



**MINNEAPOLIS**  
COMMUNITY & TECHNICAL  
**COLLEGE®**



**COMPLIANCE AND SECURITY REPORT**  
*Fall 2022*

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## *Welcome*

Minneapolis College is committed to providing you with a quality education. The faculty, administration, and staff partner with students in this effort. There are many services and resources available to assist you. The following pages contain Minneapolis College's annual compliance and security report. This information is distributed to employees and enrolled students annually, in compliance with several federal and state laws, including the Drug-Free Schools and Community Act, the Student Right to Know Act, the Campus Security Act, the Drug-Free Workplace Act, and the Family Educational Rights and Privacy Act. This document is available in an alternate format upon request (contact Accessibility Resource Center at 612-659-6730, voice or 612-659-6731, TTY). All enrolled students and employees are encouraged to familiarize themselves with these compliance reports. This document contains information about topics that contribute to a positive campus environment. I encourage you to also refer to the College Catalog, which can be found at <https://www.minneapolis.edu/programs-a-z> for additional information about academic offerings and services at the College. We sincerely want you to have a positive learning experience at Minneapolis College. If you have questions about this document or other issues related to the College, please contact Becky Nordin, Dean of Students, at 612-659-6712.

Sharon J. Pierce, President

## *Campus Security Report*

### **Preparing the Annual Security Report**

The Public Safety Department of Minneapolis College prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crimes Statistics Act. This report is prepared in cooperation with local law enforcement agencies responsible for providing service to our campus and alternate sites. Internally, departments such as Student Affairs, Academic Affairs, Human Resources, Office of Student Rights and Responsibilities and others provide information to comply with the Act. Campus crime, arrest and referral statistics include those reported to Minneapolis College's Public Safety Department, designated campus officials, and local law enforcement agencies.

The annual report includes a three-year statistical history of reported crimes alleged to have occurred on the main campus, at facilities owned or leased by Minneapolis College and/or recognized student organizations and the immediately adjacent surrounding public area, including Loring Park. The Director of Public Safety serves as the primary liaison between the Campus Public Safety Department and all law enforcement agencies. In order to accurately report crimes alleged to have occurred on public areas immediately adjacent to the campus, Campus Public Safety annually requests crime statistics from local law enforcement agencies. A record of these inquiries is housed in the Campus Public Safety Department.

Minneapolis College will notify current employees and enrolled students annually via email regarding the availability of this report. This email will include a brief description of the contents of the report and the web address where the most recent report can be accessed. The current report can be accessed at [www.minneapolis.edu/clery](http://www.minneapolis.edu/clery)

If you wish to have a paper copy of this report, they are available upon request and may be obtained at Minneapolis College's Public Safety Department located at 1501 Hennepin Avenue, R3100, by calling 612-659-6910.

The annual report includes the following reports of crime:

- Murder and non-negligent manslaughter
- Manslaughter by Negligence
- Rape
- Fondling
- Incest
- Statutory Rape
- Robbery
- Aggravated Assault
- Burglary
- Arson
- Motor Vehicle Theft
- Domestic Violence
- Dating Violence
- Stalking

The report also includes arrests or persons referred for campus disciplinary action for the following:

- Liquor law violations
- Drug abuse violations
- Weapons possession

In addition to the crimes described above, other reported crimes involving bodily injury to any person, and reported crimes of larceny-theft, simple assault, intimidation, and destruction/damage/vandalism of property in which the victim is intentionally selected because of the actual or perceived race, gender, gender identity, religion, sexual orientation, ethnicity, national origin or disability of the victim, must be reported as hate crime statistics, and are recorded as such in this report.

### *Maintenance of Daily Crime Log*

The Public Safety Department will keep and maintain an easily understood daily crime log, recording all crimes reported to Minneapolis College's Public Safety Department. The crime log will include information such as the nature, date, time, and general location of each crime and the disposition of the complaint if known. The daily log will include reported crimes that occurred on campus, at facilities owned or leased by Minneapolis College, and/or recognized student organizations, and the immediately adjacent surrounding public area, including Loring Park.

All entries shall, except where disclosure of such information is prohibited by law or such disclosure would jeopardize the confidentiality of the victim, be open to public inspection during normal business hours. Any portion of the log older than sixty (60) days must be available within two (2) business days of the initial request being made to the Public Safety Department. If new information regarding a log entry becomes available to the Public Safety Department, the log entry will be updated accordingly to reflect the most current information available.

The daily crime log is housed in the Public Safety Office (R3100) and may be requested for review at any time.

## *Campus Security Policies*

Minneapolis College has a variety of policies and procedures relating to campus security, and it expressly reserves the right to modify or adopt additional policies or procedures at any time without notice. Such changes may appear in successive issues of this report.

Minneapolis College encourages all students and College Community members to be fully aware of the safety issues on campus and to take action to prevent and to report illegal and inappropriate activities. Personal awareness and applying personal safety practices are the foundation of a safe community.

### *How do I report a crime on campus?*

#### **Minneapolis College Public Safety Department- 612-659-6910**

Contact the Minneapolis College Public Safety Department in person at room R3100, or via telephone at 612-659-6900 (Emergency Only), 612-659-6910 (Non-Emergencies), or by using any emergency call box on campus. Minneapolis College Public Safety Officers will respond, assess the situation, determine the need for additional resources, and may document the incident with a report.

Everyone on campus is encouraged to immediately report any criminal activity to the Minneapolis College Public Safety Department and/or the appropriate police department if they elect to. Please notify Minneapolis College Public Safety anytime 911 services are requested (fire, police, or ambulance) on campus. This allows Minneapolis College Public Safety Officers to meet emergency responders and guide them to the proper location.

If a victim chooses, an additional report can be filed with the appropriate local law enforcement agency. Campus Public Safety can assist the complainant in completing police reports.

In addition to the Public Safety Department, you may also report crimes to the following individuals:

#### **Campus Security Reporting Compliance Team:**

- **Curt Schmidt, Director of Public Safety - (612) 659-6902**
- **Dianna Cusick, Vice President of Human Resources and Workforce Equity - (612) 659-6319**
- **Becky Nordin, Dean of Students - (612) 659-6712**
- **Bryce Gloppen, Senior Student Conduct and Complaint Officer - (612) 659-6729**
- **Brian Owens, Associate Director of Public Safety - (612) 659-6908**
- **Jacques Beech, Public Safety Supervisor - (612) 659-6907**

Reports to the Public Safety Department and the above-listed individuals will ensure that crimes are documented and assessed for the need to issue a Timely Warning and for inclusion in the daily crime log and annual statistical disclosure.

### *Issuance of Timely Warnings*

The Minneapolis College Public Safety Department is responsible for issuing a Timely Warning or "Security Alert" to the campus community in cases of murder, non-negligent manslaughter, negligent manslaughter, rape, fondling, statutory rape, incest, robbery, aggravated assault, burglary, arson, motor vehicle theft and any bias-motivated crimes, where the Director of Public Safety (or the Director's designee) determines there is a serious or continuing threat to the college community.

Timely Warnings or “Security Alerts” are used to inform the community that an incident has been reported. These reports may be from members of the college, the community, or received directly from local law enforcement. Security Alerts will contain general information about the incident and how incidents of a similar nature might be prevented. Minneapolis College will take careful steps to ensure that no personally identifiable information about the victim will be included in the alert.

In cases warranting a Timely Warning, the campus community will be made aware of the crime via “Security Alerts” which will be posted on campus bulletin boards and sent out via campus email.

### *Emergency Notification*

In the instance of an immediate threat to Minneapolis College, alerts may be distributed utilizing the emergency notification system, StarAlert or Alertus. StarAlert can send phone, email, and SMS text messages. Alertus can send laptop, desktop computer, and campus monitor emergency notifications. All campus community members are automatically enrolled in the StarAlert system but do have the option to opt-out of the system. Additionally, if deemed prudent and necessary, the college may utilize other methods of communication such as Minneapolis College website, social media pages, email, and the public address system to expedite the communication process.

Records of the Timely Warnings and Emergency Notifications issued will be maintained in the Public Safety Department.

### *Voluntary Confidential Reporting*

#### **What if I want to make a report, but I don’t want the college to take action or file a police report?**

If you are the victim of a crime and do not want to pursue action through the college disciplinary process or through the criminal justice system, you may still wish to file a report to ensure that the crime is included in the annual statistics. You may file this report at the Public Safety Department or with any of the persons listed under the heading “Campus Security Report Compliance Team.” The persons listed are designated campus security authorities and will forward any crime report to the Public Safety Department for inclusion in the campus crime statistics.

Reports made in this manner are voluntary and can be made confidentially. The reports made in this manner do not have to include the reporting party’s information. While we cannot guarantee confidentiality, we will make every effort possible to maintain it to the extent allowable by law. The purpose of reports made in this manner helps the Public Safety Department to more accurately assess and track the nature of crime in the area of the campus. If a crime is determined to pose a serious or on-going threat to the campus community the college reserves the right to investigate the report to the extent possible with the information available.

Internal Public Safety Incident Reports may be shared with other departments on campus as necessary to complete an investigation and/or to ensure the safety of the campus community. Depending on many factors of crime reporting the College may or may not hold reports of crime in confidence and may be required by law to release information based on the events or nature of the crime.

Additionally, the College is obligated to notify the campus community of crimes that pose a serious or on-going threat to the campus community. The campus is notified of these events via Timely Warnings, or “Security Alerts”. Any Security Alert made will not identify the reporting person or victim.

The Minneapolis College also operates a Silent Witness Program which provides the opportunity for anonymous crime reports and anonymous reporting of concerning behaviors. The link for the Silent Witness Program can be found at <https://www.minneapolis.edu/student-services/public-safety> or <https://www.minneapolis.edu/student-services/office-student-rights-responsibilities>.

### *Campus Security Authorities*

All employees who become aware of an allegation of violation of College policy, Student Code of Conduct, civil or criminal law are encouraged to report the allegation to their supervisor or the Minneapolis College Public Safety Department.

While we prefer that reports are made directly to Public Safety or members of the Security Report Compliance Team, the campus community is invited to make a report to any Campus Security Authority on campus.

If a Campus Security Authority becomes aware of any alleged crime, they must report it to the Public Safety Department. The Public Safety Department notifies Campus Security Authorities of their status and trains them annually. Documentation of these individuals and training received is maintained in the Public Safety Department.

Campus Security Authorities do not investigate crime reports. They ensure that any alleged crimes that they are made aware of are forwarded to Public Safety for classification and investigation.

Campus Security Authority is defined as:

A campus police department or campus security department of an institution.

Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or campus security department.

Any individual or organization specified in the institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.

An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings.

### *Pastoral and Professional Counselors*

If such an official is a pastoral or professional counselor, the official is not considered a campus security authority when acting as a pastoral or professional counselor.

Minneapolis College does not have any procedure in place which encourages professional counselors to inform the persons they are counseling of any procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics. Minneapolis College does not have pastoral counselors on staff.

### *Steps to Ensure Prompt and Accurate Crime Reporting*

If you are the victim of a crime or witness a crime:

Call Minneapolis College Public Safety (612-659-6900) and 911 for any emergency including medical assistance, fires, suspicious activity, crime reports, traffic accidents, or other illegal activities.

When reporting a crime or other incident in progress be sure to provide the dispatcher with the following information:

- The nature of the criminal activity or incident
- The location of the criminal activity or incident
- The number of persons involved
- A description of the offender(s), including:
  - Gender
  - Approximate Age
  - Race
  - Height/Weight
  - Hair
    - Color
    - Style
    - Facial Hair
  - Attire
    - Color
    - Style
    - Distinguishing logos
  - Other distinguishing physical features- such as scars and tattoos
- Vehicle Description
  - Year, Make, Model
  - License Plate Number and State

Note the direction of travel of offenders or vehicles, and report those to the Minneapolis College Public Safety Department and 911.

Preserve the crime scene: Do not touch any items involved in the incident. Close off the area of the incident and do not allow anyone in the crime area until Minneapolis College Public Safety and/or Emergency Services arrive.

Minneapolis College does not limit the time for reporting a crime. However, we strongly urge you to report a crime immediately or within a day or two. This timeframe gives the best opportunity to collect evidence which can form a stronger case for potential prosecution and greatly assists the Public Safety Department or local law enforcement in performing a more thorough investigation into the allegation(s).

### *Campus Security and Access*

The Minneapolis College campus is for the use of the students, faculty, staff, visitors, and those on official business with Minneapolis College.

Access to campus buildings is limited to normal business hours. Normal campus hours are 6:30 AM to 10:30 PM, Monday through Friday, and 7:00 AM to 5:00 PM on Saturday. Summer hours may vary from these times.

Minneapolis College does not own or operate any residential student housing.

Department labs, facilities, classrooms or suites will not be opened for unknown individuals without prior written approval from the department supervisor. If an individual needs access to an area to retrieve personal property, Public Safety Officers may ask to see photo identification before allowing access to the area.

Keys are issued to authorized faculty and staff. Students are issued keys on a very limited basis.

Exterior building doors must not be blocked open when the doors are locked.

Individual classrooms are made available during business hours for scheduled classes and scheduled special events. Room reservations can be made by contacting Central Scheduling at 612-659-6893.

No students are allowed in the building after business hours. Personnel, other than Facilities and Public Safety, must vacate the campus no later than the designated closing times noted as a standard safety measure, except for previously authorized events scheduled through Central Scheduling. Employees authorized to be in buildings after normal working hours are required to have a College identification card in their possession and to present the identification card when requested by a College official.

Faculty and staff members who believe they are the last person in a building should advise Public Safety of any suspected unauthorized persons still in the building.

Employees must lock all areas of responsibility upon departure.

### *Security Considerations in Maintenance of Campus Facilities*

Public Safety routinely performs surveys of the campus facilities to ensure the continued safety of the campus. Items that are routinely inspected include doors and locks, fire and intrusion detection systems, safety equipment (i.e. fire extinguishers, AEDs, first aid equipment), communications equipment, lighting, and landscaping.

Students, faculty, staff, and visitors are encouraged to report needed building repairs or maintenance to the Facilities Department at <https://minneapolis.edu/about-us/facilities> or 612-659-6800.

### *Law Enforcement Authority of Campus Public Safety*

Campus Public Safety Officers are employees of Minneapolis College; they are not certified or sworn peace officers. Campus Public Safety Officers are authorized, when appropriate, to make a citizen's arrest pursuant to Minnesota State Statute 629.37. When a citizen's arrest is made, the Minneapolis Police Department will be notified immediately. Minneapolis College Public Safety Officers are responsible for patrolling and maintaining the security of the main Minneapolis campus.

### *Campus Public Safety Relations with Local Law Enforcement*

Minneapolis College Public Safety works closely with the Minneapolis Police Department, Hennepin County Sheriff's Office, State, and Federal Law Enforcement Agencies to track and respond to on-campus or near campus criminal activity. Minneapolis College does not have a written Memorandum of Understanding with the Minneapolis Police Department. For compliance with Minnesota Statute § 135A.15, 2015 Minn. Laws, Ch. 69, Art 4, Sec. 2. Minneapolis College maintains membership on the Hennepin County Sexual Assault Multidisciplinary Action Response Team. Minneapolis College does not have any memorandums of understanding with any other outside law enforcement agencies regarding the investigation of criminal incidents.

## *Crime Prevention, Personal Safety, and Security Educational Programming*

Minneapolis College encourages students and employees to be responsible for their own security and safety and the security and safety of others.

The Minneapolis College Public Safety Department, in cooperation with the other departments, provide assistance in presenting on-campus security and public safety. Educational programs are presented in the areas of campus security procedures and practices, crime prevention, sexual assault awareness, personal safety, protection against theft and other subject areas. Public Safety and other departments will invite various speakers, including members of city and county law enforcement agencies to discuss public safety and the prevention of crime. All members of the Minneapolis College community are encouraged to attend.

Public Safety has available, at no cost, brochures, flyers, and pamphlets concerning various safety and security issues.

Public Safety officials and/or officers are available to provide training for classes, internal departments, and on-campus student groups upon request.

## *Monitoring and Recording Activity at Non-Campus Locations*

All student organizations which are officially recognized by Minneapolis College and hold official functions off-campus may be monitored by the appropriate local police department. Any resulting reports may be forwarded to the college for investigation and adjudication through the student conduct process.

Minneapolis College also reserves the right to investigate incidents that occur between students at off-campus locations and functions not sponsored by Minneapolis College.

Students are subject to the Student Code of Conduct while participating in school-sponsored activities at off-campus locations, any violations of the Student Code of Conduct while participating in any such activities will be investigated by Minneapolis College Public Safety and the Office of Student Rights and Responsibilities.

Minneapolis College does not have any student organizations which have non-campus housing facilities.

## *Illegality of Alcoholic Beverages on campus and Enforcement of Underage Drinking Laws*

Minneapolis College prohibits the unlawful possession, consumption (use), sale, or distribution of alcohol by all students and employees and enforces all applicable drinking/liquor law and policies on campus, including Federal law, Minnesota State law, Minneapolis Ordinances, and College policy.

The possession or consumption of alcohol is prohibited in all Minneapolis College campus buildings and applies regardless of age. Consuming Alcohol and Loitering with an Open Container of Alcohol is a violation of the law in accordance with Minneapolis Ordinance 364.40 and 364.45. The only exception is for special events authorized by the Minnesota State Board of Trustees.

**Students** who are found to be in possession of an open container or consuming alcohol while on campus will be subject to disciplinary action for violating the Student Code of Conduct. If students are not

cooperative the Minneapolis Police Department may be called to assist, and the student may be subject to citation or arrest.

**Employees** who are found to be in possession of an open container or consuming alcohol while on campus will be subject to disciplinary action and if not cooperative the Minneapolis Police Department may be called to assist.

**Non-student/non-employees** who are found to be in possession of an open container or consuming alcohol while on campus may be asked to leave campus, may be prohibited from returning for one year, if uncooperative the Minneapolis Police Department may be called to assist, and the individual may be subject to citation or arrest.

The state of being under the influence of alcohol is prohibited in all Minneapolis College campus buildings.

**Students** who are believed to be under the influence of alcohol will be subject to disciplinary action for violating the Student Code of Conduct. If students are not cooperative the Minneapolis Police Department may be called to assist, and the student may be subject to citation or arrest.

**Employees** who are believed to be under the influence of alcohol will be subject to disciplinary action. If employees are not cooperative the Minneapolis Police Department may be called to assist, and the employee may be subject to citation or arrest.

**Non-students/non-employees** who are believed to be under the influence of alcohol may be asked to leave campus, may be prohibited from returning for one year, and if uncooperative the Minneapolis Police Department may be called to assist, and the individual may be subject to citation or arrest.

### *Illegality of Drugs on Campus and the Enforcement of Federal and State Drug Laws*

Minneapolis College forbids the possession, use, or distribution of illegal drugs on campus. This includes but is not limited to possession, sale, and use, growing, manufacturing and making of narcotic drugs. Exceptions would be drugs prescribed by a doctor's order.

The state of being under the influence of a controlled substance is prohibited in all Minneapolis College campus buildings.

**Students** who are believed to be under the influence of a controlled substance will be subject to disciplinary action for violating the Student Code of Conduct. If students are not cooperative the Minneapolis Police Department may be called to assist, and the student may be subject to citation or arrest.

**Employees** who are believed to be under the influence of a controlled substance will be subject to disciplinary action. If employees are not cooperative the Minneapolis Police Department may be called to assist, and the employee may be subject to citation or arrest.

**Non-students/non-employees** who are believed to be under the influence of a controlled substance may be asked to leave campus, may be prohibited from returning for one year, and if uncooperative the Minneapolis Police Department may be called to assist, and the individual may be subject to citation or arrest.

Minneapolis College enforces Federal, State, and local drug laws regarding the use, possession, and sale of illegal drugs and drug paraphernalia.

For drug law violations the following actions will be taken:

**Students** who are found to be in violation of the law will be subject to disciplinary action for violating the Student Code of Conduct. If students are not cooperative the Minneapolis Police Department may be called to assist, and the student may be subject to citation or arrest.

**Employees** who are found to be in violation of the law while on campus will be subject to disciplinary action. If employees are not cooperative the Minneapolis Police Department may be called to assist, and the employee may be subject to citation or arrest.

**Non-students/non-employees** who are found to be in violation of the law while on campus may be asked to leave campus, may be prohibited from returning for one year, if uncooperative the Minneapolis Police Department may be called to assist, and the individual may be subject to citation or arrest.

### *Drug and Alcohol Abuse Education Programs*

The purpose of this policy is to set forth the College's policy regarding alcohol and other drug use, including unlawful drug use or abuse in the workplace in accordance with the Drug Free Workplace Act of 1988 (Public Law 100-690, Title V, Subtitle D) and Drug Free Schools and Communities Act Amendments of 1989 (Public Law 101-226).

The College recognizes the reality of chemical dependency and is aware of its occasional presence in the College community. As a safeguard against this dependency, numerous campus organizations provide prevention programs to the College community. Annually, the campus hosts an event called Operation Recovery which is aimed at bringing awareness to issues of chemical abuse and dependency.

Minneapolis College also has a Collegiate Recovery Program (CRP) with a drop-in center location in Helland Center H2100. In addition, the CRP provides Recovery Support Specialists. The CRP also is supported by a strong diverse Community Advisory Council, a committed Staff and Faculty Leadership Team, trained Peer Recovery Specialists and collaborates with Minneapolis College's Addiction Counseling Club which is a Student Life Organization. The Student Health Clinic employs a Licensed Drug and Alcohol Counselor that collaborates with the CRP.

The College encourages and provides reasonable assistance to any student, faculty, or staff member who seeks information on chemical dependency or treatment for chemical dependency. Various offices, including Counseling and Human Resources, provide information and referral to prevention programs for those seeking help with substance abuse.

### *Disclosures to Victims of Crimes of Violence or Non-Forcible Sex Offenses*

Minneapolis College will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the results of any disciplinary hearing conducted by Minneapolis College against the student who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased as a result of the crime or offense, Minneapolis College will provide the results of the disciplinary hearing to the victim's next of kin, if so requested.

## *Emergency Response and Evacuation Procedures*

Minneapolis College Public Safety is the main resource responsible for emergency response and evacuation procedures. Minneapolis College Public Safety may be augmented by other areas or groups such as the Emergency Operations Team (EOT).

The EOT is comprised of Public Safety, Senior Leadership of the College, facilities, and communications personnel. The EOT was created to assist incident response and if appropriate, initiate the emergency notification system and begin the transition to emergency operations.

Contact Public Safety immediately at 612-659-6900 whenever an emergency occurs on campus.

Upon arrival, the Public Safety Officers will confirm the reported incident, assess the situation and determine if additional resources are necessary to resolve the situation.

If the incident is determined to be a significant emergency that will impact the campus community, the Emergency Operations Team (EOT) may be activated to respond.

Without delay and taking into account the safety of the community, Minneapolis College will, at the determination of the Director of Public Safety (or the Director's designee), notify the appropriate segment or segments of the campus community when a significant emergency or dangerous situation occurs involving an immediate threat to health and safety of the campus community.

Minneapolis College may utilize means of notification including but not limited to fire alarm systems, public address systems, verbal notification, institutional email, StarAlert, computer screen takeover, and/or the institutional website and social media sites to communicate warnings to those immediately affected by the incident.

The Director of Public Safety along with other lead administrators will determine which information must be included in the notification and which segments of the campus community will be notified, to ensure that the campus community is adequately informed of the incident. If certain information will, in the professional judgment of responsible authorities, compromise efforts to assist victims or to contain, respond to or otherwise mitigate the emergency, the notification may be delayed.

Emergency response exercises for the EOT are conducted annually. Minneapolis College has adopted an "all-hazards approach" to campus emergencies, utilizing the Incident Command System (ICS) of incident management. Public Safety Officers and other college officials have received incident command training to enhance our response to and recovery from critical campus events. Documentation of emergency response procedures and evacuation are maintained in the Minneapolis College Public Safety Department.

All faculty, staff, and students should learn the evacuation routes and stairwell locations for all campus buildings they frequently occupy. Evacuation maps and information are posted throughout the campus. Emergency preparedness drills are conducted at least once per year. The purpose of these drills is to prepare building occupants for an organized evacuation in case of an emergency. Drills may be announced or unannounced. Emergency response and evacuation procedures will be disseminated at least once a year prior to or after a drill event. Drills may cover a range of scenarios including, but not limited to, fire, severe weather, active shooter, bomb threat, etc. If Public Safety, law enforcement or fire department personnel are on scene, follow their directions. Documentation of such drill activity will

be maintained by the Public Safety Department. Documentation will include a description of the exercise, the date, the time, and whether the test was announced or unannounced.

In most emergencies, the campus will use the overhead paging system to provide instructions to the campus on proper emergency protocol.

Special instructions for the evacuation of students with disabilities who are known to need assistance with evacuation (i.e. students registered with the Accessibility Resource Center) are available through the Public Safety Department.

Minneapolis College has a working relationship with Minneapolis Emergency Communications Center (MECC), while there is no written agreement between Minneapolis College and the MECC, MECC routinely notifies Minneapolis College of calls they receive for service so we can coordinate appropriate response utilizing resources from multiple agencies.

### *Fire Evacuation Procedures*

Flashing strobe lights and emergency sirens will sound in the event of a fire.

- Calmly exit the building via the nearest exit
- Do not use elevators
- Emergency Operations Team members and Public Safety staff will provide direction and assistance
- Evacuate to a safe distance and remain outside until the all-clear message is given

### *Severe Weather Shelter Procedures*

In the event of severe weather requiring campus occupants to seek shelter, an overhead page will be made advising the campus to proceed to the nearest Severe Weather Shelter Area.

- Calmly proceed to the designated severe weather shelter area in your building.
- Emergency Operations Team members and Public Safety staff will provide direction and assistance.
- Remain in the Severe Weather Shelter Area until the all-clear message has been delivered.

### *Campus Lockdown Procedures*

In the event of an emergency or incident which has the potential for direct or immediate harm to the campus community, the Public Safety Department may lockdown the campus.

- The Public Safety Department will issue an overhead page advising the campus of the lockdown.
- Proceed to the nearest classroom or enclosed area and secure yourself inside.
- Shut off all sources of light (i.e. lights, computer monitors, television screen, etc.)
- Stay away from windows or doors
- Remain calm and quiet
- Wait for instructions from law enforcement or Public Safety

## *Run – Hide – Fight® Procedure*

In the event of an active threat on the Minneapolis College campus, the Public Safety Department will issue an overhead page and emergency notification message advising the campus to take Run-Hide-Fight® actions.

- **Run**
  - If there is an escape route, evacuate immediately. Leave your belongings behind.
  - Do not try to move wounded people. Prevent others from entering the area.
- **Hide**
  - If you cannot evacuate, find a place to hide that is out of the shooter’s view, protected from shots fired and non-confining. Silence your cell phone.
- **Fight**
  - If you cannot run or hide, fight back.
  - Be aggressive: Throw items, yell and improvise weapons. Commit to your actions.
- **Comply- When Law Enforcement Arrives**
  - Remain calm and follow instructions. Do not yell, scream, or point.
  - Drop items in your hands. Raise your hands and keep them visible at all times.

## *Sexual Violence, Domestic Violence, Dating Violence, and Stalking*

### *MN State Statute Definitions:*

The following definitions of crimes are included for educational purposes so that the reader has an understanding of the applicable laws governing conduct in the state of Minnesota. The following definitions are not used for the purposes of classifying crimes for inclusion in the crime statistics included in this report.

### *Consent*

#### **MN 609.341**

- “Consent” means words or overt actions by a person indicating a freely given present agreement to perform a particular sexual act with the actor. Consent does not mean the existence of a prior or current social relationship between the actor and the complainant or that the complainant failed to resist a particular sexual act.
- A person who is mentally incapacitated or physically helpless as defined by this section cannot consent to a sexual act.
- Corroboration of the victim’s testimony is not required to show lack of consent.

### *Sexual Assault*

Minnesota State Statutes do not explicitly define the term “sexual assault.” However, the following definition is from the Minnesota State Colleges and Universities Board Policy 1B.3 regarding sexual violence.

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

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

## *Domestic Abuse*

### **MN 518B.01**

“Domestic abuse” means the following, if committed against a family or household member by a family or household member:

- Physical harm, bodily injury, or assault;
- The infliction of fear of imminent physical harm, bodily injury, or assault; or
- Terroristic threats, within the means of section 609.713, subdivision 1; criminal sexual conduct, within the meaning of section 609.342, 609.343, 609.344, 609.345, or 609.3451; or interference with an emergency call within the meaning of section 609.78, subdivision 2.

“Family or household members” means:

- Spouses and former spouses;
- Parents and children;
- Persons related by blood;
- Persons who are presently residing together or who have resided together in the past;
- Persons who have a child in common regardless of whether they have been married or have lived together at any time;
- A man and a woman if the woman is pregnant and the man is alleged to be the father, regardless of whether they have been married or have lived together at any time; and
- Persons involved in a significant romantic or sexual relationship.

## *Dating Violence*

Is not defined by Minnesota State law.

## *Stalking*

### **MN 609.749**

“Stalking” means to engage in conduct which the actor knows or has reason to know would cause the victim under circumstances to feel frightened, threatened, oppressed, persecuted, or intimidated, and causes this reaction on the part of the victim regardless of the relationship between the actor and victim.

## *Education and Resource for Sexual Violence, Domestic Violence, and Stalking*

Minneapolis College prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking as those terms are defined for the purposes of the Clery Act.

Minneapolis College educates the campus community through comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault, and stalking. These programs are designed to be culturally relevant, sustainable, inclusive of and responsive to the diverse communities and identities represented at Minneapolis College and their specific needs. Programming is formulated to consider environmental risk and protective factors as they occur on the individual, relationship, institution, community, and societal levels. Programming is informed by research and assessed for value. Programs to prevent dating violence, domestic violence, sexual assault, and stalking include both primary prevention and awareness programs.

New students and new employees are required to take an online course titled “Sexual Violence Prevention Training (SVPT). This training defines the terms of Sexual Violence, Domestic Violence, Dating Violence, Stalking, and consent as it relates to engaging in sexual activity in terms of Minnesota State law, (these definitions can also be found within this document at the end of this section). This training also covers safe and effective options for bystander intervention and other tips for risk reduction.

Ongoing prevention and awareness campaigns directed at students and employees occur throughout the year. These prevention and awareness campaigns are frequently presented through student life and the campus Green Dot movement. The Green Dot movement is a community-based movement focusing on educating and empowering individuals to find creative ways to combat power-based personal violence. Emphasis is placed on encouraging bystanders to say something if they see something whether that means confronting a volatile situation directly, creating a distraction to disrupt the situation, or by delegating a response by calling the Public Safety Department or local law enforcement to respond. Green Dot hosts event annually, to learn more about participating in Minneapolis College’s Green Dot movement contact Curt Schmidt, Director of Public Safety at R3100 or 612-659-6902.

### *Minneapolis College Sexual Violence Policy*

#### **Part 1. Policy Statement**

Sexual violence is an intolerable intrusion into the most personal and private rights of an individual and is prohibited at Minneapolis College. Minneapolis College is committed to eliminating sexual violence in all forms and will take appropriate remedial action against any individual found responsible for acts in violation of this policy. A violation of this policy could result in institutional disciplinary actions such as suspension or expulsion from the college. Acts of sexual violence may also constitute violations of criminal or civil law or other Minnesota State Board Policies that may require separate proceedings. To further its commitment against sexual violence, Minneapolis College provides reporting options, internal mechanisms for dispute resolution, and prevention training or other related services as appropriate.

#### **Subpart A. Application of policy to students, employees, and others.**

This policy applies to all Minneapolis College students and employees and to others, as appropriate, where alleged incidents of sexual violence have occurred on Minneapolis College property. Incidents of

sexual violence alleged to have been committed by a student at a location other than on Minneapolis College property are covered by this policy pursuant to the factors listed in Minnesota State Colleges and Universities Board Policy 3.6, Part 5. Incidents of sexual violence alleged to have been committed by a Minneapolis College employee at a location other than Minneapolis College property are covered by this policy.

Individuals alleged to have committed acts of sexual violence on Minneapolis College property who are not students or employees are subject to appropriate actions by Minneapolis College, including, but not limited to, pursuing criminal or civil action against them.

Allegations of discrimination and harassment are governed by Minneapolis College Procedure 2.01.01 and Minnesota State Board Policy 1B.1

## **Part 2. Definitions.**

The following definitions apply to this Policy and Minneapolis College Procedure 2.08.01.

### **Subpart A. Sexual Violence**

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

### **Subpart B. Sexual Assault.**

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

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

### **Subpart C. Consent.**

Consent is informed, freely given and mutually understood. If coercion, intimidation, threats, and/or physical force are used, there is no consent. If the complainant is mentally or physically incapacitated or impaired so that the complainant cannot understand the fact, nature, or extent of the sexual situation, and the condition was known or would be known to a reasonable person, there is no consent; this includes conditions due to alcohol or drug consumption, or being asleep or unconscious. Whether the respondent has taken advantage of a position of influence over the complainant may be a factor in determining consent.

**Subpart D. Non-forcible sex acts.**

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

**Subpart E. Minneapolis College property.**

“Minneapolis College property” means the facilities and land owned, leased, or under the primary control of Minnesota State Colleges and Universities, it’s Board of Trustees, Office of the Chancellor and Minneapolis Community and Technical College.

**Subpart F. Employee.**

“Employee” means any individual employed by Minneapolis Community and Technical College including student workers.

**Subpart G. Student.**

“Student” means an individual who is:

- (a) Admitted, enrolled, registered to take or is taking one or more courses, classes, or seminars, credit or noncredit, at Minneapolis College; or
- (b) Between terms of a continuing course of study at Minneapolis College, such as summer break between spring and fall academic terms; or
- (c) Expelled or suspended from enrollment as a student at Minneapolis College, during the pendency of any adjudication of the student disciplinary action.

***If You Are the Victim of Sexual Violence***

The following information will be made available to any student or employee who reports that they have been a victim of sexual violence regardless of where the incident took place.

Go to a safe place.

If you are on-campus, contact Public Safety at 612-659-6900, even if you do not want to file a report, Public Safety Officers will arrive on scene and ensure your safety. Your safety is our top priority. Public Safety is located in room R.3100.

If you would like to file a report with the college, contact Public Safety at 612-659-6910 or stop by R.3100, even if the assault didn’t occur recently. An officer will interview you to gather your statement. If you are a student and would like to pursue action through the College your statement will be forwarded to the Office of Student Rights and Responsibilities for investigation and adjudication, or you can report the incident directly to the Office of Student Rights and Responsibilities located in T.2200 or by calling 612-659-6729. Reports can also be submitted online at the Office of Student Rights and Responsibilities page, <https://minneapolis.edu/student-services/office-student-rights-responsibilities> All student reports of sexual violence must be forwarded to the Campus Title IX Officer for investigation. If you are an employee and would like to pursue action through the College your statement will be forwarded to the College’s Human Resources Department. You may also report it directly to the Human Resources Department at K.1100.

Crimes reported to the Public Safety Department are recorded on a publicly available crime log and a campus-wide “Security Alert” may be issued if it is determined that there is a serious and continued

threat to the campus community, however the information included will not include any personally identifiable information of the survivor, reporting party, or witnesses.

Timely and prompt reporting of a crime of sexual violence within 72 hours is critical in preserving evidence important in proving a criminal case against the assailant and may be helpful in obtaining a protective order. If you have been the victim of a sexual assault do not bathe, brush your teeth, use the toilet, or change clothing.

If you have been the victim of a sexual assault, you should seek medical attention immediately, even if you do not want to report the incident to the police. One option for medical attention is:

Hennepin County Medical Center (HCMC)  
Sexual Assault Resource Service  
701 Park Avenue  
Orange Building 2.220  
Minneapolis, MN 55415  
(612) 873-5832

HCMC employs skilled and highly trained Sexual Assault Nurse Examiners. This service is available 24 hours a day 7 days a week. Forensic exams are paid for by the county in which the assault was committed. Sexual Assault Nurse Examiners will provide an exam to:

- Collect and save evidence that will be needed if you choose to report your sexual assault to law enforcement
- Evaluate your risk for pregnancy and discuss safe prevention options
- Evaluate your risk of contracting a sexually transmitted infection and offering you medication to reduce that risk
- Further evaluate and document any injuries (if you have injuries that require treatment, the nurse will ask the emergency department staff to evaluate and treat your injuries; this examination is separate from the one done to collect evidence), and
- Provide you with resources to help during your recovery. This will include advocate services, agencies for medical follow-up, information about reporting this crime to law enforcement, information about the Crime Victims Reparations Fund and many other resources.;

You may file a police report with the appropriate law enforcement agency. For on-campus incidents contact the Minneapolis Police Department by calling 911. You can decline filing a police report.

If you would like assistance filing a police report the Minneapolis College Public Safety Department will assist you.

Minneapolis College has counselors available in its Counseling Department, located at T-2200. Mental health professionals are also available in the Student Health Clinic, located in room H.3400. Minneapolis College will provide written notification to the survivor regarding counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other services available on campus and in the greater Minneapolis area.

In order to reduce contact between you and the alleged assailant, the College will, upon your request, attempt to provide a change in classes and/or working situations if the accommodation is reasonably available. Other protective measures are also available. These requests can be made to Bryce Gloppen,

the Sr. Student Complaint and Conduct Officer at [Bryce.Gloppen@minneapolis.edu](mailto:Bryce.Gloppen@minneapolis.edu) or 612-659-6729. Minneapolis College will provide survivors with written notification regarding the availability of and how to request these accommodations including options and resources for changes to transportation and living situations. Any accommodations or protective orders afforded to you will be maintained as confidential to the extent that maintaining such confidentiality will not impair the ability of the College to provide the accommodations or protective measures.

You have the right to petition for an Order for Protection (OFP) or a Harassment Restraining Order (HRO). Public Safety has information available on how to file for and request an OFP or HRO. The Public Safety Department will assist in the enforcement of all lawful OFPs and HROs. If an OFP or HRO is issued you are encouraged to file a copy with the Minneapolis College Public Safety Department.

You may contact the Minnesota Crime Victims Reparations Board at 651-201-7300. The Crime Victims Reparations Board provides financial help to victims and their families for losses incurred as a result of a violent crime. You may also visit <https://dps.mn.gov/divisions/ojp/help-for-crime-victims/Pages/crime-victims-reparations.aspx> for additional information.

### *If you are a victim of dating violence, domestic violence, or stalking*

The following information will be made available to any student or employee who reports that they have been a victim of dating violence, domestic violence, or stalking regardless of where the incident took place.

Go to a safe place.

If you are on-campus contact, Public Safety at 612-659-6900, even if you do not want to file a report, Public Safety Officers will arrive on scene and ensure your safety. Your safety is our priority. Public Safety is located in room R.3100.

If you would like to file a report with the college, contact Public Safety at 612-659-6910 or stop by R.3100, even if the incident didn't occur recently. An officer will interview you to gather your statement. If you would like to pursue action through the College's student conduct process your statement will be forwarded to the Office of Student Rights and Responsibilities or you can report the incident directly to Bryce Gloppen, Sr. Student Complaint and Conduct Officer, 612-659-6729 with the Office of Student Rights and Responsibilities located in T.2200. Reports can also be submitted online at the Office of Student Rights and Responsibilities page, <https://minneapolis.edu/student-services/office-student-rights-responsibilities> All cases of dating violence, domestic violence and stalking must be forwarded to the college's Title IX officer for investigation.

You may also report the incident to any college employee, however, all college employees who are designated as campus security authorities have a duty to report knowledge of incidents of dating violence, domestic violence or stalking to the Public Safety Department. You may still request confidentiality.

Crimes reported to the Public Safety Department are recorded on a publicly available crime log and a campus-wide "Security Alert" may be issued if it is determined that there is a serious and continued threat to the campus community, however the information provided will not include any personally identifiable information of the survivor, reporting party, or witnesses.

Timely and prompt reporting of a crime of dating violence, domestic violence or stalking within 72 hours is critical in preserving evidence important in proving a criminal case against your abuser and may be helpful in obtaining a protective order. Document any injuries and damage to personal property. Save any text messages, e-mails, or voice mail messages left by your abuser. If you are being stalked document the stalking behavior when and where it occurred and how it impacted you.

If you have been injured, you should seek medical attention immediately, even if you do not want to report the incident to the police. One option for medical attention is:

Hennepin County Medical Center (HCMC)  
701 Park Avenue  
Orange Building 2.220  
Minneapolis, MN 55415  
(612) 873-5832

You may file a police report with the appropriate law enforcement agency. For on-campus incidents contact the Minneapolis Police Department by calling 911. You can decline filing a police report.

If you would like assistance in filing a police report the Minneapolis College Public Safety Department will assist you.

Minneapolis College has counselors available in the Student Support Center located in T.2200. Mental health professionals are also available in the Student Health Clinic located in room H.3400. Public Safety will provide written notification to the survivor regarding counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other services available on campus and in the greater Minneapolis area for survivors of dating violence, domestic violence, and stalking.

In order to reduce contact between you and your abuser, the College will, upon your request, attempt to provide a change in classes and/or working situations if the accommodation is reasonably available. Other protective measures are also available. These requests can be made to the Dean of Students, Becky Nordin. Public Safety or the Title IX Officer, Vice President for Student Affairs Patrick Troup will provide survivors with written notification regarding the availability of and how to request these accommodations including options and resources for changes to transportation and living situations. Any accommodations or protective orders afforded to you will be maintained as confidential to the extent that maintaining such confidentiality will not impair the ability of the College to provide the accommodations or protective measures.

You have the right to petition for an Order for Protection (OFP) or a Harassment Restraining Order (HRO). Public Safety has information available on how to file for and request an OFP or HRO. The Public Safety Department will assist in the enforcement of all lawful OFPs and HROs. If an OFP or HRO is issued you are encouraged to file a copy with the Minneapolis College Public Safety Department.

You may contact the Minnesota Crime Victims Reparations Board at 651-201-7300. The Crime Victims Reparations Board provides financial help to victims and their families for losses incurred as a result of a violent crime. You may also visit <https://dps.mn.gov/divisions/ojp/help-for-crime-victims/Pages/crime-victims-reparations.aspx> for additional information.

You may request information from the College regarding your rights and options regardless of where the incident occurred and who was involved.

### **Warning Signs of an Abusive Relationship:**

- Do you feel nervous around your partner?
- Do you have to be careful to control your behavior to avoid your partner's anger?
- Do you feel pressured by your partner when it comes to sex?
- Are you scared of disagreeing with your partner?
- Does your partner criticize you, or humiliate you in front of other people?
- Is your partner always checking up on you or questioning you about what you do without your partner?
- Does your partner control where you go or check the mileage on your car?
- Does your partner repeatedly and wrongly accuse you of seeing or flirting with other people?
- Does your partner tell you that if *you* changed, he or she wouldn't treat you like this?
- Does your partner's jealousy stop you from seeing friends or family?
- Does your partner make you feel like you are wrong, stupid, crazy, or inadequate?
- Has your partner ever scared you with violence or threatening behavior?
- Does your partner throw or break objects to intimidate you?
- Does your partner make you feel scared by driving too fast and refusing to slow down when you ask?
- Does your partner say, "I will kill myself if you break up with me" or "I will hurt/kill you if you break up with me"?
- Does your partner make excuses for the abusive behavior? For example: saying, "It's because of alcohol or drugs," or "I can't control my temper," or "I was just joking"?
- Does your partner brag about bullying or harming others or animals?
- Has your partner abused or killed your animals?
- Does your partner impose stereotypical gender roles?

If you answered yes to any of these questions, you may be in an abusive relationship or risk of becoming involved in an abusive relationship.

Source: <http://stoprelationshipabuse.org/educated/warning-signs-of-abuse/>

### ***Procedures for Campus Disciplinary Action for Sexual Violence, Dating Violence, Domestic Violence, and Stalking***

Survivors of sexual violence, dating violence, domestic violence and stalking or those witnessing any type of sexual violence, dating violence, domestic violence, and stalking are encouraged to report the incident to Public Safety or directly to the Sr. Student Complaint and Conduct Officer in T. 2200, Student Support Center suite.

A report with Public Safety can ensure that proper steps are taken to guarantee the safety of the survivor as well as the safety of the campus community as a whole. Reports filed with Public Safety will be forwarded to the campus Title IX Coordinator for investigation. Victims, whether an employee or student, will be provided a written explanation of their rights and options.

The college will use its discretion to determine the need for an investigation and may investigate without the assistance of the reporting party where there is a clear danger to the survivor or the College community or where other reasons exist.

If the Director of Public Safety (or the director's designee) determines that a continued threat exists, Public Safety is required to release information about the reported incident to the campus community. Taking care to protect the identity of the survivor, Public Safety will release only information regarding the nature of the crime, the location in which the crime occurred, date and time of the incident, and any information that might help identify the accused party. The Public Safety Office will inform the campus community of the reported incident according to the Timely Warning procedure.

Reports made through Public Safety will be forwarded to the Title IX Coordinator for investigation to follow the process outlined in System Procedure 1B.3.1

The Title IX Coordinator shall:

- a. determine whether the complaint is one which should be processed through another system office, college or university procedure available to the complainant;
- b. if appropriate, direct the complainant to that procedure as soon as possible; and
- c. for sexual harassment complaints, (as defined by Title IX), determine whether or not the complaint involves the education program or activity of the college or university and whether the incident occurred in the United States.

The Title IX Coordinator should identify to the president or chancellor/designee any real or perceived conflict of interest in proceeding as the Title IX Coordinator, for the decision-maker, the investigator and/or for any person designated to facilitate an informal resolution for a specific complaint. If the president or chancellor/designee determines that a conflict exists, another Title IX Coordinator, decision-maker, the investigator or person facilitating an informal resolution must be assigned.

At the time the complaint is made, the Title IX Coordinator shall:

- a. inform the complainant of the provisions of the Board Policy 1B.3 and this procedure;
- b. provide a copy of or Web address for Board Policy 1B.3 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;
- d. inform the complainant of the provisions of Board Policy 1B.3 prohibiting retaliation;
- e. discuss the availability of supportive measures; and
- f. explain the process for filing a formal Title IX complaint

At the time initial contact is made with the respondent, the Title IX Coordinator shall inform the respondent in writing of the existence and general nature of the complaint and the provisions of the sexual violence policy, including the name of the complainant. At the initial meeting with the respondent, the Title IX Coordinator shall:

- a. provide a copy of or Web address for Board Policy 1B.3 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 Title IX Coordinator, 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;
- e. discuss the availability of supportive measures;
- f. inform the respondent of the provisions of Board Policy 1B.3 prohibiting retaliation; and
- g. utilize the template notice of allegations.

Investigatory process. The Title IX Coordinator 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;
- e. handle all data in accordance with applicable federal and state privacy laws;
- f. include an objective evaluation of all relevant evidence – including both inculpatory and exculpatory evidence.
- g. Presume that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the investigation process.
- h. Not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.
- i. For formal Title IX complaints, before completing the investigation report, send to both the complainant and the respondent and their advisors, if any, the evidence subject to inspection and review. Both the complainant and the respondent must have at least ten (10) calendar days to submit a written response to the evidence, which the Title IX Coordinator will consider before completing the investigative report. Both parties and their advisors may use the information solely for purposes of proceedings pursuant to this policy.
- j. Create an investigative report that fairly summarizes relevant evidence and, at least ten (10) calendar days prior to a formal hearing, send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response.

## 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 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.

At any point during the processing of the complaint, the Title IX Coordinator may determine that there is no basis to proceed under Board Policy 1B.3. The Title IX Coordinator may refer the complaint as appropriate to other college or university officials. If the conduct alleged in the formal Title IX complaint would not constitute Title IX sexual harassment even if proved, did not occur in the college or university's education program or activity, or did not occur against a person in the United States, then the college or university must dismiss the formal complaint. The college or university may dismiss a formal Title IX complaint or any allegations therein any time during the investigation or hearing if a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein; the respondent is no longer enrolled or employed by the college or university; or specific circumstances prevent the college or university from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein. The college or university must promptly notify both the complainant and the respondent of any dismissal.

Colleges, universities and the system office shall provide resources sufficient to complete the investigative process and issue a written response in a timely manner after a complaint is made, unless reasonable cause for delay exists. Reasonable cause may include considerations such as the absence of the party, a party's advisor or a witness; concurrent law enforcement activity or the need for language assistance or accommodation of disabilities. The Title IX Coordinator shall notify the complainant and respondent if the written response is not expected to be issued within a timely manner. The college, university or system office must meet any applicable shorter time periods, including those provided in the applicable collective bargaining agreement.

If the above methods, including the informal resolution process, have not resolved the complaint within a reasonable period of time to the satisfaction of the Title IX Coordinator, the procedures in this subpart must be followed.

The Title IX Coordinator shall:

- a. Prepare an investigation report.
- b. Refer the matter for a formal hearing.

Formal hearings for Title IX sexual harassment complaints will be conducted by the Office of Administrative Hearings pursuant to the rules for administrative hearings. If either the complainant or respondent does not have an advisor for the formal hearing, the college or university must provide an advisor without fee or charge to the complainant or respondent. Colleges and Universities shall maintain a roster of advisors for this purpose. The role of the advisor for the respondent is to conduct cross-examination on behalf of the respondent. At the conclusion of the formal hearing, the administrative law judge will issue a written recommendation for a final decision made by the college or university decision-maker.

After receiving the report and recommendation prepared by the administrative law judge, the decision-maker shall:

- a. Decide whether the policy has been violated; and
- b. On appropriate sanctions if the policy has been violated;
- c. Issue a written determination that must include;
  1. identification of the allegations potentially violating this policy;
  2. a description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearing help;
  3. findings of fact supporting the determination;
  4. conclusions regarding application of the policy to the facts;
  5. a statement of, and rationale, for the result as to each allegation, including determination regarding responsibility, any disciplinary sanctions the college or university imposes on the respondent, and whether remedies designed to restore or preserve equal access to the college or university's education program or activity will be provided by the college or university to the complainant; and
  6. the college or university's procedures and permissible bases for the complainant and respondent to appeal.

The written determination may satisfy these elements by adopting portions of the report and recommendation. The decision-maker must provide the written determination to the parties simultaneously. The determination regarding responsibility becomes final either on the date that the college or university provides the parties with written determination of the result of the appeal; or if an appeal is filed; or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

The college, university, or system office shall take the appropriate corrective action based on results of the investigation, and the Title IX Coordinator 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.3, as well as allegations of retaliation. Disciplinary action for students may include any sanctions the college or university imposes for any student conduct matters, up to and including expulsion. Disciplinary action for employees may include any discipline allowed under the applicable collective bargaining agreement or personnel plan, up to and including termination.

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 college, university, or system office. In accordance with state law, the college, university, or system office is responsible for filing the complaint disposition concerning complaints against employees with the Commissioner of Minnesota Management and Budget within 30 days of final disposition.

The complainant or the respondent may appeal the decision of the decision-maker. An appeal must be filed in writing with the president or designee within ten (10) calendar days after notification of the decision. The appeal must state specific reasons why the complainant or respondent believes the decision or sentence were 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 decision-maker. In addition, for a formal Title IX complaint, both the complainant and respondent may appeal a dismissal of a formal complaint.

The president or designee shall review the record and determine whether to affirm or modify the decision. Grounds for appeal include procedural irregularity that affected the outcome, new evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made that could affect the outcome of the matter, and a conflict of interest or bias by the Title IX Coordinator, or decision-maker that affected the outcome of the matter. 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 must be made within a reasonable time and the complainant, respondent and Title IX Coordinator must 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.

Upon the completion of the investigation, the file shall be stored in a secure location in the office of the Vice President of Human Resources and Workforce Equity for Minneapolis College. 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.

### *Location of Law Enforcement Agency Information Regarding Registered Sex Offenders*

The Federal Campus Sex Crimes Prevention Act, effective October 28, 2002, requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a state regarding registered sex offenders may be obtained. It also requires sex offenders already required to register in a state to provide notice of each institution of higher education in that state at which the person is employed, carries on a vocation, or is a student.

The Minnesota Bureau of Criminal Apprehension administers a predatory offender registration and tracking program. Information regarding this program including general information on registration requirements and notification procedures can be found at the following website:

<https://por.state.mn.us/home.aspx>

Any questions regarding the program may be directed to the Criminal Assessment Program at 1-888-234-1248 or 651-793-7070.

Information regarding registered sex offenders may be obtained through the Minneapolis Police Department (MPD). MPD may be contacted at 612-673-2817.

In addition, information regarding registered sex offenders may be obtained through the Minnesota Department of Corrections at 651-642-0200. An offender locator, for offenders that have the highest risk for re-offense, can be accessed from the Minnesota Department of Corrections website:

<https://coms.doc.state.mn.us/publicregistrantsearch>

The Minneapolis College Public Safety Department will post on the Minneapolis College Public Safety website information regarding level 3 sex offenders who are currently enrolled.

### *Clery Reporting Area*



In the above map, the area outlined encompasses the reporting area for Minneapolis College’s main campus. This area includes Loring Park and the streets and sidewalks running through, and immediately adjacent to, campus. These inclusions are separated out in the crime statistics and make up the “Public Property” category.

**Minneapolis College does not own or operate any student housing facilities.**

**On-Campus Buildings:**

Ackerberg Science Center	1301 Hennepin Ave S
Bowman Hall	1501 Hennepin Ave S
Helland Center	1423 Harmon Place
Kopp Hall	1501 Hennepin Ave S
Management Education Center	1300 Harmon Place
Parking Ramp	1420 Hennepin Ave S
Technical Building	1415 Hennepin Ave S
Wheelock Whitney Library	1501 Hennepin Ave S
Whitney Center for Fine Arts	1424 Yale Place
<b>Non-Campus Property: Delta Building C</b>	7500 Airline Dr. Minneapolis, MN

**Public Property:**

Loring Park	1382 Willow St
Maple Street	From Hennepin Ave S to Harmon Place
16 <sup>th</sup> St N	From Laurel Ave W to Hennepin Ave S
Laurel Ave W	From 16 <sup>th</sup> St N to Hennepin Ave S
Hennepin Ave S	From 16 <sup>th</sup> St to 13 <sup>th</sup> St
13 <sup>th</sup> Street S	From Hennepin Ave S to Harmon Place
Spruce Place	From Hennepin Ave S to Yale Place
Yale Place	From Spruce Place to Willow St
Harmon Place	From Spruce Place to 13 <sup>th</sup> St S

*Crime Statistics*

*Criminal Offenses*

2021	On-Campus	Public Property	Non Campus	Unfounded
Murder/Non-Negligent Manslaughter	0	0	0	0
Manslaughter by Negligence	0	0	0	0
Rape	0	1	0	0
Fondling	0	0	0	0
Incest	0	0	0	0
Statutory Rape	0	0	0	0
Robbery	0	10	0	0
Aggravated Assault	0	7	0	0
Burglary	5	0	0	0
Motor Vehicle Theft	3	3	0	0
Arson	2	0	0	0

2020	On-Campus	Public Property	Non Campus	Unfounded
Murder/Non-Negligent Manslaughter	0	0	0	0
Manslaughter by Negligence	0	0	0	0
Rape	0	3	0	0
Fondling	0	0	0	0
Incest	0	0	0	0
Statutory Rape	0	0	0	0
Robbery	1	9	0	0
Aggravated Assault	0	10	0	0
Burglary	4	0	0	0
Motor Vehicle Theft	0	2	0	0
Arson	1	0	0	0

2019	On-Campus	Public Property	Non Campus	Unfounded
Murder/Non-Negligent Manslaughter	0	0	0	0
Manslaughter by Negligence	0	0	0	0
Rape	0	1	0	0
Fondling	0	1	0	0
Incest	0	0	0	0
Statutory Rape	0	0	0	0
Robbery	0	4	0	0
Aggravated Assault	0	2	0	0
Burglary	2	0	0	0
Motor Vehicle Theft	0	0	1	0
Arson	0	0	0	0

### *VAWA Offenses*

2021	On-Campus	Public Property	Non Campus
Dating Violence	0	0	0
Domestic Violence	2	8	0
Stalking	1	0	0

2020	On-Campus	Public Property	Non Campus
Dating Violence	0	0	0
Domestic Violence	0	6	0
Stalking	1	2	0

2019	On-Campus	Public Property	Non Campus
Dating Violence	0	0	0
Domestic Violence	8	3	0
Stalking	8	0	0

## Arrests and Referrals for Discipline

2021	On-Campus	Public Property	Non Campus
<b>Liquor Law Violations</b>			
Arrests	0	4	0
Referrals	0	0	0
<b>Drug Law Violations</b>			
Arrests	0	3	1
Referrals	0	0	0
<b>Weapons Law Violations</b>			
Arrests	0	0	0
Referrals	0	0	0

2020	On-Campus	Public Property	Non Campus
<b>Liquor Law Violations</b>			
Arrests	0	7	0
Referrals	0	0	0
<b>Drug Law Violations</b>			
Arrests	0	4	0
Referrals	1	0	0
<b>Weapons Law Violations</b>			
Arrests	0	1	0
Referrals	0	0	0

2019	On-Campus	Public Property	Non Campus
<b>Liquor Law Violations</b>			
Arrests	0	14	0
Referrals	3	0	0
<b>Drug Law Violations</b>			
Arrests	0	5	0
Referrals	9	0	0
<b>Weapons Law Violations</b>			
Arrests	0	0	0
Referrals	0	0	0

## Bias Motivated Crimes

The following table depicts reported crimes that were motivated by bias. In addition to murder/non-negligent manslaughter, negligent manslaughter, forcible and non-forcible sex offenses, arson, robbery, aggravated assault, burglary and motor vehicle theft, the crimes of larceny-theft, simple assault, intimidation, and destruction/damage/vandalism of property are included in the list of crimes that must

be reported as hate crime statistics if there is evidence that the crime was perpetrated by the offender’s bias toward the victim’s actual or perceived race, gender, gender identity, religion, sexual orientation, ethnicity, national origin, or disability.

Year	Crime	Bias Motivation	Location
2021	Intimidation	Race	On-Campus
2021	Assault	Race	On-Campus
2020	Intimidation	Race	Public Property
2020	Intimidation	Race	On-Campus
2019	Intimidation	Ethnicity	On-Campus
2019	Intimidation	Religion	On-Campus

The above are reports of alleged criminal activity and do not necessarily constitute an arrest or conviction.

### *Unfounded Cases*

Minneapolis College did not have any unfounded cases in 2021, 2020, or 2019, and was not required to report unfounded cases in prior years. Cases may only be unfounded by a licensed peace officer when an investigation finds that a report was false or baseless.

### *Crime Definitions*

#### *Criminal Offenses*

**Criminal Homicide – Murder and Non-Negligent Manslaughter:** The willful (non-negligent) killing of one human being by another.

**Criminal Homicide – Manslaughter by Negligence:** The killing of another person through gross negligence.

**Sexual Assault:** Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent. The below crimes are specific examples of sexual assault.

- **Rape:** Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without consent of the victim.
- **Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person’s will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.
- **Incest:** Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage would be prohibited by law.
- **Statutory Rape:** non-forcible sexual intercourse with a person who is under the statutory age of consent.

**Robbery:** The taking or attempting to take anything of value from the care, custody, or control of a person or person by force or threat of force or violence and/or by putting the victim in fear.

**Aggravated Assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by the means likely to produce death or great bodily harm. It is not necessary that injury result from an aggravated assault when a gun, knife, or a weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.

**Burglary:** The unlawful entry of a structure to commit a felony or theft. For reporting purposes, this definition includes unlawful entry, with intent to commit larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

**Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by a person not having lawful access even though the vehicles are later abandoned – including joyriding.)

**Arson:** Any willful or malicious burning or attempt to burn, with or without intending to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc. All of the evidence for any fire not known to be accidental will be evaluated by Public Safety management for consideration and determination of classification as arson.

## *Hate Crimes*

A **Hate Crime** is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. Under the Clery Act, the following bias categories are used: Race, Religion, Sexual Orientation, Gender, Gender Identity, Ethnicity, National Origin, and Disability.

**Additional Hate Crime categories:** In addition to the criminal offenses listed under the "Criminal Offenses" section, the following crimes are included if it is determined that the crime was motivated by bias.

- **Larceny-Theft:** The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. (Note: constructive possession is defined by Black's Law Dictionary, sixth ed. As "where one does not have physical custody or possession but is in a position to exercise dominion or control over a thing.")
- **Simple Assault:** An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.
- **Intimidation:** To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.
- **Destruction/Damage/Vandalism of Property (except Arson):** To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

## *VAWA Crimes*

**Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the following factors: the length of the relationship, the type of relationship, and the frequency of interaction between the person involved in the relationship.

**Domestic Violence:** Felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

**Crime of Violence:** An offense that has an element of the use, attempted use, or threatened use of physical force against the person or property of another, or any other offense that is a felony and that, by its nature, involved a substantial risk that physical force against the person or property of another may be used in the course of committing the offense.

**Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others; or suffer substantial emotional distress.

## *Arrests and Referrals for Discipline*

**Arrest:** Persons processed by arrest, citation or summons.

**Referral:** The referral of any person to any official who initiates a disciplinary action of which a record is established and which may result in the imposition of a sanction.

**Drug Abuse Violations:** Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and the making of narcotic drugs. The relevant substances include opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (demerol, methadone); and dangerous non-narcotic drugs (barbiturates, benzedrine).

**Liquor Law Violations:** The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)

**Weapon Law Violations:** The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as manufacture, sale or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; and all attempts to commit any of the aforementioned.

## *Personal Security Recommendations*

Minneapolis College Public Safety staff help to ensure the safety and security of the campus community by providing regular patrols of the campus, conducting regular safety and security programs, and offering safety and security brochures. However, the best protection against crime is by taking

appropriate steps in preventing crime from happening. Public Safety encourages the campus community to be responsible for their own security and the security of others.

Call for a Safe Walk. Public Safety Officers are available to provide a Safe Walk around campus and to areas near the campus during normal operating hours. To request a Safe Walk call 612-659-6910.

Be aware of when Minneapolis College Public Safety Officers are on duty. Minneapolis College Public Safety staff patrol the campus during normal operating hours and can be reached at 612-659-6910.

**Protect your property:**

- Participate in Operation Identification often offered by your local law enforcement agency in placing a number on your valuables.
- Personal property (purses, briefcases, calculators, backpacks, etc.) should never be left unattended. Take such items with you if you are leaving the office or classroom.
- Lock your door whenever you leave your room or office.
- Take valuables home with you.
- Park your bike in designated areas on campus. Always lock your bike. There are several good anti-theft devices available. Minneapolis College Public Safety recommends the use of a U-Lock to secure your bike.
- Maintain a record of serial numbers for valuable items such as laptop computers, tablets, cell phones, and music players.
- Remember your passcodes to cloud accounts and use features that would allow you to track your device if stolen and also being able to erase your data remotely.

**Protect your automobile:**

- Always lock your car doors and never leave keys in the vehicle.
- Try to park your vehicle in a well-lit area.
- Avoid leaving property where it is visible inside the vehicle.

**Protect yourself while walking and/or exercising outside:**

- Avoid walking or exercising outside alone after dark. If you are traveling alone at night, use the Minneapolis College Public Safety Safe Walk Service (612-659-6910) to walk with you to your on-campus destination or locations near campus.
- Walk along well-lit and well-traveled routes.
- Be alert to your surroundings. If you suspect you are being followed, run in a different direction, go to the other side of the street and yell for help, or head quickly for a well-lit area or a group of people.
- Have your keys ready when returning to your car and keep your personal or valuable items concealed and close to your body.

**Help us protect you:**

- Suspicious Activity
  - If you see any suspicious activity on or near campus, call Minneapolis College Public Safety immediately at 612-659-6900. Do not assume that what you observe is an innocent event or that it has already been reported.
  - Do not assume the person is a visitor or college employee that you have not seen before.

- Suspicious Behavior may include the following:
  - Loitering about at unusual hours or locations
  - Running, especially if something of value is being carried
  - Going room to room trying door handles
  - Exhibiting unusual mental or physical symptoms
  - Person(s) could be under the influence of drugs, or alcohol, or need medical or psychiatric assistance
  - The selling of goods for personal profit is not permitted at Minneapolis College. Violations of this rule should be reported to Public Safety immediately.

## *Drug and alcohol-Free Campus Policy for Student and Employees*

### **4.06 Drug and Alcohol-Free Campus Policy**

#### **Part.1. Scope of Policy**

The Minneapolis College Drug-and-Alcohol-Free Campus Policy is for Students and Employees of the College and includes all campus locations.

#### **Part. 2. Purpose**

Minneapolis College, along with Minnesota State, is committed to ensuring an educational and employment environment where students and employees can work, learn and develop to their full potential. Because the use and abuse of alcohol and controlled substances negatively impact the ability of students and employees to work, learn, and develop to their full potential, and to comply with federal and state laws, Minneapolis College has adopted and will implement the following drug-and-alcohol free campus policy.

#### **Part 3. Drugs, Alcohol Prohibited**

The unlawful manufacture, growing, possession, use, dispensation, sale or distribution of controlled substances and manufacture, use, sale, distribution or possession of alcoholic beverages by Minneapolis College students and Minneapolis College employees is strictly prohibited: 1) on Minneapolis College Property; 2) while participating in a student activity, activities sponsored by officially recognized student organizations, or an event or activity sponsored or sanctioned by Minneapolis College or Minnesota State, including off-site activities; and 3) while performing work, including overtime work and rest breaks.

##### **Subpart A. Exceptions**

The use of alcoholic beverages may be permitted only:

1. For Minneapolis College or Minnesota State educational/awareness programs; or
2. For a specific event or circumstance authorized by Minnesota State or Minneapolis College.

However, in no case may students or employees violate liquor laws.

##### **Subpart B. Employees**

No Minneapolis College employee may:

1. Report to work under the influence of alcohol, controlled substances or other drugs which affect her/his alertness, coordination, reaction, response, judgment, decision-making or safety; or

2. Operate, use or drive any Minneapolis College or Minnesota State equipment, machinery or vehicle while under the influence of alcohol, controlled substances or mind-altering drugs

An employee who is under the influence of alcohol, controlled substances or other mind-altering drugs, who is taking medically authorized drugs or other substances which may affect job performance, has an affirmative duty to immediately notify the appropriate supervisor that the employee's mental or physical condition precludes her/his ability to operate, use or drive Minneapolis College or Minnesota State equipment.

Employees are discouraged from consuming alcoholic beverages off-site during lunch or dinner meals when returning to perform work on behalf of Minneapolis College. In any situation subsequent to the intake of alcohol, an employee whose behavior or condition adversely affects her/his performance is subject to discipline. Since engaging in off-duty sale, purchase, transfer, use or possession of controlled substances may have a negative effect on an employee's ability to perform his/her work, a Minneapolis College employee involved in such circumstances is subject to discipline.

Employees working on federal grants or contracts who are convicted of a criminal drug statute violation occurring in the workplace are required to notify Minneapolis College or Minnesota State within five (5) working days of such a conviction.

#### **Part. 4. Penalties for Policy Violations**

Minneapolis College employees and students who violate this policy are subject to Minneapolis College and Minnesota State sanctions and may be subject to legal sanctions under local, state, or federal law.

Minneapolis College students will be disciplined according to the Student Code of Conduct. Disciplinary sanctions include, but are not limited to, warning, confiscation, restitution, dismissal, suspension, expulsion and referral for prosecution.

Minneapolis College employees covered by a Collective Bargaining Agreement will be disciplined according to the process delineated in the appropriate agreement. Other employees will be disciplined according to the Excluded Administrators Plan or the Commissioner's Plan. Discipline may include but is not limited to, oral and written reprimand, suspension, termination, and referral for prosecution.

#### **Part. 5. Information**

Minneapolis College provides voluntary educational programs designed to inform students and staff about the health risks associated with drug and alcohol use, community resources available to provide assistance to individuals dealing with drug and/or alcohol abuse issues, the legal ramifications associated with illegal use of drugs and/or alcohol, and penalties for policy violations under Minnesota Law.

#### **Legal Penalties**

##### **Minneapolis Ordinances**

##### **364.40. Consuming in public.**

No person shall consume intoxicating liquor as defined by Minnesota Statutes, Section 340A.101, Subdivision 14, or non-intoxicating malt liquor as defined by Minnesota Statutes, Section 340A.101, Subdivision 10, while (1) in a public street, highway, alley, sidewalk, boulevard, or any place frequented by the public; (2) on any private property without the consent of the owner of such property; or (3)

while in duly licensed on-sale premises, or if otherwise authorized by law. (Code 1960, As Amend., § 853.030; 80-Or-268, § 1, 11-14-80; Pet. No. 251179, § 35, 12-29-89)

#### **364.45. Loitering in possession of open bottle.**

No person shall loiter in any public street, highway, alley, sidewalk, boulevard or any other public property, or on any private property without consent of the owner of such property, while in possession of any bottle or other receptacle containing intoxicating liquor or non-intoxicating malt liquor which has been opened, or the seal broken, or the contents partially removed, with intent to consume such intoxicating liquor or non-intoxicating malt liquor.

This section shall not prohibit the possession of alcoholic beverages at duly licensed on-sale premises if otherwise authorized by law.

Persons in violation of these ordinances may be subject to a fine.

#### **Minnesota Law**

Under Minnesota law, it is a crime for any person to drive, operate, or be in physical control of any motor vehicle when the person is under the influence of alcohol or a controlled substance.

A person who commits first-degree driving while impaired is guilty of a felony and may be sentenced to imprisonment for not more than seven years, or to payment of a fine of not more than \$14,000, or both.

Other penalties for violating state laws prohibiting driving under the influence include:

- Driver's license suspension or revocation;
- Impounding motor vehicles;
- Further criminal prosecution

Under Minnesota law, it is also a crime for a person under the age of 21 years to consume, possess or purchase any alcoholic beverages.

- Underage consumption: \$100 fine.
- Possession by persons under 21: \$100 fine.
- Use of false identification for alcohol purchase: \$100 fine.
- Furnishing alcohol to persons under 21: \$3,000 fine and/or 1 year in jail

Guidelines for the sentencing of any person convicted of drug and alcohol-related criminal offenses are established by the Minnesota Sentencing Guidelines Commission. The actual length of a sentence depends upon the individual's criminal and driving history.

Possession or sale of controlled substances, including but not limited to, narcotics, depressants, stimulants, hallucinogens, and cannabis, is prohibited by Minnesota law. Penalties for controlled substance crimes include:

#### **First Degree**

Sale: 10+ grams of cocaine, 50+ grams of other narcotic drug, 200+ doses hallucinogen, 50 kilos marijuana, or 25+ kilos marijuana in a school zone, park zone, or public housing zone.

Possession: 25+ grams cocaine, 500+ grams of other narcotic drug, 500+ doses hallucinogen, 110+ kilos of marijuana.

Penalty: 0 to 40 years, 4-year mandatory minimum if prior drug felony; up to \$1,000,000 fine. 0 to 40 years, 2<sup>nd</sup> offense.

## **Second Degree**

Sale: 3+ grams cocaine, 10+ grams of other narcotic drug, 50+ doses hallucinogen, 25+ kilos marijuana, or sale of a Schedule I or II narcotic drugs of 5+ doses hallucinogen or methamphetamine either to a person under 18 or in a school zone, park zone, or public housing zone.

Possession: 6+ grams cocaine, 50+ grams of other narcotic drug, 100+ doses hallucinogen, 50+ kilos marijuana.

Penalty: 0 to 40 years, 3-year mandatory minimum if prior drug felony; up to \$500,000 fine.

## **Third Degree**

Sale: Narcotic drug, 10+ doses hallucinogen, 5+ kilos marijuana, or sale of any Schedule I, II, or III drugs (except a Schedule I or II narcotic drug or marijuana) to a person under 18 or employment of person under 18 to sell the same.

Possession: 3+ grams cocaine, 10+ grams of other narcotic drug, 10+ kilos marijuana, and any amount of a Schedule I or II narcotic drug or LSD or methamphetamine or 5+ kilos marijuana in a school zone, park zone, or public housing zone.

Penalty: 0 to 30 years, 2-year mandatory minimum if prior drug felony, up to \$250,000 fine. Between 0 to 30 years, 2<sup>nd</sup> or subsequent offense.

## **Fourth Degree**

Sale: Any Schedule I, II, or III drugs (except marijuana), or sale of marijuana in a school zone, park zone, or public housing zone or any Schedule IV or V drug to a person under 18 or conspiracy for the same.

Possession: 10 doses hallucinogen, any amount of a Schedule I, II, or III drugs (except marijuana) with intent to sell it.

Penalty: 0 to 30 years, 1-year mandatory minimum if prior drug felony, up to \$100,000 fine.

## **Fifth Degree**

Sale: Marijuana or any Schedule IV Drug.

Possession: All Schedule I, II, III, IV drugs except 42.5 grams or less of marijuana. Any prescription drugs obtained through false pretenses or forgery.

Penalty: 0 to 5 years, 6-month mandatory minimum if prior drug felony; up to \$10,000 fine.

## **Federal Law**

### **Schedule I Drugs (Penalty for Possession)**

First Offense: 10 years to life, 10-year mandatory minimum; if death or serious injury, 20-year minimum; up to \$4 million fine individual, \$10 million other than individual.

Second Offense: 20 years to life, 20-year mandatory minimum, if death or serious injury, not less than life; up to \$8 million fine individual, \$20 million other than individual.

### **Schedule II Drugs (Penalty for Possession)**

First Offense: 5 to 40 years, 5-year mandatory minimum; if death or serious injury, 20-year minimum, up to \$2 million fine individual. \$5 million other than individual.

Second Offense: 10 years to life, 10-year mandatory minimum, if death or serious injury, not less than life; up to \$4 million fine individual, \$10 million other than individual.

**Schedule I or Schedule II Controlled Drugs (Penalty for Possession)**

First Offense: 0 to 20 years, if death or serious injury, 20-year minimum, not more than life; up to \$1 million fine individual, \$5 million other than individual.

Second Offense: 0 to 30 years, if death or serious injury, not less than life; up to \$2 million fine individual, \$10 million other than individual.

**Schedule III Drugs (Penalty for Possession)**

First Offense: 0 to 5 years, up to \$250,000 fine individual, \$1 million other than individual.

Second Offense: 0 to 10 years; up to \$500,000 fine individual, \$2 million other than individual.

**Schedule IV Drugs (Penalty for Possession)**

First Offense: 0 to 3 years, up to \$250,000 fine individual, \$1 million other than individual.

Second Offense: 0 to 6 years, up to \$500,000 fine individual, \$2 million other than individual.

**Schedule V Drugs (Penalty for possession)**

First Offense: 0 to 1 year, up to \$100,000 fine individual, \$250,000 other than individual.

Second Offense: 0 to 2 years, up to \$200,000 fine individual, \$500,000 other than individual.

**Health Risks**

*Associated with the use/abuse of alcohol:* malnutrition; lowered resistance to disease; irreversible brain or nervous system damage; gastrointestinal irritation; damage to liver; heart and pancreas; addiction/alcoholism; coma; death from overdose, injury or accident; fetal alcohol syndrome.

*Associated with the use/abuse of controlled substances:* damage to heart, lungs, brain and nerve cells; lung cancer; memory disorders; interference with psychological maturation; temporary loss of fertility in both men and women; psychological dependence; bronchitis, infections, colds and other viruses; stroke, liver problems, seizures; heart and respiratory failure; psychosis, convulsions; sexual dysfunction. For users who share/use unsterile needles: tetanus; hepatitis; tuberculosis; HIV/AIDS. For pregnant women: miscarriage; stillbirths; premature labor or delivery; hemorrhaging. For cocaine babies: irritability; unresponsiveness; stroke; malformed kidneys and genitals; seizures; SIDS.

**Resources****Campus Resources:**

Counseling Office – Student Support Center	612-659-6709	T.2200
Minneapolis College Human Resources	612-659-6840	K.1100
Student Health Clinic	612-659-6384	H3400

**Community Resources:**

Abbott Northwestern Hospital	612-863-4000	800 E. 28th St., Minneapolis.
African American Family Services	612-871-7878	2616 Nicollet Ave. S., Minneapolis
Alcoholics Anonymous	612 871-2218	2218 1st Ave S, Minneapolis
American Indian Services	612-813-1155	2200 Park Ave., Minneapolis
Chicanos Latinos Unidos En Servicios	612-764-3500	720 E. Lake St, Minneapolis
Substance Abuse and Mental Health Services Administration (SAMHSA)	1-800-662-HELP	
CREATE, Inc.	612-874-9811	1911 Pleasant Ave. S., Minneapolis
Fairview Resources/Services	612-672-6600	2450 Riverside Ave., Minneapolis
Hennepin County Medical Center	612-873-6288	701 Park Ave., Minneapolis
Minneapolis American Indian Center	612-871-4555	1530 E. Franklin Ave., Minneapolis
State Employees Assistance Program	651-259-3840	

## *Discrimination and Harassment Reporting Process*

### **Part 1. Policy Statement**

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

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

This policy is directed at verbal or physical conduct that constitutes discrimination/harassment under state and federal law and is not directed at the content of speech. In cases in which verbal statements and other forms of expression are involved, Minneapolis Community and Technical College 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.

Minneapolis Community and Technical College 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 Minneapolis Community and Technical College, 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 the 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.

### **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 Minneapolis College Nepotism Policy 6.02.

#### **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 college 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 this 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 College and Universities have 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
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 as sanctioned by the college; 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**

Minneapolis Community and Technical College personnel include all faculty, staff, administrators, 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, sexual orientation, gender identity or gender expression. 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 college 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 college from taking immediate action to protect victims of alleged sexual abuse.

#### **Subpart H. Student**

1. "Student" means an individual who is: admitted, enrolled, registered to take or is taking one or more courses, classes, or seminars, credit or noncredit; or
2. between terms of a continuing course of study at the college, such as summer break between spring and fall academic terms; or

3. Expelled or suspended from enrollment as a student at the college during the pendency of any adjudication of the student disciplinary action.

### **Part 3. Consensual Relationships**

An employee of Minneapolis Community and Technical College 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, the evaluative authority will be reassigned 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 at Minneapolis Community and Technical College. Any individual subject to this policy who intentionally engages in retaliation shall be subject to disciplinary or other corrective action as appropriate.

Related policies: Minnesota State Board Policy 1B.1 Nondiscrimination in Employment and Education Opportunity, <http://www.Minnesota State.edu/Policies/1B1.html>

## **Investigation and Resolution (College Policy 2.01.01)**

### **Subpart 1. Purpose and Applicability**

#### **Subpart A. Purpose**

This procedure is designed to further implement Minneapolis Community and Technical College's policies relating to nondiscrimination by providing a process through which individuals alleging violation of system nondiscrimination policies 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 Minneapolis Community and Technical College, 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 Minneapolis College Policy 2.01 Nondiscrimination, 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 Minneapolis Community and Technical College.

### **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 Minneapolis College 2.01 Nondiscrimination, are to be addressed under other appropriate policies and established practices.

## **Part 2. Definitions**

### **Subpart A. Designated officer**

Designated officer means an individual designated by the president 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.

### **Subpart B. Decision maker**

Decision-maker means a high-level administrator designated by the president to review investigative reports, to make findings whether the nondiscrimination policy has been violated based upon the investigation, and to determine the appropriate action for the institution to take based upon the findings.

### **Subpart C. Retaliation**

Retaliation means any action against a complainant or other individual because the individual:

1. Participated in the investigation or resolution of a complaint under this procedure;
2. Opposed conduct the individual believes was in violation of nondiscrimination policies; or
3. Associates with another individual who is protected from discrimination under Minneapolis College Policy 2.01 Nondiscrimination.

## **Part 3. Consensual relationships**

Minneapolis College Policy 2.01 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 Minneapolis College Policy 2.01 Nondiscrimination, 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.

##### **Subpart B. Duty to report**

Administrators and supervisors shall refer allegations of conduct that they reasonably believe may constitute discrimination or harassment under Minneapolis College Policy 2.01 Nondiscrimination 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 the 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**

Minneapolis Community and Technical College has an affirmative duty to take timely and appropriate action to stop behavior prohibited by Minneapolis College Policy 2.01 Nondiscrimination, 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 Minneapolis College Policy 2.01 Nondiscrimination. 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 college 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 any real or perceived conflict of interest in proceeding as the designated officer for a specific complaint. If the president determines that a conflict exists, another designated officer shall be assigned.
3. Information provided to the complainant. At the time the report/complaint is made, the designated officer shall:
  - a. Inform the complainant of the provisions of the Minneapolis College Policy 2.01 Nondiscrimination and this procedure;
  - b. Provide a copy of or Web address for Minneapolis College Policy 2.01 Nondiscrimination 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 Minneapolis College Policy 2.01 Nondiscrimination prohibiting retaliation.

4. Complaint documentation. The designated officer shall ensure 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 college.
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 Minneapolis College Policy 2.01 Nondiscrimination 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 Minneapolis College Policy 2.01 Nondiscrimination prohibiting retaliation.
6. Investigatory process. The designated officer shall:
  - f. Conduct a fact-finding inquiry or investigation into the complaint, including appropriate interviews and meetings;
  - g. Inform the witnesses and other involved individuals of the prohibition against retaliation;
  - h. Create, gather and maintain investigative documentation as appropriate;
  - i. 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
  - j. 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 Minneapolis College Policy 2.01 Nondiscrimination. 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 College 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 decision-maker for review and

decision;

- b. Take additional investigative measures as requested by the decision-maker; and
  - c. Be responsible for coordinating responses to requests for information contained in an investigation report in accordance with the Minnesota Government Data Practices Act and other applicable law including, but not limited to, the Family Educational Rights and Privacy Act (FERPA). In determining the appropriate response, the designated officer shall consult with the campus data practice compliance official and/or the Office of General Counsel.
2. Decision-maker. After receiving the investigation report prepared by the designated officer, the decision-maker 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 Minneapolis College 2.01 Nondiscrimination 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 Minneapolis College Policy 2.01 Nondiscrimination 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 Minneapolis College Policy 2.01 Nondiscrimination shall be referred to another procedure for further action, if appropriate.

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

The System Office, college, or university shall take the appropriate corrective action based on the 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 Minneapolis College Policy 2.01 Nondiscrimination, as well as allegations of retaliation.

Written notice to parties relating to discipline, resolutions, and/or final dispositions resulting from the report/complaint process is deemed to be official correspondence from the System Office, college or university. In accordance with state law, the College 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 decision-maker. 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 decision-maker.

### **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 College shall provide education and training programs to promote awareness and prevent discrimination/harassment, such as educational seminars, peer-to-peer counseling, and operation of hotlines, self-defense courses, and informational resources. Education and training programs should include education about Minneapolis College Policy 2.01 Nondiscrimination and this procedure.

## **Part 10. Distribution**

Information regarding Minneapolis College Policy 2.01 Nondiscrimination 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 on the College campus 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 College 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.

### *Student Code of Conduct*

#### **Part 1. Student Conduct Policy**

The College establishes a code of student conduct that states policies and procedures for the administration of student conduct proceedings. Students will be afforded appropriate due process in the resolution of any allegation(s) of violations of the code of student conduct. Students found responsible for violations are subject to disciplinary action which in more serious cases may include suspension or expulsion from the College. The Student Code of Conduct is available on the College website and is posted at appropriate locations on campus.

#### **Part 2. Off-campus Conduct**

The College may hold students accountable for violations of behavioral standards committed off-campus when: hazing is involved, or the violation is committed while participating in a College sanctioned or sponsored activity; or the victim of the violation is a member of the college community; or the violation constitutes a felony under state or federal law, or the violation adversely affects the educational research or service functions of the College.

#### **Part 3. Appeal**

Students found to be responsible for a conduct violation will be provided an avenue of appeal within the College. In addition, in cases involving suspension for ten (10) days or longer, the student will be informed of their right to a contested case hearing under Minnesota Statute 14.

#### **Part 4. Procedures**

The College has established the procedures to implement this policy (<https://minneapolis.edu/about-us/policies/procedure-40401> ).

#### **College Policy 4.04.01**

#### **Student Code of Conduct Procedures**

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

Minneapolis College believes that every student is accountable for his or her individual behavior especially as it imposes on the freedom, rights, and safety of another individual or to the extent that it impacts upon the atmosphere and environment conducive to the educational mission of the College community.

Within this context, specific kinds of behavior are judged to be unacceptable and may serve as a basis for expulsion. These include, but are not limited to: disorderly and/or disruptive behavior; physical assault or threat of physical assault; theft or attempted theft; vandalism or willful property damage; trespassing (unauthorized presence) or failure to heed a lawful order; academic dishonesty; fraud and/or willful misrepresentation; and possession of alcohol and/or illicit substances.

Disciplinary action against individual students or a group of students are administered in the context of a unified and coordinated set of campus regulations and processes to ensure fair, equitable, and legal outcomes. This process ensures due process for students accused of engaging in misconduct.

The code of conduct exists to guide the behavior of all Minneapolis College students. Students participating in on-site orientation will be provided with information regarding the student code of conduct.

### **Part 2. Jurisdiction**

The College has the right to take necessary and appropriate action to support and protect the safety and well-being of the College community. Minneapolis College students are expected to abide by local, state and federal laws and College rules. Should the violation of civil or criminal law involve College interests, the College has the right to proceed with disciplinary action without regard to civil or criminal proceedings.

These regulations apply on campus and at all College-sponsored activities, or at activities sponsored by College clubs or organizations on- or off-campus, or if the off-campus action involves a continuation or extension of a situation initiated on campus, except where specifically limited. Students or organizations may be subject to College discipline for any of the misconduct described below which occurs any time on College-controlled premises or at College-approved or sponsored functions.

### **Part 3. Standards**

All Minneapolis College students are encouraged to familiarize themselves with, as well as to conform to, College rules and regulations governing personal conduct on all campuses. Violations of such rules and regulations, for which students are subject to disciplinary action, include, but are not limited to, the following:

1. Dishonesty, including, but not limited to cheating, plagiarism, or knowingly furnishing false information to the College. Plagiarism includes, but is not limited to the use by paraphrase or direct quotation, the published or unpublished work of another person without full and clear acknowledgement; unacknowledged use of materials prepared by another person or agency engaging in selling or otherwise providing term papers or other academic materials. Knowingly passing an insufficient funds check or fraudulent money order in payment of any financial obligation to the College.
2. Forgery, alteration, misrepresentation, or misuse of College documents, records or identification, or of records submitted to the College.
3. Unauthorized use, changing, deleting of any information or data contained in the Minnesota State student record computers.
4. Obstruction or disruption of teaching, research, administration, disciplinary procedures, or other College activities on or off campus, including, but not limited to, instruction, the community service functions or other authorized activities on or off College premises.
5. Failure to comply with directions of College officials acting in the performance of their duties or with fire, police or other emergency service personnel. Failure to identify oneself to these persons when requested to do so, after they have identified themselves.
6. Conduct which threatens or endangers the health or safety of any person at the College, or at College controlled, sponsored or supervised functions. Intentionally, recklessly or negligently causing physical harm to any person on the College premises or at College sponsored activities.

This includes engaging in any form of fighting or any hostile conduct or behavior that might incite violence.

7. Harassment of any member of the College community, placing any person under mental duress or causing any person to be in fear of physical danger through verbal abuse (including repeated phone calls), intimidation including but not limited, to violence or threat of violence, bullying or personal vilification, including when such actions are based on age, sex, race, color, disability, religion, sexual orientation, or national/ethnic origin. (Refer also to Minneapolis College Sexual Harassment Policy).
8. Physical, sexual abuse or battery upon a student or College personnel, upon College premises, or while under the authority of College personnel, or at a College-sponsored event; or continued abuse of a student or College personnel, assault or battery upon a student or College personnel, or any threat of force or violence directed toward a student or College personnel.
9. Hazing, including any act which endangers the mental or physical health or safety of a student, or which destroys or removes public or private property, for the purpose or intention, admission into, affiliation with, or as a condition of continued membership in a group or organization.
10. Unauthorized borrowing of or use of College property, theft or attempted theft or damage to, property of the College or property of a member of the College community or property of a campus visitor.
11. Unauthorized entry to, or use of, College supplies (including College stationery and postage), keys, telephones (including long distance service), computers or computer systems, equipment and/or facilities or the use of any of the above for any illegal act or any act prohibited by the code of conduct.
12. Theft or destruction of computer hardware or software. Misuse of computer time including, but not limited to: unauthorized entry into a file, to use, read, or change the contents, or for any other purpose; unauthorized transfer of a file, unauthorized use of another individual's identification and password; use of computing facilities to interfere with the work of another student, faculty member or College official; use of computing facilities to send obscene or abusive messages; use of computing facilities to interfere with normal operation of the College computing system.
13. Damage to public or private property on College premises including, but not limited to graffiti, defacing signs or damaging College property wherever located.
14. The incurring of financial obligations on behalf of the College without proper authorization.
15. Violation of College regulations concerning student organizations, the use of College facilities, or the time, place and manner of public expression.
16. Unauthorized use, sale, possession, or presence on campus or at College-sponsored events of alcoholic beverages or controlled substances and/or drug paraphernalia. The state of being under the influence of alcohol or controlled substances on College-controlled property, or at College-sponsored events. A complete copy of the Drug and Alcohol-Free Campus Policy is available for students and employees in the Counseling Office and the Human Resources Office.

17. Disorderly, disruptive, indecent, or obscene conduct or expression, or breach of peace, on College-owned or controlled property or at College-sponsored or supervised functions. Obstruction of the free flow of pedestrian or vehicular traffic on College premises or at College-sponsored or supervised functions.
18. Continued willful and disruptive behavior, vulgarity, open and persistent defiance of authority, or persistent abuse of College personnel.
19. Possession or use of unauthorized firearms or other dangerous weapons on College-controlled property. "Weapon" is broadly defined to include, but is not limited to, all firearms (including BB guns), dangerous knives, explosives, explosive fuels, dangerous chemicals, billy-club, and fireworks.
20. Violation of College regulations regarding the use of tobacco products on College-controlled property.
21. Gambling on campus.
22. Unauthorized solicitation or selling of goods or services on campus or at College-sponsored activities on or off-campus.
23. Actions which interfere with obstruct or prevent the regular and essential operations of the College or infringe upon the rights of others to freely participate in its courses, programs or services.

#### **Part 4. Sanctions**

Disciplinary sanctions are implemented by written notification after an informal meeting or formal hearing with administrative staff arranged by the Office of the Vice President for Student Affairs or designee.

More than one of the sanctions listed below may be imposed for any single violation. The following sanctions are listed to provide students with examples of possible penalties for conduct code violations.

The College reserves the right to impose other sanctions as circumstances warrant.

- **Warning** - issuance of an oral or written warning or reprimand that may become part of a student's permanent file.
- **Restitution** - payment required to the College or other persons, groups, or organizations for damages incurred.
- **Probation** - continued enrollment at the College but under specific written conditions for a specific period of time. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to be violating any institutional regulations(s) during the probationary period.
- **Discretionary Sanction** - service to the College or other related discretionary assignments.
- **Loss of a College Privilege** - an order directing a student not to have contact with an area or another member of the College community.
- **Suspension** - denial of the privilege of enrollment for a specific period of time after which the student is eligible to return. Conditions for re-admission may be specified.
- **Long-term Suspension** - a suspension that remains in effect for longer than 10 (ten) days. Long-term Suspensions are recorded on the academic transcript.

- **Summary Suspension** - a suspension imposed without an investigation, informal meeting or formal hearing to ensure the safety and well-being of members of the College community.
- **Expulsion** - termination of student status. Expulsions are recorded on the academic transcript.

## **Part 5. Initiation of Conduct Investigation**

*NOTE: Complaints alleging harassment or discrimination based on race, sex, color, creed, religion, age, national origin, disability, marital status, status with regard to public assistance, or sexual orientation, will be investigated and processed under the Equal Opportunity Policy and Procedures in the College catalog. All other complaints alleging improper conduct by a student or student group will be investigated under the Student Conduct Investigation Procedures.*

### **Subpart A. Filing of a Complaint**

Any member of the College community may file a complaint against a student or student organization alleging a violation of the Student Code of Conduct or other College policy. A complaint should be submitted to the Student Conduct Officer or designee. Once a complaint is filed, the Student Conduct Officer reserves the right to investigate the complaint even if a complainant chooses not to pursue the matter. Persons filing a complaint are required to provide pertinent information and, if necessary, appear at a hearing.

### **Subpart B. Misconduct Reported Through Other Means**

In many situations, alleged conduct violations are reported to the Student Conduct Officer through Public Safety Incident Reports or other means. The Student Conduct Officer has the responsibility to ensure compliance with the Student Code of Conduct and therefore retains the authority to investigate all reports of alleged student misconduct regardless of how the report is received by the Student Conduct Officer.

### **Subpart C. Cooperation with Investigation**

All members of the college community are required to cooperate with an investigation and provide pertinent information to the Student Conduct Officer upon request, and if necessary, appear at a hearing.

## **Part 6. Investigation of Alleged Misconduct**

Following the filing of a complaint or receipt of a report of alleged misconduct, the Student Conduct Officer or designee will conduct an investigation. If in the process of the investigation, the Student Conduct Officer or designee determines that the complaint is unwarranted or unsupported, the Student Conduct Officer or designee shall discontinue proceedings.

### **Subpart A. Informal Meeting**

If the Student Conduct Officer or designee feels that there is sufficient evidence to support the complaint, the Student Conduct Officer or designee shall offer the accused student an opportunity to resolve the violation at an informal meeting. The student or students will be notified of their right to the informal meeting orally or by e-mail sent to their College assigned e-mail account.

Prior to or at the beginning of the informal meeting, the student must be provided with the following information:

- Oral or written notice of the complaint.
- A copy of the Student Code of Conduct.
- Oral or written notice of a summary of the evidence to support the complaint specific policy he/she is accused of violating.
- A Tennessee Notice.

During the informal meeting, the Student Conduct Officer or designee shall review the complaint and evidence with the student and allow the student to present a defense against the complaint. The accused student may have an advisor or attorney present. However the advisor or attorney may not participate in any questioning or advocate on behalf of the student.

Within a reasonable time period following the meeting, the Student Conduct Officer shall inform the accused student in writing of his/her decision whether a violation of the code was established by a preponderance of evidence and any applicable sanction as well as options available for an appeal meeting or formal hearing.

If the student fails to appear for the informal meeting, the Student Conduct Officer or designee may impose an appropriate sanction against the student. The Student Conduct Officer or designee shall send written notice to the student of any sanction imposed, including any applicable right to appeal. The student or students will be notified by e-mail sent to their College assigned e-mail account.

A student who has received a sanction other than a long-term suspension or expulsion has a right to an appeal meeting with a Student Affairs Administrator. A request for an appeal meeting must be made in writing to the Student Affairs Administrator identified in the notice of sanction and received within ten (10) business days of the e-mail notice of sanctioning. Failure to request an appeal meeting in writing within the ten (10) day time period presumes acceptance of the sanction.

A student who has received a sanction of a long-term suspension or expulsion may accept the sanction or may request a formal hearing. A request for a formal hearing must be made in writing to the Student Affairs Administrator identified in the notice of sanction and received within ten (10) business days of the e-mail notice of sanctioning. Failure to request a formal hearing in writing within the ten (10) day time period presumes acceptance of the sanction.

#### ***Subpart B. Formal Hearing***

After receiving a request for a formal hearing within the proscribed time period, the College will notify the student in writing of the time, place and date of hearing. Such notice to the student shall also include:

- A summary of the witness and documentary evidence that may be presented in support of a charge.
- A statement that the student's failure to appear will not prevent the hearing from proceeding as scheduled and may lead to imposition of sanctions in the student's absence.
- Notice that the student may have an advisor present, and if there is a likelihood that the student will face criminal prosecution related to the charge, notice that the student may wish to retain an attorney.
- Notice that the student must provide a summary of their witnesses and documentary evidence that may be presented at the formal hearing by a proscribed date.

The student may elect to have a hearing before the Student Affairs Administrator or before a College Conduct Committee made up of members of the College community. The hearing will be conducted in the following manner:

1. The Student Conduct Officer or designee who imposed the sanction shall first present the complaint and supporting evidence. The accused student shall have an opportunity to challenge evidence.
2. The accused student shall next present evidence or testimony to refute the complaint.
3. Only those materials and matters presented at the hearing shall be considered as evidence.
4. The hearing shall be held in closed session unless the Student Affairs Administrator/Conduct Committee Chair determines there is a compelling reason and neither the accused student nor the complainant presents an objection.
5. The accused student may have an advisor or attorney present. However, the advisor or attorney may not participate in any questioning or advocate on behalf of the student.

Upon conclusion of the Conduct Committee hearing, the Committee in closed session shall consider the evidence and make a recommendation to the Student Affairs Administrator. The Student Affairs Administrator will consider the recommendation and evidence that is forwarded by the Conduct Committee and will decide to uphold the sanction, exonerate the student, or impose a different sanction.

If the student elects to have a hearing before the Student Affairs Administrator, the hearing will be conducted in the manner described above. Upon conclusion of the hearing, the Student Affairs Administrator shall consider the evidence and decide to uphold the sanction, exonerate the student, or impose a different sanction.

A written notice of findings and conclusions shall be provided to the student within a reasonable time after the hearing. The student shall be considered notified of the sanction: 1) when the notice is hand-delivered to the student or 2) two-days (excluding Sundays and legal holidays) after the notice is e-mailed to the student's College assigned e-mail account. If the Student Affairs Administrator affirms a long-term suspension or expulsion, the notice shall inform the student of his/her right to a contested case hearing under Minnesota law.

### **Part 7. Contested Case Hearings**

If a long-term suspension or an expulsion is upheld by the Student Affairs Administrator, the student has a right to appeal the decision before an administrative law judge pursuant to Minnesota Statutes Chapter 14. A student seeking a hearing before an administrative law judge must inform the Student Affairs Administrator within ten (10) business days of the e-mail notice of the Student Affairs Administrator's final decision. The College will request a hearing from the Office of Administrative Hearings. The student will be notified of the time, place and date of the hearing.

The hearing will be conducted pursuant to Contested Case Procedures adopted by the Office of Administrative Hearings. An administrative law judge will be appointed by the Chief Administrative Law Judge pursuant to Minnesota Statute section 14.50.

Following the hearing, the administrative law judge shall make a report, which contains a recommendation, to the College President.

Within a reasonable time period following receipt of the administrative law judge's recommendation, the College President shall make a decision. The President's decision shall be final.

## **Part 8. Summary Suspension**

In some cases, a complaint may allege threats of harm or serious harm to individuals. If in the judgment of the Student Conduct Officer or designee, the accused student's presence on campus would constitute a serious threat to the safety and well-being of others, the Student Conduct Officer or designee may impose a summary suspension. To the greatest extent possible before implementing the summary suspension, the accused student shall be given oral or written notice of the intent to impose summary suspension and shall be given an opportunity to present oral or written arguments against the imposition of the suspension. However, the refusal of a student to accept or acknowledge this notice shall not prevent the implementation of a summary suspension.

Notice of a summary suspension shall be provided to the accused student in writing. During the summary suspension, the student may not enter the campus without obtaining prior authorization from the Student Conduct Officer or designee. A student who has been summarily suspended will be given the opportunity for an informal meeting or formal hearing within the shortest reasonable time period, not to exceed nine (9) school or business days.

*None of the provisions in this policy affect the rights of persons in authority to take immediate and temporary action necessary to protect others and to uphold established policies, regulations, and laws.*

## **Part 9. Appeal Guidelines**

The following guidelines should be used as grounds for an appeal: new evidence not reasonably available at the time of the hearing, violation or hearing procedures, violation of student's due process rights, inconsistency of sanction relative to violation, and decisions contrary to weight of the evidence.

## **Part 10. Implementation**

A sanction shall not become effective during the time in which a student seeks an appeal meeting or formal hearing, unless, in the discretion of the Student Conduct Officer or designee, it is necessary to implement an immediate sanction for the safety and welfare of the College community.

## **Part 11. Definitions**

For purposes of 4.04 Student Code of Conduct and 4.04.01 Student Code of Conduct Procedures the following definitions apply:

**Expulsion.** Permanent denial of the privilege of enrollment at the College.

**Hazing.** An act which endangers the mental or physical health or safety of a person, subjects a person to public humiliation or ridicule, or which destroys or removes public or private property for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a student group, organization, or athletic team.

**Preponderance of evidence.** A standard of responsibility that it is more likely than not that the code has been violated.

**Student.** The term "student" includes all persons who:

1. Are enrolled in one or more courses, either credit or non-credit, through the College, including any type of course, but not limited to traditional, CECT, PSEO, TRIO, etc., OR
2. Withdraw, transfer or graduate, after an alleged violation of the student conduct code, but before an outcome is rendered, OR
3. Are not currently enrolled, but have been enrolled in at least one course in the proceeding calendar year or are registered for at least one course in the upcoming term (traditional or non-traditional terms), OR

4. Have been notified of their acceptance for admission or have initiated the process of application within the last calendar year or have applied for admission to the college within the last calendar year.

Nothing in this definition limits the college's right to address conduct issues involving graduates where the issue could impact their entitlement to a degree, diploma, certificate or other award, as well as other issues to the college's discretion

**Summary suspension.** A suspension imposed without an informal meeting or formal hearing to ensure the safety and well-being of members of the college or university community.

**Suspension.** Denial of the privilege of enrollment for a specified period of time after which the student is eligible to return. Conditions for re-enrollment may be specified.

### *Notification of Rights under FERPA for Postsecondary Institutions*

Important notice to students of Minneapolis College about Public vs. Private Student Information. The Federal Family Education Rights and Privacy Act of 1974 and the Minnesota State Legislative Chapter 479 and 401 provide direction for the data practices at Minneapolis College. Each college may establish what information is public (sometimes referred to as directory information) on its students.

### *Student Records Policy*

#### **Part 1. Confidentiality of Student Records:**

The Federal Family Education Rights and Privacy Act (FERPA) of 1974, and the Minnesota State Legislative Chapter 479 and 401 provide for specific regulations regarding the collection, security, dissemination and confidential status of data in student records. Besides classroom academic papers, students enrolled in the College are required by various departments to supply information necessary for services to be rendered to the student. The College gives assurance that student information will be safeguarded against improper disclosure as indicated in this policy. Students who refuse to supply official college-requested information will not receive the services rendered by that department.

#### **Part 2. Public vs. Private Student Information**

##### **Subpart A. Public Information**

At Minneapolis College, the following information is Public Information (directory information). This data is accessible to any member of the public for any review:

- Name of Student
- Date of Attendance
- Graduation, Certification
- Field of Study

Minneapolis College does not publish a student directory. No directory or other lists of students will be released to individuals or commercial agencies. (Please note exception: Students attending graduation ceremonies may have their addresses released to the graduation photographer so that pictures may be mailed to participants).

Student email addresses and Star ID numbers are defined as Limited Directory Data for enterprise technology-related purposes internal to the Minnesota State that are approved by System Office IT, including, but not limited to, inclusion of email addresses and Star ID numbers in a directory accessible to Minnesota State students and employees.

A student may make a written request not to release public information without his/her written permission (i.e., request confidentiality); this request should be submitted to the Records Office in T.2100. Currently enrolled students should notify the Records Office by the fifth day of the term.

#### **Subpart B. Private Information**

Private information may be released by the College to students requesting information about themselves, to appropriate College personnel or to **Minnesota State** personnel who have a legitimate educational interest, to the Higher Education Services Office, to the National Student Loan Clearinghouse for enrollment verification, **for financial disbursement**, or if necessary to protect the health and safety of the student or other persons. Other exceptions authorized by law which permit the release of private information without consent include: to other schools in which you seek or intend to enroll; to the federal Comptroller General or other federal, state or local educational officials for purposes of program compliance, audit, or evaluation; as appropriate, in connection with your application for, or receipt of, financial aid; to a court, grand jury or state or federal agency, if the information is sought with an appropriate subpoena or court order; to an institution engaged in research for an educational institution or agency related to testing, student aid, or improved instruction; an accrediting organization in connection with its accrediting functions; if required by a subpoena or a court order, or when permitted by other state or federal laws. Private information includes:

- Address and phone number of the student
- Academic information including transcripts, grades, assessment, and test results
- Recommendation information
- Evaluations
- Profile information which identifies individuals
- Student financial records and other financial information
- Background information including behavior, performance, traits, etc.
- Counselor records (except as they contain information stated as confidential or as public)
- Suspension or probation status
- Conduct reports

#### **Subpart C. Exception to Private Information listed above**

There is a federally mandated exception that authorizes the release of some otherwise private information to the United States military.

Under the Solomon Amendment to the National Defense Authorization Act (1996), Minneapolis College must provide access to the following information on students to the United States military:

- Name
- Address
- Telephone listing
- Date and place of birth
- Level of education
- Academic major
- The educational institution in which the student was most recently enrolled

### **Part 3. Confidential Information**

Confidential information is information available only to individuals or agencies authorized by law to gain access, such as investigation information, legal counsel data, and some financial records and statements. This information may not be available to the subject of the data.

### **Part 4. Student Records**

Student records contain information that is directly related to a student *and are only* those records maintained by an educational agency or institution. These records are most often needed to fulfill requests by students for various needs.

Examples of student records include:

- Admission and application records
- Advising
- Assessment testing
- Financial aid
- Registrations and grades
- Student accounts

### **Part 5. Notification of rights under FERPA**

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records.

They are:

1. The right to inspect and review the student's education records within 45 days of the day the College receives a request for access. Students should submit to the Registrar, a written request that identifies the record(s) they wish to inspect. The Registrar will arrange for access and notify the student of the time and place where the records may be inspected.
2. The right to request the amendment of the student's education records that the student believes are inaccurate or misleading. Students may ask the College to amend a record that they believe is inaccurate or misleading. They should write the Registrar, clearly identify the part of the record they want corrected, and specify why it is inaccurate or misleading. If the Registrar decides not to amend the record as requested by the student, the Registrar will notify the student of the decision and advise the student of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing. This procedure can be found in College Procedure 4.11.1, as well as a reiteration of student and educational records examples.
3. The right to consent to disclosures of personally identifiable information contained in the student's records, except to the extent that FERPA authorizes disclosure without consent. One exception that permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the College in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff); a person or company with which the College has contracted (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request, the College discloses education records without consent to officials of another school in which a student seeks or intends to enroll. (NOTE:

FERPA requires an institution to make a reasonable attempt to notify the student of the records request unless the institution states in its annual notification that it intends to forward records on request.) Minneapolis College discloses educational records to National Student Loan Clearing House, a national educational agency that serves as an agency of the College by providing verification of attendance for financial aid recipients and for other purposes.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by Minneapolis Community and Technical College to comply with the requirements of FERPA.

The name and address of the Office that administers FERPA are:

Family Policy Compliance Office  
U.S. Department of Education  
600 Independence Avenue, SW  
Washington, DC 20202-4605

### *Voter Registration Information*

Minneapolis College encourages all students and staff to be active participants in exercising their right to vote in local, state, and national elections if they are eligible to vote. Voter Registration Forms are available at the student life office located in the Helland Center. In addition, Student Life promotes an annual voter registration drive. Please email [Student.Life@minneapolis.edu](mailto:Student.Life@minneapolis.edu) if questions.

Minnesota is a state that is covered by section 4(b) of the National Voter Registration Act (42 U.S.C. 1973gg-2(b) which permits eligible voters to register at their polling place on Election Day.

#### **Where Do I Vote?**

Generally, you vote in the neighborhood where you live. You may call your county auditor or city clerk's office for the address of your polling place. If you recently registered to vote (see "How Do I Vote"), you will receive a postcard that tells you the location of your polling place. You can also lookup your polling place on the Secretary of State's Website <https://www.sos.state.mn.us/> Select "Elections and Voting" and then "Election Day Voting" followed by "Where do I vote?"

#### **How Do I Vote?**

1. Register to vote.
2. Go to your polling place on Election Day. An election judge will check if you're on the list of voters and, if so, have you sign the list. Then you'll get a ballot. If you can't go to your polling place on Election Day, you can apply for an absentee ballot.
3. Vote! The election judges will show you the process for marking and depositing your ballot in the ballot box. They also will help you read or mark the ballot if you need assistance.

#### **Regarding Voter Registration**

Before you can vote, you need to be on the official list of voters. This is called being "registered." You need to register if you just became eligible to vote, moved, changed your name or haven't voted in the last four years. The easiest way to register is by filling out a voter registration card and mailing or dropping it off at your city clerk, county auditor or the secretary of state's office. When you fill out the card, remember that you can only vote where you live. If you are a student living at school, you can choose whether to register at home or at school but not both!

#### **Where Can I Get A Voter Registration Card?**

- Secretary of State website at [www.sos.state.mn.us](http://www.sos.state.mn.us)
- at state, county, or city offices and public libraries
- where you apply for, renew, or change your Minnesota Driver's License or ID card

- at many businesses, stores, and community groups
- from the government pages of most phone books

### **Can I Register On Election Day?**

If you miss registering before Election Day, you can still register at your polling place on Election Day, by bringing one proof of residence listed below:

- ID with current name and address
- Valid Minnesota Driver's License, learner's permit (or a receipt for any of these)
- Tribal ID with name, address, photo, and signature
- Photo ID and a document with current name and address
- A registered voter who can confirm your address
- Valid registration in the same precinct
- Notice of Late Registration
- A staff person of a residential facility

This information (any further details) on voter registration is available in the "Elections and Voting" section of the Minnesota Secretary of State website at <https://www.sos.state.mn.us/>

## *Student Right-to-Know Graduation and Transfer-Out Rates*

### **What is Student Right-To-Know?**

Student Right-To-Know is a federal law that requires all colleges and universities to disclose certain information to students. This handout provides the information that a college must provide to students on graduation rates and transfer-out rates for full-time students seeking degrees at Minneapolis Community and Technical College (Minneapolis College).

### **What is a graduation rate and what is a transfer-out rate?**

Federal regulations specify how to calculate graduation and transfer rates. The rates come from a study of Minneapolis Community and Technical College students who started at the college in the fall of 2018. The study includes all first-time, students who enrolled full-time that fall and were seeking to earn a degree, diploma or certificate at the college.

The **graduation rate** is the percentage of these students who graduated from Minneapolis College within three years. The **transfer-out rate** is the percentage of these students who did not graduate from Minneapolis College but instead transferred to another college or university within three years.

### **What do I need to know about these rates?**

These rates do not report on all students at Minneapolis Community and Technical College. The 492 first-time, full-time students in the study were 7 percent of all students enrolled at Minneapolis College in the fall of 2018.

### **What are the graduation and transfer-out rates for Minneapolis Community and Technical College students and how do they compare to rates for other colleges?**

- The **graduation rate** for Minneapolis College was 19 percent.
- The **transfer-out rate** for Minneapolis College was 28 percent.
- The combination of the graduation rate and the transfer-out rate for Minneapolis College was 48 percent. The national average combined rate for similar colleges was 45 percent.

### **Why don't more Minneapolis Community and Technical College students graduate or transfer in three years?**

- Since Minneapolis College has an “open door” mission, many new students need to take “developmental” courses to improve their reading, writing or math skills before taking other college courses;
- Students who switch from full-time to part-time enrollment or “stop out” for one or more semesters are more likely to take more than three years to graduate;
- Some students take jobs before they graduate;
- Other students delay their education for personal, family or financial reasons.

<b>Disaggregated Student Right-to-Know Graduation and Transfer-Out Rates</b>			
<b>Minneapolis Community and Technical College</b>	<b>Graduation Rate</b>	<b>Transfer-out Rate</b>	<b>Combined Rate</b>
Total Cohort	19%	28%	48%
<b>Race Ethnicity</b>			
American Indian or Alaska Native	*	*	*
Asian	16%	22%	38%
Black or African American	10%	38%	49%
Hispanic of any race	18%	18%	35%
Native Hawaiian or Other Pacific Islander	*	*	*
Nonresident Alien	21%	46%	67%
Two or more races	18%	13%	31%
Unknown race and ethnicity	*	*	*
White	33%	25%	58%
<b>Gender</b>			
Female	22%	30%	52%
Male	17%	27%	44%
<b>Financial Aid</b>			
Pell Grant Recipient	18%	29%	46%
Received neither Pell nor Subsidized Stafford Loans	21%	31%	52%
Received Subsidized Stafford Loans, but no Pell	25%	16%	41%

\*\*Suppressed to protect student privacy.

Due to rounding, percentages may not always appear to add up.

## *Hepatitis A, B, and C Information*

### **What is Hepatitis A?**

HAV is a liver disease caused by the Hepatitis A virus. In the United States, HAV can occur in situations ranging from isolated cases of disease to widespread epidemics. Good hand washing and proper sanitation can help prevent spread. Vaccines are also available for long-term prevention of HAV infection in persons two years of age and older. Immune globulin is available for short-term prevention

of Hepatitis A.

### **How Can I Get It?**

#### **You can get HAV by:**

- Eating raw shellfish harvested from sewage-contaminated water
- Swallowing contaminated water or ice
- Eating fruits, vegetables, or other food that may have become contaminated during handling
- Use of street drugs

HAV is found in the stool of persons with Hepatitis A. HAV can affect anyone, and is usually spread from person to person by putting something in the mouth that has been contaminated with the stool of a person infected with Hepatitis A. HAV can spread in areas where there are poor sanitary conditions or where good hand washing is not observed. Persons with HAV can spread it to household members or sexual contacts.

A person can spread HAV about one week before symptoms appear and during the first week of symptoms. Persons with no symptoms can still spread the virus. This often happens with young children who unknowingly spread HAV to older children and adults.

**Casual contact as in the usual office, factory or school setting, does not spread the virus.**

### **Who Is At Risk?**

#### **You are at risk if you:**

- Have household or sexual contacts with someone who has HAV
- Travel to countries where HAV is common and where clean water and proper sewage disposal are not available
- Are a man who has sex with men
- Use street drugs
- Work in childcare centers (especially settings that have children in diapers)
- Live or work in an institution for developmentally disabled persons
- Work in a research laboratory setting, (excluding laboratories doing routine testing) and handle HAV-infected non-human primates
- Receive factor concentrates for a clotting factor disorder.

### **Symptoms**

Three of every four adults who get HAV have symptoms that usually develop over a period of several days. Children who are infected often have no symptoms.

#### **If you have symptoms:**

- Your eyes may turn yellow and you may have dark urine
- You may be tired
- You may lose your appetite
- You may have nausea, vomiting, fever, or stomach ache

Unlike HBV and HCV, HAV causes no long-term liver damage and usually does not cause death. There is no chronic carrier state with HAV. Having had the disease produces lifelong immunity from future HAV Infection.

## **Prevention**

Always wash your hands after using the bathroom, changing a diaper, and before eating or preparing food.

Hepatitis A vaccines provide long-term protection against Hepatitis A and are licensed for use in persons two years of age and older. Children and adults need two shots of Hepatitis A vaccine for long-term protection.

### **Who Should Receive Hepatitis A Vaccine?**

- Persons who work in or travel to areas where Hepatitis A is common (the first dose should be given at least four(4) weeks before travel)
- Children in communities with high rates of Hepatitis A, such as Alaska Native villages, American Indian Reservations, and Pacific Islander and selected religious communities.
- Men who have sex with men
- Persons who use street drugs
- Persons with chronic liver disease
- Persons with clotting factor disorders, such as hemophilia
- Persons who work with HAV-infected non-human primates or work with HAV in a research setting (Hepatitis A vaccine is not generally recommended for health care workers)
- Anyone who wants protection

### **Hepatitis A is preventable, get vaccinated!**

#### **What Is Hepatitis B?**

HBV is a serious disease caused by a virus that attacks the liver. HBV can cause lifelong infection, cirrhosis (scarring) of the liver, liver cancer, liver failure, and death. HBV can affect anyone. Each year in the United States, more than 200,000 people of all ages get Hepatitis B and close to 5,000 die of sickness caused by HBV. If you have had other forms of Hepatitis, you can still get Hepatitis B. Vaccines are available for long-term protection of HBV infection. Hepatitis B immune globulin is available for post-exposure protection.

#### **How Can I Get It?**

##### **You get HBV by:**

- Direct contact with the blood or body fluids of an infected person
- Having sex or sharing needles with an infected person
- Use of street drugs
- Exposure to your infected mother at birth

Women who are infected with HBV can give it to their babies. Babies who get HBV at birth may have the virus for the rest of their lives. They can spread the disease, and get cirrhosis of the liver or liver cancer.

Sometimes, people who are infected with HBV never recover fully from the infection. They can remain infectious for the rest of their lives. In the United States, about one million people carry HBV.

### **Hepatitis B is not spread through food, water, or by casual contact.**

#### **Who Is At Risk?**

##### **You're at risk if you:**

- Have sexual contact with an infected person

- Have multiple sex partners
- Are a man who has sex with men
- Have household contact with someone who has chronic HBV infection
- Work with human blood products
- Shoot street drugs
- Live or work in a home for the developmentally disabled
- Have hemophilia
- Travel to areas where HBV is common
- Your parents were born in Southeast Asia, Africa, the Amazon Basin in South America, the Pacific Islands, and the Middle East.

One out of 20 people in the United States will get HBV at some time if not vaccinated.

### **Symptoms**

You may have Hepatitis B (and be spreading the disease) and not know it; sometimes a person with HBV infection has no symptoms at all.

### **If you have symptoms:**

- Your eyes or skin may turn yellow
- You may lose your appetite
- You may have nausea, vomiting, fever, stomach or joint pain
- You may feel extremely tired and not be able to work for weeks or months

### **Prevention**

Hepatitis B vaccine is the best protection against HBV. Two to three doses are needed for protection based on type of vaccine.

### **Who should get vaccinated?**

- All babies, beginning at birth, should get the Hepatitis B vaccine.
- All children and adolescents who have not been vaccinated
- Persons of any age whose behavior puts them at high risk for HBV infection
- Persons whose jobs expose them to human blood.

All pregnant women should be tested for HBV early in their pregnancy. Babies born to HBV positive mothers should receive vaccine along with Hepatitis B immune globulin (called H-BIG) at birth. The vaccine series should be completed during the first 6 months of life. There is no cure for HBV; this is why prevention is so important. **Hepatitis B is preventable. Get vaccinated!**

Employees at Minneapolis Community & Technical College in the following areas are vaccinated through our Bloodborne Pathogen/Exposure Control Plan: Facilities, Nursing, Dental Assistant, Physical Education, Public Safety, Machine Tool, and HVAC.

If you are an employee in one of these departments and decline the Hepatitis B shots you must fill out a declination form and return it to Human Resources. This form can be found:

[https://mnscu.sharepoint.com/sites/MPLS/ResourcesAndServices/EHS/Shared%20Documents/Hepatitis\\_B\\_Declination.pdf#search=hepatitis](https://mnscu.sharepoint.com/sites/MPLS/ResourcesAndServices/EHS/Shared%20Documents/Hepatitis_B_Declination.pdf#search=hepatitis)

The Bloodborne Pathogens/Exposure Control Plan can be found:

<https://mnscu.sharepoint.com/sites/MPLS/ResourcesAndServices/EHS/Shared%20Documents/bl>

## **What is Hepatitis C**

HCV is a liver disease caused by the Hepatitis C virus, which is found in the blood of persons who have this disease.

HCV is serious for some persons, but not for others. Some do not feel sick from the disease. Most persons who get HCV carry the virus for the rest of their lives and have some liver damage. Others may develop cirrhosis (scarring) of the liver and liver failure, but this process can take many years.

## **How Can I Get It?**

### **You Can Get HCV By:**

- Using of tattoo or body piercing tools contaminated with someone else's blood.
- The artist or piercer not following good health practices, including handwashing and using disposable gloves.
- Sexual contact with multiple partners
- Use of street drugs

The infection is spread by contact with the blood of an infected person. Almost four million Americans are infected with the Hepatitis C virus

### **Hepatitis C virus is NOT spread by:**

- Breast-feeding
- Sneezing
- Hugging
- Coughing
- Food or water
- Sharing eating utensils or drinking glasses
- Casual contact

## **Who Is At Risk?**

### **You Are At Risk If You:**

- Ever injected street drugs, even if you experimented a few times many years ago
- Were treated for clotting problems with a blood product made before 1987
- Received a blood transfusion or solid organ transplant (e.g., kidney, liver, heart) before July 1992, or you were notified that you received blood that possibly contained HCV
- Were ever on long-term kidney dialysis

Many people who are at risk for HCV are at risk for Hepatitis A and Hepatitis B. Check with your doctor to see if you should get Hepatitis A and Hepatitis B vaccines.

## **Could I Already Have Hepatitis C?**

Ask your doctor for a blood test for Hepatitis C.

## **Symptoms**

Most people have no symptoms until the disease is very advanced. Fatigue is the most common. Only 25% - 35% develop malaise, weakness, or anorexia and some develop jaundice. Fulminant hepatitis with liver failure following acute HCV infection has been reported but is rare.

### **Why should I be tested for Hepatitis C?**

Early diagnosis is important so you can:

- Be checked for liver disease
- Get treatment, if indicated. Drugs are licensed for the treatment of persons with long-term Hepatitis C
- Learn how you can protect your liver from further harm
- Learn how you can prevent spreading HCV to others

### **Prevention**

An ounce of prevention is worth a pound of cure!

- Don't ever shoot drugs. If you shoot drugs, stop and get into a treatment program.
- Never reuse or share syringes, water, or drug works, and get vaccinated against Hepatitis A and Hepatitis B
- Do not share toothbrushes, razors, or other personal care articles
- Health care workers should always follow routine barrier precautions and safely handle needles and other sharps.
- Get vaccinated for HBV
- Consider the health risks if you are thinking about getting a tattoo or body piercing
- Use latex condoms correctly and every time
- The surest way to prevent the spread of any disease by sex is not to have sex at all

### **There is no vaccine to prevent Hepatitis C.**

Adapted from: Minnesota Department of Health, Acute Disease Prevention and Control materials; Hepatitis A and Hepatitis B brochure, August 1999. Centers for Disease Control and Prevention materials; Hepatitis C brochure, October 1998.

For more information call: Hepatitis Hotline at 1-888-4HEPCDC (1-888-443-7232) Centers for Disease Control and Prevention website: <http://www.cdc.gov/hepatitis> Minnesota Department of Health website: <http://.www.health.state.mn.us>

## *Withdrawing from Course and Refund Policy*

### **Withdrawing from course**

Dropping a course

- When you drop a class, it is removed from your schedule, D2L, and transcript as if you never registered
- Tuition and fees for the course are removed from your bill

Drop deadlines vary by course. For many courses, you have through the 5<sup>th</sup> day of the semester to drop. However, courses that do not meet for the entire semester will have a different deadline than those that meet the entire semester. Refer to the course description in the class schedule to find the drop deadline for your course.

It is your responsibility as a student to be aware of the drop deadlines for your courses, and to drop any course you do not plan to attend.

## **Withdrawing from a course**

- When you withdraw from a course, you receive a grade of W on your transcript
- W grades are not calculated in your Minneapolis College grade point average (GPA)
- W grades are calculated toward your course completion rate for Satisfactory Academic Progress
- Withdrawing from a course does not remove tuition and fees from your bill

Withdraw deadlines vary by course. Refer to the course description in the class schedule to find the withdraw deadline for your course.

It is your responsibility as a student to be aware of the withdraw deadlines for your courses, and to withdraw from any course you are no longer attending.

Financial aid is earned by attending classes, and withdrawing from courses after the drop/add deadline may result in your financial aid awards being adjusted.

## **Last Date of Attendance and Never Attended**

### **The Last Date of Attendance policy and the *Never Attended* process differ greatly**

**Last Date of Attendance (LDA)** is defined as College Policy 4.16. It applies to situations where a student attends or participates in a course, but stops attending or participating after the deadline to drop the course. Students who stop attending or participating in a course should withdraw in eServices.

However, if the student does not withdraw from the course, the instructor will record an LDA (also known as an administrative withdrawal). LDA's result in a W grade on transcripts and the student is still responsible for the tuition obligation.

**The Never Attended** process is defined as situations where a student was reported as never attended or participated in all of their course(s). The intent of this process is to provide a systematic method for the college to identify and administratively remove registrations where the student had no intention of attending all of the courses for the semester. Minneapolis College reserves the right to gauge intent on the student's behalf.

Non-attendance and non-participation in any course(s) along with non-communication with any instructor(s) are examples of criteria used to make this evaluation. This process removes the registration(s) from the transcript and the corresponding tuition and fees from the student account bill.

**Students must drop unwanted registrations in eServices by the drop deadline to avoid the academic and final consequences.** However, the college can apply the Never Attended process to the records that meet the following criteria:

1. Student did not meet the participation requirement in **any** course during the term
2. Student did not communicate with the instructor and receive approved absence response
3. Instructor recorded "Never Attended" in eServices during the first two weeks of the term

The Never Attended process does not apply to all situations. Therefore, students should manage their enrollment and promptly drop unwanted registrations by the published deadline per the financial obligation statement agreed upon at time of registration.

## **How to Withdraw from a Class**

Dropping a class after the drop/add period has ended is considered a Withdrawal. You may withdraw from a course after the add/drop period has ended with no grade penalty, however, you will not be

eligible for a tuition refund and must still pay any outstanding balances owed to the college. Withdrawing from a class/es will appear on your college transcripts as “W” grades. This means that you have attempted the course.

### **Instructions for: Withdraw from a Class(es)**

- Go to [www.minneapolis.edu](http://www.minneapolis.edu)
- Select “Students” then select “eServices” from the links in the green banner in the middle of the page
- You will then login with your StarID and Password
- Select “Courses and Registration” and select “View/Modify Schedule.”
- Press the “x” button next to the course you want to withdraw from.
- Verify that you want to withdraw by entering your password, then select “Withdraw”.
- Check your course schedule to verify that this action has been completed.

### **Tuition Payment Policy**

It is important to pay your tuition on time otherwise your registration may be canceled for non-payment. Each term, the tuition payment deadline is published on-line. Payment arrangements must be made by this date to secure your registration.

You are exempt from this policy if you have:

- Applied for financial aid and the College has received your FAFSA record from the Department of Education
- Submitted approved “Third Party Billing Authorization” to the Business Services Office.
- Enrolled in the Post-Secondary Enrollment Options (PSEO) program.
- You have signed up for a payment plan.
- You have been notified that Minneapolis College received an advance payment of a scholarship to cover tuition and fees.

Online payments are accepted at any time 7 days a week. If you have questions about your registration, financial aid or bill – please visit the staff at the Student Services Center.

### **Refund policy**

You can apply for a refund in accordance with these Minneapolis College Refund Policy guidelines:

#### **Part 1. Refunds and Waivers**

##### **Subpart A. Schedule for Refunds for Dropped Classes/Withdrawals**

Minneapolis College will refund tuition and fees for students who totally withdraw in accordance with the following schedule. This schedule does not apply to partial withdrawals.

There are no refunds for partial withdrawals except as allowed in Subpart B.

Fall and spring terms and other terms at least 10 weeks in length:

##### **Withdrawal Period | Refund % -**

- 1st through 5th class day of term | 100

- 6th through 10th class day of term | 75
- 11th through 15th class day of term | 50
- 16th through 20th class day of term | 25
- After 20th class day | 0
- Summer sessions | --
- 1st through 5th class day | 100
- 6th through 10th class day | 50
- After the 10th class day | 0

Students enrolled in terms of less than 10 weeks are entitled to have the opportunity to attend the first class session without obligation. Students are obligated for any classes dropped one business day after the first class session.

If a fee for a dropped class is for the recovery of costs already incurred by the campus, such fees will not be refunded.

If a student is obligated for a dropped class, the college or university may apply the amount of the tuition and/or fees for the dropped class to the cost of an added class for the current term.

#### **Subpart B. Other Refunds**

The college may refund amounts due to the college for the following reasons:

- Death of student (family must provide verification)
- Medical reasons (students must provide signed documentation by a medical doctor as to why their condition prevented attendance)
- College error (students must fill out forms available in the student business office, signed by an Associate Dean, Dean or Vice President)
- Significant personal circumstances (circumstances must be documented and verifiable in a written format)

The college will not refund amounts due to the college for the required return of financial aid.

Students must petition the college for such a refund to be granted. Petitions must include appropriate documentation. In all cases except college error, students will receive a "W" on their transcript.

#### **Subpart C. Waivers**

The college must waive amounts due to the college for the following reasons:

- Employee benefit provided by a bargaining agreement
- Ward of the state
- War orphans
- Student called to military duty for any branch of the U.S. military

### **PART 2. ACCOUNTABILITY/REPORTING**

The colleges will maintain records on waivers and refunds. Refunds due to college error shall be reported annually. The Legislative Auditor may audit these records.

#### *Tuition Disclosure Information*

The 1993 Omnibus Higher Education Finance Bill requires colleges to inform students of the amount of State of Minnesota's appropriation that is used to support their higher education. Tuition from students at Minneapolis College pays for approximately 47% of the cost of education at the College. The amount

may change based on decisions by the Minnesota State Board of Trustees.

### *Equal Opportunity Institution*

Minneapolis College 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, personal practices, or access to and participation in, programs, services, and activities with regard to race, sex, color, creed, religion, age, national origin, disability, marital status, status with regard to public assistance, sexual orientation, gender identity, or gender expression, familial status or membership or activities in a local commission as defined by law.

This document is available in alternative formats to individuals with disabilities contacting the Accessibility Resource Center at 612-659-6730 or [accessibility@minneapolis.edu](mailto:accessibility@minneapolis.edu)