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State of Minnesota

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# **Alexandria Technical and Community College**

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## **Affirmative Action Plan**

**2010 - 2012**

1601 Jefferson Street  
Alexandria MN 56308

This document can be made available upon request in alternative formats  
such as large print, Braille, or on audiotape.

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**Alexandria Technical and Community College**  
**2010 - 2012 Affirmative Action Plan**

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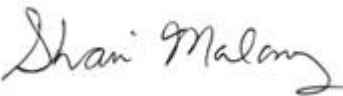
**Affirmative Action Plan  
Transmittal Form  
Plan Years 2010-2012**

1. Review revealed underutilization of the following protected group(s) in the following goal units.

GOAL UNITS	PROTECTED GROUPS		
	WOMEN	MINORITIES	DISABLED
Officials/Administrators	1	1	1
Professionals	0	1	5
Technicians/Paraprofessionals	0	1	1
Faculty	4	6	8
Office/Clerical	0	2	3
Service Maintenance	2	1	0

2. Once approved, this plan will be available at the following central location so that every employee is aware of the Alexandria Technical and Community College’s commitment in affirmative action for the year: College Employee Lounge. The plan will also be posted on the College’s Intranet/Internet sites.

3. This affirmative action plan contains an internal procedure for processing complaints of alleged discrimination from employees, and each employee has been apprised of this procedure as well as Alexandria Technical and Community College’s affirmative action goals for the year.

  
 \_\_\_\_\_ 320-762-4466 July 29, 2010  
 Affirmative Action Officer (phone number) (date)

4. This affirmative action plan contains clear designations of those persons and groups responsible for implementing the attached affirmative action plan as well as my personal statement of commitment to achieving the goals and timetables described herein.

  
 \_\_\_\_\_ July 29, 2010  
 (Signature of Agency Head/Human Resources Director) (date)

5. This affirmative action plan meets the statutes and rules governing affirmative action, and contains goals and timetables as well as methods for achieving them which are reasonable and sufficiently aggressive to deal with the identified disparities.

\_\_\_\_\_  
 (Commissioner) (date)

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## STATEMENT OF COMMITMENT

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Alexandria Technical and Community College is committed to conducting all personnel and educational activities without regard to race, sex, color, creed, religion, age, national origin, marital status, disability, status with regard to public assistance, sexual orientation, or membership or activity in a local commission as defined by law. Personnel activities include, but are not limited to: recruitment, selection, placement, employee development, promotion, retention, compensation, leaves of absence, disciplinary action, transfer, demotion, termination, and layoffs affecting all employees and job applicants. Alexandria Technical and Community College will not tolerate discrimination on the basis of these protected class categories in accordance with all state and federal equal opportunity/affirmative action laws, directives, orders and regulations.

Alexandria Technical and Community College is committed to implementation of this affirmative action plan and fully supports the State of Minnesota's affirmative action efforts. Alexandria Technical and Community College will implement and maintain an affirmative action program that takes aggressive measures to eliminate internal barriers to equal opportunity and that strives to remedy the historical underrepresentation in the employment, retention and promotion of qualified persons with disabilities, persons of color, and women.

It is Alexandria Technical and Community College's policy to actively pursue equal employment practices during all phases of the employment process. In that spirit, Alexandria Technical and Community College will continue to seek opportunities to maximize the selection and retention of protected group employees by:

- ◆ continuing to actively and aggressively recruit protected group applicants;
- ◆ continuing affirmative action training for employees, with an emphasis on those serving on selection committees; and by
- ◆ supporting affirmative measures to retain protected group employees.

Shari Maloney will act as the Alexandria Technical and Community College's Equal Opportunity/Affirmative Action Officer and Employee ADA Coordinator. She is responsible for monitoring the day-to-day activities of the program.

Anyone interested in reviewing the Alexandria Technical and Community College's affirmative action plan or who has concerns about affirmative action or equal opportunity issues, may request a copy of the plan from Shari Maloney.

It is the policy of the Alexandria Technical and Community College 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 the Alexandria Technical and Community College. We strive to provide equal employment opportunities and the best possible service to the citizens of Minnesota.



Dr. Kevin Kopsichke  
President

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7/29/10

Date

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## **RESPONSIBILITY FOR IMPLEMENTATION**

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### **President**

As the primary administrator of Alexandria Technical and Community College, the President is responsible for overseeing the Alexandria Technical and Community College's equal opportunity and affirmative action policies, procedures and programs as well as assuring compliance with all related state and federal laws, rules and regulations. Final disposition of all such issues resides with the President.

#### **1. Responsibilities**

- A. Establish affirmative action programs to include:
  - 1. goals
  - 2. timetables
  - 3. compliance with all federal and state laws and regulations relating to discrimination

#### **2. Duties – The duties of the President shall include, but not be limited to, the following:**

- A. To designate an Affirmative Action Officer (AAO) and include accountability for affirmative action in his/her position description.
- B. To take action, if needed, on complaints of discrimination.
- C. To issue a statement affirming the department's commitment to affirmation action/equal employment opportunity and to ensure that such a statement is disseminated to all employees.
- D. To make such decisions and changes in policies, procedures or physical accommodations as may be needed to implement effective affirmative action in the department.
- E. To actively promote equal employment opportunity.

#### **3. Accountability**

- A. The President, Kevin Kopschke (320-762-4404), is directly accountable to the Chancellor on all matters relating to equal opportunity and affirmative action at Alexandria Technical and Community College.

### **Equal Opportunity/Affirmative Action Officer and Chief Human Resources Officer**

The Equal Opportunity/Affirmative Action Officer and Chief Human Resources Officer is responsible for the overall implementation and administration of Alexandria Technical and Community College's affirmative action programs.

#### **1. Responsibilities**

- A. Development of college affirmative action plan.
- B. Implementation of college affirmative action plan.
- C. Monitoring of the college affirmative action plan.

#### **2. Duties – The duties of the Equal Opportunity/Affirmative Action Officer and Chief Human Resources Officer shall include, but not be limited to, the following for classified and unclassified positions:**

- A. To coordinate and monitor the day-to-day affirmative action activities.
- B. To fulfill all affirmative action reporting requirements.

- C. To disseminate the Affirmative Action policy.
- D. To hold exit interviews with all employees to determine reasons for turnover.
- E. To determine the need for affirmative action training within the college and to initiate the development of such training programs.
- F. To review and recommend changes in policies, procedures, programs and physical accommodations to facilitate affirmative action.
- G. To support and participate in the recruitment of protected class persons for employment, promotion and training opportunities.

**3. Accountability**

- A. The Equal Opportunity/Affirmative Action Officer and Chief Human Resources Officer, Shari Maloney (320-762-4466), is directly accountable to the President for the overall implementation and administration of Alexandria Technical and Community College’s affirmative action programs.

**Administrators/Supervisors**

Administrators/Supervisors are responsible for enforcing and implementing equal opportunity and affirmative action policies, procedures, and programs within their functional areas of responsibility.

**1. Responsibilities**

- A. Implementation of affirmative action in their department.
- B. Equal treatment of all employees and applicants for employment.

**2. Duties – The duties of the administrators and supervisors shall include, but not be limited to the following:**

- A. To assist the Equal Opportunity/Affirmative Action Officer in identifying and resolving problems and eliminating barriers which inhibit equal employment opportunity.
- B. To communicate the department’s affirmative action policy to assigned staff.
- C. To include responsibility statements for affirmative action/equal employment opportunity in their position descriptions.
- D. To carry out their supervisory responsibilities in accordance with affirmative action/equal employment policies embodied in this plan.
- E. To maintain a “single standard” principle within the work force so that employees are evaluated, recognized, developed and rewarded on a fair and equitable basis.
- F. To provide a positive environment in the workplace.

**3. Accountability**

- A. Accountability for Administrators/Supervisors is reflected in the Alexandria Technical and Community College’s organization chart provided in Appendix A.

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## COMMUNICATION OF POLICY

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The following measures will be used to inform Alexandria Technical and Community College's employment and educational communities and the public of our commitment to Affirmative Action and Equal Opportunity in all employment and educational policies, procedures, programs, services, and opportunities:

### INTERNAL METHODS

1. Paper copies of the plan are located in the Library, Human Resources Office, and on the Employee Lounge Bulletin Board.
2. The plan is posted electronically on the Human Resources page of the Alexandria Technical and Community College website and is accessible to all employees and the general public.
3. Providing training to managers and supervisors on affirmative action and equal opportunity issues.
4. All recruitment brochures, job announcements and vacancy notices shall identify Alexandria Technical and Community College as An Equal Opportunity Employer/Educator.
5. Make available copies of the Affirmative Action Plan to all employees and students upon request.

### EXTERNAL METHODS

1. All job announcements, vacancy notices, website home page, letterhead, brochures and promotional and other education or employment related materials shall identify Alexandria Technical and Community College as An Equal Opportunity Employer/ Educator.
2. Agressively publicize via a variety of protected group and non-protected group media sources Alexandria Technical and Community College's commitment to the recruitment, employment, promotion and retention of individuals with disabilities, women and minorities.
3. Make available copies of the Affirmative Action Plan to all interested parties upon request.
4. The plan is posted electronically on the Human Resources page of the Alexandria Technical and Community College website and is accessible to all.

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## COMPLAINT PROCEDURE FOR HARASSMENT/DISCRIMINATION COMPLAINTS

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The Minnesota State College and Universities Board of Trustees' 1B.1 Nondiscrimination in Employment and Education Opportunity Policy states: "No person shall be discriminated against in the terms and conditions of employment, personnel practices, or access to and participation in, programs, services, and activities with regard to race, sex, color, creed, religion, age, national origin, disability, marital status, status with regard to public assistance, sexual orientation, or membership or activity in a local commission as defined by law." The Minnesota State Colleges and Universities Board of Trustees' 1B.1.1 Report/Complaint of Discrimination/Harassment Procedure is available to all members of Alexandria Technical and Community College.

In addition to the complaint procedures, some employees may have grievance procedures in accordance with their respective collective bargaining agreements and human resource plans. Complaints/grievances will be processed in accordance with appropriate policies, rules, and collective bargaining agreements/personnel plans.

### **Minnesota State Colleges and Universities Board Policy - Equal Education and Employment Opportunity** **1B.1 Nondiscrimination in Employment and Education Opportunity**

**Part 1. Policy Statement.** Minnesota State Colleges and Universities is committed to a policy of nondiscrimination in employment and education opportunity. No person shall be discriminated against in the terms and conditions of employment, personnel practices, or access to and participation in, programs, services, and activities with regard to race, sex, color, creed, religion, age, national origin, disability, marital status, status with regard to public assistance, or sexual orientation. In addition, discrimination in employment based on membership or activity in a local commission as defined by law is prohibited.

Harassment on the basis of race, sex, color, creed, religion, age, national origin, disability, marital status, status with regard to public assistance, or sexual orientation 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 non-discrimination policies.

### **Part 2. Definitions.**

**Subpart A. Consensual Relationship.** 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 of Trustees Nepotism policy 4.10.

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

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education, evaluation of a student's academic performance, or term or condition of participation in student activities or in other events or activities sanctioned by the college or university; or
2. Submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions or other decisions about participation in student activities or other events or activities sanctioned by the college or university; or
3. Such conduct has the purpose and 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.** Minnesota State Colleges and Universities personnel include all faculty, staff, administrators, teaching assistants, graduate assistants, residence directors and student employees.

**Subpart E. Protected Class.** Protected class for the purpose of this policy means that discrimination and harassment in employment and education are prohibited on the basis of: race, sex, color, creed, religion, age, national origin, disability, marital status, status with regard to public assistance or sexual orientation. In addition, membership or activity in a local human rights commission is a protected class in employment.

**Subpart F. Retaliation.** Retaliation includes, but is not limited to, intentionally engaging in any form of intimidation, reprisal or harassment against an individual because he or she made a complaint under this policy or 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; or associated with a person or group of persons who are disabled or are of a different race, color, creed, religion, sexual orientation or national origin. 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 the system office or any college or university from taking immediate action to protect victims of alleged sexual abuse. Minnesota State Colleges and Universities 1B.3 Sexual Violence Policy addresses sexual violence.

**Subpart H. Student.** "Student" means an individual who is:

1. admitted, enrolled, registered to take or is taking one or more courses, classes, or seminars, credit or noncredit, at any System college or university; or
2. between terms of a continuing course of study at the college or university, such as summer break between spring and fall academic terms; or
3. expelled or suspended from enrollment as a student at the college or university, during the pendency of any adjudication of the student disciplinary action.

**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.

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

**Minnesota State Colleges and Universities System Procedures - Equal Education and Employment Opportunity**  
**Procedure 1B.1.1 Report/Complaint of Discrimination/Harassment Investigation and Resolution**

**Part 1. Purpose and Applicability.**

**Subpart A. Purpose.** This procedure is designed to further implement Minnesota State Colleges and Universities policies relating to nondiscrimination by providing a process through which individuals alleging violation of Board Policy 1B.1 Nondiscrimination in Employment and Education Opportunity 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, 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 Office of the Chancellor.

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

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

**Subpart C. Retaliation.** Retaliation means any action against a complainant or other individual because the individual:

- a. Participated in the investigation or resolution of a complaint under this procedure;
- b. Opposed conduct the individual believes was in violation of Board policy 1B.1.; or
- c. Associates with another individual who is protected from discrimination under Policy 1B.1.

**Part 3. Consensual Relationships.** Board Policy 1B.1 Nondiscrimination in Employment and Education Opportunity 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 Office of the Chancellor, 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 Office of the Chancellor. 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 Office of the Chancellor Employees or Board of Trustees.** For reports/complaints that involve allegations against Office of the Chancellor 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 Office of the Chancellor, 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 Office of the Chancellor, 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 Office of the Chancellor, 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 Office of the Chancellor, 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.

**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 Office of the Chancellor, 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 Office of the Chancellor, college or university may use alternative dispute resolution or mediation services as a method of resolving discrimination or harassment complaints. Alternative dispute resolution and mediation options require the voluntary participation of all parties to the complaint;
6. upon completion of the inquiry, the designated officer may dismiss or refer the complaint to others as appropriate.

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

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

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

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

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

Additional steps may include:

1. a request that the designated officer conduct further investigative measures;
2. a meeting with the complainant, respondent or other involved individuals. If a meeting involving a represented employee is convened, the complainant or respondent may choose to be accompanied by the bargaining unit representative, in accordance with the applicable collective bargaining agreement and federal and state law; and
3. a request for additional information which may include a written response from the complainant or respondent relating to the allegations of the complaint.

- b.) take other measures deemed necessary to determine whether a violation of 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. The written response to the complainant shall be provided within 60 days after a complaint is made unless reasonable cause for delay exists.
- 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. Office of the Chancellor, College, or University Action.** The Office of the Chancellor, 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 1B.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 Office of the Chancellor, college or university. In accordance with state law, the Office of the Chancellor, 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 Chapter 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 Office of the Chancellor, 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 Office of the Chancellor 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 Office of the Chancellor 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 Office of the Chancellor, 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.

The designated officer for Alexandria Technical and Community College is Tamzin Bukowski, Safety and Security Office (320-762-4415).

## GOALS AND TIMETABLES FOR 2010-2012

The history of turnover at the college has been very limited and is traditionally a result of employee retirements. Because of the current and anticipated budget challenges, we anticipate filling very few vacancies and do not anticipate any new positions unless created due to increased enrollment.

Therefore, we will make a good faith effort towards the following hiring goals for 2010-2012:

### Women

Our goal will be to hire a woman in the service maintenance area should a vacancy arise.

### Minorities

We will continue to concentrate efforts to hire minorities in all areas in which vacancies occur, particularly in the faculty or technician/paraprofessional areas.

### People with Disability

We will continue to look for opportunities to hire individuals in this group in all areas.

We will use recruitment methods cited in other parts of our plan to accomplish these goals. We will continue to strive to hire individuals who can perform the essential functions of the job with or without reasonable accommodations.

Job Group	Women			Minorities			People with Disability		
	Number Under-utilized	Goal	Timetable	Number Under-utilized	Goal	Timetable	Number Under-utilized	Goal	Timetable
Officials and Administrators	1			1			1		
Professionals	0			1			5	1	2011
<b>Faculty</b>									
Business Mgmt and Marketing	0			0			1		
Business & Info Technology	0			1			1		
Design	1			1			1		
Health/Service	0			0			1		
Liberal Arts	0			2			1		
Manufacturing	3			1			1		
Transportation	0			0			1		
Law Enforcement	0			1	1	2012	1		
Technicians/Paraprofessionals	0			1	1	2012	1		
Office/Clerical	0			2			3		
Skills Craft	0			0			0		
Service Maintenance	2	1	2011	1			0		

## GOALS AND TIMETABLES REPORT FOR 2008-2010

During 2008-2010, the college posted and filled 23 positions (16 full-time, 4 seasonal, 3 part-time). These positions were filled as follows:

Area	Male	Female
Professionals	3 full time	1 full time; 1 part time
Faculty		
Business Mgmt/Mktg	1 full time	
Business & Info Tech	1 full time; 1 part time	1 full time
Liberal Arts	1 full time	2 full time; 1 part time
Law Enforcement	1 full time	
Manufacturing	2 full time	
Transportation	1 full time	
Paraprofessionals	1 seasonal	2 seasonals
Service Maintenance	2 full time	1 seasonal

Of the 23 positions filled, 19 were justified hires; 3 were affirmative and 1 was a missed opportunity.

We did not meet any of the specific named goals established in the 2008-2010 plan. However, we continue to improve on our college under-utilization of minorities as much as we are able for our geographic location.

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## 2010-2012 PROGRAM OBJECTIVES

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### **Objective 1:**

Continue to provide leadership and broad participation in the college/community Diversity Resource Action Alliance (DRAA). This team continues to expand its efforts to bring together college and community in a joint effort to strengthen community understanding and appreciation of diversity and cultural differences.

#### **Action Steps:**

- Continue scheduling and hosting monthly meetings to foster open communication about opportunities in our community and provide a learning component to educate team members.
- Implement the two-year “Imagine Alexandria” project that has been funded by grants from the Blandin and Otto Bremer Foundations (\$72,000).
- Additional action plan initiatives include, but are not limited to:
  - Host an annual business conference to celebrate diversity awareness,
  - Host a celebration of diversity awareness event for families and community,
  - Foster the partnership between DRAA and the College for the annual Cinco de Mayo college/community event.
- Develop a marketing/communication plan to build on and continue the progress thus far (website, Facebook, and other venues).
- Continue to develop future plans that promote the DRAA mission and serves businesses, college, schools, and the community at large.

**Target Completion Date:** Spring 2012

**Responsibility:** Equal Opportunity/Affirmative Action Officer, DRAA Administrative Team

### **Objective 2:**

Provide opportunities for faculty and staff to enhance their knowledge about intercultural differences in communication, relationships and learning styles.

#### **Action Steps:**

- Conduct faculty informational sessions that will provide strategies for recognizing indicators of students that may have challenges impacting their classroom performance and refer them to appropriate resources.
- Conduct *New Conversations about Race and Racism* and *White Privilege Dialogue* sessions for ATCC employees (Facing Race Initiative).
- Create leadership development opportunities through the ATC Tomorrow Advanced Pathways program for 2011.
- Conduct “campus conversations” about important topics during the year.
- Provide learning and discussion opportunities for our supervisory group to broaden the scope of understanding of our diverse employee, student, and stakeholder population.

**Target Completion Date:** Spring 2012

**Responsibility:** Equal Opportunity/Affirmative Action Officer, Human Resources Staff, ATC Tomorrow Team, Leadership Team, Staff Development Team

**Objective 3:**

Implement a coordinated and sustained program for recruiting, hiring and developing a diverse faculty, staff and student body.

**Action Steps:**

- Develop strategies to recruit employees of diverse backgrounds.
  - Work with the MnSCU Office of the Chancellor and the Upper Midwest Higher Education Recruitment Consortium (HERC) to expand our recruitment efforts and utilize the tools and resources that are available.
  - Research the feasibility of establishing a reimbursement practice for travel expenses for finalists in searches where we have a underutilization.
- Measure results of targeted efforts.
- Create a support system for all new employees and their families to assist them in being successful members of the college and the community.

**Target Completion Date:** Summer 2011

**Responsibility:** Equal Opportunity/Affirmative Action Officer, Leadership Team, Supervisors

**Objective 4:**

Analyze the results of the 2009 climate survey and develop an improvement plan.

**Action Steps:**

- Compare results with 2006 survey
  - Celebrate improvements
  - Create a plan for addressing opportunities.
- Measure results of targeted efforts.

**Target Completion Date:** Summer 2011

**Responsibility:** Equal Opportunity/Affirmative Action Officer, Leadership Team, Supervisors

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## REVIEW OF 2008-2010 PROGRAM OBJECTIVES

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### **Objective 1:**

Continue in the leadership and participation of the college/community Diversity Resource Action Alliance (DRAA). This team continues to expand its efforts to bring together college and community in a joint effort to strengthen community understanding and appreciation of diversity and cultural differences.

- Continued to hold monthly meetings to foster open communication about opportunities in our community and continue an educational component to continue to educate team members.
- Developed annual action plan and timelines for initiatives, which included
  - Educational presentations for the community
  - Business leader forum
  - Presentations to community groups
  - Participation in community celebrations/events.
- Have received approval of “Imagine Alexandria” grant applications from Blandin and Otto Bremer Foundations for a total of \$72,000.
- Expanded communication venues to include the [www.diversitytoday.org](http://www.diversitytoday.org) website and DRAA Facebook presence.

### **Objective 2:**

In the Spring of 2009, conduct an update of the climate survey that was initially completed in spring 2006 to measure progress the college has made.

- Employee climate survey was conducted in the spring of 2009, with 61% of the employees responding.
- A report was made to employees on March 26, 2009, to include comparisons between the 2006 and 2009 surveys.

### **Objective 3:**

Provide opportunities for faculty and staff to enhance their knowledge about intercultural differences in communication, relationships and learning styles.

- Supported professional development activities for employees to enhance their knowledge about intercultural differences, to include an Introduction to Spanish offering in 2009.
- Continued to create leadership development opportunities through the ATC Tomorrow Pathways program that included a 2009 cohort and planning for an Advanced Pathways program for 2010-11.
- Conducted “campus conversations” about important topics during the year.
- Held a supervisors’ retreat in May of 2009 to update our supervisors’ skills and create a cohesive, supportive unit.
- In October 2008, hosted a college/community educational session presented by representatives from The Minnesota Gay, Lesbian, Bisexual, Transgender, Ally Campus Alliance, which is a statewide coalition of students, staff, faculty, alumni, and community members uniting for change on college and university campuses.

**Objective 4:**

Implement a coordinated and sustained program for recruiting, hiring and developing a diverse faculty, staff and student body.

- Continued to develop strategies to recruit employees of diverse backgrounds, to include working with the Office of the Chancellor to make the best use of our recruiting dollars.
- Became involved with Upper Midwest Higher Education Recruitment Consortium (HERC) in order to become more informed on ways to expand our recruitment efforts.
- Implemented an on-line application tracking system (NeoGov).
- Continue to measure results of targeted efforts.

**Objective 5:**

Support and collaborate with initiatives implemented by the newly staffed ATC Intercultural Services Department.

- Held a college sponsored Cinco de Mayo college and community event on an annual basis.
- Continued to work cooperatively with the Director of Intercultural Services to make connections with underrepresented populations on student and employee opportunities and support systems at Alexandria Technical and Community College.

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## PRE-EMPLOYMENT REVIEW

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

1. The college determines that a vacancy exists, and a position request form is initiated to gain administrative approval and to begin the search.
2. A search team will be formed that includes the participation of women and minorities, other underrepresented classes, and both males and females. Three to five members are recommended for classified vacancies; five to seven members are recommended for faculty and other unclassified searches, and seven to nine members for administrative searches of dean and above. The list of the members shall be submitted to the President and the Affirmative Action Officer for approval. Search committees are encouraged but are not mandatory, especially if the proposed vacancy is clearly part-time or of short duration.
3. The role of the search team is to be a partner with administration in filling the vacancy. Tasks will include a review of the position description, recruitment strategies, minimum and preferred qualifications, creation of the interview questions, the interviewing of candidates, and the evaluation of candidates. The team must determine the distribution of tasks to be performed so the entire process becomes a shared responsibility.
4. The AAO meets with the search team to review the position description, availability data, and note whether or not underutilization exists and outlines the search process. The AAO plays a key role in ensuring that equal employment opportunities and affirmative action goals are met.
5. After the initial screening, the list of semifinalists is submitted to the AAO for approval prior to the start of any interviews. This is done via a "Selection for Campus Interview" form which provides rationale for selection. When the interviews have been completed, the search team submits a finalist list (in unranked order) to the Affirmative Action Officer for approval. This is done via a "Recommendation for Campus Employment" form, providing rationale for selection. The list is then sent to the hiring authority for hiring decision.
6. At any stage of the process, the AAO may request that the President extend and/or close the search if the pool of underrepresented class candidates is not satisfactory.

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## **PRE-REVIEW OF LAYOFF DETERMINATIONS**

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Alexandria Technical and Community College will make layoff determinations consistent with applicable collective bargaining agreements and personnel plans. Proposed layoff decisions will be reviewed by the Equal Opportunity/Affirmative Action Officer to evaluate their effect on Alexandria Technical and Community College's affirmative action program.

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

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The Chief Human Resources Officer / Equal Opportunity/Affirmative Action Officer tracks, on an ongoing basis, the following as it relates to our affirmative action program objectives:

- Reviews department disparity information prior to conducting searches in order to focus recruitment efforts accordingly.
- Reviews and tracks recruitment costs and strategies in relation to results received to fill vacancies for which there is under-representation.
- Completes hiring process forms, indicating affirmative and justified hires.
- Completes quarterly Monitor Hiring Process forms to review our progress on affirmative action goals and to forward to Minnesota Management and Budget as required.
- Reviews disciplinary actions and/or complaints on an ongoing basis to include job classification, bargaining unit, racial/ethnic group, sex, and disability status.
- Reviews on an ongoing basis, the training provided to employees to assess value-added and progress towards our affirmative action plan.
- Reviews policies and procedures for layoff decisions from an affirmative action perspective to determine their effect on affirmative action goals. Meet with respective administrators to discuss potential layoffs.

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## REASONABLE ACCOMMODATION

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Reasonable accommodations will be provided as appropriate in accordance with Alexandria Technical and Community College's 1B.0.1. Reasonable Accommodations in Employment procedure. Alexandria Technical and Community College's procedures will also be in accordance with pertinent state and federal laws.

### **Minnesota State Colleges and Universities - System Procedures Procedures 1B.0.1 Reasonable Accommodations in Employment**

#### **Part 1. Purpose.**

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

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

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

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

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

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

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

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

**Subpart C. Individual with a Disability:** An individual with a disability for the purposes of determining reasonable accommodations is any applicant, current employee, including student employees, or employees seeking promotion, who has a physical or mental impairment which substantially or materially limits one or more of such individual's major life activities. Generally, a disabling physical or mental condition which is expected to be temporary and from which the individual is expected to recover is not a disability under this procedure.

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

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

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

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

#### **Part 6. Providing Reasonable Accommodations.**

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

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

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

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

1. The nature and net cost of the accommodation needed;
2. The overall financial resources of the employer involved in the provision of the reasonable accommodation, the number of persons employed, and the effect on expenses and resources;
3. The overall financial resources of the employer, the overall size of the business of the employer with respect to the number of its employees, and the number, type and location of its facilities;

4. The type of operation or operations of the employer, including the composition, structure and functions of the workforce, and the geographic separateness and administrative or fiscal relationship of the employer in question to the covered entity; and
5. The impact of the accommodation upon the operation of the employer, including the impact on the ability of other employees to perform their duties and the impact on the employer's ability to conduct business.

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

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

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

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

## **Part 7. Application.**

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

### How to Request Reasonable Accommodations.

Employee requests for accommodations should be directed to Employee ADA Coordinator, Shari Maloney (320-762-4466).

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# **WEATHER EMERGENCIES AND EVACUATION**

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## **Fire Evacuation Plan**

Fire siren is a long steady blast broadcast through the entire facility.

### **100 Wing**

102, 103, 105, and Business Office will exit through the north exit of 100 wing. Health Services, Academic Affairs, DECA Store, President's Office, Admissions, and Counseling and Assessment Center will exit through the west front exit. Room 117 and Registrar's Office, Financial Aid Office, and Placement Office will exit through the south emergency entrance exit near 400 wing. Rooms 114, 116, 118, 121, 123, and 125 will exit through the west door of 100 Wing. Rooms 131-140, 142, and Law Enforcement Office will also exit through the west door of 100 Wing.

### **200 Wing**

Customized Training Center and Customized Training Center classrooms will exit through the center's north entrance. Rooms 204, 206, 208, and 210 will exit through the north exit in the Auditorium. Room 201 will exit through the north exit of 100 wing.

### **300 Wing**

Rooms 301, 302, 303, 305, 319, 321, 322, and 324 will exit through the west front exit. Rooms 304 Information Commons Learning Center and the Campus Café, 307, 308, 309, 310, 311, 312, 313, kitchen, 323, 325, 326, and 327 will exit through the loading dock exit to the north (by Reprographics).

### **400 Wing**

Rooms 401, 402, 404, 406, 408, 410, and 403 (Computer Center) will exit through the southwest end of the 400 wing. Rooms 405, 407, 409, 412, and 414 will exit through the 400/600 wing link and exit through the south door in the link.

### **500 Wing**

Room 501 (Gymnasium) should exit through north door. Rooms 503 and 505 (Marine & Small Engine Shops) will exit through the doors on the north end of the shop. Rooms 502 and 504 (Diesel Shops) will exit through the doors on the south end of the shop.

### **600 Wing**

Rooms 603 and 605 will exit through their west doors and proceed to the north parking lot. Rooms 606, 607, and 610 will exit through the 611 exit and proceed to the parking area near the district bus garage. Rooms 617, 619, and 621 will exit through the east door and proceed to the parking area just north of the bus garage. Room 601 (Carpentry), 602, and 604 will exit the nearest door and proceed to the north parking lot by the cement pillars. Rooms 612, 613a-b, 614, and 615a-b will exit shop and proceed out east exit through hallway between 613 and 615 and proceed to the parking area near the district bus garage.

### **700 (Office & Technology Learning Center) Building**

Rooms 705, 707, 708, 710, and 712 will exit through the east door. Rooms 702, 703, 704, 706, and Instructors' Office area will exit through the north door.

Rooms 743, 744, 746, 747, 758, 759, 760, 761, and Instructors' office will exit through the **west** door. Rooms 748, 750, 751, 752, 753, 755, 762, 763, 764, 765, 766, and 767 will exit through the east door.

### **Law Enforcement Center Building**

Rooms 784, 787, 795 and 796 should exit east through the east exit. Rooms 773, 775, 776, 777, 778, 778 and the Main Lobby should exit through south doors.

### **800 (Truck Driving) Building**

Rooms 801, 802, Student Lounge, and Media room should exit east or west exits. Room 807 (Truck Driving shop) should exit through south doors.

### **900 (Interior Design Center) Building**

All classrooms and laboratories should exit through the nearest exit and meet at the south parking lot.

### **Concrete Mason Building**

All classrooms and shops should exit through the nearest exit and meet in the west parking lot.

### **Temporary House 8 (MSE Quonset)**

All classrooms and shops should exit through the nearest exit and meet in the west parking lot.

### **Temporary House 12 and 13**

All classroom should exit through the south exit and meet in the north parking lot by the north 600 wing entrance.

### **Bookstore, PTK Student Senate Conference, and Student Lounge**

Exit through the nearest exit and meet at the Student Center parking lot.

### **Tornado/Severe Thunderstorm Conditions**

Tornado/severe weather warning will be broadcast through the phone paging system, when conditions warrant evacuation to storm shelter areas.

When the alert has been given, the staff should proceed with all students to pre-designated shelter areas. The shelter areas are identified on the inside door to each classroom. Move quickly and quietly. Instructors, please see that all the inside doors are closed.

The safest position to assume is on your knees with hands covering your head.

Remain in the assigned area until an all clear is given.

Instructors are responsible for informing and guiding their students to the appropriate area as identified below.

Please Use the Following Areas When Alerted to a Tornado or a Severe Weather Warning.

### **100 Wing**

Health Services, Academic Affairs, Registrar's, Financial Aid, and Placement Offices remain in the room along the west wall. Rooms 105, 117, 119, 121, 123, and 125 remain in the room along the west wall. Rooms 102, 103, 114, 116, 118, Business Office, Administration Office, DECA Store, Admissions, and Counseling & Assessment Center utilize the west wall of 100 wing hallway.

## **200 Wing**

South wall of 200 wing hallway. Customized Training Office, Advancement & Foundation Office, and office suite use south wall of 200 wing hallway.

## **300 Wing**

Rooms 311, Reprographics, and Student Lounge remain in the room along the south wall. Rooms 308, 310, 312, Library, and Kitchen south wall of hallway. Second floor of 300 wing along the south wall of the Cafeteria; if needed, along south wall of hallway in 300 wing. Information Commons Learning Center and Campus Café use west wall in their respective areas.

## **400 Wing**

Rooms 402, 404, 406, 408, 410, 412, and 414 position yourself along the south wall of 400 wing hallway. Rooms 401, 403, 405, 407, and 409 remain in the room along the south wall.

## **502 (Diesel Mechanics I)**

East/west hallway by the Marine and Small Engine shop, along the south wall

## **503/505 (Marine and Small Engines)**

East/west hallway by the shops, along the south wall

## **504 (Diesel Mechanics II)**

Men's locker room across from the gym

## **600 Wing**

Room 601 (Carpentry) use storage rooms in the southeast corner and/or bathrooms. Rooms 603, 605, and 607 remain in the room along the west wall. Rooms 602, 604, 606, 610, 612, 613, 614, and 615 use west wall in 600 wing hallway. If needed, you may use hallway of north wall of 610 also. Room 617 (Machine Shop) will go into the computer room. Room 621 will go into their library and parts room. Room 619 (Engine shop) will go into their tool room and instructor's office.

## **Office & Information Technology Center**

Rooms 702, 704, 706, 708, 710, and 712 use south wall of the hallway. Rooms 703, 705, and 707 remain in the room along the south wall. Instructors' offices use center storage area along the south wall.

Rooms 747, 749, 751, 753, and 755 use south wall of the hallway. Rooms 744, 746, 748, 750, and 752 remain in the room along the south wall. Room 743 (auditorium) use the west wall in the hallway outside the auditorium. Instructors' offices use employee lounge area along south wall. Second floor of 700 wing use the south wall of hallway in first floor.

## **Law Enforcement Center Building**

Evacuate into Rooms 794 (CSI Lab), 792 (Dispatch), 787 (Storage), 789 (Childers/Metcalf) and the east wall inside of the men's and women's locker rooms.

## **Truck Driving**

West wall of shop

### **Concrete Mason Building**

West wall of shop

### **Interior Design Center**

Rooms 901, 905, 907, and 912 use west wall of the hallway. Rooms 902, 906, 908, and 910 remain in room along west wall.

### **Temporary House 5**

South wall of 500 wing

### **Temporary House 8 (MSE Quonset)**

West wall of Truck Driving Shop

### **Temporary House 12 and 13**

Move into Carpentry shop (Room 601)

### **Bookstore, PTK Student Senate Conference, and Student Lounge**

West or south wall of lower level

### **Bomb Threat Procedures**

Any staff member involved in, or aware of, a bomb threat involving Alexandria Technical and Community College must immediately notify the Incident Response Coordinator. The Incident Response Coordinator is responsible for ensuring the following steps are taken to resolve the situation in a safe manner:

#### **Procedures to be followed in the Event of a Bomb Threat at the College**

All bomb threats must be considered as legitimate and evacuation steps need to commence immediately unless mitigating circumstances preclude immediate evacuation.

1. The Incident Response Coordinator (IRC) or administrator in charge will notify the police department and sheriff's office. They will notify the fire department to do the bomb search. Ask police department for assistance with traffic control.
2. The IRC or administrator in charge will notify the Law Enforcement division chair and have him ask for volunteers from the peace officer licensed faculty. Those individuals will be assigned to observe outside activity to ascertain any unusual activity that might be connected to the threat.
3. Distribute a phone mail and e-mail message indicating the need to evacuate the building.
4. Ask everyone to leave the building and premises immediately. (Do not mention that there is a bomb threat. Rather, there is a security violation and we need to evacuate the building immediately. Staff and students do not need to shut off the equipment in their areas. They must get out as quickly as possible.)
5. Individuals should not stop to use the restroom before leaving the building.
6. Staff and students should report back to school the following morning. (Depends upon the time the bomb threat was received.)
7. Notify the administrative assistants of the situation. Have them call the departments/classrooms that may not have received the phonemail or email message, and instructions should be given as listed in #4 - #6 above. The

following locations are those that should be called: Cafeteria, Bookstore, Concrete Mason, Marine Small Engine, Truck Driving, Office and Information Technology Center, Interior Design Center, and Temporary Houses.

8. Ask the person who received the bomb threat call to give you as much information about the call (i.e., exact time of call, what was said, description of voice--male or female, accent, stutter, etc.) verbally and in writing. Give that information to the authorities.
9. Once the building is evacuated, electronically lock all the entrance doors.
10. Place a sign on the entrance doors stating that the building is closed. Let no one in except for the authorities--No press or staff.
11. If someone is willing to remain in the building, have that person continue answering incoming calls. They should pay close attention to any "strange calls" and get exact time of the call in order to attempt any trace.
12. Decide if classes will be resumed that day--depending upon the time of the threat. Decide if the classes/activities held at the college that evening should be canceled. If they are canceled, notify the local radio and TV stations in order to inform the public.

Do not give the press any information. Direct them to the president, the IRC, or the administrator in charge.

#### **Methods of Communication, Evacuation, and Safety of Disabled Persons**

In case of an emergency, all employees with disabilities will receive notification, if at work, by the supervisor or designated backup staff. The supervisor or designee will be responsible for coordination of evacuation processes for these individuals.

In the event of the closing of the College because of a weather emergency, the department/unit in which an employee with a hearing impairment shall designate a person responsible to notify the hearing impaired employee or a person named by the employee, of the college's closing. Arrangements can be made by the supervisor or designee with the Minnesota Relay Service (1-800-627-3529) to contact the employee using the TTY as well.

Alexandria Technical and Community College asks everyone's help if or when a building needs to be evacuated. Students, faculty, and/or staff who anticipate they could have a problem knowing when or how they should evacuate a building, should alert the Director of Safety and Security of their needs.

In the case of a fire or building evacuation, the Alexandria Fire Department will be responsible for evacuating people within the buildings. Additionally, at the beginning of each semester, faculty are asked to report to the Director of Safety and Security the names of any students having a disability that prohibits them from moving down stairwells. The Director of Safety and Security will provide such student with an evacuation plan specific to their needs. The Director of Safety and Security will be responsible for coordination of this specific plan with the Alexandria Fire and Police Departments.

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## RETENTION PLAN

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### 1. Responsibility

The Alexandria Technical and Community College will strive to create an environment, which promotes the retention of a diverse workforce. The Equal Opportunity/Affirmative Action Officer/Chief Human Resources Officer – Shari Maloney is responsible for overseeing the retention programs/activities.

### 2. Separation Analysis

The separation analysis of Alexandria Technical and Community College shows a total of 28 separations. Of these, 1 (4%) was a termination without rights; 6 (21%) were resignations; 4 (14%) were layoffs; and 17 (61%) retirements.

### 3. Current Retention Efforts

- Employee recognition efforts include: annual Years of Service recognition, kudos awards, movie pass drawings, Outstanding Support Staff Employee of the Year, Outstanding Educator of the Year, and Fall Workshop breakfasts and picnic.
- Employees are involved in teams and in decision making; examples of some of the ATC teams are:
  - Finance
  - CASA (Combined Academic and Student Affairs)
  - Scholastic
  - Safety
  - Health Promotion
  - Recognition
  - Emergency Preparedness
  - Pandemic Planning
  - Staff Development
  - Facilities Management and Operations
  - Strategic Facilities (Long Range)
- Professional development is encouraged in all areas. According to the 2010 MnSCU Staff Development survey results, 86% of respondents reported attending one or more professional/staff development activities in the past year and 94% responded that the activity they attended was on our campus. Examples of recent offerings include a retirement planning session, introduction to Spanish course, and code of conduct training.
- Employees have a tuition waiver benefit available to them through the work agreements and some units also have the option to apply to the appointing authority for an individual preapproved degree plan with 75% - 100% reimbursement of expenses.
- Have continued the “Kudos” recognition program. This program allows employees to request a “kudos” award for other employees who in their opinion have gone above and beyond in helping others or helping the college succeed. They get a personal recognition by getting a certificate and token award and these individuals are recognized quarterly at personnel meetings.
- Employees are notified of advancement and development opportunities. According to the 2010 MnSCU Staff Development survey results, 80% of respondents reported that they have an individual development

plan that they have discussed with a supervisor. Employees are allowed to grow by taking on additional responsibilities and also provided an opportunity of advancement through promotional job audits.

- Mentor program in place for new faculty.
- Individual development plan as a part of Employee Growth Assessment process. According to the 2010 MnSCU Staff Development survey results, 89% of respondents received a performance evaluation in the last twelve months.
- An exit survey is mailed to all resigning or transferring employees, in order to collect input for purposes of continuous improvement.
- Continue to improve communication within the college to include:
  - monthly personnel meetings,
  - campus conversation meetings,
  - annual “program conversations” conducted jointly by President and President of Faculty Association,
  - President meets regularly with Student Senate,
  - Leadership Council (administrators) meet weekly,
  - quarterly “Connections” newsletter generated by the President,
  - quarterly newsletters generated by Human Resources,
  - one-on-one visits with Faculty Association (MSCF) President, and
  - open-door policy and continuous email updates.
- Continue “Employee Spotlight” activity. This is an internal publication with the purpose of getting to know members of our ATCC family on a more personal level.
- Conducted a climate survey in 2009 (previously conducted in 2006) by the MnSCU, Office of Internal Auditing. Results were presented in March 2009, to include comparing the two survey results.
- Leadership development opportunities have been encouraged with the continuation of the ATCC Tomorrow Pathways Program. This included a 2009 Pathways cohort group and planning for an Advanced Pathways program for 2010-11.
- Held a supervisors’ retreat in May 2009 to serve as a refresher for seasoned supervisors and as additional training for new supervisors. This session also created an opportunity for our supervisors to create a cohesive and supportive unit.
- Developed an employee handbook.
- Implemented electronic timesheet process for non-faculty employee groups to make this process streamlined and more accessible.

#### **4. Future Retention Goals**

- Continue to make improvements to faculty and staff orientation process.
- Demonstrate administration’s commitment to recruiting, promoting and retaining employees from diverse backgrounds by supporting the development of new and innovative recruitment efforts and training initiatives (see 2010-12 Program Obj #3).
- Continue peer mentoring for faculty. Develop a mentor/buddy program for new staff.

- Continue ATCC Tomorrow leadership development and training program by offering an Advanced Pathways program that would be open to all that have completed the Pathways program.
- Increase communication and participation of employees in processes such as hiring/interviewing, strategic planning and visioning sessions.
- Involve all employees and students in the initiatives and activities of the Intercultural Department of the college.
- Create a support system for all new employees and their families to assist them in being successfully acclimated to the college and community.
- Use input from employees (via survey) and the college Staff Development Team to create a staff development plan that makes available learning opportunities for all employees that will encourage the understanding of differences, whether they be gender, age, ability, race, ethnicity, or culture.
- Create an electronic Q & A process for human resources information for ATCC employees.
- Continue to find new, innovative ways of communication to keep employees informed and engaged in the workplace.
- Review the current employee evaluation instrument and process for improvements, including representation from all bargaining units in the discussion.
- “Peaks and valleys” analysis (work flow) to fully utilize our workforce.
- Provide learning and discussion opportunities for our supervisory group to broaden the scope of understanding of our diverse employee, student, and stakeholder population.
- Celebrate the college’s 50<sup>th</sup> year with a kickoff luncheon /program during the Fall Workshop and ending with all-college alumni gala and reunion in April 2011.

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## RECRUITMENT PLAN

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Listed below are the details of our recruitment for the past year and plans for the future.

The college advertises through the MnSCU Career Opportunities bulletin, which feeds to DiversityMN.com. That includes advertising in the following:

- African Community Service (ACS)
- Alexandria - MN Workforce Center
- Alexandria Technical and Community College
- Anoka Technical College
- Anoka Technical College
- Augsburg College
- Bemidji State University
- Bethel University
- Brown College
- Capella University
- Carleton College
- Casa de Esperanza
- Chicano Latino Affairs Council
- College of St. Catherine
- College of St. Scholastica
- Courage Center
- Crown College
- Dakota County Technical College
- Gustavus Adolphus College
- Hamline University
- Hmong American Partnership
- Hmong Cultural and Resource Center of Minnesota
- International Institute of Minnesota
- Japan America Society of Minnesota
- Jewish Vocational Service
- Lao Family Community of Minnesota
- Macalester College
- Metropolitan State University
- Minneapolis Urban League
- Minnesota Department of Employment and Economic Development (DEED)
- Minnesota State University – Mankato
- Minnesota Women's Consortium
- Minnesota WorkForce Center - Minneapolis North
- MultiCultural Development Center
- NAACP – Minneapolis
- National American University – Bloomington
- North Hennepin Community College
- Northland Community & Technical College
- Northwestern College
- Pillsbury United Communities
- PossAbilities of Southern Minnesota
- Rasmussen College - St. Cloud Campus
- Somali Mai Community of Minnesota

Southwest Minnesota State University  
St. Mary's University  
St. Mary's University of Minnesota  
St. Paul College  
Twin Cities Men's Center  
University of Minnesota – Duluth  
University of Minnesota - Multicultural Center for Academic Excellence  
University of Minnesota Career Center for Science and Engineering  
University of St. Thomas  
Vietnamese Social Services of Minnesota  
Vietnamese Social Services of Minnesota  
Winona State University

Other advertising for the past year includes the following:

ST CLOUD TIMES  
ECHO PRESS  
FERGUS FALLS DAILY JOURNAL  
FORUM, The - Fargo, ND & Moorhead, MN  
MORRIS SUN TRIBUNE  
AMERICAN WELDING SOCIETY - AWS.ORG  
CAREERBUILDER.COM  
CHRONICLE OF HIGHER ED  
COUNSELING TODAY - American Counseling Association  
CRAIGSLIST.COM  
DICE.COM Tech Jobs  
HIGHEREDJOBS.COM  
INSIDEHIGHERED.com  
MINNEAPOLIS STAR TRIBUNE  
MINNESOTA JOBSLIST  
MINNESOTA PARALEGAL ASSOCIATION  
MINNESOTA STATE BAR ASSOCIATION  
MINNESOTAJOBS.COM  
MINNESOTAWORKS.NET  
MONSTER.COM  
NATIONAL ASSOCIATION FOR LEGAL PROFESSIONALS  
YAHOO HOTJOBS.COM

Total dollars spent in recruitment for 2009 was approximately \$9,500. Highest results continue to come from low to no cost advertising to include: Alexandria Technical and Community College website, MnSCU Career Opportunities postings, and “word of mouth”.

Other paid sources that show the highest number of results include:

Print: St. Cloud Times, Echo Press (Alexandria), Forum (Fargo)

Web: Chronicle of Higher Education, Higher Ed Jobs, CareerBulder, Professional websites, and MN Jobs/INDEED (free)

Another venue that is relatively new and we will continue to use is the Upper Midwest Higher Education Consortium, which is a MnSCU-wide initiative.

Due to the fact that we have very few vacancies, we attend only one job fair and that is one that is held at Alexandria Technical and Community College for the Alexandria area community annually.

Our hiring opportunities for the next two years will include positions as stated in “Goals and Timetables for 2010-2012” on Page 15 of this plan which includes the following: service maintenance, law enforcement faculty, technician, and professional. Depending on the budget situation, we may or may not be hiring in these areas and will continue to use the methods that have been successful in the past. Refer to Objective 3 in our Program Objectives (page 18) that details additional recruitment strategies for 2010-2012.

The College does not hire individuals under the Internship Administrative Procedure.

The College will continue to make every effort to recruit persons with disabilities for all applicable positions.

The College had one supported worker position. That position was eliminated in July of 2010 with the closure of our Food Service Department. We will continue to make every effort to create supported workers positions where feasible and to work with local agencies and advertising in applicable areas/means.

The College ensures that recruitment activities are in compliance with ADA, making printed materials available in alternate formats upon request and assuring meeting locations are accessible.

Shari Maloney, Chief Human Resources Director/Affirmative Action Officer, is responsible for the implementation of the recruitment plan.