

# Compliance and Security Report

*Fall 2010*



MCTC is an equal opportunity educator and employer  
A Member of the Minnesota State Colleges and Universities system



## Table of Contents

Welcome .....	3
Campus Security Report .....	3
Location of Law Enforcement Agency Information Regarding Registered Sex Offenders .....	12
Crime Statistics For 2007-2009 .....	14
Financial and Institutional Information .....	15
Drug and Alcohol-Free Campus Policy for Students and Employees .....	16
Resources.....	18
Discrimination/Harassment Reporting Process .....	19
Student Code of Conduct .....	28
Notification of Rights Under FERPA for Postsecondary Institutions .....	35
Voter Registration Information .....	38
Students Right To Know .....	39
Emergency Instructions .....	40
Hepatitis A, B and C Information .....	41
Withdrawing from Classes and Refund Policy .....	45
Other Information .....	47

## Welcome

Minneapolis Community and Technical College is committed to providing you with a quality educational experience. The faculty, administration and staff are partners with students in this effort. There are many services, resources and information available to assist you. The following pages provide MCTC's compliance and safety reports and policies. This information is distributed to registered students annually in compliance with several federal and state laws including the Drug-Free Schools and Community Act, the Equity in Athletics Disclosure Act, the Student Right to Know, the Campus Security Act, the Drug-Free Workplace Act, and the Family Educational Rights and Privacy Act, and is available to prospective students upon request. It will also be made available in alternate format upon request. (Contact the Office for Students with Disabilities at 612-659-6730, voice or 612-659.6731, TTY). All students and staff are encouraged to familiarize themselves with these compliance reports. In addition, other important information on topics that contribute to a positive campus environment is presented. Additional important information appears in the MCTC Catalog.

We sincerely want you to have a positive learning experience at the College. If you have any questions about this document or other issues related to the College, please feel free to discuss them with a MCTC staff member.

Irene H Kovala, Ed.D.  
Vice President, Academic & Student Affairs  
Fall 2010

## Campus Security Report

Campus Public Safety Department - 612-659.6910

The Public Safety Department of Minneapolis Community & Technical College prepares this report to comply with the Jeanne Cleary Disclosure of Campus Security Policy and Crimes Statistics Act of 1998. This report is prepared in cooperation with local law enforcement agencies responsible for our campus locations. Internally, departments such as Student Affairs, Academic Affairs, Legal Affairs, Human Resources, Judicial Affairs and others provide information to comply with the Act. Campus crime, arrest and referral statistics include those reported to MCTC's Public Safety Department, designated campus officials, and local law enforcement agencies.

Each year, notification is made to all current/perspective students and employees that contains the website to access this report. Copies of the report may be obtained at MCTC's Public Safety Department located at 1501 Hennepin Avenue, R3100 or by calling 612-659-6910.

### Campus Security Report Compliance Team:

Curt Schmidt, Director of Public Safety .....	612-659-6902
Laura Fedock, Dean of Enrollment Management & Associate Vice President ...	612-659-6765
Irene Kovala, Vice President, Academic & Student Affairs.....	612-659-6158
Keith Balaski, Director of Human Resources ...	612-659-6842
Dianna Cusick, Director of Legal Affairs .....	612-659-6320
Becky Nordin, Judicial Affairs Officer.....	612-659-6712

### 1. Campus Security

Minneapolis Community and Technical College (MCTC) encourages all students and College Community members to be fully aware of the safety issues on the 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.

Pursuant to the Student Right to Know and Campus Security Act, MCTC monitors criminal activity, publishes this report, and maintains a three-year statistical history on the main campus and at off campus property or facilities owned or used by MCTC. MCTC will notify employees, current students and prospective students of the availability of this report and will provide a copy of the report upon request.

MCTC currently 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.

## 2. Crime Reporting Procedures

### A. Crime Reporting Procedures:

1. The Campus Public Safety Department, located in R 3100 (612-659-6910) is the office to which all criminal reports should be made. Everyone on campus (including students, faculty, staff and visitors) are encouraged to report immediately any criminal activity to the Campus Public Safety Department and/or the appropriate Police Department. Please notify Campus Public Safety anytime 911 services are requested (fire, police or ambulance) on campus.

The College will keep and maintain a daily log written in a form that can be easily understood, recording all crimes reported to the MCTC Public Safety Department including: 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, in or on non-campus buildings or property, or on public property within the campus or immediately adjacent to an accessible from the campus.

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 report being made to the Public Safety Department.

If new information about an entry into a log becomes available to the public safety department, then the new information shall be recorded in the log after the information becomes available to the Campus Public Safety Department.

2. MCTC normally requires a written complaint from someone to begin the investigation process. MCTC also usually needs the assistance of the complainant in the disciplinary process against the accused. MCTC will make exceptions when necessary, including cases presenting clear danger to the victim and/ or the College community.
3. MCTC will issue an annual report of criminal activity made to the Campus Public Safety Department and other law enforcement agencies. The annual report includes reported crimes alleged to have occurred on the campus and surrounding public area, including Loring Park, and facilities owned or leased by MCTC and/or recognized student organizations. It includes the following reports of crime:
  - a. Murder and non-negligent manslaughter
  - b. Negligent Manslaughter
  - c. Sex offenses
    - (1) Forcible
    - (2) Non-Forcible
  - d. Robbery
  - e. Aggravated Assault
  - f. Burglary
  - g. Arson
  - h. Motor Vehicle Theft
  - i. The report also includes arrests or persons referred for campus disciplinary action for the following:
    - (1) Liquor law violations
    - (2) Drug abuse violations
    - (3) Weapons possession

Crimes described above, other crimes involving bodily injury to any person and crimes of larceny-theft, simple assault, intimidation, and destruction/damage/vandalism of property must be reported in hate crime statistics in which the victim is intentionally selected because of the actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability of the victim that are reported to campus security authorities or local police agencies, are collected and reported according to category of prejudice.

4. The Director of Public Safety serves as the primary liaison for Campus Public Safety Department with all law enforcement agencies.
5. When reports are made to the Director of Public Safety, the Director of Public Safety or other campus public safety personnel will decide if a threat continues to exist to the campus community. If a threat continues to exist, a warning will be sent out informing the campus community.

## **B. Crime Reporting Procedures:**

1. All criminal activity occurring on campus should be reported immediately to Campus Public Safety (R3100) or (612-659-6910) and/or to the appropriate Law Enforcement Agency. Campus Public Safety is not a Police Department and will assist the complainant in completing reports. These reports may be forwarded to the appropriate Police Department. Reports will also be shared with other departments on campus as appropriate. Campus Public Safety will assist Police Department(s) with investigations as required. 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.
2. Every effort should be made to ensure that physical evidence is maintained and protected. Immediate reports will assist in preserving evidence.
3. If you are a victim of a crime or witness a crime:
  - a. Call Campus Public Safety (612-659-6900) and 911 for any emergency including medical assistance, fires, suspicious people or activities, crime reports, traffic accidents, or other illegal activities;
  - b. Obtain a description of the offender(s), including sex, age, race, hair, clothing, and other distinguishable features. Attempt to obtain a description and license number of any vehicle involved. Note the direction taken by offenders or vehicles and report those to Campus Public Safety and 911.
  - c. 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 Campus Public Safety and/or Police arrive.
4. Campus Public Safety will accept third-party reports in cases of sexual assault in order to protect the victim's identity.
5. Person's filing a complaint with Campus Public Safety shall be provided information on Victim's Rights as appropriate.
6. All employees, faculty or staff who become aware of an allegation or violation of College policy, student code of conduct, civil or criminal law should report the allegation to their supervisor and Campus Public Safety. The following people, campus security authorities, with significant responsibility for student and campus activities must report potential criminal activity of which they are aware to Campus Public Safety: (1) A campus police department or a campus security department of an institution (2) Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department under paragraph (1) of this definition, such as an individual who is responsible for monitoring entrance into institutional property. (3) 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. (4) 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. If such an official is a pastoral or professional counselor as defined below, the official is not considered a campus security authority when acting as a pastoral or professional counselor. Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department These individuals should not attempt to investigate, but should instead report and allow Campus Public Safety to investigate.
7. All persons in the MCTC community are encouraged to assist anyone in reporting alleged criminal activity by contacting Campus Public Safety and/or the Police Department, as well as providing assistance in making the report.
8. Student Organizations using College facilities should report safety and security concerns to Campus Public Safety.
9. Counselors are asked to provide information relating to crimes on campus but may continue to honor the confidentiality of victim

## **C. MCTC's Response to Crime Reports:**

1. All allegations will be investigated. These investigations may be made in conjunction with the appropriate Police Department, or the County Sheriff's Department.

2. Reports will be classified by the Director of Public Safety in conjunction with the appropriate police agency according to the FBI Uniform Crime Reporting Definitions.

3. When alleged perpetrators are identified as students, the case will be forwarded to the College Judicial Affairs Officer for investigation and appropriate action. Criminal investigation, arrest and prosecution can occur independently, before, during or after the campus judicial process.

4. The College will issue a timely warning to members of the campus community in cases of reported murder, non-negligent manslaughter, negligent manslaughter, sex offenses (forcible or non-forcible), robbery, aggravated assault, burglary, arson, motor vehicle theft and any hate crimes (these cases manifesting evidence of prejudice based on race, religion, sexual orientation, ethnicity or disability) where the Director of Public Safety (or the Director's designee) determines there is a continuing threat to the College Community. In such cases, warnings will be published through campus e-mail and bulletin board postings.

### 3. Procedures Concerning Safety of and Access to Campus Facilities

#### **A. Personal Security Recommendations:**

1. Campus Public Safety staff are available to assist you in protecting yourself by providing regular patrols, safety and security programs, as well as various safety and security posters and brochures. However, only you can protect yourself by being aware of your surroundings and taking appropriate steps in preventing crime from happening.

2. Call for an escort! The Public Safety Department is open during normal operating hours. Patrol and escort services are available during normal operating hours and during special events. Call 612-659-6910 and request an escort.

3. Be aware of when patrol is on duty. Campus Public Safety staff patrols the campus during normal operating hours and can be reached at 612-659-6910.

4. Protect your property:

- a. Participate in Operation Identification by engraving your Operation Identification number on your valuables.
- b. Personal property (purses, briefcases, calculators, etc.) should never be left unattended. Take such items with you if you are leaving the office or classroom.
- c. Lock your door whenever you leave your room or office. Always lock your car doors.
- d. Never open the exterior doors of the building to strangers.
- e. Take valuables home with you.
- f. Park your bike in designated areas on campus. Always lock your bike. There are several good anti-theft devices available. Campus Public Safety recommends using a U-type lock.

5. Protect your automobile:

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

6. Protect yourself at night:

- a. Avoid walking alone at night.
- b. Refrain from taking shortcuts and walk where there is plenty of light and traffic.
- c. Call for an escort 612-659-6910.

7. Protect yourself walking and jogging:

- a. Avoid walking and jogging alone after dark. If you must travel alone at night, use the MCTC Escort Service (612-659-6910) to escort you to your on-campus destination or locations near campus.
- b. Walk along well-lit routes.
- c. 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 lighted area or a group of people.
- d. Have your keys ready when returning to your car and keep your personal or valuable items concealed and close to your body.

8. Help us protect you:

- a. Watch for suspicious persons in and around College buildings and in parking lots. Do not pursue them.
  - 1. Suspicious activity:
    - a. If you see any suspicious activity on or near campus, call Campus Public Safety immediately (612-659-6900). Do not assume that what you observe is an innocent event or that it has already been reported.
    - b. Do not assume the person is a visitor or College employee that you have not seen before.
  - 2. Suspicious people may be:
    - a. Loitering about at unusual hours and locations; running, especially if something of value is being carried, going from room to room trying door handles.
    - b. Exhibiting unusual mental or physical symptoms. Person(s) could be under the influence of drugs or otherwise needing medical or psychiatric assistance.
- b. Selling of goods for personal profit is not permitted at MCTC. Violations of this rule should be reported to Public Safety immediately.
- c. Report all thefts and property loss immediately to Campus Public Safety (612-659-6900).
- d. Be security conscious at all times.

## **B. Public Safety Considerations of Campus Facilities:**

### 1. Building access and maintenance:

- a. The MCTC campus is for the use of the students, faculty, staff, visitors and those on official business with MCTC. All others are subject to being charged with trespassing.
- b. Department labs, facilities, classrooms or suites will not be opened for unknown individuals without prior written approval from the department supervisor.
- c. Access to campus buildings is limited to normal business hours. Normal campus hours are 6:30 a.m. to 10:30p.m. Monday through Friday and 7 a.m. to 5 p.m. on Saturday.
- d. Students, faculty, staff and visitors are encouraged to report needed repairs to the Director of Facilities.

### 2. Policies and procedures for safe access to buildings:

- a. Keys are issued to authorized faculty and staff. Students are issued keys on a very limited basis.
- b. Exterior building doors must not be blocked open when the doors are locked.
- c. Building evacuation is mandatory for all fire alarms. Always be aware of the nearest EXIT.
- d. Individual classrooms are normally open from 7 AM until after evening classes and for scheduled weekend classes and special events. Employees in buildings after normal working hours should have a College I.D. in their possession and present the I.D. when requested. No students are allowed in any building after working hours. Personnel, other than Facilities and Public Safety personnel, 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.
- e. Faculty or staff who believe they are the last persons in a building should ask unauthorized people to leave the premises or contact Campus Public Safety. Employees must lock all required areas upon departure.
- f. On-campus telephones are located in classrooms, in some lobby areas and passenger elevators for emergency calls to Campus Public Safety.
- g. Problems related to people in buildings after hours must be reported to Campus Public Safety immediately (612-659-6900).
- h. Public Safety performs lighting/landscape surveys periodically to enhance safety on campus.

### 4. Procedures Concerning Law Enforcement

A. Campus Public Safety staff are employees of MCTC, they are not certified or sworn peace officers. Campus Public Safety staff are authorized, when appropriate, to make a citizen's arrest. When arrests are made, the Minneapolis Police Department will be notified.

B. Campus Public Safety works closely with the appropriate Police Department, County Sheriff's Department, and State and Federal law enforcement agencies to track and respond to on campus or near campus criminal activity. Minneapolis Community and Technical College does not have written MOU's with outside law agencies.

C. Report all crime immediately: All criminal activity on campus should be reported immediately to Campus Public Safety and/or the appropriate Police Department.

1. MCTC will assist the complainant in completing criminal reports.
2. MCTC will accept the third party reports in certain cases, example: sex offenses.  
MCTC prefers to receive reports from the victim as the detail is often more accurate when received directly from the victim.
3. Maintain all physical evidence. Do not wash off or destroy what may be critical evidence.

D. Report as much detail as possible to ensure accurate reporting. If you are a victim of a crime, your immediate recall of the event is often the best. Write down as much information as you can remember after a crime. If you cannot identify the perpetrator by name, try to recall as many details as possible, including:

1. Gender
2. Approximate age
3. Height
4. Weight/build
5. Dress/clothing
6. Voice
7. Facial Hair
8. Glasses
9. Distinguishing marks (including scars)
10. Distinguishing gait
11. Description of face including eye color, hair color, hair style (short, curly, etc.) jaw, nose

## **5. Programs to Educate MCTC Community Regarding Public Safety and Crime Prevention**

### **A. Educational Programming on Campus:**

1. MCTC encourages students and employees to be responsible for their own security and the security of others.
2. Campus Public Safety in cooperation with the other departments provides assistance in presenting programs on campus security and public safety at least once each term. Educational programs are presented in the area of crime prevention, sexual assault awareness, personal safety, and in other subject areas. Campus Public Safety will invite various speakers, including members of city and county law enforcement agencies to discuss public safety and the prevention of crime. Crime can occur both to you (your person) and your property; both areas of prevention will be discussed. All members of the MCTC community are encouraged to attend. Program dates and times will be announced in the Student News and in special bulletins and posters.
3. Campus Public Safety has available, at no cost, brochures, flyers and pamphlets concerning various safety and security issues.
4. The MCTC Counseling Center provides staff to aid students in coping with alcohol and drug abuse.
6. Crime Statistics for 2007-2009: (See table on pages 15-17)
7. Monitoring and Recording Activity at Off-Campus Locations
  - A. All MCTC-recognized organizations that are off campus will still be monitored by the appropriate local Police Department. Local Police Departments will share crime information with MCTC.
  - B. MCTC includes the off-campus student organizations' reported crime statistics in its annual Security Report.
8. Policy Regarding the Illegality of Alcoholic Beverages on Campus and Enforcement of Under-Age Drinking Laws
  - A. MCTC forbids the use (consumption), possession, manufacture, sale, transportation or furnishing of alcoholic beverages on campus. MCTC also forbids the maintenance of unlawful drinking places on campus. This prohibition of possession or consumption of alcoholic beverages on campus applies regardless of age. The only exception is authorized use for special functions. Only the MnSCU Board of Trustees may authorize such programming use.



B. MCTC enforces the Minnesota drinking laws, including the prohibition of use by persons less than 21 years of age, and College policy. Possession or consumption of alcohol on campus is prohibited by MCTC and may result in a student/employee disciplinary complaint. If the accused is not cooperative or is underage, the Minneapolis Police may be called to assist.

## 9. Procedure Regarding the Illegality of Drugs on Campus and the Enforcement of Federal and State Drug Laws

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

B. MCTC enforces both Minnesota and Federal drug laws regarding the use, possession, and sale of illegal drugs.

## 10. 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). A copy of the Drug Free Schools and Workplace information appears elsewhere in this publication.

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.

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.

## 11. Policy Regarding Sexual Assault Programs and

### Procedures MCTC Policy 2.08 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 Community and Technical College. MCTC is committed to eliminating sexual violence in all forms and will take appropriate remedial action against any individual found responsible for acts in violation of this policy. Acts of sexual violence may also constitute violations of criminal or civil law, or other MnSCU Board Policies that may require separate proceedings. To further its commitment against sexual violence, MCTC 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 MCTC students and employees and to others, as appropriate, where alleged incidents of sexual violence have occurred on MCTC property. Incidents of sexual violence alleged to have been committed by a student at a location other than on MCTC 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 MCTC employee at a location other than MCTC property are covered by this policy.

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

Allegations of discrimination or harassment are governed by MCTC Procedure 2.01.01 and MnSCU Board Policy

1B.1.

## **Part 2. Definitions.**

The following definitions apply to this Policy and MCTC 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 persons consent. Sexual assault is often a criminal act that can be prosecuted under Minnesota law, as well as form the basis for discipline under MCTC 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 persons 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. MCTC property.**

"MCTC property" means the facilities and land owned, leased, or under the primary control of Minnesota State Colleges and Universities, its 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 MCTC; or b. between terms of a continuing course of study at MCTC, such as summer break between spring and fall academic terms; or c. expelled or suspended from enrollment as a student at MCTC, during the pendency of any adjudication of the student disciplinary action.

#### Procedure Regarding Sexual Assault:

1. Contact Campus Public Safety (612-659-6900) as soon as possible after the offense. Please remember it is most important to preserve evidence. Do not bathe, douche, use the toilet, or change clothing. Note everything about the location. If you have been raped, you should seek medical attention immediately regardless of whether you report the matter to the police.

2. Every attempt is made to maintain the anonymity of the sexual assault survivor. Every attempt will be made not to release names to the media. Unless the sexual assault survivor requests otherwise, names and addresses of survivors are released to the appropriate Police Department. Campus Public Safety will attempt to provide support and advice to sexual assault survivors. The appropriate police department will investigate each report of sexual assault in order to provide better protection to the survivor of a sexual assault and all members of the Campus community. Sexual assault survivors should be aware of the need of the College to release information regarding the fact that an assault has occurred for the protection and safety of others.

3. The Public Safety Office will be the office of official record for reports of sexual assault, as it is in all reported law violations. Students, faculty and staff are encouraged to contact the Public Safety Office to report any information regarding assaults.

4. Sexual assault survivors have the right to have reports made anonymously (third party) to the appropriate Police Department. Campus Public Safety will assist the survivor in making this report if the survivor so wishes. In these situations, the name of the complainant will not be forwarded. Third party reports may prevent the College and the appropriate Police Department from actively investigating the criminal activity.

5. Counseling services are available both on and off campus. Medical services should be accessed through a hospital emergency room i.e., at Hennepin County Medical Center located at 701 Park Ave, Minneapolis, 612-347-2121. If you are the victim of a sexual assault, MCTC encourages you to contact one or more of the following:

MCTC Counseling Office	612-659-6700
MCTC Director of Legal Affairs	612-659-6320

6. If the Director of Public Safety (or a designee) determines that a threat continues to exist for the community, information about the reported sexual assault will be reported to the campus community, whether reported by a sexual assault survivor or through a third party report. As much detail as possible regarding location, date and time of the assault, and any information that might help identify the assailant will be reported. The Public Safety Office will inform the campus community of the reported sexual assaults by flyers, appropriate notices, and local media, if possible.

7. Each report will be taken as presented by the complainant. Appropriate criminal classifications will be determined after a review of all facts by the Director of Public Safety at MCTC.

8. The College will take appropriate action to safeguard the alleged survivor and, at the same time, protect the rights of the alleged perpetrator. If the survivor of a sexual assault requests, the College will attempt to provide a change in classes.

9. The College will normally not take any disciplinary action against a member of the campus community without a written complaint and the assistance of the complainant in the disciplinary process, unless the College determines there is a clear danger to the victim or the College community. A copy of the Student Code of Conduct appears elsewhere in this report.

### Procedures for Campus Disciplinary Action for Sex Offenses:

The College disciplinary process is an option for any person wishing to report a case of student misconduct. In order for MCTC to proceed, a written complaint (whether by the victim or a third party) must be filed with the Director of Legal Affairs. If the complaint is criminal in nature, it will also be forwarded to Campus Public Safety and law enforcement. After receiving a report/complaint, the Director of Legal Affairs shall take the steps listed below:

1. conduct a fact-finding inquiry or investigation into the complaint, including appropriate interviews and meetings;
2. investigate the complaint without identifying the complainant if, in the judgment of the designated officer, this would increase the likelihood of satisfactory resolution of the complaint;
3. inform the complainant, respondent, witnesses and other involved individuals of the prohibition against retaliation and reprisal;
4. create, gather and maintain investigative documentation as appropriate;
5. disclose appropriate information to others only on a need to know basis consistent with state and federal law, and provide a data privacy notice (Tennessee warning) in accordance with state law;
6. inform the complainant and respondent of the status of the investigation at reasonable times until final disposition of the complaint.
7. conduct further investigation as deemed appropriate by the designated officer; prepare an investigation report for review by the decision-maker;
8. take additional investigative measures as requested by the decision-maker;
9. 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; and
10. provide the investigation report to the complainant or respondent upon request unless the information is protected under state or federal law.

The complainant and 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.

During and upon the completion of the complaint process, the complaint file shall be repositied in a secure location in the office of the Director of Legal Affairs for Minneapolis Community and Technical 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 can be found at the following website:  
<http://www.dps.state.mn.us/bca>.

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). The MPD may be contacted at 612-673-2817. General information on registration requirements and notification procedures can be found at the following website: <http://www.dps.state.mn.us/bca/bca.html>

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: <http://www.doc.state.mn.us>

## **Emergency Response and Evacuation Procedures**

Whenever an incident occurs on campus, Public Safety should be contacted immediately @ 612-659-6910. Upon arrival, the 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 Management Team (EOMT) would be activated to respond to campus. The EOMT is comprised of public safety, senior leadership representing the entire College campus, facilities and communications personnel. EOMT was created to assist with the response to the incident and if appropriate, initiate the emergency notification system and begin the transition to emergency operations.

Emergency response exercises for the EOMT are conducted annually. MCTC has adopted an “all hazards approach” to campus emergencies utilizing the Incident Command System (ICS) of incident management. The Public Safety Department and numerous other key college officials have received incident command training through the National Incident Management System (NIMS) to enhance our response to and recovery from critical campus events.

## **Emergency Notification**

MCTC will notify the community when a significant emergency or dangerous situation occurs involving an immediate threat to the health and safety of the campus community. This notification will be initiated utilizing our emergency notification system, Connect-Ed, consisting of up to nine points of contact for every individual in the system. All community members are automatically enrolled, but do have the option to opt out of the system. The College will also utilize other systems such as the public address system to enhance the distribution of information.

In the event of a significant emergency, an emergency notification will be issued by MCTC to students and employees without delay. This notification process must take into account the safety of the community, determine the content of the notification and initiate the notification. If the notification 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. MCTC has several notification messages that are prepared in advance for immediate outreach. Notifications may be issued through collaborative discussion between public safety staff and other appropriate decision makers. Information regarding the emergency may also be posted on the MCTC website and/or through the office of Public Relations as appropriate to inform the larger community.

When serious crimes are reported on campus, as defined by the Crime Awareness and Campus Security Act (Clery Act), Public Safety will distribute a “timely warning” (a crime alert) to inform the community that an incident has been reported, general information surrounding the incident and how incidents of similar nature might be prevented in the future. The criteria for the issuance of timely warnings would include “crimes that are considered to represent a serious and/or continuing threat to students and employees”. These alerts are sent by electronic mail to all employees and students. In addition, a “daily crime log” listing crimes reported to Public Safety is maintained in the Public Safety Office and is available for public review during normal business hours.

## **Evacuation Procedures**

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 2x's per year. The purpose of these drills is to prepare building occupants for an organized evacuation in case of an emergency. Such drills may include fire, severe weather, active shooter, bomb threat, etc. If public safety, law enforcement or fire department personnel are on scene, follow their directions.

## Crime Statistics for 2007-2009

- a. Main Campus: 1501 Hennepin Avenue, Minneapolis, MN
  - b. Law Enforcement Center: 1380 Energy Lane #104, St. Paul, MN
  - c. Aviation Training Center: 10100 Flying Cloud Airport, Eden Prairie, MN
  - d. Transportation Center: 1001 2nd Avenue North, Minneapolis, MN
- (Note: In 2007 the Transportation Center was sold and is no longer owned by Minneapolis Community & Technical College)

Category	Venue	1/1/07-	1/1/08-	1/1/09-	
		12/31/07	12/31/08	12/31/09	
		a/b/c/d	a/b/c	a/b/c	
1. Murder & Non- Negligent Manslaughter	On campus	0/0/0/0	0/0/0	0/0/0	
	In or on a non-campus building/property	0/0/0/0	0/0/0	0/0/0	
	On public property	0/0/0/0	0/0/0	0/0/0	
2. Negligent Manslaughter	On campus	0/0/0/0	0/0/0	0/0/0	
	In or on a non-campus building/property	0/0/0/0	0/0/0	0/0/0	
	On public property	0/0/0/0	0/0/0	0/0/0	
3. Sex Offenses:	Forcible	On Campus	1/0/0/0	2/0/0	1/0/0
		In or on a non-campus building/property	0/0/0/0	0/0/0	0/0/0
		On public property	1/0/0/0	0/0/0	2/0/0
	Non-forcible	On campus	0/0/0/0	0/0/0	0/0/0
		In or on a non-campus building/property	0/0/0/0	0/0/0	0/0/0
		On public property	0/0/0/0	0/0/0	0/0/0
4. Robbery	On campus	0/0/0/0	0/0/0	0/0/0	
	In or on a non-campus building/property	0/0/0/0	0/0/0	0/0/0	
	On public property	7/0/0/0	2/0/0	0/0/0	
5. Aggravated Assault	On campus	0/0/0/0	0/0/0	0/0/0	
	In or on a non-campus building/property	0/0/0/0	0/0/0	0/0/0	
	On public property	1/0/0/0	0/0/0	1/0/0	
6. Burglary	On campus	7/0/0/0	6/0/0	6/0/0	
	In or on a non-campus building/property	0/0/0/0	0/0/0	0/0/0	
	On public property	0/0/0/0	0/0/0	0/0/0	
7. Arson	On campus	0/0/0/0	0/0/0	0/0/0	
	In or on a non-campus building/property	0/0/0/0	0/0/0	0/0/0	
	On public property	0/0/0/0	0/0/0	0/0/0	
8. Motor Vehicle Theft	On campus	0/0/0/0	0/0/0	1/0/0	

	In or on a non-campus building/property	0/0/0/0	0/0/0	0/0/0
	On public property	1/0/0/0	2/0/0	3/0/0
9. Arrest For:				
Liquor Law Violation	On campus	0/0/0/0	2/0/0	3/0/0
	In or on a non-campus building/property	0/0/0/0	0/0/0	0/0/0
	On public property	57/0/0/0	70/0/0	97/0/0
Drug-related Violations	On campus	0/0/0/0	0/0/0	1/0/0
	In or on a non-campus building/property	0/0/0/0	0/0/0	0/0/0
	On public property	14/0/0/0	15/0/0	18/0/0
Weapons possession	On campus	0/0/0/0	0/0/0	0/0/0
	In or on a non-campus building/property	0/0/0/0	0/0/0	0/0/0
	On public property	3/0/0/0	0/0/0	0/0/0
11. Disciplinary Referrals:				
Liquor Law Violations	On campus	2/0/0/0	3/0/0	0/0/0
	In or on a non-campus building/	0/0/0/0	0/0/0	0/0/0
	On public property	0/0/0/0	0/0/0	0/0/0
Drug-related violations	On campus	1/0/0/0	0/0/0	0/0/0
	In or on a non-campus building/property	0/0/0/0	0/0/0	0/0/0
	On public property	0/0/0/0	0/0/0	0/0/0
Weapons possession	On campus	0/0/0/0	0/0/0	0/0/0
	In or on a non-Campus building/property	0/0/0/0	0/0/0	0/0/0
	On public property	0/0/0/0	0/0/0	0/0/0

Crime statistics include crimes reported in Loring Park, a public property located near the main campus.

Minneapolis Community & Technical College does not have dormitories or residential facilities for students on or off campus.

Key to Hate Crimes Notations (Type of Bias or Prejudice): Race = ra  
Gender = g  
Religion = re  
Sexual Orientation = s  
Ethnicity = e  
Disability = d

The College collects information on crimes 1-8 listed above to determine if the victim is intentionally selected because of actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability (hate crimes).

None of the reported violations in 2007 or 2008 have been identified as hate crimes. The 2009 reporting regulations added the crimes of larceny-theft, simple assault, intimidation, and destruction/damage/vandalism of property to the list of crimes that must be reported in hate crime statistics. **In 2009 there were two on-campus cases of hate crimes based on intimidation.** No other hate crime cases were reported based on the reporting requirements.

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

## Financial and Institutional Information

Information about how to make application for state and federal financial aid is available at the College's Student Services Center located on the skyway level of the Technical Building, or by calling 612-659-6240. Financial Aid staff can explain the terms and conditions under which students can receive aid, and can provide a summary of requirements for return of Title IV grant or loan assistance.

Information about the cost of attending, tuition and fees charged, estimates of costs for books and supplies,

estimates of transportation costs, academic programs of the College including current degree programs and other educational and training programs, instructional, laboratory, and other physical facilities which relate to the academic programs, any additional cost of a program, the faculty and other instructional personnel, names of associations, agencies or governmental bodies that accredit or license the College, and information about study abroad, and special services for individuals with disabilities, is also available from the Student Services Center located on the skyway level of the Technical Building or by calling 612-659-6000. Upon request, a copy of the documents describing the institutions accreditation, approval or licensing will be made available.

## **Drug and Alcohol-Free Campus Policy for Students and Employees**

### **4.06 DRUG AND ALCOHOL-FREE CAMPUS AND WORKSITE**

#### **POLICY**

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

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

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

Minneapolis Community and Technical College (MCTC), along with all Minnesota State Colleges and Universities (MnSCU), 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 impacts the ability of students and employees to work, learn and develop to their full potential, and to comply with federal and state laws, MCTC 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 the manufacture, use, sale, distribution or possession of alcoholic beverages by MCTC students and MCTC employees is strictly prohibited: 1) on MCTC property; 2) while participating in a student activity, activities sponsored by officially recognized student organizations, or an event or activity sponsored or sanctioned by MCTC or MnSCU, 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 MCTC or MnSCU educational/awareness programs; or
2. for a specific event or circumstance authorized by MnSCU or MCTC.

However, in no case may students or employees violate Liquor Laws.

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

No MCTC 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 MCTC or MnSCU 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, or 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 MCTC or MnSCU equipment.

Employees are discouraged from consuming alcoholic beverages off-site during lunch or dinner meals when returning to perform work on behalf of MCTC. 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, an MCTC 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 MCTC or MnSCU within five (5) working days of such a conviction.

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

MCTC employees and students who violate this policy are subject to MCTC and MnSCU sanctions and may be subject to legal sanctions under local, state or federal law.

MCTC 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.

MCTC 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 Community and Technical 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**

##### **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. Penalties for violating state laws prohibiting driving under the influence include:

- up to one year in jail;
- fine of up to \$3,000;
- driver 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 any alcoholic beverages. Violation of this statute includes a penalty of a minimum of \$100 fine.

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. Penalties may include:

- probation of up to 30 months;
- imprisonment of up to 30 years;
- \$1 million in fines.

### **Federal Law**

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

- imprisonment of up to a life term;
- individual fine of up to \$8 million; up to \$10 million for other than individual;
- forfeiture of personal and real property;
- forfeiture of any conveyance used to transport or conceal a controlled substance;
- a civil fine of up to \$10,000;
- denial of federal benefits such as student loans and grants, professional and commercial licenses;
- ineligibility to receive or purchase a firearm;
- revocation of federal licenses and benefits (e.g. public housing money) as determined by individual federal agencies.

### **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	612-659-6700	T2500
MCTC Human Resources	612-659-6840	T2900

#### **Community Resources:**

Abbott Northwestern Hospital (Behavioral Health Services)	612-863-8633 612-863-5327	800 E. 28th St., Minneapolis. (appointments)
African American Family Services	612-871-7878	2616 Nicollet Ave. S., Minneapolis
Alcoholics Anonymous (Central Office)	952-922-0880	2704 Louisiana Ave., St. Louis Park
American Indian Services	612-813-1155	2200 Park Ave., Minneapolis
Chrysalis-Center for Women	612-871-0118	4432 Chicago Ave. S., Minneapolis
CLUES (Chicanos Latinos Unidos En Servicios)	612-871-1058	220 S. Robert St., #103, St.Paul
Center for Substance Abuse	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 (for MCTC and other State Employees)	651-259-3840 1-800-657-3719	
United Way (24-hour information and referral) (First Call for Help)	612-335-5000	

# Discrimination and Harassment Reporting Process (College Policy 2.01 & 2.01.01)

## **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, or sexual orientation. In addition, discrimination in employment based on membership or activity in a local commission as defined by law is prohibited.

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

This policy is directed at verbal or physical conduct that constitutes discrimination/harassment under state and federal law and is not directed at the content of speech. In cases in which verbal statements and other forms of expression are involved, 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 MCTC 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 has further defined sexual harassment as a form of sexual discrimination which is prohibited by state and federal law. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct, and other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education, evaluation of a student's academic performance, or term or condition of participation in student activities or in other events of 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 and 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 or sexual orientation. In addition, membership or activity in a local human rights commission is a protected class in employment.

#### **Subpart F. Retaliation**

Retaliation includes, but is not limited to, intentionally engaging in any form of intimidation, reprisal or harassment against an individual because he or she made a complaint under this policy or assisted or participated in any manner in an investigation, or process under this policy, regardless of whether a claim of discrimination or harassment is substantiated; or associated with a person or group of persons who are disabled or are of a different race, color, creed, religion, sexual orientation or national origin. Retaliation may occur whether or not there is a power or authority differential between the individuals involved.

#### **Subpart G. Sexual Harassment and Violence as Sexual Abuse**

Under certain circumstances, sexual harassment or violence may constitute sexual abuse according to Minnesota law. In such situations, the 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: MnSCU Board Policy 1B.1 Nondiscrimination in Employment and Education Opportunity, <http://www.mnscu.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 MCTC 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 MCTC Policy 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.

The designated officer for Minneapolis Community and Technical College is: Dianna Cusick, Director of Legal Affairs 612-659-6319, K3000

### **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 MCTC Policy 2.01 Nondiscrimination.

## **Part 3. Consensual relationships**

MCTC 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 MCTC 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 MCTC 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 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 MCTC 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 MCTC 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 complainant. At the time the report/complaint is made, the designated officer shall:
  - a.) inform the complainant of the provisions of the MCTC Policy 2.01 Nondiscrimination, and this procedure;
  - b.) provide a copy of or Web address for MCTC 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 MCTC Policy 2.01 Nondiscrimination prohibiting retaliation.
4. Complaint documentation. The designated officer shall insure that the complaint is documented in writing. The designated officer may request, but not require the complainant to document the complaint in writing using the complaint form of the 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 MCTC 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 MCTC Policy 2.01 Nondiscrimination prohibiting retaliation.

6. Investigatory process. The designated officer shall:

- a.) conduct a fact-finding inquiry or investigation into the complaint, including appropriate interviews and meetings;
- b.) inform the witnesses and other involved individuals of the prohibition against retaliation;
- c.) create, gather and maintain investigative documentation as appropriate;
- d.) disclose appropriate information to others only on a need to know basis consistent with state and federal law, and provide a data privacy notice in accordance with state law; and
- e.) handle all data in accordance with applicable federal and state privacy laws.

7. Interim Actions.

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

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

8. No basis to proceed. At any point during the processing of the complaint, the designated officer may determine that there is no basis to proceed under MCTC 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 MCTC Policy 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 MCTC 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 MCTC Policy 2.01 Nondiscrimination shall be referred to another procedure for further action, if appropriate.

## **Part 7. Office of the Chancellor, College, or University action**

The Office of the Chancellor, college, or university shall take the appropriate corrective action based on results of the investigation, and the designated officer shall make appropriate inquiries to ascertain the effectiveness of any corrective or disciplinary action. Complainants are encouraged to report any subsequent conduct that violates MCTC 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 Office of the Chancellor, 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, operation of hotlines, self-defense courses, and informational resources. Education and training programs should include education about MCTC Policy 2.01 Nondiscrimination and this procedure.

## **Part 10. Distribution**

Information regarding MCTC 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 (College Policy 4.04 & 4.01.01)**

### **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 sanctions which in more serious cases may include suspension or expulsion from the College. The College will notify students of the availability and location of the code of conduct and copy of the code will be posted at appropriate locations on campus and on the College website.

### **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 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, student will be informed of their right to a contested case hearing under Minnesota Statute 14.

### **Part 4. Procedures**

The College will establish the procedures to implement this policy (4.04.01 Student Code of Conduct Procedures).

## **Student Code of Conduct Procedures**

### **Part 1. Purpose**

Minneapolis Community and Technical 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 must be 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 MCTC students. Students participating in on-site orientation shall be provided a hardcopy of 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 Community and Technical 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 MCTC 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 MnSCU 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, 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 MCTC 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 time, hardware, or software, 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, profanity or vulgarity, or open and persistent defiance of the authority of 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** - Work assignments, 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.

**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.

## **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 Judicial Affairs Officer or designee. Once a complaint is filed, the Judicial Affairs Office 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 Judicial Affairs through Public Safety Incident Reports or other means. The Judicial Affairs 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 Judicial Affairs 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 Judicial Affairs 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 Judicial Affairs Officer or designee will conduct an investigation. If, in the process of the investigation, the Judicial Affairs Officer or designee determines that the complaint is unwarranted or unsupported, the Judicial Affairs Officer or designee shall discontinue proceedings.

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

If the Judicial Affairs Officer or designee feels that there is sufficient evidence to support the complaint, the Judicial Affairs 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 mail to the last known mailing address on file in the College records office.

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 Tennessean Notice.



During the informal meeting the Judicial Affairs Officer or designee shall review the complaint and evidence with the student and allow the student to present a defense against the complaint. Within a reasonable time period following the meeting, the Judicial Affairs Officer or designee 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 Judicial Affairs Officer or designee may impose an appropriate sanction against the student. The Judicial Affairs 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 mail to the last known mailing address on file in the College records office.

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 five (5) business days of receipt or attempted delivery by certified mail of the notice of sanction. Failure to request an appeal meeting in writing within the five 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 formal hearing must be made in writing to the Student Affairs Administrator identified in the notice of sanction, and received within five (5) business days of receipt or attempted delivery by certified mail of the notice of sanction. Failure to request a formal hearing in writing within the five (5) 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 the witness and documentary evidence that may be presented 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:

The Judicial Affairs 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. The accused student shall next present evidence or testimony to refute the complaint. Only those materials and matters presented at the hearing shall be considered as evidence.

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. 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 mailed to the student to the last known mailing address on file in the College records office.

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 five (5) days of receipt of notification or evidence of attempted delivery through certified mail 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 Judicial Affairs Officer or designee, the accused student's presence on campus would constitute a serious threat to the safety and well-being of others, the Judicial Affairs 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 Judicial Affairs 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 Judicial Affairs 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:

Are enrolled in one or more courses, either credit or non-credit, through the College.

Withdraw, transfer or graduate, after an alleged violation of the student conduct code.

Are not officially enrolled for a particular term but who have a continuing relationship with the college.

Have been notified of their acceptance for admission or have initiated the process of application.

**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 MCTC 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 MCTC. Each college may establish what information is public information (sometimes referred to as directory information) on its students.

## 4.11 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 offices such as Admissions and Records, Activities, Business, Counseling and Advising, and Financial Aid to supply information necessary for services to be rendered 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 office.

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

#### Subpart A. Public Information

At MCTC 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

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

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 T2200. 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 Colleges and Universities (MnSCU) personnel who have a legitimate educational interest, to the Higher Education Services Office, to the National Student Loan Clearinghouse for enrollment verification, 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), MCTC 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. 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, Dean, head of the academic department, or other appropriate official, written requests that identify the record(s) they wish to inspect. The College official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the College official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.
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 College official responsible for the record, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the College decides not to amend the record as requested by the student, the College will notify the student of the decision and advise the student of his or her 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.
3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception which 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.) MCTC 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

## Part 5. Student Records Procedure Summary

In general, the following points are used to implement the Student Records Policy:

1. No private information will be released to the public unless the student specifically requests in writing that such information be released.
2. A student may submit a written request not to release public information without his/her written permission (i.e. request confidentiality) to the Records Office in T2200. Currently enrolled students should notify the Records Office by the fifth day of the term.
3. College employees can gain access only after following the procedures set forth in the policy.
4. All student information records may be subject to subpoena.
5. Information gathered on students will be used only to further student's educational programs.
6. Requests for information by telephone, without secured identification, will not be honored.
7. Students must request academic transcripts in writing.
8. Students applying for graduation and/or attending the graduation ceremony should be aware that their addresses may be provided to the photography studio present at the graduation ceremony.
9. Students' addresses and social security numbers are accessed by the other colleges and universities and will be used for recruiting purposes only.
10. Students who do not wish to have their social security number released to set up an e-mail account should notify the Records Office by the first day of the term.

## Voter Registration Information

MCTC encourages all students and staff to be active participants in exercising their right to vote in local, state, and national elections. Voter Registration Forms are available at the student resource area in the Helland Center student center, 2<sup>nd</sup> floor. In addition, the Student Life promotes a voter registration drive before fall elections.

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 the 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 post card that tells you the location of your polling place. You can also look up your polling place location on the Secretary of State's Web site <http://www.sos.state.mn.us>. Select "Election Center" and then "Voter

and Election information” 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?

- at state, county, or city offices and public libraries
- where you apply for, renew, or change your Minnesota Driver License or ID card
- in state income tax booklets from the registrar's office or student association at colleges, universities and technical schools
- at many businesses, stores, and community groups
- from the government pages of most phone books
- Secretary of State website at [www.sos.state.mn.us](http://www.sos.state.mn.us)

### Can I Register On Election Day?

If you miss registering before election day, you can still register on election day at your polling place. You will need proof of your identity and the address where you are living on election day. Use one of these for proof:

- A current Minnesota Driver License, learner permit or identification card(or receipt for a new one) with your address
- One of the above with a former address and a utility bill\*
- A U.S. passport or military ID card and a utility bill\*
- A "Notice of Late Registration" card mailed to you by your county auditor (if you turned in a registration card late)
- Someone who is registered in the precinct where you live to vouch for you at the polling place

### If You Are A Student, You Can Use:

- Student photo ID, registration or fee statement with your current address
- Student photo ID with utility bill\*\*Note: The utility bill must have your name, current address and be due within 30 days of the election. Utility bills may be for electric, gas, water, solid waste, sewer, telephone, or cable TV. If you're registered and move within the same precinct, you can simply do an address change at the polling place.

This information on voter registration is available in the “Election Center” section of the Minnesota Secretary of State website at <http://www.sos.state.mn.us>.

## Student Right to Know

### 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(MCTC).

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

Federal regulations specify how to calculate the graduation and transfer rates. The rates come from a study of Minneapolis Community & Technical College students who started at the college in the Fall of 2006. The study includes all first-time, students who were 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 MCTC within three years. The **transfer-out rate** is the percentage of these students who did not graduate from MCTC, 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 & Technical College. The 777 first-time, full-time students in the study were 9 percent of all students enrolled at Minneapolis in Fall of 2006.

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

- The graduation rate for MCTC was 9 percent.
- The transfer-out rate for MCTC was 25 percent.
- The combination of the graduation rate and the transfer-out rate for MCTC was 34 percent. The national average Combined rate for similar colleges was 41 percent.

Why don't more Minneapolis students graduate or transfer in three years?

- Since MCTC 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.

## Emergency Instructions

### Emergency Evacuation of MCTC Buildings

The sounding of the fire alarms means that the building must be evacuated immediately. Go outside through the nearest door; do not use elevators. Remain outside (away from the building) until an MCTC staff member tells you that it is safe to re-enter the building. Special instructions for evacuation of students with disabilities who are known to need assistance with evacuation (i.e. students registered with the Office for Students with Disabilities) are available through the Public Safety Department. In most emergencies the campus will use the overhead paging system to provide instructions to the campus on proper emergency protocol.

### Cancellation or Postponement of Classes Due to Weather

MCTC will use WCCO AM 830 to announce cancellations or postponements due to weather emergencies.



## **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 child care centers (especially settings that have children in diapers)
- Live or work in an institutions for developmentally disabled persons
- Work in 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 (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. Three doses are needed for complete protection.

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

- All babies, beginning at birth, should get 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 Blood borne Pathogen/Exposure Control Plan: Facilities, Nursing, Dental Assistant, Physical Education, Public Safety, Cabinetmaking, Machine Tool, Welding, Culinary Arts, Barbering 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 at:

[www.minneapolis.edu/documents/employees/hepatitisbdeclination.pdf](http://www.minneapolis.edu/documents/employees/hepatitisbdeclination.pdf)

The Bloodborne Pathogens/Exposure Control Plan can be found at:

[www.minneapolis.edu/documents/employees/bloodbornepathogenpolicy.pdf](http://www.minneapolis.edu/documents/employees/bloodbornepathogenpolicy.pdf)

### 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 hand washing 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 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. If you can't stop,
- 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>

The federal government requires colleges to provide students with information on how to withdraw. In compliance with that requirement, the following information is provided:

## Withdrawing from Classes and Refund Policy

### Withdrawing from class

The "drop" period takes place during the first five (5) class days of fall and spring terms and during the first three days of summer session. If a class starts after the first week of the term, a student may attend one class, but must drop within 24 hours. Students are given 100% refund for classes they drop within the stated deadlines, and the registration does not appear on the student's transcript. Check the schedule for each term for the exact deadlines to drop. NAHA courses must be dropped before the first class in order to receive a refund.

After the drop period has concluded, if you do not wish to continue taking a class, you must withdraw from it. You receive a grade of "W" in classes from which you withdraw and a "W" remains on your transcript.

- "W" grades do not affect your grade point average (GPA).
- "W" grades do affect your completion rate (67% completion rate is required).
- You will not be withdrawn automatically from classes that you do not attend if you hold registration in a class

or classes at the conclusion of the drop period. This includes:

1. If you have been awarded Financial Aid or
2. If you have paid for the classes or Under Federal Financial Aid Regulations, students who totally withdraw from all classes prior to the 60% point of the semester (see the course schedule for specific dates) may have to pay back a large portion of their financial aid. Students must be able to demonstrate evidence of (document) their attendance at class.

### Last Date of Attendance

The College has a policy and procedure change that assists in identifying the last date of student attendance for students. See Policy 4.16 Last Date of Attendance at:

<http://www.minneapolis.edu/collegepolicies/index.cfm>

Students are expected to regularly attend classes in which they are enrolled and abide by MCTC Policy 4.05.01 Procedures for Changing Enrollment. Students who decide to stop attending courses should immediately drop/withdraw from their course(s). Students who fail to officially withdraw from a course (or courses) they are not attending, as defined by "Last Date of Attendance" (see policy) may be administratively withdrawn from those courses. The student will remain responsible for any financial liability, less applicable refunds they have incurred and for any academic consequences due to this administrative withdrawal.

### How to Withdraw from a class

To withdraw from a class or classes, you must have your Student ID and your PIN number. If you do not

have one or both of these numbers, you must go to the Student Services Center (located on the skyway level of the T- Building) with a picture ID. Students should keep a record of their Student ID number and PIN number as they are required for various official transactions at MCTC.

You may receive assistance in withdrawing from class at the Student Services Center (located on the skyway level of the T- Building).

**To Withdraw via web:**

- 1) Go to MCTC's website, [www.minneapolis.edu](http://www.minneapolis.edu), and click on "Register"
- 2) Enter your Student ID
- 3) Enter your PIN number
- 4) Click on "View/Modify class schedule" from menu at left. At the next screen, click on the Course ID link of the course that you wish to drop/withdraw. On the following screen, ensure "drop/withdraw" is in the window, then scroll down to the bottom and click on "Process." On the following screen, enter your PIN number as requested and click on "Process Request." If successful, you will see the message "Your request was processed successfully." Print a copy of your registered courses to verify your drop/withdrawal.

Please remember that you are responsible for your registration, including financial and academic consequences that result from that schedule. Note: The Tuition Payment Policy as it relates to tuition for dropped courses.

**Tuition Payment Policy**

It is important to pay your tuition on time otherwise your registration may be cancelled 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.

If you register after the payment deadline, you must pay by 5:00 p.m. the next business day.

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 FACTS payment plan.
- You have been notified that MCTC received advance payment of a scholarship to cover tuition and fees.

**If you register on:**

Monday  
Tuesday  
Wednesday  
Thursday  
Friday  
Saturday  
Sunday

**You must pay your tuition by:**

5:00 p.m. Tuesday  
5:00 p.m. Wednesday  
5:00 p.m. Thursday  
5:00 p.m. Friday  
5:00 p.m. Monday  
5:00 p.m. Monday  
5:00 p.m. Monday

Online payments are accepted at any time 7 days a week.

If you have questions about your registration, visit the staff at the Student Services Center. If you have

tuition payment questions, contact the Business Office.

#### Refund policy

You can apply for a refund in accordance with these MCTC REFUND POLICY guidelines:

#### Partial Drop in Credits

Minneapolis Community & Technical 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 5 <sup>th</sup> class day of term	100
6th through 10 <sup>th</sup> class day of term	75
11 <sup>th</sup> through 15 <sup>th</sup> class day of term	50
16 <sup>th</sup> through 20 <sup>th</sup> class day of term	25
After 20 <sup>th</sup> class day	0
Summer sessions	
1 <sup>st</sup> through 5 <sup>th</sup> class day	100
6th through 10 <sup>th</sup> class day	50
After the 10 <sup>th</sup> day of class	0

Students enrolled in terms of less than ten 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. This refund policy does not apply to NAHA courses.

#### Request an Exception

For additional information regarding refunds of tuition and fees(including exceptional circumstances) please see College Policy 5.09 subpart B.

#### Other Information

##### 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 MCTC pays for approximately 43% of the cost of education at the College. The amount may change based on decisions by the MnSCU Board of Trustees.

##### Equal Opportunity Institution

Minneapolis Community and Technical College (MCTC) will not discriminate against any person because of race, color, creed, religion, national origin, gender, disability, age, marital status, sexual orientation or status with regard to public assistance. MCTC is an equal opportunity educator and employer and a member of the Minnesota State Colleges and Universities System.





