

## SECTION TWO – AFFIRMATIVE ACTION PLAN 2010-2012

### VI. RESPONSIBILITY FOR IMPLEMENTATION

#### A. President

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

#### Responsibilities

1. Delegate the responsibility for overseeing, administering, implementing, and monitoring the Affirmative Action Plan to the Equity & Affirmative Action Officer.
2. Ensure that those designated personnel for components of the Affirmative Action Plan are given the staff and resources necessary to implement successfully their assigned duties.
3. Incorporate into the position description of all administrators and supervisors a clear description of their responsibilities in the area of affirmative action/equal opportunity and include an evaluation of the performance of these responsibilities as part of the annual performance review.
4. Convene a direct report Equity & Affirmative Action Committee charged with bringing to the Administration matters of concern or issues expressed by members of the campus community (see III.B.1.g.). In collaboration with the Equity & Affirmative Action Office, make recommendations for action by campus administrators, faculty and staff that address EEO/AA and diversity issues.

#### Duties

1. Ensure that underutilized group members are included on respective committees throughout the university and that the various constituencies within the university are also represented.
2. Provide the System Board with an annual summary of the university's accomplishments in meeting goals set during the previous year
3. Provide sufficient resources to Equity & Affirmative Action and Human Resources departments for them to meet the needs of the university community in all matters of employment, recruitment, training (where not included in bargaining unit contracts), complaint processing and other educational, diversity programming and support sufficient for an institution of this size.
4. Imparts personal direction that assures involvement and commitment to affirmative action/equal employment opportunity.
5. Oversees campus implementation of the MnSCU Board Policy 1 B. 1 prohibiting discrimination and harassment.
6. Collaborate with current administrators, faculty and staff on strategies for retaining new and junior members of the university community.

#### Accountability

The President, Earl H. Potter, III, is directly accountable to the Chancellor on all matters relating to equal opportunity and affirmative action at St. Cloud State University.

Contact: (320) 308-2122; email [president@stcloudstate.edu](mailto:president@stcloudstate.edu)

## **B. Office of Equity & Affirmative Action**

Ellyn L. Bartges, Equity & Affirmative Action Officer/Designated Officer and Title IX Officer, Office of Equity & Affirmative Action, is responsible for the overall implementation and administration of St. Cloud State University's equal opportunity and affirmative action programs. Contact: (320) 308-5123; email [elbartges@stcloudstate.edu](mailto:elbartges@stcloudstate.edu)

### **Responsibilities**

1. Ensure that the university is in compliance with federal, state and system laws, regulations, and policies pertaining to affirmative action/equal opportunity employment.
2. Develop, monitor, implement and evaluate university affirmative action/equal opportunity programs, plans and guidelines.
3. Monitor and audit employment practices for all unclassified (MnSCU Administrators, Minnesota State University Association of Administrative Service Faculty and Inter Faculty Organization) positions to ensure they are in compliance with university policy, federal and state laws and regulations governing equal employment opportunity and affirmative action. Provide a report to the President after annual review of VP unit area goals and plans for improvements.
4. Oversee the university's compliance with federal, state and system laws, regulations and policies pertaining to equal opportunity including [Title IX Education Amendment of 1972](#), [Section 504 of the Rehabilitation Act](#), [The Americans with Disabilities Act](#) and [Americans with Disabilities Amendment Act of 2008](#), [Jobs for Veterans Act, eff. 12/1/03](#), and [Vietnam Era Veterans' Readjustment Assistance Act of 1975](#) legislation.
5. Review, update and implement the Affirmative Action Plan every two years ([State of MN Personnel Rule 3905](#)).
6. Acts as Designated Officer, supervise and/or conduct investigations and review investigative findings for threshold issues.
7. Re-convene the Affirmative Action Committee, which was formerly comprised of campus representatives as follows:
  - Six faculty representatives (one from each college and one from special services)
  - One Minority Student Programs Representative
  - One MSUAASF Representative
  - Two AFSCME-Council 5 Representative
  - Two Student Government Representatives
  - MAPE Representative
  - Non-Voting Members: (ex-officio)
    - Affirmative Action Officer
    - Human Resource Director
    - Title IX Director

The newly constituted and re-named Equity & Affirmative Action Advisory Committee will be comprised of representatives from the following campus departments or groups:

- i. American Indian Center
- ii. Athletics
- iii. Buildings and Grounds
- iv. Center for Holocaust & Genocide Education
- v. Cultural Diversity Committee
- vi. Equity & Affirmative Action Office
- vii. Faculty and Staff of Color Caucus
- viii. Human Resources
- ix. LGBT Resource Center

- x. Multicultural Resource Center
- xi. Multicultural Student Services
- xii. Public Safety
- xiii. Student Disability Services
- xiv. Student Government Association
- xv. Technology Specialist
- xvi. Women's Center
- xvii. Bargaining Unit reps (IFO, MSUAASF, MAPE, AFSCME, MMA, MNA, MnSCU Administrator) – as needed to fill in missing bargaining unit representatives not covered by above.

### **Duties**

1. Engage in discussions with management, supervisors and other personnel to ensure that they are aware of their responsibilities surrounding affirmative action and to be knowledgeable about and prevent prohibited discrimination.
2. Engage in discussions with management, supervisors and other personnel to ensure that they are aware of their responsibilities to be knowledgeable about and prevent sexual harassment and all manifestations of hostile environment.
3. Monitor, review and advance employment paperwork in a timely fashion.
4. Provide guidance to management, supervisors and other personnel to ensure and support proactive recruitment, hiring and retention of women and minorities when possible in accordance with federal and state laws and MnSCU system directives.
5. Advise the President and his executive council on equal opportunity and affirmative action program progress.
6. Design, implement and audit a report system that will:
  - a. measure the effectiveness of the Affirmative Action Plan;
  - b. indicate the need for remedial actions, if any; and
  - c. assess attainment of goals and objectives.
7. Develop and implement education and training programs that will help prevent prohibited discrimination.
8. Train unclassified search committees.
9. Recruit, interview, contract with, and monitor external complaint investigators.
10. Develop and implement policy and procedure to prevent sexual harassment and other forms of prohibited discrimination.
11. Track and coordinate training of decision makers and investigators.
12. Provide access and opportunity for staff development and keep a record of progress.
13. Coordinate regular monthly meetings of the Affirmative Action and Diversity Committee throughout the academic year.

### **Accountability**

The Equity & Affirmative Action Officer is directly accountable to the President for the overall implementation and administration of St. Cloud State University's equal opportunity and affirmative action programs.

### **C. Administrators/Supervisors**

Administrators/Supervisors are responsible for enforcing and implementing equal opportunity and affirmative action policies, procedures, and programs within their functional areas of responsibility. In cooperation with the Equity & Affirmative Action Office, supervisors and administrators will familiarize themselves with MnSCU Policy 1B.1 and Procedure 1B.1.1 (see Appendix B).

#### **Responsibilities**

1. Supervisors, directors, and professional support staff may field any complaints of discrimination or harassment.
2. All notice of complaints of discrimination, sexual/gender harassment, sexual orientation, gender identity/gender expression, racial and disability harassment, and/or lack of equal opportunity, employee will be directed immediately to Equity & Affirmative Action Office.
3. Assure annually, that all employees within their administrative units are informed of the university's affirmative action/equal employment opportunity policies, procedures and practices.
4. Assure that all affirmative action/equal opportunity policies, plans and procedures are complied with and carried out in their respective administrative units.
5. Provide the Equity & Affirmative Action Officer with timely projections of annual vacancies to assist in determining placement goals.
6. Where women and minorities are underrepresented in job groups, a meeting with Equity & Affirmative Action Office to devise a strategy for recruitment, review and goal setting on all open positions is expected.
7. Strongly recommend and support through release time for all employees to complete both the on-line Sexual Harassment Prevention and Preventing Employment Discrimination trainings. Additionally, every administrator and supervisor should complete Community Anti-Racism Education (C.A.R.E.) training.

#### **Duties**

1. Identify factors that may impede the university's pursuit of its affirmative action/equal employment opportunity goals, objectives and discuss with EAAO.
2. Evaluate the performance of subordinate supervisors for meeting established commitments to equal employment opportunity and affirmative action goals, taking into consideration good faith efforts.

#### **Accountability**

Accountability of Administrators/Supervisors is reflected in the St. Cloud State University's organization chart provided in Appendix A.

### **D. Director of Human Resources**

In addition to the responsibilities and duties described above for the Administrators/ Supervisors, the Director of Human Resources, Dr. Larry Chambers, is also responsible as described below for classified (AFSCME, MAPE, MMA, MNA, MP bargaining units) positions.

Contact: (320) 308-3203

#### **Responsibilities**

1. Monitoring the recruitment and selection process of all classified positions at SCSU in accordance with Minnesota Statutes 43.18 and 179.74, Minnesota Management and Budget (MMB) Personnel Rules and applicable collective bargaining agreements (AFSCME, MAPE, MMA, MNA, MP, Commissioners Plan).

2. Meeting with bargaining units to discuss utilization; meeting with hiring authorities to discuss hiring goals for classified employees.
3. Organizing and managing the day-to-day operations of Human Resources while monitoring and overseeing ongoing programmatic efforts involving recruitment, hiring and retention.
4. Purchase and posting of employment workforce posters required by EEOC and OSHA campus wide. This includes maintenance and updating of posters as required.

### **Duties**

1. Ensure that the recommendations of supervisors and others involved in the hiring process are based on job related criteria and are consistent with affirmative action goals and objectives.
2. Commitment to hiring individuals with disabilities who can perform the essential functions of the job with or without reasonable accommodation.
3. Ensure jobs are aggressively advertised for at least three (3) weeks.
4. Ensure paperwork for hiring is advanced quickly and salary calculations are equitable, competitive and fair in order to facilitate hiring top candidates.

### **Accountability**

The Director of Human Resources reports to Steve Ludwig, Vice President for Administrative Affairs.

## **VII. COMMUNICATION AND DISSEMINATION OF AFFIRMATIVE ACTION PLAN**

The following measures will be used to inform St. Cloud State University's educational community and the public of St Cloud State University's commitment to Affirmative Action and Equal Opportunity in all employment and educational policies, procedures, programs, services, and opportunities.

### **A. Internal Dissemination**

1. Print copies and electronic links of the complete Affirmative Action Plan are distributed to MnSCU, the President and Vice Presidents of the university, all deans, and presidents of various bargaining units, the Office of Student Government, the Equity & Affirmative Action Advisory Committee, Human Resources Office and Learning Resources & Technology Services.
  - a. All university personnel and students will be notified via broadcast email when the Affirmative Action Plan is finalized and posted on the EAAO website at [www.stcloudstate.edu/affirmativeaction](http://www.stcloudstate.edu/affirmativeaction).
  - b. Web-based training, *Preventing Workplace Discrimination*, is required for all new employees, supervisors and managers. This training consists of two segments, A) Preventing Employment Discrimination, and B) Preventing Sexual Harassment and is based on federal and state policy and laws. A link to this training and all policies are on the Equity & Affirmative Action Office website [www.stcloudstate.edu/affirmativeaction](http://www.stcloudstate.edu/affirmativeaction) . The direct web link to the training is [http://training.newmedialearning.com/top\\_level/stcloudu/index.htm](http://training.newmedialearning.com/top_level/stcloudu/index.htm). All university personnel and students will be notified via broadcast email of the availability of this training and encouraged to complete the training.
  - c. All recruitment brochures, job announcements and vacancy notices shall identify St Cloud State University as an Equal Opportunity and Affirmative Action Employer.

- d. Non-discrimination clauses are included in all union and non-union contracts including vendor contracts.

## **B. External Dissemination**

1. All job announcements, vacancy notices and ads, website home page, letterhead and other education or employment/recruitment related materials shall identify St. Cloud State University as an Equal Opportunity and Affirmative Action Employer and include this statement:  
St. Cloud State University is committed to providing equal education and employment opportunities to all students and employees regardless of race, color, creed, sex, age, religion, marital status, sexual orientation, national origin, disability, and other mentioned immutable characteristics.
2. Aggressively publicize via targeted national media sources the university's commitment to the recruitment, employment, promotion and retention of individuals with disabilities, women and all other protected classes.
3. The Affirmative Action Plan is posted and clearly labeled for all internal and external constituents on the Office of Equity & Affirmative Action, ([www.stcloudstate.edu/affirmativeaction](http://www.stcloudstate.edu/affirmativeaction)), the Human Resources ([www.stcloudstate.edu/humanresources](http://www.stcloudstate.edu/humanresources)) and the President's Office ([www.stcloudstate.edu/president](http://www.stcloudstate.edu/president)) websites.
4. Pictures of and articles about the employees in campus publications are as inclusive as our campus community is diverse, including women, individuals with disabilities and other protected classes;
5. Employment application forms notify applicants that the campus is in compliance with applicable equal employment opportunity and affirmative action statutes.

## **VIII. NONDISCRIMINATION COMPLAINT PROCEDURE**

St. Cloud State University is a member of the Minnesota State Colleges & Universities System (MnSCU) whose governing board promulgates complaint procedures. The university takes seriously all complaints, allegations, and concerns alleging discrimination and sexual harassment. SCSU is actively engaged in providing a welcoming, inclusive, and safe educational and employment environment for all faculty, staff and students. Any complaints involving discrimination or harassment of any kind should be reported immediately to the Equity & Affirmative Action Office by calling (320)308-5123 or by email to [affirmativeaction@stcloudstate.edu](mailto:affirmativeaction@stcloudstate.edu).

See Section Five, Appendix B for the complete **MnSCU System Policy 1B.1 Non-discrimination in Employment and Education Opportunity and Procedures 1B.1.1 Report/Complaint of Discrimination/Harassment Investigation and Resolution**. These can also be found online at [www.mnscu.edu/board/policy/index.html](http://www.mnscu.edu/board/policy/index.html).