. Receipt, storage, display or transmission of material that is or may be reasonably regarded as violent, harassing, discriminatory, obscene, sexually explicit, or pornographic, including any depiction, photograph, audio recording, or written word
8. Downloading or installing software (including games and executable files) unless agency sanctioned
9. Unauthorized accessing of non-public data
10. Non-State employee use (e.g., family member or friend) at work or away from work
11. Uses that are in any way disruptive or harmful to the reputation or business of the State
12. Purposes other than state business, except incidental or minimal use

Engaging in any of the above listed activities may subject an employee to discipline, up to and including discharge.

The traditional communication rules of reasonableness, respect, courtesy and common sense and legal requirements also apply to electronic communication. Actions that are considered illegal such as gambling and sexual harassment are not up to the discretion of individual agencies or individual managers or supervisors, and such actions will subject the employee to disciplinary action up to and including discharge.

Employees should be aware that they might receive inappropriate, unsolicited e-mail messages. Any such message should be deleted before opening if an employee does not believe the e-mail is coming from a reputable person or organization. If an employee does open an e-mail and discover it to be inappropriate in nature, or a potential security threat such as a virus, they should report it immediately to their agency chief information security officer (CISO), or another designee within the agency. Under no circumstances should an employee either forward or reply to these messages prior to consulting with their CISO or another designee.

While employees may make personal use of State technology such as e-mail and Internet access, the amount of use during working hours is expected to be de minimis. De minimis use is defined as so small or minimal in difference that it does not matter or the law does not take it into consideration. Excessive time spent on such personal activities during working hours will subject the employee to disciplinary action.

Union Use: In the interest of maintaining effective labor management relationships and efficient use of State time and resources, State e-mail systems may be used by employee representatives of the union for certain union activities, in accordance with provisions of applicable bargaining unit agreements.

State-owned property or services including the e-mail system may not be used for political activities, fund-raising, campaigning for union office, union organizing activities, or solicitation of employees for union membership.

Union use of electronic communication technology is subject to the same conditions as employee use of such technology, as set forth in this Policy Memorandum. This includes the conditions set forth in the paragraph below entitled, "Monitoring."

Monitoring: Electronic communication devices such as mobile devices, desk telephones, facsimile machines, pagers, State e-mail systems, Internet access, any and all software, data, or other information stored on a State-owned computer are state property. Like other State-owned resources, they are intended to be used for State business and other agency-sanctioned activities.

State-owned electronic communication devices may be monitored, read, examined, seized, or confiscated as necessary. Accordingly, the State reserves the right to monitor any and all electronic communication device activity. Electronic monitoring of telephone conversations will only occur if proper notice has been given, in accordance with Federal regulations for Stored Wire and Electronic Communications and Transactional Records Access (Federal Wire Tap Regulations) -- see 21 U.S.C. 2701-2711.

Employees should not expect that any state-owned electronic communication device activity will remain

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private. The State reserves the right to monitor any use of these systems, including use of these devices while the employee is on his/her own time, to access any information on these systems, and to take any action it determines to be appropriate with respect to that information.

Data that agencies maintain electronically are government data and, as such, are subject to classification and access under the Minnesota Government Data Practices Act, Minnesota Statutes, Chapter 13. Employees should understand that electronic data may not be completely secure. They should also understand that e-mail messages and Internet transactions, including those they delete or erase from their own files, may be backed up or recorded and stored centrally for system security and investigative purposes. E-mails and records of Internet activities may be retrieved and viewed by someone else with proper authority at a later date. It is the user's responsibility to use care in communicating information not meant for public viewing.

Because electronic communication systems, such as facsimile, e-mail and Internet systems may not be secure, it is recommended that employees not send any data classified under the Minnesota Government Data Practices Act as not public (private or confidential data on individuals or nonpublic or protected nonpublic data not on individuals) through unsecured facsimiles or over the e-mail or Internet systems unless the data are encrypted or encoded.

Record Retention Schedules: Record retention schedules are the same regardless of the medium used to create or store the record. As a result, many electronic records and e-mail messages are official records of the agency and must be retained in accordance with the agency's approved record retention schedule appropriate for the type, nature and content of the record. Improper disposal may subject the employee and the agency to legal sanctions and other administrative or legal consequences. The same rules that are used to determine if a paper, microform or videotaped record should be retained apply to electronic records or e-mail messages.

This policy memorandum was developed with the assistance of State human resources managers and information technology and policy managers under the auspices of the Departments of Minnesota Management & Budget and Administration. It will be updated and revised as needed. **If you have questions, please contact your agency human resources office or the designated official in your agency.**

Issued: November 15, 1997
Revised: October 16, 2002
June 26, 2006
January 3, 2012

Mobile Devices Use Addendum to the State Policy Appropriate Use of Electronic Communication and Technology

Business Use Justification Requirements – Mobile devices and service are provided for official state business use and are made available to employees in positions where the associated benefits justify the additional operating costs. Employees who travel or have job responsibilities that include being outside of the office or are continuously on call for extended periods may be good candidates for a state-assigned mobile device.

State agencies shall review and assign mobile devices and services consistent with their internal procedures.

Employees will acknowledge the receipt and acceptance of the conditions for the individual assignment of a state-owned mobile device using an agency or a State of Minnesota form developed for this purpose. See: Acknowledgement of Receipt, Mobile Device Services and Equipment form.

The agency is responsible for keeping the Acknowledgement of Receipt form on file for the duration of the individual assignment of a mobile device to an employee. When the employee leaves his/her position or is no longer an authorized user, the state mobile device must be returned to the employee's supervisor or other

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designated official.

Public Information – Call detail (e.g., time, number called, date, duration) of calls appearing on the state mobile device billing account is public information, except when exempt by statute.

Use of State Mobile Device for Personal Calls – The use of state-owned mobile device equipment and service is intended for state business. Personal use of state-owned mobile devices is allowable only for incidental use.

Potential Disciplinary Action – Employees are expected to use state mobile devices responsibly and in accordance with this policy and any applicable work rules. Personal use of a state mobile device in violation of this policy or agency work rules may result in revocation of the mobile device assignment and possible disciplinary action against the employee. The State reserves the right to seek reimbursement for excessive personal use of any state-owned mobile device.

Monthly Mobile Device Billing Review and Annual Service Reviews – Agencies are responsible for reviewing monthly mobile device billings, not unlike any other type of billing it receives. Agencies may use their discretion in determining who performs this review.

Agencies are encouraged to conduct an annual review of the individual cellular telephone assignments to determine if there is a continuing need and if it remains cost-justified.

Use of a Personal Mobile Device for State Business – Without authorization given through their agency, employees should not use their personal devices to conduct state business. Agencies that authorize such use must do so in accordance with the Office of Enterprise Technology's Enterprise Security Portable Computing Device Standard:

http://mn.gov/oet/multimedia/pdf/SEC_S_Enterprise_Security_Portable_Computing_Devices.pdf

Number Portability – In the event of a change of vendors for the state's cellular contract, in most cases cellular numbers may be ported (transferred) from one vendor to another.

Porting a personal cellular number to a state billing account is prohibited, as is porting a state cellular number to a personal billing account. This will avoid commingling personal and business calls.

Employee Safety – State employees are highly discouraged from using a mobile device to make a phone call while operating a motor vehicle in the conduct of state business, except for the purpose of making a phone call to obtain or render emergency assistance. Further, the use of a mobile device is prohibited in all contracts the state has entered into with rental car agencies, with the only exception being its use in an emergency situation only. Additionally, employees are reminded that the use of a mobile device for non-telephone communication (e.g., texting) is illegal in Minnesota while operating a motor vehicle. Minnesota Statute 169.475 states:

169.475 USE OF WIRELESS COMMUNICATIONS DEVICE.

Subdivision 1. Definition.

For purposes of this section, "electronic message" means a self-contained piece of digital communication that is designed or intended to be transmitted between physical devices. An electronic message includes, but is not limited to, e-mail, a text message, an instant message, a command or request to access a World Wide Web page, or other data that uses a commonly recognized electronic communications protocol. An electronic message does not include voice or other data transmitted as a result of making a phone call, or data transmitted automatically by a wireless communications device without direct initiation by a person.

Subd. 2. Prohibition on use.

No person may operate a motor vehicle while using a wireless communications device to compose, read, or send an electronic message, when the vehicle is in motion or a part of traffic.

Subd. 3. Exceptions.

This section does not apply if a wireless communications device is used:

- 1) solely in a voice-activated or other hands-free mode;

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- 2) for making a cellular phone call;
- 3) for obtaining emergency assistance to (i) report a traffic accident, medical emergency, or serious traffic hazard, or (ii) prevent a crime about to be committed;
- 4) in the reasonable belief that a person's life or safety is in immediate danger; or
- 5) in an authorized emergency vehicle while in the performance of official duties.

Issued: June 26, 2006

Revised: July 21, 2009

Revised: January 3, 2012

RESPONSIBILITIES

Agencies are responsible for:

Implementing agency policies and procedures to supplement this statewide policy as necessary

MMB is responsible for:

Administration and maintenance of the this policy in conjunction with the Department of Administration and Office of Enterprise Technology

FORMS AND INSTRUCTIONS

Contacts

Enterprise Human Resources, Department of Administration, Office of Enterprise Technology

References

Administrative Procedure 1.2 -- Harassment Prohibited

HR/LR Policy and Procedure #1329 -- Zero Tolerance for Sexual Harassment

Minn. Stat. 1.50 -- Freedom From Violence

Minn. Stat. 15.86 -- State Agency Actions

Minn. Stat. Chapter 13 -- Government Data Practices

Minn. Stat. 43A.38 -- Code of Ethics for Employees in the Executive Branch

Minn. Stat. 138.17 -- Government Records; Administration

Minnesota Management & Budget Policy and Procedure No. 0807-04 -- Cellular Phone Purchase, Payment and Reimbursement



POLICY / REGULATION SIGN-OFF RECEIPT

I have reviewed the Policies and Regulations that are listed below. I understand that it is my responsibility to read and comply with all Winona State University (WSU), MnSCU and MMB policies / regulations / procedures and any revisions made to them. I understand that I should contact my supervisor, director, or Human Resources Department regarding any questions I have about the policies and regulations.

I understand that there are additional WSU, MnSCU and MMB policies / regulations / procedures and it is my responsibility to read and comply with ALL of them and any revisions made to them.

Because the information within these policies may change, I acknowledge that revisions to Policies and Regulations may occur at any time, with or without prior notice and at the discretion of WSU. I understand that revised information will supersede, modify or eliminate existing policies.

Name: _____

Signature: _____

Date: _____