



State of Minnesota

Minnesota State University Moorhead

July 1, 2020 – June 30, 2022 Affirmative Action Plan

Minnesota State University Moorhead

1104 7th Avenue South

Moorhead, MN 56560

218-477-4000

MN Relay 1.800.627.3529

HR@mnstate.edu

www.mnstate.edu

Requested by Minnesota Statute 3.197: This report cost approximately \$35,000 to prepare, including staff time, printing and mailing expenses.

To request an alternative format of this document, please contact Kayla Kappes

kayla.kappes@mnstate.edu

Table of Contents

Statement of Commitment	1
Executive Summary	2
Organizational Profile	4
Individuals Responsible for Directing/Implementing the Affirmative Action Plan	5
A. President	5
B. Affirmative Action Officer	6
C. Human Resources Director or Designee(s).....	7
D. Americans with Disabilities Act Title I Coordinator	9
E. Americans with Disabilities Act Title II Coordinator	10
F. Senior Managers and Facility Executive Team Leaders	11
G. All Employees.....	13
Communication of the Affirmative Action Plan	13
Internal Methods of Communication	14
External Methods of Communication.....	14
Job Category Analysis	15
Determining Availability	15
Utilization/Availability Analysis, Establishment of Goals, and Timetables	16
Progress and Personnel Activity Reports	18
Identification of Areas for Further Monitoring	18
Workforce Snapshot	18
Personnel Activities.....	19
Progress Reports	19
Separations	19
Corrective Actions and Action-Oriented Programs	19
Corrective Actions.....	20
Other Action-Oriented Programs.....	26
Barriers.....	26
Recruitment and Processes	26
Retention	27
Training	28
Methods of Auditing, Evaluating, and Reporting Program Success	30
Pre-Employment Review Procedure/Monitoring the Hiring Process.....	30
Pre-Review Procedure for Layoff Decisions.....	30
Other Methods of Program Evaluation	31
Policies, Procedures, and Notice	32
A. Minnesota State’s Equal Opportunity and Non-discrimination in Employment and Education Policy, Board Policy 1B.1.....	32
B. Minnesota State’s Report/Complaint of Discrimination/Harassment Investigation and Resolution, System Procedure 1B.1.1.....	35
C. Minnesota State’s Sexual Violence Policy, 1B.3	45

D. Minnesota State’s Sexual Violence Procedure, 1B.3.1	47
E. Minnesota State’s Access and Accommodation for Individuals with Disabilities Policy, 1B.4.....	56
F. Minnesota State’s Reasonable Accommodations in Employment System Procedure, 1B.0.1	58
G. Notice Under the Americans with Disabilities Act.....	62
H. Minnesota State University Moorhead’s Grievance Procedure Under Title II of the Americans with Disabilities Act.....	63
I. Americans with Disabilities Act (“ADA”) Title II (non-employee) Reasonable Accommodation/Modification in Public Services, Programs or Activities Request Form.....	64
J. Evacuation Procedure for Individuals with Disabilities or Otherwise in Need of Assistance.....	67
Appendix	69
Definitions of Terms Used in This Affirmative Action Plan.....	70

Statement of Commitment

Minnesota Administrative Rules, part 3905.0400, subpart 1, item C

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

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

- No individual shall be discriminated against in the terms and conditions of employment, personnel practices, or access to and participation in programs, services, and activities, or subject to harassment, on the basis of race, sex (including pregnancy), color, creed, religion, age, national origin, sexual orientation, gender expression, gender identity, disability, marital status, familial status, status with regard to public assistance, or membership or activity in a local human rights commission.
- The prohibition of discrimination on the basis of sex precludes sexual harassment, gender-based harassment, and harassment based on pregnancy.
- Minnesota State University Moorhead is committed to the implementation of the affirmative action policies, programs, and procedures included in this plan to ensure that employment practices are free from discrimination. Employment practices include, but are not limited to the following: hiring, promotion, demotion, transfer, recruitment or recruitment advertising, layoff, disciplinary action, termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. We will provide reasonable accommodation to employees and applicants with disabilities.
- Minnesota State University Moorhead will continue to actively promote a program of affirmative action, wherever females, racial/ethnic minorities, and individuals with disabilities are underrepresented in the workforce, and work to retain all qualified, talented employees, including protected group and veteran employees.
- Minnesota State University Moorhead will evaluate its efforts, including those of its directors, managers, and supervisors, in promoting equal opportunity and achieving affirmative action objectives contained herein. In addition, this Minnesota State University Moorhead will expect all employees to perform their job duties in a manner that promotes equal opportunity for all.

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

Minnesota State University Moorhead President:  Date Signed: 8/1/2022

Executive Summary

Minnesota Administrative Rules, part 3905.0400, subpart 1, item A

This Affirmative Action Plan meets the requirements as set forth in statute, in Administrative Rule, and by Minnesota Management and Budget (MMB). The plan outlines:

- Affirmative action goals
- Timetables
- Reasonable and assertive hiring and retention methods for achieving these goals

This Affirmative Action review revealed underutilization of the following protected group(s) or veterans in the following job categories:

Table 1 Workforce Underutilization Analysis of Protected Groups and Veterans
(x indicates the job categories and protected groups or veterans that have underutilization.)

Job Categories	Female	Racial/Ethnic Minorities	Individuals with Disabilities	Veterans
Officials & Administrators		x	x	
Professionals		x		x
Technicians				
Protected Services: Non-sworn				
Paraprofessionals				
Office/Clericals				x
Skilled Craft	x			
Service Maintenance	x			
Faculty: Adjunct			x	x
Faculty: Fixed Term		x	x	x
Faculty: Tenure-Track				
Faculty: Tenured	x	x	x	x

Once complete, information about how to obtain or access a copy of this Plan is provided to every employee of the Minnesota State University Moorhead. Our intention is to make every employee aware of Minnesota State University Moorhead's commitments to affirmative action and equal employment

opportunity. The completed Plan is also posted on the university's website and maintained in the Human Resources/Affirmative Action Office, Owens Hall 214.

Affirmative Action Officer or Designee: *Karla Lappas* Date Signed: 8/1/2022

Human Resources Director or Designee: *Ann Hrech* Date Signed: 8/1/2022

Minnesota State University Moorhead President: *A.B. Blackhurst* Date Signed: 8/1/2022

Organizational Profile

Minnesota State University Moorhead (MSUM) was founded in 1888. The University has more than 76 undergraduate majors, 55 emphases and options, 12 pre-professional studies programs, 38 undergraduate and graduate certificates, 14 graduate degrees, and 16 areas of teacher licensure preparation. These programs are offered through four academic colleges: Science, Health and the Environment; Business, Analytics, and Communication; Education and Human Services; Arts and Humanities.

Minnesota State University Moorhead is a caring community promising all students the opportunity to discover their passions, the rigor to develop intellectually and the versatility to shape a changing world. We will achieve our purpose by anchoring our work with three key strategies. We will focus relentlessly on student achievement and students' return on their investment. We will create a campus community that is diverse, inclusive, globally aware, and just. We will be indispensable to the social, cultural, and economic advancement of Moorhead and the surrounding communities.

Individuals Responsible for Directing/Implementing the Affirmative Action Plan

Minnesota Administrative Rules, part 3905.0400, subpart 1, item B

A. President

Responsibilities

The President is responsible for establishing an Affirmative Action Program, including goals, timetables, and compliance with all federal and state laws and regulations. Quarterly, the President reports the university's progress in meeting its affirmative action goals and objectives to the Chancellor and indirectly to the Commissioner of MMB, and reports to MMB on the results of the university's affirmative action plan at the same time as the university submits its biennial budget request to MMB.

Duties

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

- Appoint the Affirmative Action Officer or designee and include accountability for the administration of the university's Affirmative Action Plan in his or her position description.
- Take action, if needed, on complaints of discrimination and discriminatory harassment.
- Issue a statement affirming the department's commitment to affirmative action and equal employment opportunity and ensure the statement is shared with to all employees.
- Make decisions and changes in policies, procedures or physical accommodations as needed to implement effective affirmative action in the university.
- Actively promote equal employment opportunity and incorporate diversity and inclusion principles in annual business plans, strategic plan, and university's mission.
- Notify all contractors and sub-contractors with the department of their affirmative action responsibilities.
- Enforce equal employment opportunity in affirmative and non-affirmative hiring decisions reviewed in the hiring process.
- Require that all university directors, managers, and supervisors include responsibility statements for the supporting affirmative action, equal opportunity, diversity, and/or cultural responsiveness in their position descriptions and annual objectives.
- Comply with the state-wide and university anti-discrimination and anti-harassment policies.

Accountability

The President is accountable directly to the Chancellor and indirectly to the Commissioner of MMB for affirmative action matters.

Name of individual(s) responsible

Name: Anne Blackhurst

Email: president@mnstate.edu

Title: President

Phone: 218-477-2243

B. Affirmative Action Officer

Responsibilities

The Affirmative Action Officer is directly responsible for developing, coordinating, implementing, and monitoring the university's affirmative action program.

Duties

The duties of the Affirmative Action Officer include, but are not limited to:

- Develop and administer the university's Affirmative Action Plan.
- Develop and set university -wide affirmative action hiring goals.
- Monitor university compliance and fulfill all affirmative action reporting requirements.
- Disseminate the affirmative action policy to employees in the university.
- Inform the Commissioner on progress on affirmative action and equal opportunity goals and report potential concerns.
- Act as the affirmative action liaison between the university, System Office, MMB, and the Governor's Office.
- Determine the need for affirmative action training within the university and coordinate the development the training programs with the assistance of internal and external resources, as necessary.
- Review and recommend changes in policies, procedures, programs, and physical accommodations to implement affirmative action and equal opportunity.
- Develop innovative programs to attract and retain individuals from protected groups and veterans in the university.
- Support and participate in the recruitment individuals of protected groups and veterans for employment, promotion, and training opportunities.
- Manage the university's pre-hire review process.
- Review requests for non-affirmative non-justified hires in the Monitoring the Hiring process and refer unresolved issues to the Commissioner for final decision.
- Ensure supervisors and managers are making affirmative efforts to recruit and retain candidates and employees from protected groups and veterans.

- Oversee the administration of the Americans with Disabilities Act Title I and Title II.
- Receive requests for ADA accommodations and work with appropriate supervisors, unions, etc. to approve or deny the request, or provide alternative accommodations.
- Maintain records of requests for reasonable accommodations.
- Oversee the administration of the university Diversity Recruitment program.
- Comply with the state-wide and university anti-discrimination and anti-harassment policies.

Accountability

The Affirmative Action Officer is accountable to the Vice President for Human Resources and Workplace Equity for program impacts and for ongoing program activities and direction. The AAO ensures that aggregated data and trends of complaints of illegal discrimination in hiring are provided and shared with the Human Resources Director on a quarterly basis.

Name of individual(s) responsible

Name: Kayla Kappes

Email: kayla.kappes@mnstate.edu

Title: Director of Human Resources/AAO

Phone: 218-477-2226

C. Human Resources Director or Designee(s)

Responsibilities

The Human Resources Director or Designee is responsible for ensuring equitable and uniform administration of all personnel policies, in conjunction with the university ADA Coordinator, to ensure timely responses to all Americans with Disabilities Act (ADA) requests for reasonable accommodations to remove barriers to equal employment opportunity with the university. HR Director or Designee is responsible for assisting managers and supervisors in human resources management activities.

Staff within Human Resources who work on affirmative action and diversity issues are accountable to the HR Director or Designee.

Duties

The duties of HR Directors include, but are limited to:

- Maintain effective working relationships with university affirmative action officers and designees.

- Provide leadership to HR staff and others to ensure personnel decision-making processes adhere to equal opportunity and affirmative action principles.
- Provide guidance in the development and use of selection criteria to ensure they are objective, uniform, and job related.
- Assist in recruitment and retention of protected groups and veterans and notify managers and supervisors of existing disparities.
- Ensure an Affirmative Action Pre-hire Review process is implemented and followed by hiring managers and supervisors by in collaboration with the Affirmative Action Officer.
- Initiate and report on progress made with program objectives contained in the Affirmative Action Plan.
- Ensure that the reasonable accommodation process is implemented and followed for all employees and applicants in need of reasonable accommodation.
- Assist supervisors, managers, and the Affirmative Action Officer in recruitment of protected group members and veterans through career and job fairs and other efforts, as well as in selection and retention of protected group members and veterans.
- Assist supervisors, managers, affirmative action officers, and human resources staff in the creation of supported worker positions. These positions help reduce university costs by diverting supportive employment duties from higher skilled workers to supported worker positions. This can improve employee morale and retention of individuals with disabilities in integrated employment.
- Request assistance from MMB to support diversity recruitment efforts, as well as the retention of protected group members and veterans in hard-to-fill or executive level positions.
- Include responsibility statements for affirmative action/equal employment opportunity in position descriptions and annual performance objectives.
- Comply with the state-wide and university anti-discrimination and anti-harassment policies.

Accountability

The Director of Human Resources/AAO is accountable to the Vice President of Human Resources and Workplace Equity. Human Resources staff are accountable to the HR Directors or Designees.

Name of individual(s) responsible

Name: Kayla Kappes

Email: kayla.kappes@mnstate.edu

Title: Director of Human Resources/AAO

Phone: 218-477-2226

D. Americans with Disabilities Act Title I Coordinator

Responsibilities

The Americans with Disabilities Act (ADA) Title I Coordinator is responsible for ensuring the university's compliance with the ADA Title I – Employment, in accordance with the ADA - as amended, and the Minnesota Human Rights Act.

Duties:

The duties of the ADA Title I Coordinator include, but are not limited to:

- Provide guidance, coordination, and direction to university management on the ADA. The university develops and implements policies, procedures, and practices to ensure university employment practices and programs are accessible and nondiscriminatory.
- Provide training, technical guidance, and consultation to university management and staff on compliance and best practices for hiring and retaining individuals with disabilities, as well as the provision of reasonable accommodations to employees and job applicants.
- Track and facilitate requests for reasonable accommodations for job applicants and employees, as well as members of the public accessing university services, and report reasonable accommodations annually to MMB.
- Research case law rules and regulation and update HR Directors on evolving ADA issues. Meet bi-annually with ADA Coordinators and provide updates on ADA.
- Ensure compliance with ADA reporting according to state and federal requirements.
- Assist the Affirmative Action Officer in designing and delivering specific ADA training for targeted groups.
- Submit reasonable accommodation reimbursement under the guidelines of the state-wide accommodation fund.
- Provide reasonable accommodations to qualified individuals (as defined by ADA) with known physical or mental disabilities, to enable them to compete in the selection process, perform essential functions of the job, and/or enjoy equal benefits and privileges. The ADA Coordinator and the Regional Human Resources Director (RHRD) who also serves as the Regional ADA Coordinator, in consultation with the employee and supervisor, and other individuals involved must:
 - Discuss the purpose and essential functions of the job and complete a step-by-step job analysis;
 - Determine the precise job-related limitations;
 - Identify potential accommodations and assess the effectiveness each would have in allowing the employee to perform essential functions of the job; and

- After discussion and review, select and implement the accommodations that are appropriate for both the employee and the employer using the Reasonable Accommodation Agreement.
- Comply with the state-wide and university anti-discrimination and anti-harassment policies.

Accountability:

The ADA Title I Coordinator is accountable to Vice President of Human Resources and Workplace Equity.

Name of individual(s) responsible

Name: Kayla Kappes

Email: kayla.kappes@mnstate.edu

Title: Director of Human Resources/AAO

Phone: 218-477-2226

E. Americans with Disabilities Act Title II Coordinator

Responsibilities

The Americans with Disabilities Act (ADA) Title II Coordinator is responsible ensuring the university’s compliance with the ADA Title II – Public Services, in accordance with the ADA as amended, and the Minnesota Human Rights Act.

Duties:

The duties of the ADA Title II Coordinator include, but are not limited to:

- Provide guidance, coordination, and direction to university management on the ADA. The university develops and implements policies, procedures, and practices to ensure university employment practices and programs are accessible and nondiscriminatory.
- Provide training, technical guidance, and consultation to the university’s management and staff on compliance and best practices with regards and obligations to members of the public with disabilities, as well as the provision of reasonable modifications for visitors.
- Track and facilitate requests for reasonable modifications for members of the public accessing university services. Report reasonable modifications annually to MMB.
- Research case law rules and regulation and update Executive team on evolving ADA issues. Meet bi-annually with state ADA Coordinators and learn updates and share practices on ADA.
- Ensure compliance with ADA reporting according to state and federal requirements.
- Assist the Affirmative Action Officer in designing and delivering training for university employees assisting ADA modifications for the public.

- Provide reasonable modifications to members of the public (as defined by ADA) with known physical or mental disabilities, to ensure equal access and privileges to programming and services. The ADA Title II Coordinator will consult with the member of the public in need of a modification and:
 - Discuss the purpose and essential functions of the reasonable modification.
 - Identify the potential modifications and assess the effectiveness each request.
 - After discussion and review, select and implement the modifications that are appropriate for both the member of the public and the university.
 - Document this review and reported in the State ADA Annual Report.
- Comply with the state-wide and university anti-discrimination and anti-harassment policies.

Accountability:

The ADA Title II Coordinator is accountable to the Vice President for Enrollment Management and Student Affairs.

Name of individual(s) responsible

Name: Chuck Eade

Email: charles.eade@mnstate.edu

Title: Dean of Accessibility Resources

Phone: 218-477-5958

F. Senior Managers and Faculty Executive Team Leaders

Responsibilities

Deans and directors are responsible for implementing all aspects of the university Affirmative Action Plan and the university's commitment to affirmative action and equal opportunity.

Duties

The duties of deans and directors include, but are limited to:

- Identify problem areas and eliminate barriers that prevent equal employment opportunity within the university.
- Communicate the equal opportunity employment policy and the affirmative action program and plan to all employees.
- Assist the Affirmative Action Officer in periodic audits of hiring and promotion patterns to remove obstacles to attaining affirmative action goals and objectives.

- Hold regular discussions with supervisors and employees to ensure the university’s equal employment opportunity policies are being followed.
- Inform and evaluate managers and supervisors on their equal employment opportunity efforts and results, in addition to other job performance criteria.
- Comply with the statewide and university anti-discrimination and anti-harassment policies.

Accountability

Senior managers and executive team leaders are accountable directly to the appropriate President or Vice President.

Name of individual(s) responsible

Name: Arrick Jackson

Email: Arrick.jackson@mnstate.edu

Title: Provost & Senior Vice President
for Academic Affairs

Phone: (218) 477-4377

Name: Brenda Amenson-Hill

Email: Brenda.amensonhill@mnstate.edu

Title: Vice President for Student Affairs
& Enrollment Management

Phone: (218) 477-2200

Name: Gary Haugo

Email: Gary.haugo@mnstate.edu

Title: Vice President for University Advancement

Phone: (218) 477-2948

Name: Ann Hiedeman

Email: Ann.hiedeman@mnstate.edu

Title: Vice President of Human Resources
& Workplace Equity

Phone: (218) 477-2066

Name: Jean Hollaar

Email: Jean.hollaar@mnstate.edu

Title: Vice President of Finance & Administration

Phone: (218) 477-2070

Name: Kirsten Jensen

Email: Kirsten.jensen@mnstate.edu

Title: Associate Vice President of Marketing
& Communications

Phone: (218) 477-2175

G. All Employees

Responsibilities

All employees are responsible for conducting themselves in accordance with the State of Minnesota's policy of equal employment opportunity. This includes refraining from any actions that would subject any employee to negative treatment on the basis of race, creed, color, sex (including pregnancy), national origin, age, marital status, familial status, disability, sexual orientation, gender expression, gender identity, reliance on public assistance, membership or activity in a local human rights commission, religion, political opinions, or affiliations. Employees who believe they have been subjected to such discrimination or harassment are encouraged to use the university's complaint procedure.

Duties:

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

- Exhibit an attitude of respect, courtesy, and cooperation toward colleagues and the public.
- Refrain from any actions that would adversely affect a colleague on the basis of their race, creed, color, sex (including pregnancy), national origin, age, marital status, familial status, disability, sexual orientation, gender expression, gender identity, reliance on public assistance, membership or activity in a local human rights commission, religion, political opinions, or affiliations.
- Comply with the state-wide and university anti-discrimination and anti-harassment policies.

Accountability:

Employees are accountable to their designated supervisor and indirectly to the university's President. All employees are responsible for conducting themselves in accordance with the Affirmative Action Plan.

Communication of the Affirmative Action Plan

Minnesota Administrative Rules, part 3905.0400, subpart 1, item D and Minnesota Administrative Rules, part 3905.0400, subpart 1, item E

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

Internal Methods of Communication

- **Internal memorandum.** University leadership or the Affirmative Action Officer will send an internal memo to university employees each year. This message identifies the location of the Affirmative Action Plan and the employee’s responsibility to read and understand it. It also indicates the employees’ responsibility to support and implement equal opportunity and affirmative action.
- **Intranet.** The university’s Affirmative Action Plan is available to all employees on the university’s internal website at [Affirmative Action](https://www.mnstate.edu/human-resources/affirmative-action/) (https://www.mnstate.edu/human-resources/affirmative-action/) and in print to anyone who requests it. As requested, the university will make the plan available in alternative formats.
- **Printed copy.** A physical copy of the university’s Affirmative Action Plan is available to employees at the following address:

MSUM Human Resources
Owens Hall 214
- **Signage.** Nondiscrimination and equal opportunity statements and posters are prominently displayed in areas frequently used by employees.

External Methods of Communication

- **Public website.** The university’s Affirmative Action Plan is available on the university’s public website at [Affirmative Action](https://www.mnstate.edu/human-resources/affirmative-action/) (https://www.mnstate.edu/human-resources/affirmative-action/). Printed copies are available to anyone who requests it. As requested, the university will make the plan available in alternative formats.
- **Equal opportunity employer language.** The university’s website homepage, letterhead, publications, and all job postings, includes the statement “Minnesota State University Moorhead is an equal opportunity employer.” The university will also ensure a representative ratio of diversity is on all marketing materials.
- **Signage.** Nondiscrimination and equal opportunity statements and posters are prominently displayed in common public areas. Examples of posters displayed include: Equal Employment Opportunity is the law, Employee Rights under the Fair Labor Standards Act, and the Americans with Disabilities Act Notice to the Public.
- A physical copy of the Minnesota State University Moorhead’s Affirmative Action Plan is available to contractors, vendors, and members of the public at the following address:

Minnesota State University Moorhead
1104 7th Avenue South
Moorhead, MN 56563

Job Category Analysis

Minnesota Administrative Rules 3905.0600 Subp 3.A and Minnesota Administrative Rules 3905.0600 Subp 3.B

The university conducted a Job Category Analysis to determine the percent of protected group or veteran employees in each job category. The job category analysis lists job class titles in each Equal Employment Opportunity (EEO) job category at the university. A job classification is a group of one or more positions with similar duties and responsibilities. These classifications help clarify positions within the class so the same schedules of pay can be applied with equity to all positions in the class that fall under the same, or substantially the same, employment conditions.

Determining Availability

MS 43A.19(b), MS 43A.19(c), Minnesota Administrative Rules 3905.0600 Subp 1, Minnesota Administrative Rules 3905.0600 Subp 2, Minnesota Administrative Rules 3905.0600 Subp 3C, and Minnesota Administrative Rules 3905.0600 Subp 3D

For purposes of this Affirmative Action Plan, “availability” means an estimated percentage of qualified females, racial/ethnic minorities, or individuals with disabilities in the relevant labor market who are available for positions in each job category at a state university.

The university used the United States Census Bureau’s 2014-2018 American Community Survey, which is the most current statistical information available at the time of developing this Affirmative Action Plan.

The university used the American Community Survey statistical data for external availability and feeder job statistics of employees for internal availability. For affirmative action purposes, “feeder job” means staffed positions within the university that can be promoted and/or transferred into/within EEO job categories (refer to Appendix D. Feeder Jobs for details).

These external and internal factors are weighted according to the university’s past hiring patterns and/or future recruitment focus to obtain the final availability (Refer to Appendix D. Feeder Jobs and Appendix E. Determining Availability for details).

Utilization/Availability Analysis, Establishment of Goals, and Timetables

Minnesota Administrative Rules 3905.0400 Subp 1 Item G, Minnesota Administrative Rules 3905.0600 Subp 3, Minnesota Administrative Rules 3905.0600 Subp 4, Minnesota Administrative Rules 3905.0600 Subp 5, and Minnesota Administrative Rules 3905.0600 Subp 6.

Utilization is an analysis of affirmative action and equal opportunity employment data used to assess the available workforce for a given state. As explained in the previous section, “availability” means an estimated percentage of qualified females, racial/ethnic minorities, or individuals with disabilities in the relevant labor market who are available for positions in each job category at a state university.

Through the utilization and availability analysis, the university has determined which job categories are underutilized for females, racial/ethnic minorities, and individuals with disabilities in the university and has set hiring goals for the next two years. Hiring goals are objective and used for making good faith efforts for all aspects of the affirmative action program. Effective hiring goals are strategic, actionable, and measurable efforts the university is committed to pursuing and implementing in 2020-2022.

The goals are not quotas, nor do they require protected group or veteran status-based hiring preferences. They are aspirational goals so that the university makes good faith efforts to remove barriers to equal employment opportunity.

The university used the whole person rule to establish a hiring goal. This means when the actual representation percentage of females, racial/ethnic minorities, or individuals with disabilities is less than reasonably would be expected given the workforce participation in the labor market area, and that difference is at least one whole person (more than 1), then a goal is established for that job category.

When a hiring goal for a job category is established, a percentage goal equal to the final availability percentage is calculated for females, racial/ethnic minorities, and individuals with disabilities in that job category.

In **Table 2. Hiring Goals by Job Category and Protected Group and Veterans**, if a protected group or veterans in a job category shows “Monitor,” the university will proactively make good faith efforts to recruit external qualified protected groups and veterans. The university will also train and retain employees in the job category to help prevent underutilization due to an employee move or attrition.

Refer to Appendix F. Utilization-Goals for details for underutilization and hiring goals.

Table 2. Hiring Goals by Job Category and Protected Group and Veterans is a summary of hiring goals by job category and protected group and veterans. The actions the university will take to address these hiring goals will be described in [Corrective Actions and Action-Oriented Programs](#) section.

Table 2. Hiring Goals by Job Category and Protected Group and Veterans

Job Categories	Female Establish Goals?	Females If Yes, Goals for FY 2020-2022	Racial/Ethnic Minorities Establish Goals?	Racial/Ethnic Minorities If Yes, Goals for FY 2020-2022	IWD Establish Goals?	IWD If Yes, Goals for FY 2020-2022	Veterans Establish Goals?	Veterans If yes, Goals for FY 2020-2022
Officials/ Administrators			Yes	24.01%	Yes	4.50%	Monitor	
Professionals			Yes	8.74%			Yes	3.96%
Technicians	Monitor		Monitor		Monitor		Monitor	
Protective Services: Non-Sworn	Monitor				Monitor		Monitor	
Para-Professionals			Monitor		Monitor		Monitor	
Office/Clerical			Monitor		Monitor		Yes	5.15%
Skilled Craft	Yes	28.75%	Monitor		Monitor			
Service Maintenance	Yes	29.99%					Monitor	
Faculty: Adjunct					Yes	3.68%	Yes	4.60%
Faculty: Fixed Term			Yes	22.23%	Yes	4.07%	Yes	5.25%
Faculty: Tenure-Track							Monitor	
Faculty: Tenured	Yes	49.00%	Yes	23.20%	Yes	6.10%	Yes	4.39%

Notes:

- The Minnesota State University Moorhead 2018-2020 Affirmative Action Plan separated the Professionals job category into MSUAASF and Other. For the purpose of consistency with other state agencies, this 2020-2022 Affirmative Action Plan does not distinguish between MSUAASF and Other jobs for Professionals.
- The 2018-2020 Affirmative Action Plan grouped Technicians and Paraprofessionals together, and Service Maintenance and Protective Services together in the analysis and presentation of utilization, separation and hiring goals data. To be consistent with other state agencies, under the direction of MMB, Minnesota State University Moorhead has separated the groupings for these job categories for this 2020-2022 Affirmative Action Plan.

- *The 2018-2020 Affirmative Action Plan grouped Faculty IFO together in the analysis and presentation of utilization, separation and hiring goals data. To be consistent with other state agencies, under the direction of MMB, Minnesota State University Moorhead has separated the groupings for these job categories to be Faculty Adjunct, Faculty Fixed Term, Faculty Tenure-Track, and Faculty Tenured for this 2020-2022 Affirmative Action Plan.*

Progress and Personnel Activity Reports

MS 43A.19 Subd. 1(a)(3) for separations, and Minnesota Administrative Rules 3905.0400 Subp. 1 Item I

The progress report examines hiring goals established in the prior Affirmative Action Plan. As a part of the university's monitoring practices, the university evaluated if it met the hiring goal(s) established in the prior Affirmative Action Plan (refer to **Appendix A. Progress Report**).

Separation results were evaluated to identify potential action area(s) to establish retention strategies for the 2020-2022 plan year (refer to **Appendix B. Separation Analysis**).

Identification of Areas for Further Monitoring

Minnesota Administrative Rules 3905.0400 Subp. 1 Item H and I

Monitoring personnel activity helps agencies monitor progress in meeting hiring goals. Data from the previous plan period can help indicate when changes to program efforts are appropriate.

Workforce Snapshot

In **Appendix F. the Utilization Goals worksheet** indicates if a job category by protected group or veterans is underutilized.

Area(s) in the university's workforce that require further monitoring appear in the "Establish Goals?" column as:

- "Yes": there is underutilization.
- "Monitor": the university needs to monitor the job it may be underutilized where employee movement occurs.

[Collective Action and Action Oriented Programs](#) will be followed to address the identified placement goal(s).

Personnel Activities

Progress Reports

Appendix A. Progress Report includes only job categories that have hiring goal(s) established in the prior Affirmative Action Plan and it evaluates if the university attained the hiring goal(s).

Where the indication of the “Goal Met?” column is:

- “Yes”: the university met the goal established in the prior Affirmative Action Plan.
- “No”: the university did not attain the goal established in the prior Affirmative Action Plan.
- “No Hire/Prom”: there were no opportunities in the prior Affirmative Action Plan period.

[Corrective Actions and Action-Oriented Programs](#) will be followed to address the identified area(s) to monitor/focus.

Separations

Appendix B. Separation Analysis shows the results by separation type and the protected group and veterans during the prior Affirmative Action Plan period. The separation percentages were derived within the separation type by protected group and veterans to identify impact on protected group and veteran members. There are two examinations in this worksheet:

1. The total percentage indicates the percentage by separation type. For example, there were 15 separations in total. Of those separations, 10 employees separated due to dismissal or non-certification. The dismissal or non-certification percentage is 66.67% (10 divided by 15).
2. The “percentage type¹” in **Appendix B. Separation Analysis** indicates percentages by protected group and veterans within a separation type. For example, there were 10 separations by dismissal or non-certification in total. Of those separations, eight were female employees. The female dismissal or non-certification separation is 80.00% (8 divided by 10).

[Corrective Actions and Action-Oriented Programs](#) will be followed to address the identified area(s) to monitor/focus.

Corrective Actions and Action-Oriented Programs

Minnesota Administrative Rules 3905.0400 Subp 1 Item H

The university’s Affirmative Action Program is designed to implement the provisions of this Affirmative Action Plan and meet requirements found in Minnesota Statutes, section 43A.191 Subdivision 2. These Action-Oriented Programs are carried out throughout this Affirmative Action Plan period.

Corrective Actions

This section identifies ways the university will eliminate barriers, provide corrective actions, and make good faith efforts toward the affirmative action goals for underutilized protected groups and veterans (broken down by specific job categories).

The university developed the below action-oriented programs specific to the job category/protected group(s) or veterans identified in the “Identification of Areas for Further Monitoring” section supported by the “Utilization /Availability Analysis, Establishment of Statement of Goals, and Timetable” and “Progress Reports and Personnel Analyses sections.”

Table 3. Areas of Further Monitoring and Corrective Actions

Areas for Further Monitoring	Corrective Actions
<p>Officials/Managers</p> <ul style="list-style-type: none"> • Racial/Ethnic Minorities and Individuals with Disabilities (IWD) are underutilized. • The university needs to “monitor” veterans because it is an area that potentially will be underutilized if veterans separate. • Low promotional rate into this job category for racial/ethnic minorities contributes to the underutilization for this protected group. 	<ul style="list-style-type: none"> • All search committee members complete the Minnesota State Search Committee training. Human Resources reviews the Affirmative Action goals with each search committee. Many of our search committees have a designated diversity advocate on the committee, however it’s the goal of the university that all members are trained in implicit bias and search best practices. • Partner with Chamber Professionals of Color Network to establish relationships and IWD organizations to promote MSUM as an employer of choice among racial/ethnic minority and IWD candidates and to promote equity and inclusion trainings. The University has active members in both Chamber and Minnesota State System Employee Resource Groups. • Encourage search chairs to promote positions through their professional networks. • Continue our commitment to a model of competency-based hiring principles. Competency-based hiring focuses on candidate’s skills, talents and abilities and ensures that minimum qualifications are not arbitrary and are narrowly tailored for the work required of the position, thus significantly reducing barriers to hire. MSUM continues to train supervisors and hiring managers on competency-based hiring principles and each vacant position is examined with these principles in mind. This training is available in our campus training portal.

Areas for Further Monitoring	Corrective Actions
<p>Professionals</p> <ul style="list-style-type: none"> • Racial/Ethnic Minorities and Veterans are underutilized. • Low number of applicants and employees self-identify as veterans, which contributes to the underutilization of veterans. • Low promotional rate into this job category for racial/ethnic minorities, which contributes to the underutilization of this protected group. 	<ul style="list-style-type: none"> • Continue our commitment to a model of competency-based hiring principles. Competency-based hiring focuses on candidate’s skills, talents and abilities and ensures that minimum qualifications are not arbitrary and are narrowly tailored for the work required of the position, thus significantly reducing barriers to hire. MSUM continues to train supervisors and hiring managers on competency-based hiring principles and each vacant position is examined with these principles in mind. This training is available in our campus training portal. • Immediately plan to review job descriptions, especially minimum qualifications, to identify any words/descriptions that screen out racial/ethnic minorities. • Human Resources staff has received training on eliminating bias in hiring materials and this training will be offered to the campus by the end of the next plan year. • Utilize the State of Minnesota Connect 700 program to increase exposure to state jobs in the disability community. • MSUM communicates with current employees bi-annually about the importance of self-identification for protected groups and to encourage employees to update their personal data. This links to MSUM’s overall commitment to diversity, equity and inclusion.
<p>Technicians</p> <ul style="list-style-type: none"> • The university needs to “monitor” Females, Racial/Ethnic Minorities, IWD, and Veterans because they are areas that potentially will be underutilized if protected group members or veterans separate. 	<p>Even though there is no underutilization any protected groups or veterans in this job category, all protected groups and veterans are areas that potentially will be underutilized if protected group members or veterans separate.</p> <ul style="list-style-type: none"> • Utilize the State of Minnesota Connect 700 program to increase exposure to state jobs in the disability community. • MSUM communicates with current employees bi-annually about the importance of self-identification for protected groups and to encourage employees to update their personal data. This links to MSUM’s overall commitment to diversity, equity and inclusion.

Areas for Further Monitoring	Corrective Actions
<p><i>Protective Services: Non-Sworn</i></p> <ul style="list-style-type: none"> • University needs to “monitor” Females, IWD, and Veterans because they are areas that potentially will be underutilized if protected group members or veterans separate. 	<p>Even though there is no underutilization any protected groups or veterans in this job category, all protected groups and veterans are areas that potentially will be underutilized if protected group members or veterans separate.</p> <ul style="list-style-type: none"> • Utilize the State of Minnesota Connect 700 program to increase exposure to state jobs in the disability community. • MSUM communicates with current employees bi-annually about the importance of self-identification for protected groups and to encourage employees to update their personal data. This links to MSUM’s overall commitment to diversity, equity and inclusion.
<p><i>Para-Professionals</i></p> <ul style="list-style-type: none"> • University needs to “monitor” Racial/Ethnic Minorities, IWD, and Veterans because they are areas that potentially will be underutilized if protected group members or veterans separate. 	<ul style="list-style-type: none"> • Utilize the State of Minnesota Connect 700 program to increase exposure to state jobs in the disability community. • Identify and partner with veteran’s organizations in order to promote MSUM as an employer of choice by fiscal year 2023. • MSUM communicates with current employees bi-annually about the importance of self-identification for protected groups and to encourage employees to update their personal data. This links to MSUM’s overall commitment to diversity, equity and inclusion.

Areas for Further Monitoring	Corrective Actions
<p>Office/Clerical</p> <ul style="list-style-type: none"> • University needs to “monitor” Racial/Ethnic Minorities and IWD because they are areas that potentially will be underutilized if protected group members separate. • Veterans are underutilized. • Low number of applicants and employees self-identify as veterans, which contributes to the underutilization of veterans. 	<ul style="list-style-type: none"> • MSUM communicates with current employees bi-annually about the importance of self-identification for protected groups and to encourage employees to update their personal data. This links to MSUM’s overall commitment to diversity, equity and inclusion. • Continue our commitment to a model of competency-based hiring principles. Competency-based hiring focuses on candidate’s skills, talents and abilities and ensures that minimum qualifications are not arbitrary and are narrowly tailored for the work required of the position, thus significantly reducing barriers to hire. MSUM continues to train supervisors and hiring managers on competency-based hiring principles and each vacant position is examined with these principles in mind. This training is available in our campus training portal. • Identify and develop relationships with veteran’s organizations to promote MSUM as an employer of choice by fiscal year 2023. • Utilize the State of Minnesota Connect 700 program to increase exposure to state jobs in the disability community.

Areas for Further Monitoring	Corrective Actions
<p>Skilled Craft</p> <ul style="list-style-type: none"> • Females are underutilized. • University needs to “monitor” Racial/Ethnic Minorities and IWD because they are areas that potentially will be underutilized if protected group members separate. • Low promotional rate into this job category females, which contributes to the underutilization of this protected group. • Low number of qualified female applicants contributes to low rate of female hires. 	<ul style="list-style-type: none"> • Immediately plan to review job descriptions, especially minimum qualifications, to identify any words/descriptions that screen out females. • Continue our commitment to a model of competency-based hiring principles. Competency-based hiring focuses on candidate’s skills, talents and abilities and ensures that minimum qualifications are not arbitrary and are narrowly tailored for the work required of the position, thus significantly reducing barriers to hire. MSUM continues to train supervisors and hiring managers on competency-based hiring principles and each vacant position is examined with these principles in mind. This training is available in our campus training portal. • Contact local vocational schools and training centers to increase recruitment efforts. • All search committee members complete the Minnesota State Search Committee training. Human Resources reviews the Affirmative Action goals with each search committee. Many of our search committees have a designated diversity advocate on the committee, however it’s the goal of the university that all members are trained in implicit bias and search best practices.
<p>Service Maintenance</p> <ul style="list-style-type: none"> • Females are underutilized. • University needs to “monitor” veterans because they are areas that potentially will be underutilized if veterans separate. • Low number of female qualified applicants resulted in low rate of female hires. 	<ul style="list-style-type: none"> • Contact local vocational schools and training centers to increase awareness of MSUM. • Immediately plan to review job descriptions, especially minimum qualifications, to identify any words/descriptions that screen out females. • All search committee members complete the Minnesota State Search Committee training. Human Resources reviews the Affirmative Action goals with each search committee. Many of our search committees have a designated diversity advocate on the committee, however it’s the goal of the university that all members are trained in implicit bias and search best practices.

Areas for Further Monitoring	Corrective Actions
<p>Faculty: Adjunct</p> <ul style="list-style-type: none"> • IWD and Veterans are underutilized. • Low number of applicants and employees self-identify as veterans, which contributes to the underutilization of veterans. 	<ul style="list-style-type: none"> • MSUM communicates with current employees bi-annually about the importance of self-identification for protected groups and to encourage employees to update their personal data. This links to MSUM’s overall commitment to diversity, equity and inclusion. • Collaborate with search chairs to encourage outreach to professional networks. • Begin posting adjunct positions for applicants and hiring through the unclassified hiring process.
<p>Faculty: Fixed-Term</p> <ul style="list-style-type: none"> • Racial/Ethnic Minorities, IWD, and Veterans are underutilized. • Low number of applicants and employees self-identify as veterans, which contributes to the underutilization of veterans. • Low number of racial/ethnic minorities and IWD applicants resulted in low number of hires for these protected groups. 	<ul style="list-style-type: none"> • MSUM communicates with current employees bi-annually about the importance of self-identification for protected groups and to encourage employees to update their personal data. This links to MSUM’s overall commitment to diversity, equity and inclusion. • Partner with Chamber Professionals of Color Network to establish relationships and IWD organizations to promote MSUM as an employer of choice among racial/ethnic minority and IWD candidates and to promote equity and inclusion trainings. The University has active members in both Chamber and Minnesota State System Employee Resource Groups. • Collaborate with search chairs to encourage outreach to professional networks.
<p>Faculty: Tenure-Track</p> <ul style="list-style-type: none"> • University needs to “monitor” Veterans because it is an area that potentially will be underutilized if veterans separate. 	<ul style="list-style-type: none"> • Identify and partner with veteran’s organizations in order to promote MSUM as an employer of choice by fiscal year 2023. • Continue Affirmative Action training with all search committee members during faculty searches as tenure-track employees will become tenured and as a result have an impact on Faculty: Tenure veteran numbers in the future.

Areas for Further Monitoring	Corrective Actions
<p>Faculty: Tenured</p> <ul style="list-style-type: none"> • Females, Racial/Ethnic Minorities, IWD, and Veterans are underutilized. • Rare to hire externally for this job category, which contributes to the underutilization of these protected groups and veterans. 	<ul style="list-style-type: none"> • Immediately review Tenure process to ensure that it is free from any potential component that impedes a faculty member’s desire or ability to apply for tenure. • Ensure all faculty are engaged in equity and inclusion training annually. • MSUM communicates with current employees bi-annually about the importance of self-identification for protected groups and to encourage employees to update their personal data. This links to MSUM’s overall commitment to diversity, equity and inclusion.

Other Action-Oriented Programs

This section provides an overview of the university’s general efforts and actions to ensure equal opportunity. Agencies have reviewed barriers to hiring during the previous plan period and identified recruitment strategies, processes, and training to address underutilization for this plan year.

Barriers

The university has constraints to address underutilization and areas for monitoring identified in the previous section.

- Budget deficiencies resulting in:
 - Limited anticipated number of open positions in this plan year.
 - Limited outreach, which will reduce the effectiveness of recruitment efforts.
 - Layoffs and retrenchments, which inadvertently affect employees in protected groups and veterans.
 - Limited budget (advertising and bringing candidates to campus)
- Limited staff in Human Resources and Affirmative Action to focus on expanding the recruitment efforts for diverse applicants.
- Unwillingness of employees to self-identify, including individuals with disabilities and veterans. This will affect the representation of employees in protected groups and veterans.

Recruitment and Processes

The university takes the following actions to improve recruitment and increase the number of qualified females, racial/ethnic minorities, individuals with disabilities, and veterans in the applicant pool:

- The university will continue to place advertisements of job opportunities for classified positions through [the State of MN Career site](https://mn.gov/mmb/careers/search-for-jobs/) (https://mn.gov/mmb/careers/search-for-jobs/).
- The university will continue to place advertisements of job opportunities for unclassified positions through the [PeopleAdmin Panoramic](https://minnesotaschools.peopleadmin.com/) site (https://minnesotaschools.peopleadmin.com/).
- Continue to consider female, racial/ethnic minorities, individuals with disability, and veteran applicants for all positions for which they qualify.
- Continue to conduct Affirmative Action training with all search committees (classified and unclassified) in order to create awareness regarding Affirmative Action goals.
- Ensure all search committee members are participating in the Search Committee training, which features information on diversity and unconscious bias to create awareness.
- The university will continue to utilize JobElephant, which specializes in diversity-focused advertising, for advertisements of job opportunities.
- Encourage faculty to share job advertisements with their professional networks and discipline-related contacts.
- Use Social Media (Facebook, Twitter, and LinkedIn) to post job advertisements to attract protected group and veteran candidates.
- Advertise the Connect 700 program to attract qualified individuals with disabilities by providing a link to MMB's web site.
- Continue to use the EEO tag line on all job postings and advertisements.
- Review/evaluate job postings to eliminate non-inclusive language.

Persons Responsible:

Name: Ann Hiedeman

Email: Ann.hiedeman@mnstate.edu

Title: Vice President of Human Resources
& Workplace Equity

Phone: (218) 477-2066

Name: Kayla Kappes

Email: Kayla.kappes@mnstate.edu

Title: Director of Human Resources/AAO

Phone: (218) 477-2226

Retention

The university will take the following actions to improve retention of females, racial/ethnic minorities, individuals with disabilities, and veterans:

- Administer and interpret the Individual Diversity Index (IDI) with Cabinet and Administrative Council.

- Identify and train MSUM employees to serve as IDI interpreters, coaches, and consultants.
- Develop a plan for administering the IDI to all employees.
- Use aggregate IDI results to inform leadership development and campus professional development programming.
- Encourage all new hires to participate applicable trainings for their career development.
- Use data from the administration of Great Places to Work Survey (2020) (customized questions that assess the climate for diversity, inclusion, and equity) to inform employee professional development programming.
- Ensure an inclusive work environment and equal opportunities for all employees.
- Encourage use of the university’s mentor-mentee programs.
- Ensure all new hires receive inclusive workplace e-learning training.
- Redesign Dragons Learn programming and the Supervisors Academy to focus on diversity, equity and inclusion.
- Conduct exit interviews/surveys with individuals to gather information to identify concerns.

Persons Responsible:

Name: Ann Hiedeman

Email: Ann.hiedeman@mnstate.edu

Title: Vice President of Human Resources
& Workplace Equity

Phone: (218) 477-2066

Name: Kayla Kappes

Email: Kayla.kappes@mnstate.edu

Title: Director of Human Resources/AAO

Phone: (218) 477-2226

Training

The university will take the following actions to improve retention of females, racial/ethnic minorities, individuals with disabilities, and veterans:

- Redesign Dragons Learn programming and the Supervisors Academy to focus on diversity, equity and inclusion.
- Expand competency-based hiring principles to diversity candidate pools.
- Expand Affirmative Action training for all search committee members to enhance knowledge and create awareness surrounding protected groups and veterans during the hiring process.
- Provide quality on-boarding orientations.
- Announce training opportunities to all employees.

- Broadly announce all promotion and transfer opportunities.
- Provide unconscious bias training to all employees.
- Ensure all new hires receive inclusive workplace e-learning training.
- Implement annual equity and inclusion training for all MSUM faculty and staff.
- Through the Faculty Development Center, offer a certificate in culturally responsive pedagogy for faculty.

Persons Responsible:

Name: Ann Hiedeman

Email: Ann.hiedeman@mnstate.edu

Title: Vice President of Human Resources
& Workplace Equity

Phone: (218) 477-2066

Name: Kayla Kappes

Email: Kayla.kappes@mnstate.edu

Title: Director of Human Resources/AAO

Phone: (218) 477-2226

Methods of Auditing, Evaluating, and Reporting Program Success

Pre-Employment Review Procedure/Monitoring the Hiring Process

The university will evaluate its selection process to determine if its requirements unnecessarily screen out a disproportionate number of females, racial/ethnic minorities, individuals with disabilities, or veterans. The university will use the Monitoring the Hiring Process form for every hire to track the number of females, racial/ethnic minorities, individuals with disabilities and veterans in each stage of the selection process. Directors, managers, and supervisors will work closely with human resources and the Affirmative Action Officer in reviewing the requirements for the position, posting the position, and interviewing and selection to ensure that equal opportunity and affirmative action are carried out. Directors, managers, and supervisors must document their hiring decisions and equal opportunity professionals will review for bias.

A university that does not meet its hiring goals for competitive appointments, and noncompetitive appointments under MS 43A.08, subd. 1(9), (11) and (16), and 43A.15, subd. 3, 10, 12, and 13, must justify its non-affirmative action hires. The affirmative action statute was amended in 2019 so universities can no longer take missed opportunities. The university will report the number of affirmative and non-affirmative hires to MMB on a quarterly basis.

When candidates are invited to participate in the selection process, employees scheduling the selection process will describe the process to the candidate (*e.g.*, interview process, testing process). All candidates are provided information regarding the procedure to request reasonable accommodations, if necessary, to allow candidates with disabilities equal opportunity to participate in the selection process. For example, describe if interview questions are offered ahead of time or what technology may be used during a test. This allows for an individual with a disability to determine if they need a reasonable accommodation in advance.

All employees involved in the selection process are trained and accountable for the university's commitment to equal opportunity and the affirmative action program and its implementation.

Pre-Review Procedure for Layoff Decisions

Layoffs are considered in times of budgetary concerns and reorganizations for departments or colleges. In a union environment, the affected collective bargaining agreement specifies the process and order in which layoffs must occur.

The President's Cabinet is responsible to identify the departments and/or programs where layoffs will occur. The Affirmative Action Officer along with the Vice President of Human Resources and Workplace Equity, are responsible for reviewing all pending layoffs to determine the individual employees identified by following the appropriate collective bargaining agreement(s). The Affirmative Action Officer is responsible to review their effect on the university's affirmative action goals and timetables.

The university will document the reasons why the layoff is occurring, such as positions targeted for layoff, applicable personnel policies or collective bargaining agreement provisions, or other relevant reasons. If it is determined that there is a disparate impact on protected groups or veterans, the Vice President of Human Resources and Director of Human Resources will review collective bargaining unit

agreement to determine if there are alternative options that may be utilized in order to minimize the disparate impact on protected groups or veterans.

Other Methods of Program Evaluation

The university submits the following compliance reports to MMB as part of the efforts to evaluate the university's affirmative action program:

- Quarterly Monitoring the Hiring Process Reports
- Biannual Affirmative Action Plan
- Annual Americans with Disabilities Act Report
- Annual Internal Complaint Report
- Disposition of Internal Complaint (submitted to MMB within 30 days of final disposition)

The university also evaluates the Affirmative Action Plan in the following ways:

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

Policies, Procedures, and Notice

A. Minnesota State's Equal Opportunity and Non-discrimination in Employment and Education Policy, Board Policy 1B.1

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 familial status or 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, gender expression, or familial status is prohibited. Harassment may occur in a variety of relationships, including faculty and student, supervisor and employee, student and student, staff and student, employee and employee, and other relationships with persons having business at, or visiting the educational or working environment.

This policy is directed at verbal or physical conduct that constitutes discrimination /harassment under state and federal law and is not directed at the content of speech. In cases in which verbal statements and other forms of expression are involved, Minnesota State Colleges and Universities will give due consideration to an individual's constitutionally protected right to free speech and academic freedom. However, discrimination and harassment are not within the protections of academic freedom or free speech.

The system office, colleges, and universities shall maintain and encourage full freedom, within the law, of expression, inquiry, teaching and research. Academic freedom comes with a responsibility that all members of our education community benefit from it without intimidation, exploitation or coercion.

This policy shall apply to all individuals affiliated with Minnesota State Colleges and Universities, including but not limited to, its students, employees, applicants, volunteers, agents, and Board of Trustees, and is intended to protect the rights and privacy of both the complainant and respondent and other involved individuals, as well as to prevent retaliation or reprisal. Individuals who violate this policy shall be subject to disciplinary or other corrective action.

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

Part 2. Definitions.

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

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

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

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

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

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

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

1. Protected class includes race, sex, color, creed, religion, age, national origin, disability, marital status, status with regard to public assistance, sexual orientation, gender identity, or gender

expression. In addition, familial status and membership or activity in a local human rights commission are protected classes 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 state 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.

B. Minnesota State's Report/Complaint of Discrimination/Harassment Investigation and Resolution, System Procedure 1B.1.1

Part 1. Purpose and applicability.

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

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

A single act of discrimination or harassment may be based on more than one protected class status. For example, discrimination based on anti-Semitism may relate to religion, national origin, or both;

discrimination against a pregnant woman might be based on sex, marital status, or both; discrimination against a transgender or transsexual individual might be based on sex or sexual orientation.

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

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

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

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

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

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

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

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

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

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

- An employee and a student if the employee is in a position to evaluate or otherwise significantly influence the student's education, employment, housing, participation in athletics,

or any other college or university activity (employee includes, for example, graduate assistants, administrators, coaches, advisors, program directors, counselors and residence life staff);

- A faculty member and a student who is enrolled in the faculty member's course, who is an advisee of the faculty member, or whose academic work is supervised or evaluated by the faculty member; and
- A supervisor and an employee under the person's supervision.

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

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

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

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

Part 4. Reporting incidents of discrimination/harassment

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

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

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

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

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

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

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

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

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

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

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

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

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

1. **Jurisdiction.** The designated officer shall determine whether the report/complaint is one which should be processed through another system office, college or university procedure available to

the complainant; if appropriate, the designated officer shall direct the complainant to that procedure as soon as possible.

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

president or chancellor may, in consultation with system legal counsel and labor relations, reassign or place an employee on administrative leave at any point in time during the report/complaint process. In determining whether to place an employee on administrative leave or reassignment, consideration shall be given to the nature of the alleged behavior, the relationships between the parties, the context in which the alleged incidents occurred and other relevant factors. Any action taken must be consistent with the applicable collective bargaining agreement or personnel plan.

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

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

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

1. conduct or coordinate education/training;
2. facilitate voluntary meetings between the parties;
3. recommend separation of the parties, after consultation with appropriate system office, college or university personnel;
4. other possible outcomes may include recommending changes in workplace assignments, enrollment in a different course or program, or other appropriate action;
5. the system office, college or university may use alternative dispute resolution or mediation services as a method of resolving discrimination or harassment complaints. Alternative dispute

resolution and mediation options require the voluntary participation of all parties to the complaint;

6. upon completion of the inquiry, the designated officer may dismiss or refer the complaint to others as appropriate.

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

1. **Designated officer.** The designated officer shall:
 - a.) prepare an investigation report and forward it to the decisionmaker for review and decision;
 - b.) take additional investigative measures as requested by the decisionmaker; and
 - c.) be responsible for coordinating responses to requests for information contained in an investigation report in accordance with the Minnesota Government Data Practices Act and other applicable law including, but not limited to, the Family Educational Rights and Privacy Act (FERPA). In determining the appropriate response, the designated officer shall consult with the campus data practice compliance official and/or the Office of General Counsel.
2. **Decision maker.** After receiving the investigation report prepared by the designated officer, the decisionmaker shall:
 - a.) determine whether additional steps should be taken prior to making the decision. Additional steps may include:
 1. a request that the designated officer conduct further investigative measures;
 2. a meeting with the complainant, respondent or other involved individuals. If a meeting involving a represented employee is convened, the complainant or respondent may choose to be accompanied by the bargaining unit representative, in accordance with the applicable collective bargaining agreement and federal and state law; and
 3. a request for additional information which may include a written response from the complainant or respondent relating to the allegations of the complaint.
 - b.) take other measures deemed necessary to determine whether a violation of Board Policy 1B.1 has been established;
 - c.) when making the decision, take into account the totality of the circumstances, including the nature and extent of the behaviors, the relationship(s) between the parties, the context in which the alleged incident(s) occurred, and other relevant factors;
 - d.) determine the nature, scope and timing of disciplinary or corrective action and the process for implementation if a violation of the nondiscrimination policy occurs. This may include consultation with human resources or supervisory personnel to determine appropriate discipline;
 - e.) As appropriate, consistent with applicable state and federal data privacy laws, report in writing to the complainant, respondent and the designated officer her or his findings, and the basis for those findings, as to whether Board policy 1B.1 has been violated.
 - f.) Conduct that is determined not to have violated Board policy 1B.1 shall be referred to another procedure for further action, if appropriate.

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

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

Part 8. Appeal.

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

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

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

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

Part 10. Distribution of board policy 1B.1 and this procedure. Information regarding Board Policy 1B.1 and this procedure shall, at a minimum, be distributed to students at the time of registration and to employees at the beginning of employment. Distribution may be accomplished by posting on an


internet Web site, provided all students and employees are directly notified of how to access the policy and procedure by an exact address, and that they may request a paper copy. Copies of the policy and procedure shall be conspicuously posted at appropriate locations at the system office and on college and university campuses at all times and shall include the designated officers' names, locations and telephone numbers.

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

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

Discrimination/Harassment Complaint Form

This form is located at https://cm.maxient.com/reportingform.php?MSUMoorhead&layout_id=4.

 <p>Discrimination/Harassment Complaint Form</p> <p>MSUM adheres to the Minnesota State Equal Opportunity and Nondiscrimination in Employment and Education Policy found here (https://www.minnstate.edu/board/policy/lb01.html). In addition, we adhere to the procedure for report/complaint of discrimination/harassment investigation and resolution, which is found here (https://www.minnstate.edu/board/procedure/lb01p1.html).</p> <p>Purpose of this Form: Any individual who believes they have been or are subject to conduct prohibited by the Opportunity and Nondiscrimination in Employment and Education Policy is encouraged to report the behavior to the designated officer using this form. This information may be used in addressing and disciplining the accused individual.</p> <p>In addition, 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 officers of the university by using this form.</p> <p>Completing this Form: Please enter as much of the information below as you are able. By clicking on the submit report below, you acknowledge that you are submitting a complaint to the University's designated officer.</p> <p>All information provided is considered voluntary. You are not legally required to provide this information. It is expected that any information that you provide is truthful.</p> <p>Confidentiality cannot be guaranteed. The information you provide will be used by an investigator and others within Minnesota State University Moorhead whose job assignment reasonably require access to the data to determine whether misconduct occurred and the extent, if any, of appropriate disciplinary action.</p>	<p>This report may be used by university administrators responsible for reporting data and statistics to Minnesota State system administrators, State of Minnesota officials, and federal agencies. In addition, it may be used in subsequent hearings or proceedings related to this matter. The reported information may also be released in accordance to local, state, or federal laws or with your consent.</p> <p>Retaliation: As defined by the policy, retaliation includes, but is not limited to, intentionally engaging in any form of intimidation, reprisal or harassment against an individual who has been involved or believed to be involved in an inquiry or investigation associated with this policy. Any individual subject to this policy who intentionally engages in retaliation shall be subject to disciplinary or other corrective action as appropriate.</p> <p>Anonymous reporting happens when you do not disclose your name or the identities of the other parties involved. Depending on what information is shared, action by the University may be limited. The designated officer will determine appropriate next steps as required by relevant laws and policies.</p> <p>Consultation: You may consult a designated officer at MSUM directly before and after completing this form: Director of Human Resources, Melissa Osland, melissa.osland@mnstate.edu, 218-477-2158 or Director of Student Conduct and Resolution, Ashley Atteberry, ashley.atteberry@mnstate.edu, 218-477-2174.</p> <p>Other Forms: Please report Sexual Violence incidents here (https://cm.maxient.com/reportingform.php?MSUMoorhead&layout_id=20).</p> <p>Background Information</p> <p>Your full name:</p> <input type="text"/> <p>Your position/role on campus:</p>
---	---

<p><input type="text"/></p> <p>Your phone number:</p> <p><input type="text"/></p> <p>Your email address:</p> <p><input type="text"/></p> <p>Type of Complaint <small>(required)</small></p> <p><input type="text" value="Please Choose.."/></p> <p>Basis of Complaint <small>(required)</small></p> <p><input type="text" value="Please Choose.."/></p> <p>Today's Date <small>(required)</small></p> <p><input type="text" value="mm / dd / yyyy"/></p> <p>Questions</p> <p>Explain your complaint in detail. You may include attachments via the upload option below.</p> <p>Name the person(s) responsible for the allege action. If unknown who, please type "unknown" in the box. <small>(required)</small></p> <p><input type="text"/></p> <p>Provide the title or role of the person(s) responsible for the allege action. <small>(required)</small></p> <p><input type="text"/></p>	<p>Identify the relationship of the person responsible for the allege action to the complainant. <small>(required)</small></p> <p><input type="checkbox"/> advisor</p> <p><input type="checkbox"/> professor/instructor</p> <p><input type="checkbox"/> supervisor</p> <p><input type="checkbox"/> coach</p> <p><input type="checkbox"/> co-worker</p> <p><input type="checkbox"/> classmate</p> <p><input type="checkbox"/> roommate</p> <p><input type="checkbox"/> another student</p> <p><input type="checkbox"/> unknown</p> <p><input type="checkbox"/> other relationship- specify below</p> <p>Please specify the other relationship:</p> <p><input type="text"/></p> <p>To the best of your recollection, what was the date of the alleged action? <small>(required)</small></p> <p><input type="text"/></p> <p>Where did the specific alleged action occur? <small>(required)</small></p> <p><input type="text"/></p> <p>To the best of your recollection, describe in detail the events that occurred.</p> <p><input type="text"/></p> <p>If you believe that you were retaliated against for filing or participating in a prior discrimination or harassment complaint, investigation of a complaint, or some other protected activity, please explain the circumstances below.</p>
--	---

<p><input type="text"/></p> <p>How did you react to the situation? Did you take any action?</p> <p><input type="text"/></p> <p>Describe the impact this has had on you as a result of this situation. <small>(required)</small></p> <p><input type="text"/></p> <p>Were there any witnesses to this specific event? If yes, please provide their names. <small>(required)</small></p> <p><input type="text"/></p> <p>Is there any physical evidence that you are comfortable sharing related to this report? If so, please describe or attach a copy. <small>(required)</small></p> <p><input type="text"/></p>	<p>What is the desired outcome or remedy that you are seeking? <small>(required)</small></p> <p><input type="text"/></p> <p>Supporting Documentation</p> <p>Attach here your written statement as noted above, if applicable. 5GB maximum total size. Attachments require time to upload, so please be patient after submitting this form.</p> <p><input type="button" value="Choose files to upload"/> <input type="button" value="Choose Files"/></p> <p><input type="checkbox"/> Email me a copy of this report</p> <p><input type="button" value="Submit report"/></p>
---	---

C. Minnesota State's Sexual Violence Policy, 1B.3

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 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 of other Board Policies that may require separate proceedings. To further its commitment against sexual violence, Minnesota State provides reporting options, an investigative and disciplinary process, prevention training, and other related services as appropriate.

Subpart A. Application of policy to students, employees, Board of Trustees and others

This policy applies to all Minnesota State students and employees, Board of Trustees 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, 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 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 must be consistent with the standards in this policy and System Procedure 1B.3.1.

Part 2. Definitions

The following definitions apply to this policy and System Procedure 1B.3.1.

Affirmative consent

Consent is informed, freely given, and mutually understood willingness to participate in sexual activity that is expressed by clear, unambiguous, and affirmative words or actions. It is the responsibility of the person who wants to engage in sexual activity to ensure that the other person has consented to engage in the sexual activity. Consent must be present throughout the entire sexual activity and can be revoked at any time. 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. A lack of protest, absence of resistance, or silence alone does not constitute consent, and past consent to sexual

activities does not imply ongoing future consent. The existence of a dating relationship between the people involved or the existence of a past sexual relationship does not prove the presence of, or otherwise provide the basis for, an assumption of consent. Whether the respondent has taken advantage of a position of influence over the complainant may be a factor in determining consent.

Dating, intimate partner, and relationship violence

Violence including 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 law.

Employee

Any individual employed by Minnesota State, its colleges and universities and system office, including student workers.

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 B. Sexual assault

An actual, attempted, or threatened sexual act with another person without that person's affirmative 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 student codes of conduct 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 of a person's intimate parts (defined as primary genital area, groin, inner thigh, buttocks, or breast); or coercing, forcing, or attempting to coerce or force another to touch a person's intimate parts.
4. Offensive sexual behavior directed at another, such as indecent exposure or voyeurism.

Sexual violence

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.

Stalking

Conduct directed at a specific person that is unwanted, unwelcome, or unreciprocated and that would cause reasonable people to fear for their safety or the safety of others or to suffer substantial emotional distress.

Student

All persons who:

1. Are enrolled in one or more courses, either credit or non-credit, through a college or university; or
2. Withdraw, transfer, or graduate after an alleged violation of the code of student conduct; or
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.

System property

The facilities and land owned, leased, or under the primary control of Minnesota State, its Board of Trustees, system office, colleges, and universities.

D. Minnesota State's Sexual Violence Procedure, 1B.3.1

Part 1. Purpose

This procedure provides a process through which individuals alleging sexual violence may pursue a complaint, pursuant to Board Policy 1B.3 Sexual Violence Policy prohibiting sexual violence.

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

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

Campus security authority

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

A college or university security department;

Any individual who has campus security responsibilities in addition to a college or university security department;

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;

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 coordinator, or campus security authorities.

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, such as 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 Minn. Stat. § 13 Government Data Practices, colleges and universities cannot guarantee confidentiality to those who report incidents of sexual violence except where those reports are privileged communications with licensed healthcare professionals. Some off-campus reports also may be legally privileged by law, such as reports to clergy, private legal counsel, or healthcare 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 a college, university, or the system

office 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 shall 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 of 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, including its online reporting system that allows for anonymous reporting, 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 website, 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

Colleges, universities, and the system office shall make available to all employees a copy of the sexual violence policy and procedure. Distribution may be accomplished by posting on an Internet or Intranet website, provided all employees are directly notified of the exact address of the policy and procedure as well as the option of receiving a paper copy upon request.

Subpart C. Required notice

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

Notice of complainant options

Following a report of sexual violence the complainant must be promptly notified of:

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.

Where and how to report incidents of sexual violence to local law enforcement officials, and/or appropriate college, university, or system contacts for employees, students, and others. Such contacts should be identified by name, location, and phone number for 24-hour availability, as applicable.

Resources for where and how complainants may obtain on- or off-campus counseling, mental health, or other support services.

Notice of complainant rights

Complainants must be notified of the following:

Their right to file criminal charges with local law enforcement officials in sexual assault cases;

Rights under the crime victims bill of rights, Minn. Stat. §§ 611A.01 – 611A.06, including the right to assistance from the Crime Victims Reparations Board and the commissioner of public safety;

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;

Assistance available from campus authorities in preserving for a sexual violence complainant materials relating to a campus disciplinary proceeding;

Complaints of incidents of sexual violence made to campus security authorities must be promptly and appropriately investigated and resolved;

Upon 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 to a work site or to alternative college-owned housing, if such alternatives are available and feasible.

Upon the request of the complainant, students who reported sexual assaults to the college or university and subsequently chose to transfer to another college or university will be provided with information about resources for victims of sexual assault at the college or university to which the complainant is transferring

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 Board Policy 1B.3, 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 Board Policy 1B.3, 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 must:

Be respectful of the needs and rights of individuals involved and treat them with dignity;

Not suggest to the complainant that he or she was at fault for the sexual assault or should have behaved differently to prevent the assault;

Proceed as promptly as possible

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;

Afford employees the right to representation consistent with the appropriate collective bargaining agreement or personnel plan;

Be conducted in accordance with applicable due process standards and privacy laws;

Simultaneously inform both the complainant and respondent of the outcome in a timely manner, as permitted by applicable privacy law.

Be based on a preponderance of evidence standard, meaning that it is more likely than not that the policy, procedure, or code has been violated.

The past sexual history of the complainant and respondent must 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, college, university, and system office 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 ongoing. 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 college, university, and system office procedures.

Subpart D. Memorandum of understanding with local law enforcement

Each college or university shall enter into a memorandum of understanding with the primary law enforcement agencies that serve their campus(es). Prior to the start of each academic year, each college or university shall distribute an electronic copy of the MOU to all employees on the campus that are subject to the memorandum. Colleges and universities are exempt from the MOU requirement if they and local or county law enforcement agencies establish a sexual assault protocol team to facilitate effective cooperation and collaboration between the college or university and law enforcement.

Subpart E. False statements prohibited

Colleges, universities, and the system office take 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 who provides false information 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 F. Withdrawn complaint

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

Subpart G. 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, or system office.

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, or expulsion of students, or termination from employment for employees. 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.

Witnesses or victims who report in good faith an incident of sexual violence will not be sanctioned by the college, university, or system office for admitting in the report to a violation of the student conduct policy on the use of alcohol or drugs.

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 shall:

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.

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 with this training;

Emphasize in their educational programs 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 if 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 shall complete investigator or decision-maker training provided by the system office.

Investigators/decisionmakers, campus security officers, 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 Minn. Stat. § 13 Government Data Practices and other applicable laws.


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

During and upon the completion of the complaint process, the complaint file must be maintained in a secure location. Access to complaint file information, including information stored electronically, must 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.

Each college, university and the system office shall annually report statistics on sexual assaults to the Minnesota Office of Higher Education. Additionally, the report must be published on each college and university website in accordance with state law.

Sexual Violence Complaint Form

This form is located at https://cm.maxient.com/reportingform.php?MSUMoorhead&layout_id=20.

 <h2 style="text-align: center;">Sexual Misconduct Report Form</h2> <p>Do not use this form to report events presenting an immediate threat to health or safety. If you require emergency assistance, please dial 911.</p> <p>MSUM adheres to the Minnesota State Sexual Violence Policy found here (https://www.mnstate.edu/board/policy/1b03.html). We adhere to the procedure Response to Sexual Violence, which is found here (https://www.mnstate.edu/board/procedure/1b03p1.html).</p> <p>In addition, MSUM adheres to the Minnesota State Equal Opportunity and Nondiscrimination in Employment and Education Policy found here (https://www.mnstate.edu/board/policy/1b01.html). In addition, we adhere to the Report/Complaint of Discrimination/Harassment Investigation and Resolution procedure, which is found here (https://www.mnstate.edu/board/procedure/1b01p1.html).</p> <p>Purpose: This form is available for students, employees, or any concerned person for reporting information involving sexual misconduct matters. This includes instances of <u>sexual harassment, sexual assault, dating violence, relationship violence, and stalking</u>. This information is routed to Minnesota State University Moorhead Title IX Coordinator. This information may be used in addressing and disciplining the accused individual.</p> <p>Support Services: Please know that support services are available at the Counseling Services (Hendrix) (on campus: Counseling Services (http://www.mnstate.edu/hendri); Rape and Abuse Crisis Center (off campus—www.raacfm.com (http://www.raacfm.co</p>	<p>705-293-7273 (24 hours).</p> <p>Anonymity: This form may be completed anonymously or with your name. Provide as much requested data that you are aware of and are comfortable providing. Limiting the information provided may limit the university's ability to address the matter and provide assistance. Those who have a reporting responsibility to the University shall report the extent of information they have a responsibility in providing.</p> <p>Formal complaints must include the name of the reporting party or complainant.</p> <p>Uniform Amnesty: Witnesses and victims who report an incident of sexual violence in good faith will not be sanctioned by the university for admitting in the report to a violation of MSUM's University Alcohol and Other Drug Policy.</p> <p>Confidentiality cannot be guaranteed. The information you provide will be used by an investigator and others within Minnesota State University Moorhead whose job assignment reasonably require access to the data to determine whether misconduct occurred and the extent, if any, of appropriate disciplinary action.</p> <p>This report may be used by university administrators responsible for reporting data and statistics to Minnesota State system administrators, State of Minnesota officials, and federal agencies. In addition, it may be used in subsequent hearings or proceedings related to this matter. The reported information may also be released in accordance to local, state, or federal laws or with your consent.</p> <p>Retaliation: 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 the Sexual Violence Policy or Equal Opportunity and Nondiscrimination Policy are prohibited and are subject to appropriate disciplinary action.</p> <p>Consultation: Consult the MSUM Title IX web page for additional resources: www.mnstate.edu/titleix (http://www.mnstate.edu/titleix) or contact the Title IX Coordinator directly: Kara Gravley-Stack, kara.gravleystack@mnstate.edu, 218-477-4222.</p>
--	---

<h3>Background Information of the Person Submitting this Report</h3> <p>Anonymity: You may wish to identify yourself in this section, or you may choose to remain anonymous. It is understandable that there may be reasons a person may want to withhold their identity or other information requested here—at this time or indefinitely. Only the fields with red asterisks are required for submission. Those who have a reporting responsibility to the University shall report the extent of information they have a responsibility in providing. Formal complaints must include the name of the complainant or reporting party.</p> <p>Upon submission of this report, information provided may be shared with others identified or indicated.</p> <p>If you are uncertain about what information to include, please contact the Title IX Coordinator: Kara Gravley-Stack.</p> <p>Your full name: <input type="text"/></p> <p>Your position/title/role: <input type="text"/></p> <p>Your phone number: <input type="text"/></p> <p>Your email address: <input type="text"/></p> <p>Your physical address: <input type="text"/></p>	<p>Victim/survivor's Information <i>(Required)</i>:</p> <p>Please Choose...</p> <p>Offender/accused's Information <i>(Required)</i>:</p> <p>Please Choose...</p> <p>Date of Incident <i>(Required)</i>:</p> <p>mm/dd/yyyy</p> <p>Time of Incident: <input type="text"/></p> <p>Location of the Incident <i>(Required)</i>:</p> <p>Please select a location ...</p> <p>Specific location: <input type="text"/></p> <h3>Involved Parties</h3> <p>Provide the information that is available for each individual involved. Those who have a reporting responsibility to the University shall report the extent of information they have a responsibility in providing.</p> <p>Name <input type="text"/></p>
--	---

E. Minnesota State’s Access and Accommodation for Individuals with Disabilities Policy, 1B.4

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. An individual with a disability:

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.

F. Minnesota State's Reasonable Accommodations in Employment System Procedure, 1B.0.1

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.
1. 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:

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

Request for Reasonable Accommodation Form

This form can be found at: <https://www.mnstate.edu/human-resources/employee-resources/ada/>

<p style="text-align: center;">Minnesota State University Moorhead</p> <p style="text-align: center;">Employee/Applicant Request for Americans with Disabilities Act ("ADA") Reasonable Accommodation Form</p> <p>Minnesota State University Moorhead is committed to complying with the Americans with Disabilities Act ("ADA") and the Minnesota Human Rights Act ("MHRA"). To be eligible for an ADA accommodation, you must be 1) qualified to perform the essential functions of the position and 2) have a disability that substantially or materially limits a major life activity or function. The ADA Coordinator/Designee will review each request on an individualized case-by-case basis to determine whether or not an accommodation can be made.</p> <p>Employee/Applicant Name: _____</p> <p>Job Title: _____</p> <p>Work Location: _____</p> <p>Phone Number: _____</p> <p>Data Privacy Statement: This information may be used by the agency human resources representative, ADA Coordinator or designee, or any other individual who is authorized by the agency to receive medical information for purposes of providing reasonable accommodations under the ADA and MHRA. This information is necessary to determine whether you have a disability as defined by the ADA or MHRA, and to determine whether any reasonable accommodation can be made. The provision of this information is strictly voluntary; however, if you refuse to provide it, the agency may not have sufficient information to provide a reasonable accommodation.</p> <p style="text-align: center;">DO NOT PROVIDE ANY INFORMATION THAT IS NOT RELATED TO YOUR REQUEST FOR REASONABLE ACCOMMODATION. DO NOT PROVIDE COPIES OF MEDICAL RECORDS.</p> <p>A. Questions to clarify accommodation requested.</p> <ol style="list-style-type: none"> 1. What specific accommodation are you requesting? _____ 2. If you are not sure what accommodation is needed, do you have any suggestions about what options we can explore? <ol style="list-style-type: none"> a. Answer yes or no: _____ b. If yes, please explain: _____ <p>B. Questions to document the reason for the accommodation request (please attach additional pages if necessary).</p> <ol style="list-style-type: none"> 1. If you are an employee, what, if any, job function are you having difficulty performing; or if you are an applicant, what portion of the application process are you having difficulty participating in? _____ <p style="text-align: right; font-size: small;">Page 1 of 2 Rev. 4/2010</p>	<ol style="list-style-type: none"> 2. What, if any, employment benefits are you having difficulty accessing? _____ 3. What limitation, as result of your physical or mental impairment, is interfering with your ability to perform the functions of your job, access an employment benefit, or participate in the application process? _____ 4. If you are requesting a specific accommodation, how will that accommodation be effective in allowing you to perform the functions of your job, access an employment benefit, or participate in the application process? _____ <p>Information Pertaining to Medical Documentation: In the context of assessing an accommodation request, medical documentation may be needed to determine if the employee/applicant has a disability covered by the ADA and to assist in identifying an effective accommodation. The ADA Coordinator or designee in each agency is tasked with collecting necessary medical documentation, in the event that medical documentation is needed, the employee/applicant will be provided with the appropriate forms to submit to their medical provider. The employee/applicant has the responsibility to ensure that the requested information is returned to the ADA Coordinator or designee in a timely manner.</p> <div style="border: 1px solid black; padding: 5px; font-size: x-small;"> <p>This form does not cover, and the information to be disclosed should not contain, genetic information. "Genetic information" includes: information about an individual's genetic tests; information about genetic tests of an individual's family members; information about the manifestation of a disease or disorder in an individual's family members (family medical history); an individual's request for, or receipt of, genetic services, or the participation in clinical research that includes genetic services by the individual or a family member of the individual; and genetic information of a fetus carried by an individual or by a pregnant woman who is a family member of the individual and the genetic information of any embryo legally held by the individual or family member using an assisted reproductive technology.</p> </div> <p>Employee/Applicant Signature: _____</p> <p>Date: _____</p> <p style="text-align: right; font-size: small;">Page 2 of 2 Rev. 4/2010</p>
---	--

G. Notice Under the Americans with Disabilities Act

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 (“ADA”), the Minnesota State University Moorhead will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

Employment: Minnesota State University Moorhead does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under title I of the ADA.

Effective Communication: Minnesota State University Moorhead will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in Minnesota State University Moorhead programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

Modifications to Policies and Procedures: Minnesota State University Moorhead will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in Minnesota State University Moorhead offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of Minnesota State University Moorhead, should contact the Minnesota State University Moorhead ADA Coordinator, Chuck Eade at Charles.eade@mnstate.edu or 218-477-5958 as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the Minnesota State University Moorhead to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

Complaints that a program, service, or activity of Minnesota State University Moorhead is not accessible to persons with disabilities should be directed to Chuck Eade, Director of Accessibility Resources/ADA Title II Coordinator for Minnesota State University Moorhead. They can be reached at charles.eade@mnstate.edu or 218-477-5958.

Minnesota State University Moorhead will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

H. Minnesota State University Moorhead's Grievance Procedure Under Title II of the Americans with Disabilities Act

This Grievance Procedure is established to meet the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the Minnesota State University Moorhead. The Statewide ADA Reasonable Accommodation policy governs employment-related complaints of disability discrimination.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

Chuck Eade
Minnesota State University Moorhead
ADA Coordinator/Director of Accessibility Resources
PO BOX 12
Moorhead, MN 56563

Within 15 calendar days after receipt of the complaint, Chuck Eade or his designee will meet or communicate with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting or communication, Chuck Eade or his designee will respond in writing, and where appropriate, in a format accessible to the complainant. The response will explain the position of the Minnesota State University Moorhead and offer options for substantive resolution of the complaint.

If the response by Chuck Eade or his designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the Dean of Students, Kara Gravley-Stack or her designee.

Within 15 calendar days after receipt of the appeal, the Dean of Students, Kara Gravley-Stack or her designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the Dean of Students, Kara Gravley-Stack or her designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by Director of Accessibility Resources/ADA Title II Coordinator, Chuck Eade or his designee, appeals to the Dean of Students, Kara Gravley-Stack or her designee, and responses from these two offices will be retained by Minnesota State University Moorhead for at least three years.

I. Americans with Disabilities Act (“ADA”) Title II (non-employee) Reasonable Accommodation/Modification in Public Services, Programs or Activities Request Form

This form is available at:

<https://forms.office.com/Pages/ResponsePage.aspx?id=xscRULQKq0ae9PrnSplaf8N0EIntLDRiv3Lk4bb7tsBUMU9MUzdYQ0ZTTzNQTDZRZQTNYVzIORVpYUC4u>

<p>MSUM Event Accommodations Request Form</p> <p>Minnesota State University-Moorhead is committed to complying with the Americans with Disabilities Act (“ADA”) and the Minnesota Human Rights Act (“MHRA”). The ADA Coordinator/Designee will review each request on an individualized, case-by-case, basis to determine whether an accommodation or modification can be made.</p> <p>* Required</p> <p>* This form will record your name, please fill your name.</p> <input data-bbox="191 850 418 877" type="text"/> <p>1. Date of Request *</p> <input data-bbox="191 924 617 951" type="text"/> <p>Format: M/d/yyyy</p> <p>10/30/2020</p>	<p>Person Needing Accommodation/Modification</p> <p>2. Name *</p> <input data-bbox="714 651 1136 787" type="text"/> <p>3. Address *</p> <input data-bbox="714 861 1136 997" type="text"/> <p>4. Email *</p> <input data-bbox="714 1071 1136 1207" type="text"/> <p>10/30/2020</p>
--	---

<p>5. Phone *</p> <input data-bbox="196 237 618 373" type="text"/>	<p>Person Making Request (if different from person needing accommodation/modification)</p> <p>6. Name</p> <input data-bbox="716 300 1138 436" type="text"/>
<p>10/30/2020</p>	<p>10/30/2020</p>

<p>8. Phone</p> <input data-bbox="196 919 618 1056" type="text"/>	<p>Accommodation Information</p> <p>10. Date accommodation/modification is needed *</p> <input data-bbox="716 961 1138 993" type="text"/> <p>Format: M/d/yyyy</p> <p>11. Address and/or room of accommodation/modification *</p> <input data-bbox="716 1077 1138 1213" type="text"/>
<p>10/30/2020</p>	<p>10/30/2020</p>

<p>13. How would you like to be notified of your request? *</p> <p><input type="radio"/> Phone</p> <p><input type="radio"/> Email</p> <p><input type="radio"/> Writing</p> <p><input type="radio"/> <input type="text"/></p> <p>Other</p> <p>14. If other, please specify *</p> <p><input type="text"/></p> <p>15. If someone else has completed this form on your behalf and you want that person to be notified of the status of your request, please initial here *</p> <p><input type="text"/></p> <p>10/30/2020</p>	<p>Evaluation of request</p> <p>16. By checking this box, I agree my electronic signature is the legal equivalent of my signature *</p> <p><input type="radio"/> Option 1</p> <hr/> <p><small>This content is neither created nor endorsed by Microsoft. The data you submit will be sent to the form owner.</small></p> <p><small>Microsoft Forms</small></p> <p>10/30/2020</p>
--	--

J. Evacuation Procedure for Individuals with Disabilities or Otherwise in Need of Assistance

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

[Emergency Preparedness Guide](https://www.mnstate.edu/student-life/public-safety/emergency-guide/) (<https://www.mnstate.edu/student-life/public-safety/emergency-guide/>)

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

Everyone has a responsibility to develop their own personal emergency evacuation plan; this includes individuals with disabilities or individuals who will need assistance during evacuation. The Americans with Disabilities Act Coordinator or designee in each university will work to develop a plan and consult the appropriate building and safety personnel.

Building Emergency Plans have been installed in classrooms, labs, conference rooms, departmental main offices, and residence halls as part of the University's Emergency Management Plan. The plans are conspicuously located; show emergency exit routes, fire extinguisher locations, and fire alarm pull stations; and are updated as necessary. At the beginning of each semester, everyone is to review the floor plans in order to direct occupants to the nearest safe exit in case of an actual alarm.

The plans also indicate:

- **Area of Safe Rescue for the Disabled.** These areas are constructed to provide a higher degree of protection during fires and are checked by the Fire Department upon arrival. Those with mobility impairments should be assisted to the nearest Area of Safe Rescue (usually a stairwell or a room near an elevator) in the building. Doors should be closed and the Fire Department notified immediately upon their arrival of disabled person(s) in the safe area.

Directors, managers, and supervisors should review the emergency evacuation procedures with staff, including informing all staff that if additional assistance may be needed, and individuals with disabilities should contact the university contact(s) below to request the type of assistance they may need.

Name: Ryan Nelson
Title: Director of Public Safety

Email: Ryan.nelson@mnstate.edu
Phone: 218-477-5869

Evacuation Options:

Individuals with disabilities have four basics, possibly five, evacuation options:

- **Horizontal evacuation:** Using building exits to the outside ground level or going into unaffected wings of multi-building complexes;
- **Stairway evacuation:** Using steps to reach ground level exits from building;
- **Shelter in place:** Unless danger is imminent, remain in a room with an exterior window, a telephone, and a solid or fire-resistant door. If the individual requiring special evacuation assistance remains in place, they should dial 911 immediately and report their location to emergency services, who will in turn relay that information to on-site responders. The shelter in place approach may be more appropriate for sprinkler-protected buildings where an area of refuge is not nearby or available. It may be more appropriate for an individual who is alone when the alarm sounds;
- **Area of rescue assistance:** Identified areas that can be used as a means of egress for individuals with disabilities. These areas, located on floors above or below the building's exits, can be used by individuals with disabilities until rescue can be facilitated by emergency responders; and/or
- **For agencies equipped with an evacuation chair:** Evacuation chairs or a lightweight solution to descending stairways can be used and generally require single user operation. If a university is equipped with an evacuation chair, best practice indicates that all employees are trained and have practiced evacuating using an evacuation chair.

Evacuation Procedures for Individuals with Mobility, Hearing, or Visual Disabilities:

Individuals with disabilities should follow the following procedures:

- **Mobility disabilities (individuals who use wheelchairs or other personal mobility devices ("PMDs")):** Individuals using wheelchairs should be accompanied to an area of rescue assistance by an employee or shelter in place when the alarm sounds. The safety and security staff will respond to each of the areas of rescue assistance every time a building evacuation is initiated to identify the individuals in these areas and notify to emergency responders how many individuals need assistance to safely evacuate.
- **Mobility disabilities (individuals who do not use wheelchairs):** Individuals with mobility disabilities, who are able to walk independently, may be able to negotiate stairs in an emergency with minor assistance. If danger is imminent, the individual should wait until the heavy traffic has cleared before attempting the stairs. If there is no immediate danger (detectable smoke, fire, or unusual odor), the individual with a disability may choose to wait at the area of rescue assistance until emergency responders arrive to assist them.

- **Hearing disabilities:** The university's buildings are equipped with fire alarm horns/strobes that sound the alarm and flash strobe lights. The strobe lights are for individuals with who are deaf and/or hard of hearing. Individuals with hearing disabilities may not notice or hear emergency alarms and will need to be alerted of emergency situations.
- **Visual disabilities:** The university's buildings are equipped with fire alarm horn/strobes that sound the alarm and flash strobe lights. The horn will alert individuals who are blind or have visual disabilities of the need to evacuate. Most individuals with visual disabilities will be familiar with their immediate surroundings and frequently traveled routes. Since the emergency evacuation route is likely different form the common traveled route, individuals with visual disabilities may need assistance in evacuating. The assistant should offer assistance, and if accepted, guide the individual with a visual disability through the evacuation route.

Severe Weather Evacuation Options:

Individuals in need of assistance during an evacuation have three evacuation options based on their location in their building:

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

Appendix

Refer to the AAP Appendix 2020-2022.

Definitions of Terms Used in This Affirmative Action Plan

Applicant: "Applicant" means a person who has satisfied the minimum requirements for application established by the commissioner of management and budget (M.S. 43A.02, subd. 4).

Availability: an estimated percentage of qualified females, racial/minorities, or individuals with disabilities in the relevant labor market who are available for positions in a given job category at a Minnesota State university. The final availability is determined by considering two factors: the statistics from the outside labor market and the internal Minnesota State university workforce for the Affirmative Action Plan year.

Feeder job: staffed positions within the university that can be promoted and/or transferred into other EEO job categories.

Hiring goal: a numerical objective designed to correct an identified deficiency in the utilization of protected group members. For example, the professional job category has identified underutilization and the availability is 30%, the goal (or hiring goal) for females in the job category is for 30% of the new hires/rehires and promotions for that Affirmative Action Plan year would be females. Goals/hiring goals should never be implemented as quotas, nor should they be used as criteria in decision-making regarding qualifications.

Job category: a group of jobs that are linked by a common purpose and skill set (or sometimes certificates/educational degrees) and are grounded on the job categories identified by the U.S. Equal Employment Opportunity Commission (EEOC).

Labor market area: a geographic area in which a university is seeking a worker in a particular goal unit and where there is an available supply of workers employed or seeking jobs in that goal unit.

Protected groups: females, persons with disabilities, and members of the following minorities: Black, Hispanic, Asian or Pacific Islander, and American Indian or Alaskan Native ([M.S. 43A.02, subd. 33](#)).

Snapshot: one particular point in time. A snapshot of a workforce is taken at one particular point in time as the basis for Affirmative Action Plan analyses because the workforce numbers are always fluctuating.

Supported Work Program: The state legislature established the program in 1987 to expand employment opportunities for people with significant disabilities, but has been expanded to include individuals who experience other significant disabilities, including, but not limited to, head injury, mental illness, and deaf blindness. Under the program, a supported worker must require ongoing support and may share a single position with up to two other supported work employees.

Underutilization: the representation of females, racial/ethnic minorities, or individuals with disabilities in a specific job category is less than reasonably would be expected given from workforce participation in the labor market area.

Appendix A

Agency Name: MSU Moorhead

Progress Toward Goals Report

Data Range: 7/1/2018 - 6/30/2020

FEMALES (Promotion includes both promoted into and within the job category.)						
Job Category	Prior AAP Total Females %	Prior AAP Year Goals Females %	Females Hired %	Female Promoted %	Actual Females Placement (%)	Females Goal Met?
Faculty	50.00%	47.60%	35.00%	39.29%	37.50%	No
Office/Clerical	95.24%	63.40%	100.00%	50.00%	88.89%	Yes
Officials and Administrators	47.37%	63.40%	60.00%	80.00%	70.00%	Yes
Professionals - Other	47.37%	55.70%	66.67%	75.00%	71.43%	Yes
Service Maintenance	25.53%	44.40%	46.15%	0.00%	42.86%	No
Skilled Craft	0.00%	6.30%	0.00%		0.00%	No
Technicians	68.75%	57.20%				
Professionals - MSUAASF	74.36%	55.40%	57.14%	87.50%	65.52%	Yes

Racial/Ethnic Minorities (Minorities) (Promotion includes both promoted into and within the job category.)						
Job Category	Prior AAP Total Minorities %	Prior AAP Year Goals Minorities %	Minorities Hired %	Minorities Promoted %	Actual Minorities Placement (%)	Minorities Goal Met?
Faculty	10.65%	24.90%	35.00%	21.43%	27.08%	Yes
Office/Clerical	7.94%	10.50%	0.00%	0.00%	0.00%	No
Officials and Administrators	15.79%	24.60%	20.00%	0.00%	10.00%	No
Professionals - Other	2.63%	10.60%	33.33%	0.00%	14.29%	Yes
Service Maintenance	12.77%	19.50%	30.77%	0.00%	28.57%	Yes
Skilled Craft	0.00%	8.80%	0.00%		0.00%	No
Technicians	0.00%	10.60%				
Professionals - MSUAASF	8.97%	24.70%	23.81%	25.00%	24.14%	No

Appendix A

Agency Name: MSU Moorhead

Progress Toward Goals Report

Data Range: 7/1/2018 - 6/30/2020

Individuals with Disabilities (Promotion includes both promoted into and within the job category.)						
Job Category	Prior AAP Total Individuals with Disabilities %	Prior AAP Year Goals Individuals with Disabilities %	Individuals with Disabilities Hired %	Individuals with Disabilities Promoted %	Actual Individuals with Disabilities Placement (%)	Individuals with Disabilities Goal Met?
Faculty	1.85%	7.00%	0.00%	3.57%	2.08%	No
Office/Clerical	1.59%	7.00%	0.00%	0.00%	0.00%	No
Officials and Administrators	0.00%	7.00%	0.00%	0.00%	0.00%	No
Professionals - Other	5.26%	7.00%	0.00%	25.00%	14.29%	Yes
Service Maintenance	4.26%	7.00%	0.00%	0.00%	0.00%	No
Skilled Craft	0.00%	7.00%	0.00%		0.00%	No
Technicians	18.75%	7.00%				
Professionals - MSUAASF	0.00%	7.00%	4.76%	0.00%	3.45%	No
Veterans (Promotion includes both promoted into and within the job category.)						
Job Category	Prior AAP Total Veterans %	Prior AAP Year Goals Veterans %	Veterans Hired %	Veterans Promoted %	Actual Veterans Placement (%)	Veterans Goal Met?
Faculty	0.93%	8.00%	0.00%	0.00%	0.00%	No
Office/Clerical	1.59%	8.00%	0.00%	0.00%	0.00%	No
Officials and Administrators	0.00%	8.00%	40.00%	0.00%	20.00%	Yes
Professionals - Other	2.63%	8.00%	0.00%	0.00%	0.00%	No
Service Maintenance	12.77%	8.00%	15.38%	0.00%	14.29%	Yes
Skilled Craft	23.08%	8.00%	33.33%		33.33%	Yes
Technicians	0.00%	8.00%				
Professionals - MSUAASF	0.00%	8.00%	0.00%	0.00%	0.00%	No

Agency Name: MSU Moorhead

Separation Analysis

Data Range Dates: 7/1/2018 - 6/30/2020

Note: ¹The percentages by protected group within a separation type

Total Separations					
*(Minority Racial/Ethnic Minorities)					
Separation Type	Total %	Female % within Each Sep Type ¹	*Minority % within Each Sep Type ¹	Individuals with Disabilities % within Each Sep Type ¹	Veterans % within Each Sep Type ¹
Death	1.14%	100.00%	0.00%	0.00%	0.00%
Dismissal	0.00%	0.00%	0.00%	0.00%	0.00%
Early/Enhanced Retirement	12.50%	54.55%	18.18%	9.09%	0.00%
Layoff	5.68%	60.00%	20.00%	0.00%	0.00%
Non-Renewal/Non-Cert	7.95%	42.86%	28.57%	0.00%	0.00%
Reduction in Workforce	0.00%	0.00%	0.00%	0.00%	0.00%
Resignation	29.55%	57.69%	19.23%	3.85%	0.00%
Retirement	42.05%	56.76%	2.70%	0.00%	2.70%
Termination	0.00%	0.00%	0.00%	0.00%	0.00%
Transfer	1.14%	100.00%	100.00%	0.00%	0.00%
Total Separations	100.00%	56.82%	13.64%	2.27%	1.14%

Faculty					
Separation Type	Total %	Female % within Each Sep Type ¹	*Minority % within Each Sep Type ¹	Individuals with Disabilities % within Each Sep Type ¹	Veterans % within Each Sep Type ¹
Death					-
Dismissal					-
Early/Enhanced Retirement	36.67%	54.55%	18.18%	9.09%	0.00%
Layoff					-
Non-Renewal/Non-Cert					-
Reduction in Workforce					-
Resignation	16.67%	80.00%	40.00%	0.00%	0.00%
Retirement	46.67%	28.57%	0.00%	0.00%	7.14%
Termination					-
Transfer					-
Total Separations	100.00%	46.67%	13.33%	3.33%	3.33%

Office/Clerical					
Separation Type	Total %	Female % within Each Sep Type ¹	*Minority % within Each Sep Type ¹	Individuals with Disabilities % within Each Sep Type ¹	Veterans % within Each Sep Type ¹
Death					-
Dismissal					-
Early/Enhanced Retirement					-
Layoff	12.50%	100.00%	50.00%	0.00%	0.00%
Non-Renewal/Non-Cert	12.50%	50.00%	0.00%	0.00%	0.00%
Reduction in Workforce					-
Resignation	6.25%	0.00%	0.00%	0.00%	0.00%
Retirement	68.75%	100.00%	9.09%	0.00%	0.00%
Termination					-
Transfer					-
Total Separations	100.00%	87.50%	12.50%	0.00%	0.00%

Agency Name: MSU Moorhead

Separation Analysis

Data Range Dates: 7/1/2018 - 6/30/2020

Note: ¹The percentages by protected group within a separation type

Officials and Administrators

Separation Type	Total %	Female % within Each Sep Type ¹	*Minority % within Each Sep Type1	Individuals with Disabilities % within Each Sep Type ¹	Veterans % within Each Sep Type1
Death					-
Dismissal					-
Early/Enhanced Retirement					-
Layoff					-
Non-Renewal/Non-Cert	33.33%	100.00%	0.00%	0.00%	0.00%
Reduction in Workforce					-
Resignation	33.33%	0.00%	0.00%	0.00%	0.00%
Retirement	33.33%	0.00%	0.00%	0.00%	0.00%
Termination					-
Transfer					-
Total Separations	100.00%	33.33%	0.00%	0.00%	0.00%

Professionals - Other

Separation Type	Total %	Female % within Each Sep Type ¹	*Minority % within Each Sep Type1	Individuals with Disabilities % within Each Sep Type ¹	Veterans % within Each Sep Type1
Death	16.67%	100.00%	0.00%	0.00%	0.00%
Dismissal					-
Early/Enhanced Retirement					-
Layoff	33.33%	50.00%	0.00%	0.00%	0.00%
Non-Renewal/Non-Cert					-
Reduction in Workforce					-
Resignation					-
Retirement	50.00%	100.00%	0.00%	0.00%	0.00%
Termination					-
Transfer					-
Total Separations	100.00%	83.33%	0.00%	0.00%	0.00%

Service Maintenance

Separation Type	Total %	Female % within Each Sep Type ¹	*Minority % within Each Sep Type1	Individuals with Disabilities % within Each Sep Type ¹	Veterans % within Each Sep Type1
Death					-
Dismissal					-
Early/Enhanced Retirement					-
Layoff					-
Non-Renewal/Non-Cert	16.67%	0.00%	50.00%	0.00%	0.00%
Reduction in Workforce					-
Resignation	33.33%	25.00%	25.00%	0.00%	0.00%
Retirement	50.00%	33.33%	0.00%	0.00%	0.00%
Termination					-
Transfer					-
Total Separations	100.00%	25.00%	16.67%	0.00%	0.00%

Agency Name: MSU Moorhead

Separation Analysis

Data Range Dates: 7/1/2018 - 6/30/2020

Note: ¹The percentages by protected group within a separation type

Skilled Craft					
Separation Type	Total %	Female % within Each Sep Type ¹	*Minority % within Each Sep Type1	Individuals with Disabilities % within Each Sep Type ¹	Veterans % within Each Sep Type1
Death					-
Dismissal					-
Early/Enhanced Retirement					-
Layoff					-
Non-Renewal/Non-Cert					-
Reduction in Workforce					-
Resignation					-
Retirement	100.00%	0.00%	0.00%	0.00%	0.00%
Termination					-
Transfer					-
Total Separations	100.00%	0.00%	0.00%	0.00%	0.00%

Technicians					
Separation Type	Total %	Female % within Each Sep Type ¹	*Minority % within Each Sep Type1	Individuals with Disabilities % within Each Sep Type ¹	Veterans % within Each Sep Type1
Death					-
Dismissal					-
Early/Enhanced Retirement					-
Layoff	100.00%	0.00%	0.00%	0.00%	0.00%
Non-Renewal/Non-Cert					-
Reduction in Workforce					-
Resignation					-
Retirement					-
Termination					-
Transfer					-
Total Separations	100.00%	0.00%	0.00%	0.00%	0.00%

Professionals - MSUAASF					
Separation Type	Total %	Female % within Each Sep Type ¹	*Minority % within Each Sep Type1	Individuals with Disabilities % within Each Sep Type ¹	Veterans % within Each Sep Type1
Death					-
Dismissal					-
Early/Enhanced Retirement					-
Layoff					-
Non-Renewal/Non-Cert	10.53%	50.00%	50.00%	0.00%	0.00%
Reduction in Workforce					-
Resignation	78.95%	66.67%	13.33%	6.67%	0.00%
Retirement	5.26%	100.00%	0.00%	0.00%	0.00%
Termination					-
Transfer	5.26%	100.00%	100.00%	0.00%	0.00%
Total Separations	100.00%	68.42%	21.05%	5.26%	0.00%

Appendix C

Agency Name: Minnesota State University Moorhead

Job Category Analysis: Listing of Job Titles

Data as of: 04/01/2020

Officials/Administrators		*Minority=racial/ethnic minorities			
Job Code	Job Title	Female Employee %	*Minority Employee %	Individuals w/ Disabilities Employee %	Veterans Employee %
000957	State University Mgmt Officer	100.00%	0.00%	0.00%	0.00%
002523	Physical Plant Manager	100.00%	0.00%	0.00%	100.00%
003639	State Prog Admin Manager	0.00%	0.00%	0.00%	0.00%
007855	MnSCU Admin-5	50.00%	0.00%	0.00%	0.00%
007858	MnSCU Admin-8	66.67%	0.00%	0.00%	0.00%
007859	MnSCU Admin-9	0.00%	0.00%	0.00%	0.00%
007860	MnSCU Admin-10	75.00%	50.00%	0.00%	0.00%
007861	MnSCU Admin-11	0.00%	0.00%	0.00%	0.00%
007862	MnSCU Admin-12	100.00%	0.00%	0.00%	0.00%
007863	MnSCU Admin-13	50.00%	50.00%	0.00%	50.00%
007865	MnSCU President V	100.00%	0.00%	0.00%	0.00%
end of data	end of data				
Total		60.87%	13.04%	0.00%	8.70%

Professionals		*Minority=racial/ethnic minorities			
Job Code	Job Title	Female Employee %	*Minority Employee %	Individuals w/ Disabilities Employee %	Veterans Employee %
000006	Management Analyst 1	0.00%	0.00%	0.00%	0.00%
000140	Buyer 1	100.00%	0.00%	0.00%	0.00%
000561	Psychologist 2	100.00%	100.00%	0.00%	0.00%
000577	Information Officer 3	100.00%	0.00%	0.00%	0.00%
000633	Accounting Officer Senior	100.00%	0.00%	0.00%	0.00%
000647	Information Officer 2	50.00%	0.00%	0.00%	0.00%
000774	Accounting Technician	100.00%	0.00%	0.00%	0.00%
000776	Physical Plan Director	0.00%	0.00%	0.00%	0.00%
000979	Accounting Officer Inter	0.00%	0.00%	0.00%	0.00%
001005	Social Worker Specialist	100.00%	0.00%	0.00%	0.00%
001314	Information Officer 1	33.33%	0.00%	0.00%	0.00%
001423	Human Resources Specialist 2	100.00%	0.00%	0.00%	0.00%
001486	Human Resources Technician 2	100.00%	0.00%	0.00%	0.00%
001514	College Laboratory Srvc Spec	25.00%	0.00%	0.00%	0.00%
001528	Management Analyst 2	100.00%	100.00%	0.00%	0.00%
002003	Speech Pathology Clinician	100.00%	0.00%	0.00%	0.00%
002095	Accounting Supervisor Inter	100.00%	0.00%	50.00%	0.00%
002096	Accounting Technician Supv	100.00%	0.00%	0.00%	0.00%
002115	Management Analyst Supv 2	50.00%	0.00%	50.00%	0.00%
002687	Safety Administrator	0.00%	0.00%	0.00%	0.00%
003220	Mgmt Info Systems Supv 2	0.00%	0.00%	0.00%	0.00%
003371	MnSCU Retail Services Supv	100.00%	0.00%	0.00%	0.00%
003544	Corrections Prog Therapist 2	100.00%	50.00%	50.00%	0.00%
003583	Information Technology Spec 1	100.00%	50.00%	0.00%	0.00%
003584	Information Technology Spec 2	15.38%	0.00%	7.69%	0.00%
003585	Information Technology Spec 3	18.18%	0.00%	18.18%	0.00%
003586	Information Technology Spec 4	50.00%	0.00%	0.00%	0.00%
003726	Human Resources Supervisor 3	100.00%	0.00%	0.00%	0.00%
007810	MSUAASF Range B	80.65%	12.90%	0.00%	0.00%
007811	MSUAASF Range C	62.50%	6.25%	3.13%	0.00%
007812	MSUAASF Range D	86.67%	0.00%	6.67%	0.00%
007813	MSUAASF Range E	62.50%	25.00%	0.00%	0.00%
end of data	end of data				
Total		62.58%	7.74%	5.16%	0.00%

Appendix C

Technicians		*Minority=racial/ethnic minorities			
Job Code	Job Title	Female Employee %	*Minority Employee %	Individuals w/ Disabilities Employee %	Veterans Employee %
000505	Photographer	0.00%	0.00%	0.00%	0.00%
000753	Graphic Arts Specialist	50.00%	0.00%	0.00%	0.00%
000938	Electronics Technician Senior	0.00%	0.00%	0.00%	0.00%
002111	Instructional Communic Spec	0.00%	0.00%	0.00%	0.00%
end of data	end of data				
Total		20.00%	0.00%	0.00%	0.00%

Protective Service: Non-Sworn		*Minority=racial/ethnic minorities			
Job Code	Job Title	Female Employee %	*Minority Employee %	Individuals w/ Disabilities Employee %	Veterans Employee %
003458	Campus Security Officer	33.33%	33.33%	0.00%	16.67%
end of data	end of data				
Total		33.33%	33.33%	0.00%	16.67%

Para-professionals		*Minority=racial/ethnic minorities			
Job Code	Job Title	Female Employee %	*Minority Employee %	Individuals w/ Disabilities Employee %	Veterans Employee %
000308	Library Technician	100.00%	0.00%	16.67%	16.67%
002565	Recreation Program Assistant	100.00%	0.00%	0.00%	0.00%
end of data	end of data				
Total		100.00%	0.00%	12.50%	12.50%

Appendix C

Office/Clerical		*Minority=racial/ethnic minorities			
Job Code	Job Title	Female Employee %	*Minority Employee %	Individuals w/ Disabilities Employee %	Veterans Employee %
000293	Executive 2	100.00%	0.00%	0.00%	0.00%
000632	Account Clerk Senior	100.00%	0.00%	0.00%	0.00%
000969	Audio Visual Aide	0.00%	0.00%	0.00%	0.00%
003628	Office & Admin Special Interme	90.63%	6.25%	6.25%	0.00%
003629	Office & Admin Special Senior	91.30%	8.70%	8.70%	8.70%
003630	Office & Admin Special Prin	100.00%	0.00%	0.00%	0.00%
003632	Central Svcs Admin Spec Inter	100.00%	0.00%	0.00%	0.00%
Total		90.28%	5.56%	5.56%	2.78%

Skilled Craft		*Minority=racial/ethnic minorities			
Job Code	Job Title	Female Employee %	*Minority Employee %	Individuals w/ Disabilities Employee %	Veterans Employee %
000105	Automotive Mechanic	0.00%	0.00%	0.00%	0.00%
000131	Building Maintenance Forman	0.00%	100.00%	0.00%	0.00%
000132	Building Maintenance Supervisor	0.00%	0.00%	0.00%	0.00%
000135	Building Utilities Mechanic	0.00%	0.00%	0.00%	100.00%
000146	Carpenter	0.00%	0.00%	0.00%	100.00%
000490	Painter	0.00%	0.00%	0.00%	0.00%
000525	Plant Mntc Engineer	0.00%	0.00%	0.00%	25.00%
001075	Pwr Plant Chief Engineer	0.00%	0.00%	0.00%	100.00%
002108	Electrician Lead	0.00%	0.00%	0.00%	0.00%
003453	Plumber-Master In Charge	0.00%	0.00%	0.00%	100.00%
003488	Locksmith	0.00%	0.00%	0.00%	0.00%
003672	Plant Mntc Engineer Lead	0.00%	0.00%	0.00%	0.00%
end of data	end of data				
Total		0.00%	6.67%	0.00%	33.33%

Service Maintenance		*Minority=racial/ethnic minorities			
Job Code	Job Title	Female Employee %	*Minority Employee %	Individuals w/ Disabilities Employee %	Veterans Employee %
000305	Food Service Worker	100.00%	0.00%	0.00%	0.00%
000431	Life Guard	50.00%	50.00%	0.00%	0.00%
000805	Athletic Equipment Manager	0.00%	0.00%	0.00%	0.00%
000860	Building Services Supv	33.33%	0.00%	0.00%	0.00%
001035	Grounds & Roads Mntc Supv	0.00%	0.00%	0.00%	0.00%
001357	General Repair Worker	0.00%	0.00%	0.00%	0.00%
001599	Groundskeeper Inter	0.00%	0.00%	0.00%	33.33%
001725	General Maintenance Worker	27.27%	24.24%	15.15%	6.06%
001728	General Maintenance Wrkr Lead	0.00%	0.00%	0.00%	0.00%
end of data	end of data				
Total		24.49%	18.37%	10.20%	6.12%

Appendix C

Faculty: Adjunct					
Job Code	Job Title	Female Employee %	*Minority Employee %	Individuals w/ Disabilities Employee %	Veterans Employee %
007801	State Univ Adjunct Non-Unit	41.18%	5.88%	0.00%	5.88%
007830	State Univ Adjunct Unit	54.55%	12.73%	0.00%	0.00%
007846	State University Faculty	0.00%	0.00%	0.00%	0.00%
end of data	end of data				
Total		50.68%	10.96%	0.00%	1.37%

Faculty: Fixed Term					
Job Code	Job Title	Female Employee %	*Minority Employee %	Individuals w/ Disabilities Employee %	Veterans Employee %
007801	State Univ Adjunct Non-Unit	0.00%	0.00%	0.00%	0.00%
007846	State University Faculty	57.95%	5.68%	2.27%	0.00%
end of data	end of data				
Total		56.67%	5.56%	2.22%	0.00%

Faculty: Tenure-Track					
Job Code	Job Title	Female Employee %	*Minority Employee %	Individuals w/ Disabilities Employee %	Veterans Employee %
007846	State University Faculty	50.00%	22.92%	6.25%	4.17%
end of data	end of data				
Total		50.00%	22.92%	6.25%	4.17%

Faculty: Tenured					
Job Code	Job Title	Female Employee %	*Minority Employee %	Individuals w/ Disabilities Employee %	Veterans Employee %
007846	State University Faculty	46.39%	12.05%	3.61%	0.60%
end of data	end of data				
Total		46.39%	12.05%	3.61%	0.60%

Appendix D

Institution Name:

Minnesota State University Moorhead

Feeder Jobs and Feeder Group Analysis

Data as of:

04/01/2020

Officials/Administrators											
Job Code	EEO Category	Job Title	Female %	Weighted Female %	Minority %	Weighted Minority %	Indiv w/Disabl %	Weighted Indv w/Disabl %	Veterans %	Weighted Veterans %	
000577	Professionals	Information Officer 3	100.00%	0.40%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
000957	Officials/Administrators	State University Mgmt Officer	100.00%	0.40%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
002095	Professionals	Accounting Supervisor Inter	100.00%	0.80%	0.00%	0.00%	50.00%	0.40%	0.00%	0.00%	
002523	Officials/Administrators	Physical Plant Manager	100.00%	0.40%	0.00%	0.00%	0.00%	0.00%	100.00%	0.40%	
003220	Professionals	Mgmt Info Systems Supv 2	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
003586	Professionals	Information Technology Spec 4	50.00%	0.40%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
003639	Officials/Administrators	State Prog Admin Manager	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
003726	Professionals	Human Resources Supervisor 3	100.00%	0.40%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
007801	Faculty: Adjunct	State Univ Adjunct Non-Unit	36.84%	2.81%	5.26%	0.40%	0.00%	0.00%	5.26%	0.40%	
007811	Professionals	MSUAASF Range C	62.50%	8.03%	6.25%	0.80%	3.13%	0.40%	0.00%	0.00%	
007812	Professionals	MSUAASF Range D	86.67%	5.22%	0.00%	0.00%	6.67%	0.40%	0.00%	0.00%	
007813	Professionals	MSUAASF Range E	62.50%	2.01%	25.00%	0.80%	0.00%	0.00%	0.00%	0.00%	
007830	Faculty: Adjunct	State Univ Adjunct Unit	54.55%	12.05%	12.73%	2.81%	0.00%	0.00%	0.00%	0.00%	
007846	Faculty	State University Faculty	57.30%	20.48%	5.62%	2.01%	2.25%	0.80%	0.00%	0.00%	
007855	Officials/Administrators	MnSCU Admin-5	50.00%	0.40%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
007858	Officials/Administrators	MnSCU Admin-8	66.67%	1.61%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
007859	Officials/Administrators	MnSCU Admin-9	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
007860	Officials/Administrators	MnSCU Admin-10	75.00%	1.20%	50.00%	0.80%	0.00%	0.00%	0.00%	0.00%	
007861	Officials/Administrators	MnSCU Admin-11	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
007862	Officials/Administrators	MnSCU Admin-12	100.00%	0.80%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
007863	Officials/Administrators	MnSCU Admin-13	50.00%	0.40%	50.00%	0.40%	0.00%	0.00%	50.00%	0.40%	
end of data	end of data	end of data									
Total			57.83%	57.83%	8.03%	8.03%	2.01%	2.01%	1.20%	1.20%	

Professionals											
Job Code	EEO Category	Job Title	Female %	Weighted Female %	Minority %	Weighted Minority %	Indiv w/Disabl %	Weighted Indv w/Disabl %	Veterans %	Weighted Veterans %	
000006	Professionals	Management Analyst 1	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
000140	Professionals	Buyer 1	100.00%	0.68%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
000577	Professionals	Information Officer 3	100.00%	0.68%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
000633	Professionals	Accounting Officer Senior	100.00%	0.68%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
000647	Professionals	Information Officer 2	50.00%	0.68%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
000753	Technicians	Graphic Arts Specialist	50.00%	0.68%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
000774	Professionals	Accounting Technician	100.00%	2.72%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
000776	Professionals	Physical Plan Director	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
000938	Technicians	Electronics Technician Senior	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
000979	Professionals	Accounting Officer Inter	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
001005	Professionals	Social Worker Specialist	100.00%	0.68%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
001314	Professionals	Information Officer 1	33.33%	0.68%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
001423	Professionals	Human Resources Specialist 2	100.00%	0.68%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
001486	Professionals	Human Resources Technician 2	100.00%	1.36%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
001514	Professionals	College Laboratory Srvc Spec	25.00%	0.68%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
001528	Professionals	Management Analyst 2	100.00%	0.68%	100.00%	0.68%	0.00%	0.00%	0.00%	0.00%	
002003	Professionals	Speech Pathology Clinician	100.00%	2.04%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
002095	Professionals	Accounting Supervisor Inter	100.00%	1.36%	0.00%	0.00%	50.00%	0.68%	0.00%	0.00%	
002096	Professionals	Accounting Technician Supv	100.00%	0.68%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
002111	Technicians	Instructional Communic Spec	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
002565	Para-Professionals	Recreation Program Assistant	100.00%	1.36%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
002687	Professionals	Safety Administrator	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
003371	Professionals	MnSCU Retail Services Supv	100.00%	0.68%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
003544	Professionals	Corrections Prog Therapist 2	100.00%	1.36%	50.00%	0.68%	50.00%	0.68%	0.00%	0.00%	
003583	Professionals	Information Technology Spec 1	100.00%	1.36%	50.00%	0.68%	0.00%	0.00%	0.00%	0.00%	
003584	Professionals	Information Technology Spec 2	15.38%	1.36%	0.00%	0.00%	7.69%	0.68%	0.00%	0.00%	
003585	Professionals	Information Technology Spec 3	18.18%	1.36%	0.00%	0.00%	18.18%	1.36%	0.00%	0.00%	
003586	Professionals	Information Technology Spec 4	50.00%	0.68%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
003726	Professionals	Human Resources Supervisor 3	100.00%	0.68%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
007810	Professionals	MSUAASF Range B	80.65%	17.01%	12.90%	2.72%	0.00%	0.00%	0.00%	0.00%	
007811	Professionals	MSUAASF Range C	62.50%	13.61%	6.25%	1.36%	3.13%	0.68%	0.00%	0.00%	
007812	Professionals	MSUAASF Range D	86.67%	8.84%	0.00%	0.00%	6.67%	0.68%	0.00%	0.00%	
end of data	end of data	end of data									
Total			63.27%	63.27%	6.12%	6.12%	4.76%	4.76%	0.00%	0.00%	

Appendix D

Technicians										
Job Code	EEO Category	Job Title	Female %	Weighted Female %	Minority %	Weighted Minority %	Indiv w/Disabl %	Weighted Indv w/Disabl %	Veterans %	Weighted Veterans %
000505	Technicians	Photographer	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
000632	Office/Clerical	Account Clerk Senior	100.00%	4.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
000753	Technicians	Graphic Arts Specialist	50.00%	1.33%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
000969	Office/Clerical	Audio Visual Aide	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
002111	Technicians	Instructional Communic Spec	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
003628	Office/Clerical	Office & Admin Special Interme	90.63%	38.67%	6.25%	2.67%	6.25%	2.67%	0.00%	0.00%
003629	Office/Clerical	Office & Admin Special Senior	91.30%	28.00%	8.70%	2.67%	8.70%	2.67%	8.70%	2.67%
003630	Office/Clerical	Office & Admin Special Prin	100.00%	6.67%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
003632	Office/Clerical	Central Svcs Admin Spec Inter	100.00%	2.67%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
003636	Office/Clerical	Customer Svc Special Intermed	75.00%	4.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
003637	Office/Clerical	Customer Svc Special Senior	100.00%	1.33%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
end of data	end of data	end of data								
Total			86.67%	86.67%	5.33%	5.33%	5.33%	5.33%	2.67%	2.67%

Protective Service: Non Sworn										
Job Code	EEO Category	Job Title	Female %	Weighted Female %	Minority %	Weighted Minority %	Indiv w/Disabl %	Weighted Indv w/Disabl %	Veterans %	Weighted Veterans %
003458	Protective Service: Non-sw	Campus Security Officer	33.33%	33.33%	33.33%	33.33%	0.00%	0.00%	16.67%	16.67%
end of data	end of data	end of data								
Total			33.33%	33.33%	33.33%	33.33%	0.00%	0.00%	16.67%	16.67%

Para Professionals										
Job Code	EEO Category	Job Title	Female %	Weighted Female %	Minority %	Weighted Minority %	Indiv w/Disabl %	Weighted Indv w/Disabl %	Veterans %	Weighted Veterans %
000308	Para-Professionals	Library Technician	100.00%	8.00%	0.00%	0.00%	16.67%	1.33%	16.67%	1.33%
002565	Para-Professionals	Recreation Program Assistant	100.00%	2.67%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
003628	Office/Clerical	Office & Admin Special Interme	90.63%	38.67%	6.25%	2.67%	6.25%	2.67%	0.00%	0.00%
003629	Office/Clerical	Office & Admin Special Senior	91.30%	28.00%	8.70%	2.67%	8.70%	2.67%	8.70%	2.67%
003630	Office/Clerical	Office & Admin Special Prin	100.00%	6.67%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
003632	Office/Clerical	Central Svcs Admin Spec Inter	100.00%	2.67%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
003636	Office/Clerical	Customer Svc Special Intermed	75.00%	4.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
003637	Office/Clerical	Customer Svc Special Senior	100.00%	1.33%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
end of data	end of data	end of data								
Total			92.00%	92.00%	5.33%	5.33%	6.67%	6.67%	4.00%	4.00%

Office/Clerical										
Job Code	EEO Category	Job Title	Female %	Weighted Female %	Minority %	Weighted Minority %	Indiv w/Disabl %	Weighted Indv w/Disabl %	Veterans %	Weighted Veterans %
000293	Office/Clerical	Executive 2	100.00%	0.95%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
000632	Office/Clerical	Account Clerk Senior	100.00%	2.86%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
000969	Office/Clerical	Audio Visual Aide	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
001725	Service Maintenance	General Maintenance Worker	27.27%	8.57%	24.24%	7.62%	15.15%	4.76%	6.06%	1.90%
003628	Office/Clerical	Office & Admin Special Interme	90.63%	27.62%	6.25%	1.90%	6.25%	1.90%	0.00%	0.00%
003629	Office/Clerical	Office & Admin Special Senior	91.30%	20.00%	8.70%	1.90%	8.70%	1.90%	8.70%	1.90%
003630	Office/Clerical	Office & Admin Special Prin	100.00%	4.76%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
003632	Office/Clerical	Central Svcs Admin Spec Inter	100.00%	1.90%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
003636	Office/Clerical	Customer Svc Special Intermed	75.00%	2.86%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
003637	Office/Clerical	Customer Svc Special Senior	100.00%	0.95%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
end of data	end of data	end of data								
Total			70.48%	70.48%	11.43%	11.43%	8.57%	8.57%	3.81%	3.81%

Appendix E

Institution Name: Minnesota State University Moorhead

Determining Availability (note: *Minority= racial/ethnic minority; **Indiv. W Disabl = Individuals with Disabilities)

Officials/Administrators											
Factor	Weight Ratio	Raw Statistics Female	Raw Statistics *Minority	Raw Statistics **Indiv. w Disabl	Raw Statistics Veterans	Weighted Statistics Female	Weighted Statistics *Minority	Weighted Statistics **Indiv. w Disabl	Weighted Statistics Veterans	Source of Statistics	Reasons for External and Internal Weight Ratio
1: External - Percentage of females or racial/ethnic minorities with requisite skills in the reasonable recruitment area.	90.00%	40.01%	25.79%	4.78%	6.41%	36.01%	23.21%	4.30%	5.77%	The American Community Survey (2014-2018) compiled by the U.S. Department of Labor, Bureau of Labor Statistics. Region: See header row for region, and reference Appendix A for definition. COC and COC Title: See Appendix B for list of titles used for each EEO-4 Category.	MSUM generally hires for Officials/Administrators through a National search. In our estimation, this results in 90% of new hires being external.
2: Internal - Percentage of females or racial/ethnic among those promotable, transferable, and trainable with your agency.	10.00%	57.83%	8.03%	2.01%	1.20%	5.78%	0.80%	0.20%	0.12%	Employee workforce for the job classifications that constitute feeders to this job category.	In our estimation, about 10% of new Officials/Administrators are hired from internal movement such as interim appointments.
The value of weight must equal to 100.00% →	100.00%	Final Avail %				41.79%	24.01%	4.50%	5.89%		

Professionals											
Factor	Weight Ratio	Raw Statistics Female	Raw Statistics *Minority	Raw Statistics **Indiv. w Disabl	Raw Statistics **Indiv. w Disabl	Weighted Statistics Female	Weighted Statistics *Minority	Weighted Statistics **Indiv. w Disabl	Weighted Statistics **Indiv. w Disabl	Source of Statistics	Reasons for External and Internal Weight Ratio
1: External - Percentage of females or racial/ethnic minorities with requisite skills in the reasonable recruitment area.	80.00%	38.59%	9.40%	4.09%	4.95%	30.88%	7.52%	3.27%	3.96%	The American Community Survey (2014-2018) compiled by the U.S. Department of Labor, Bureau of Labor Statistics. Region: See header row for region, and reference Appendix A for definition. COC and COC Title: See Appendix B for list of titles used for each EEO-4 Category.	MSUM has typically seen about 80% of Professionals hired externally.
2: Internal - Percentage of females or racial/ethnic among those promotable, transferable, and trainable with your agency.	20.00%	63.27%	6.12%	4.76%	0.00%	12.65%	1.22%	0.95%	0.00%	Employee workforce for the job classifications that constitute feeders to this job category.	In our estimation, 20% of Professionals are hired from internal movement primarily from reallocation upwards (such as ITS 1,2,3).
The value of weight must equal to 100.00% →	100.00%	Final Avail %				43.53%	8.74%	4.22%	3.96%		

Appendix E

Technicians											
Factor	Weight Ratio	Raw Statistics Female	Raw Statistics *Minority	Raw Statistics **Indiv. w Disabl	Raw Statistics **Indiv. w Disabl	Weighted Statistics Female	Weighted Statistics *Minority	Weighted Statistics **Indiv. w Disabl	Weighted Statistics **Indiv. w Disabl	Source of Statistics	Reasons for External and Internal Weight Ratio
1: External - Percentage of females or racial/ethnic minorities with requisite skills in the reasonable recruitment area.	95.00%	30.54%	6.15%	4.39%	5.30%	29.01%	5.84%	4.17%	5.04%	The American Community Survey (2014-2018) compiled by the U.S. Department of Labor, Bureau of Labor Statistics. Region: See header row for region, and reference Appendix A for definition. COC and COC Title: See Appendix B for list of titles used for each EEO-4 Category.	MSUM has typically seen about 95% of Technicians hired externally.
2: Internal - Percentage of females or racial/ethnic among those promotable, transferable, and trainable with your agency.	5.00%	86.67%	5.33%	5.33%	2.67%	4.33%	0.27%	0.27%	0.13%	Employee workforce for the job groups that constitute feeders to this job group.	In our estimation, 5% of Technicians are hired from internal movement primarily from reallocation upwards.
The value of weight must equal to 100.00% →	100.00%	Final Avail %				33.35%	6.11%	4.44%	5.17%		

Protective Service: Non Sworn											
Factor	Weight Ratio	Raw Statistics Female	Raw Statistics *Minority	Raw Statistics **Indiv. w Disabl	Raw Statistics **Indiv. w Disabl	Weighted Statistics Female	Weighted Statistics *Minority	Weighted Statistics **Indiv. w Disabl	Weighted Statistics **Indiv. w Disabl	Source of Statistics	Reasons for External and Internal Weight Ratio
1: External - Percentage of females or racial/ethnic minorities with requisite skills in the reasonable recruitment area.	90.00%	30.54%	6.15%	4.39%	5.30%	27.49%	5.53%	3.95%	4.77%	The American Community Survey (2014-2018) compiled by the U.S. Department of Labor, Bureau of Labor Statistics. Region: See header row for region, and reference Appendix A for definition. COC and COC Title: See Appendix B for list of titles used for each EEO-4 Category.	MSUM has typically seen the majority of Protective Service: Non-Sworn hired externally as very few internal candidates are qualified unless they have served in a temporary capacity. In our estimation, 90% of hires are external.
2: Internal - Percentage of females or racial/ethnic among those promotable, transferable, and trainable with your agency.	10.00%	33.33%	33.33%	0.00%	16.67%	3.33%	3.33%	0.00%	1.67%	Employee workforce for the job groups that constitute feeders to this job group.	In our estimation, 10% of Protective Service: Non-Sworn are hired from internal movement primarily from reallocation upwards.
The value of weight must equal to 100.00% →	100.00%	Final Avail %				30.82%	8.87%	3.95%	6.44%		

Appendix E

Para-Professionals											
Factor	Weight Ratio	Raw Statistics Female	Raw Statistics *Minority	Raw Statistics **Indiv. w Disabl	Raw Statistics **Indiv. w Disabl	Weighted Statistics Female	Weighted Statistics *Minority	Weighted Statistics **Indiv. w Disabl	Weighted Statistics **Indiv. w Disabl	Source of Statistics	Reasons for External and Internal Weight Ratio
1: External - Percentage of females or racial/ethnic minorities with requisite skills in the reasonable recruitment area.	90.00%	30.54%	6.15%	4.39%	5.30%	27.49%	5.53%	3.95%	4.77%	The American Community Survey (2014-2018) complied by the U.S. Department of Labor, Bureau of Labor Statistics. Region: See header row for region, and reference Appendix A for definition. COC and COC Title: See Appendix B for list of titles used for each EEO-4 Category.	MSUM has typically seen the majority of Para-Professionals hired externally with a few exceptions. In our estimation, 90% of hires are external.
2: Internal - Percentage of females or racial/ethnic among those promotable, transferable, and trainable with your agency.	10.00%	92.00%	5.33%	6.67%	4.00%	9.20%	0.53%	0.67%	0.40%	Employee workforce for the job classifications that constitute feeders to this job category.	In our estimation, 10% of Para-Professionals are hired from internal movement primarily from reallocation upwards.
The value of weight must equal to 100.00% →	100.00%	Final Avail %				36.69%	6.07%	4.62%	5.17%		

Office/Clerical											
Factor	Weight Ratio	Raw Statistics Female	Raw Statistics *Minority	Raw Statistics **Indiv. w Disabl	Raw Statistics **Indiv. w Disabl	Weighted Statistics Female	Weighted Statistics *Minority	Weighted Statistics **Indiv. w Disabl	Weighted Statistics **Indiv. w Disabl	Source of Statistics	Reasons for External and Internal Weight Ratio
1: External - Percentage of females or racial/ethnic minorities with requisite skills in the reasonable recruitment area.	90.00%	30.54%	6.15%	4.39%	5.30%	27.49%	5.53%	3.95%	4.77%	The American Community Survey (2014-2018) complied by the U.S. Department of Labor, Bureau of Labor Statistics. Region: See header row for region, and reference Appendix A for definition. COC and COC Title: See Appendix B for list of titles used for each EEO-4 Category.	MSUM generally sees majority of Office/Clerical positions bid on by internal employees, however, this simply creates another vacant position. In our estimation, 90% of Office/Clerical hires are external.
2: Internal - Percentage of females or racial/ethnic among those promotable, transferable, and trainable with your agency.	10.00%	70.48%	11.43%	8.57%	3.81%	7.05%	1.14%	0.86%	0.38%	Employee workforce for the job classifications that constitute feeders to this job category.	In our estimation, 10% of Office/Clerical positions are filled internally.
The value of weight must equal to 100.00% →	100.00%	Final Avail %				34.53%	6.68%	4.81%	5.15%		

Appendix E

Skilled Craft											
Factor	Weight Ratio	Raw Statistics Female	Raw Statistics *Minority	Raw Statistics **Indiv. w Disabl	Raw Statistics **Indiv. w Disabl	Weighted Statistics Female	Weighted Statistics *Minority	Weighted Statistics **Indiv. w Disabl	Weighted Statistics **Indiv. w Disabl	Source of Statistics	Reasons for External and Internal Weight Ratio
1: External - Percentage of females or racial/ethnic minorities with requisite skills in the reasonable recruitment area.	85.00%	30.54%	6.15%	4.39%	5.30%	25.96%	5.23%	3.73%	4.51%	The American Community Survey (2014-2018) complied by the U.S. Department of Labor, Bureau of Labor Statistics. Region: See header row for region, and reference Appendix A for definition. COC and COC Title: See Appendix B for list of titles used for each EEO-4 Category.	MSUM has typically seen about 85% of Skilled Craft hired externally with a few exceptions. In our estimation, 15% of Skilled Craft positions are filled internally, primarily from movement of Service Maintenance employees.
2: Internal - Percentage of females or racial/ethnic among those promotable, transferable, and trainable with your agency.	15.00%	18.64%	16.95%	8.47%	13.56%	2.80%	2.54%	1.27%	2.03%	Employee workforce for the job classifications that constitute feeders to this job category.	
The value of weight must equal to 100.00% →	100.00%	Final Avail %				28.75%	7.77%	5.00%	6.54%		

Service Maintenance											
Factor	Weight Ratio	Raw Statistics Female	Raw Statistics *Minority	Raw Statistics **Indiv. w Disabl	Raw Statistics **Indiv. w Disabl	Weighted Statistics Female	Weighted Statistics *Minority	Weighted Statistics **Indiv. w Disabl	Weighted Statistics **Indiv. w Disabl	Source of Statistics	Reasons for External and Internal Weight Ratio
1: External - Percentage of females or racial/ethnic minorities with requisite skills in the reasonable recruitment area.	90.00%	30.54%	6.15%	4.39%	5.30%	27.49%	5.53%	3.95%	4.77%	The American Community Survey (2014-2018) complied by the U.S. Department of Labor, Bureau of Labor Statistics. Region: See header row for region, and reference Appendix A for definition. COC and COC Title: See Appendix B for list of titles used for each EEO-4 Category.	MSUM has typically seen about 90% of Service Maintenance positions hired externally with a few exceptions. In our estimation, 10% of Service Maintenance positions are hired internally.
2: Internal - Percentage of females or racial/ethnic among those promotable, transferable, and trainable with your agency.	10.00%	25.00%	18.75%	10.42%	6.25%	2.50%	1.88%	1.04%	0.63%	Employee workforce for the job classifications that constitute feeders to this job category.	
The value of weight must equal to 100.00% →	100.00%	Final Avail %				29.99%	7.41%	4.99%	5.40%		

Appendix E

Faculty: Adjunct											
Factor	Weight Ratio	Raw Statistics Female	Raw Statistics *Minority	Raw Statistics **Indiv. w Disabl	Raw Statistics **Indiv. w Disabl	Weighted Statistics Female	Weighted Statistics *Minority	Weighted Statistics **Indiv. w Disabl	Weighted Statistics **Indiv. w Disabl	Source of Statistics	Reasons for External and Internal Weight Ratio
1: External - Percentage of females or racial/ethnic minorities with requisite skills in the reasonable recruitment area.	90.00%	38.59%	9.40%	4.09%	4.95%	34.73%	8.46%	3.68%	4.46%	The American Community Survey (2014-2018) compiled by the U.S. Department of Labor, Bureau of Labor Statistics. Region: See header row for region, and reference Appendix A for definition. COC and COC Title: See Appendix B for list of titles used for each EEO-4 Category.	MSUM has typically seen about 90% of Faculty: Adjunct hired externally.
2: Internal - Percentage of females or racial/ethnic among those promotable, transferable, and trainable with your agency.	10.00%	50.68%	10.96%	0.00%	1.37%	5.07%	1.10%	0.00%	0.14%	Employee workforce for the job classifications that constitute feeders to this job category.	There is some internal interest for Faculty: Adjunct positions making up 10% of internal hiring.
The value of weight must equal to 100.00% →	100.00%	Final Avail %				39.80%	9.56%	3.68%	4.60%		

Faculty: Fixed Term											
Factor	Weight Ratio	Raw Statistics Female	Raw Statistics *Minority	Raw Statistics **Indiv. w Disabl	Raw Statistics **Indiv. w Disabl	Weighted Statistics Female	Weighted Statistics *Minority	Weighted Statistics **Indiv. w Disabl	Weighted Statistics **Indiv. w Disabl	Source of Statistics	Reasons for External and Internal Weight Ratio
1: External - Percentage of females or racial/ethnic minorities with requisite skills in the reasonable recruitment area.	80.00%	40.01%	25.79%	4.78%	6.41%	32.01%	20.63%	3.82%	5.13%	The American Community Survey (2014-2018) compiled by the U.S. Department of Labor, Bureau of Labor Statistics. Region: See header row for region, and reference Appendix A for definition. COC and COC Title: See Appendix B for list of titles used for each EEO-4 Category.	MSUM has seen the majority of Faculty: Fixed Term hired externally. In our estimation, 80% of hires are external.
2: Internal - Percentage of females or racial/ethnic among those promotable, transferable, and trainable with your agency.	20.00%	53.99%	7.98%	1.23%	0.61%	10.80%	1.60%	0.25%	0.12%	Employee workforce for the job classifications that constitute feeders to this job category.	Approximately 20% of Faculty: Adjunct convert to Faculty: Fixed Term roles that make up majority of the internal hiring.
The value of weight must equal to 100.00% →	100.00%	Final Avail %				42.81%	22.23%	4.07%	5.25%		

Appendix E

Faculty: Tenure Track											
Factor	Weight Ratio	Raw Statistics Female	Raw Statistics *Minority	Raw Statistics **Indiv. w Disabl	Raw Statistics **Indiv. w Disabl	Weighted Statistics Female	Weighted Statistics *Minority	Weighted Statistics **Indiv. w Disabl	Weighted Statistics **Indiv. w Disabl	Source of Statistics	Reasons for External and Internal Weight Ratio
1: External - Percentage of females or racial/ethnic minorities with requisite skills in the reasonable recruitment area.	70.00%	40.01%	25.79%	4.78%	6.41%	28.01%	18.05%	3.34%	4.49%	The American Community Survey (2014-2018) complied by the U.S. Department of Labor, Bureau of Labor Statistics. Region: See header row for region, and reference Appendix A for definition. COC and COC Title: See Appendix B for list of titles used for each EEO-4 Category.	MSUM has seen the majority of Faculty: Tenure-Track hired externally. In our estimation, 70% of hires are external.
2: Internal - Percentage of females or racial/ethnic among those promotable, transferable, and trainable with your agency.	30.00%	53.99%	7.98%	1.23%	0.61%	16.20%	2.39%	0.37%	0.18%	Employee workforce for the job classifications that constitute feeders to this job category.	Approximately 30% of Faculty: Tenure-Track are hired internally.
The value of weight must equal to 100.00% →	100.00%	Final Avail %				44.20%	20.45%	3.71%	4.67%		

Faculty: Tenured											
Factor	Weight Ratio	Raw Statistics Female	Raw Statistics *Minority	Raw Statistics **Indiv. w Disabl	Raw Statistics **Indiv. w Disabl	Weighted Statistics Female	Weighted Statistics *Minority	Weighted Statistics **Indiv. w Disabl	Weighted Statistics **Indiv. w Disabl	Source of Statistics	Reasons for External and Internal Weight Ratio
1: External - Percentage of females or racial/ethnic minorities with requisite skills in the reasonable recruitment area.	10.00%	40.01%	25.79%	4.78%	6.41%	4.00%	2.58%	0.48%	0.64%	The American Community Survey (2014-2018) complied by the U.S. Department of Labor, Bureau of Labor Statistics. Region: See header row for region, and reference Appendix A for definition. COC and COC Title: See Appendix B for list of titles used for each EEO-4 Category.	Rarely has MSUM hired Faculty: Tenured externally. Our estimation is that 10% are hired external for this level.
2: Internal - Percentage of females or racial/ethnic among those promotable, transferable, and trainable with your agency.	90.00%	50.00%	22.92%	6.25%	4.17%	45.00%	20.63%	5.63%	3.75%	Employee workforce for the job classifications that constitute feeders to this job category.	Nearly all Tenured faculty appointments are filled by internal promotions based on the criteria of the IFO agreement. In our estimation, 90% of hires are internal.
The value of weight must equal to 100.00% →	100.00%	Final Avail %				49.00%	23.20%	6.10%	4.39%		

Appendix F

Institution Name: Minnesota State University Moorhead

Utilization Analysis:

Comparing Incumbency to Availability, Establishing Placement Goals, and Timetable

FEMALES				
Job Categories	% of Female Employees in the Job Category	Female Availability %	Female Establish Goals?	If Yes, Goals for FY 2020-2022
Officials/Administrators	60.87%	41.79%		
Professionals	62.58%	43.53%		
Technicians	20.00%	33.35%	Monitor	
Protective Service: Non-Sworn	33.33%	30.82%	Monitor	
Para-Professionals	100.00%	36.69%		
Office/Clerical	90.28%	34.53%		
Skilled Craft	0.00%	28.75%	Yes	28.75%
Service Maintenance	24.49%	29.99%	Yes	29.99%
Faculty: Adjunct	50.68%	39.80%		
Faculty: Fixed Term	56.67%	42.81%		
Faculty: Tenure-Track	50.00%	44.20%		
Faculty: Tenured	46.39%	49.00%	Yes	49.00%
Totals	54.65%			

RACIAL/ETHNIC MINORITIES				
Job Categories	% of Racial/Ethnic Minority Employees in the Job Category	Racial/Ethnic Minority Availability %	Racial/Ethnic Minority Establish Goals?	If Yes, Goals for FY 2020-2022
Officials/Administrators	13.04%	24.01%	Yes	24.01%
Professionals	7.74%	8.74%	Yes	8.74%
Technicians	0.00%	6.11%	Monitor	
Protective Service: Non-Sworn	33.33%	8.87%		
Para-Professionals	0.00%	6.07%	Monitor	
Office/Clerical	5.56%	6.68%	Monitor	
Skilled Craft	6.67%	7.77%	Monitor	
Service Maintenance	18.37%	7.41%		
Faculty: Adjunct	10.96%	9.56%		
Faculty: Fixed Term	5.56%	22.23%	Yes	22.23%
Faculty: Tenure-Track	22.92%	20.45%		
Faculty: Tenured	12.05%	23.20%	Yes	23.20%
Totals	10.56%			

Appendix F

INDIVIDUALS WITH DISABILITIES				
Job Categories	% of Individuals with Disabilities Employees in the Job Category	Individuals with Disabilities State Goals %	Individuals with Disabilities Establish Goals?	If Yes, Goals for FY 2020-2022
Officials/Administrators	0.00%	4.50%	Yes	4.50%
Professionals	5.16%	4.22%		
Technicians	0.00%	4.44%	Monitor	
Protective Service: Non-Sworn	0.00%	3.95%	Monitor	
Para-Professionals	12.50%	4.62%	Monitor	
Office/Clerical	5.56%	4.81%	Monitor	
Skilled Craft	0.00%	5.00%	Monitor	
Service Maintenance	10.20%	4.99%		
Faculty: Adjunct	0.00%	3.68%	Yes	3.68%
Faculty: Fixed Term	2.22%	4.07%	Yes	4.07%
Faculty: Tenure-Track	6.25%	3.71%		
Faculty: Tenured	3.61%	6.10%	Yes	6.10%
Totals	4.08%			

Veterans				
Job Categories	% of Individuals with Disabilities Employees in the Job Category	Individuals with Disabilities State Goals %	Individuals with Disabilities Establish Goals?	If Yes, Goals for FY 2020-2022
Officials/Administrators	8.70%	5.89%	Monitor	
Professionals	0.00%	3.96%	Yes	3.96%
Technicians	0.00%	5.17%	Monitor	
Protective Service: Non-Sworn	16.67%	6.44%	Monitor	
Para-Professionals	12.50%	5.17%	Monitor	
Office/Clerical	2.78%	5.15%	Yes	5.15%
Skilled Craft	33.33%	6.54%		
Service Maintenance	6.12%	5.40%	Monitor	
Faculty: Adjunct	1.37%	4.60%	Yes	4.60%
Faculty: Fixed Term	0.00%	5.25%	Yes	5.25%
Faculty: Tenure-Track	4.17%	4.67%	Monitor	
Faculty: Tenured	0.60%	4.39%	Yes	4.39%
Totals	2.54%			