

Minneapolis College of Art and Design

ADJUNCT FACULTY ADMINISTRATIVE POLICIES HANDBOOK

Mission

The Minneapolis College of Art and Design educates individuals to be professional artists and designers, pioneering thinkers, creative leaders, and engaged, global citizens.

Vision

The Minneapolis College of Art and Design transforms the world through creativity and purpose.

Values

We, the MCAD community, shape our work and our interactions with others by honoring the following values:

- **Students First**
In all matters, we consider first what best serves the education and well being of our students.
- **Academic and Institutional Excellence**
We are committed to rigorous scholarship, intensive studio work, the use of innovative technologies, and the highest levels of professional and ethical standards.
- **Creativity and Innovation**
In ideation, process and making, we encourage experimentation and creative expression.
- **Community**
We maintain the strength of our community through respect, diversity, communication, openness and accountability.
- **Engagement**
We advance a just and sustainable society through collaboration and engagement with our neighbors and the world.

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PART ONE: INTRODUCTION

What Constitutes Adjunct Faculty Status

An Adjunct Faculty member is a temporary employee of the Minneapolis College of Art and Design (the College) who is compensated on a per credit, course, student or project basis and receives a term contract. Adjunct Faculty teach up to, but not more than, 12 credits or the equivalent for the College in a twelve-month period, and are not benefits-eligible.

Adjunct Faculty are a very important segment of MCAD's teaching staff. Like every college, MCAD experiences the need for adjunct teaching personnel to cover sabbaticals, leaves, specialty subjects and periodic enrollment shifts. Some of our Adjunct Faculty are recruited from the ranks of full-time practicing artists and designers whose primary occupation is not teaching but who bring their special work experience or expertise to the classroom. Other Adjunct Faculty come from the ranks of professional teachers and often teach at more than one institution, or have opted to teach on a temporary basis in order to leave time to work on other projects or research. We value the breadth and flexibility that Adjunct Faculty afford the College. The flow of Adjunct Faculty helps produce a richer environment at MCAD. When full-time faculty positions are available, the College conducts a national search for candidates. Adjunct Faculty are welcome to apply and receive the same scrutiny and opportunity as all other applicants.

Purpose

The College issues this Adjunct Faculty Handbook (the Handbook) to all new Adjunct Faculty members at the time of their initial appointment. A Handbook with current revisions is available on the Human Resources intranet site. Administrative memos pertaining to policy and operations should be kept by Adjunct Faculty with their Handbooks.

This Handbook contains a summary of the policies, practices and procedures in effect at the Minneapolis College of Art and Design (the College or MCAD) as of the revision date located in the footer of this document. This Handbook does not apply to full-time faculty members, staff or work-study employees. This Handbook is to be used as a guide by Adjunct Faculty and is not intended to, and does not create a contractual relationship between the College and its Adjunct Faculty members. Each member of the Adjunct Faculty has an individual employment contract with the College. The contractual rights of each Adjunct Faculty member are fully set forth in his or her employment contract. Nothing in this Handbook shall modify any employment contract between the College and its Adjunct Faculty members. Only the President has authority to enter into an employment contract or to modify or amend any employment contracts. To be enforceable, any such agreement, modification or amendment must be in writing and signed by both the President and the Adjunct Faculty member.

Applicability

All College Adjunct Faculty members are subject to the guidelines set forth in this Handbook.

Interpretations, Revisions & Amendments

The College has established the policies set forth in this Handbook. The College is free to change, revoke, modify, deviate from, or amend this Handbook at any time at the College's sole discretion, with or without prior notice to employees. On occasion, the College may disseminate e-mails or pages containing additions or changes to this Handbook. The College will distribute the Handbook, and any revisions or amendments, to Adjunct Faculty members in such manner as it deems appropriate.

The College has the right to interpret or deviate from any of the policies set forth in this Handbook or to choose not to apply any policy, based on its determination of what is in the best interests of the College, at any time and in any manner it deems appropriate. The College's interpretation may vary from time to time if, in its opinion, the circumstances require such variation.

PART TWO: EMPLOYMENT

Equal Employment Opportunity

It is the policy of the Minneapolis College of Art and Design to provide equal employment opportunity. The College does not discriminate on the basis of race, color, creed, religion, ancestry, national origin, sex, sexual orientation, familial status, disability, age, marital status, genetic information, status with regard to receipt of public assistance, membership or activity in a local commission or any other characteristic protected by law.

Background Checks

In an effort to protect the welfare and safety of our students, faculty, staff, alumni, visitors, and the institutional resources of the College, background checks will be conducted to identify individuals who have committed criminal acts which would disqualify them from employment by law or because their presence in the work place would create an unacceptable risk to our College community and/or create the potential to expose the College to liability. The College reserves the right to perform background checks, as deemed appropriate, to protect the interests of the College or its constituents.

Background check information obtained by the College may be used only for the purpose of evaluating applicants for employment, and shall in no way be used to discriminate on the basis of race, color, creed, religion, ancestry, national origin, sex, sexual orientation, familial status, disability, age, marital status, status with regard to receipt of public assistance, membership or activity in a local commission or any other characteristic protected by law.

Once hired, employees who drive vehicles (whether their own or a College vehicle), as an essential function of their job, are required to immediately inform their supervisor if their license is revoked or restricted due to driving infractions.

A complete copy of our Background Check Policy is available upon request by contacting the Human Resources Office.

Reasonable Accommodation of Disabled or Pregnant Employees

MCAD does not unlawfully discriminate against qualified persons with physical and mental impairments that substantially limit one or more major life activities, as defined by the Americans with Disabilities Act. A qualified disabled employee may be entitled to reasonable accommodation if necessary to enable the employee to perform the essential functions of his or her job, and such reasonable accommodation can be provided without undue hardship to MCAD. Employees requiring reasonable accommodation should contact the Vice President of Human Resources.

MCAD will accommodate pregnancy and health conditions related to pregnancy or childbirth, upon request by the employee. Pregnant employees who wish to request a pregnancy-related accommodation should contact the Vice President of Human Resources.

Nursing Mothers

A private room is available for nursing mothers to express milk. Contact Human Resources to arrange access to this room.

PART THREE: GENERAL, MINIMUM EXPECTATIONS OF ADJUNCT FACULTY

The primary, central obligation of MCAD Adjunct Faculty is to perform teaching services for which they are hired in a conscientious and professional manner. Deadlines on grades, course descriptions and other efforts required for ongoing instructional programs of the College are expected to be met. Office hours (1 hour per 3-credit course per week) are to be posted and observed.

Upon hire, Adjunct Faculty will provide to the Academic Affairs Office a current resume. First-time Adjunct Faculty are required to attend an Adjunct Faculty Orientation session. All new Adjunct Faculty also need to attend safety training provided by the College, as is required by law.

Credentialing Requirements:

Within thirty (30) days of execution of this Agreement, you must provide the following documents to the Academic Affairs Office:

- current resume/cv
- official transcript from the institution in which you were awarded your highest degree

As required by MCAD's accrediting bodies, you must provide the following information through digital submission which includes but is not limited to:

- current resume
- short faculty biography
- earned degree information
- your current address, telephone number, alternate e-mail address
- your office hours

Although MCAD makes no promise of adjunct faculty appointments at MCAD beyond this Agreement, failure to timely provide this information may result in your not being considered for or offered any further teaching opportunities or appointments at MCAD.

Adjunct faculty are required to attend the first department meeting every semester during Faculty Preparation Week. Unlike regular faculty, Adjunct Faculty are under no obligation to serve on committees, perform academic advising duties, or be Independent Study sponsors. Adjunct Faculty are not required to attend College Assembly or department meetings, other than the one mentioned above, but are welcome at College Assembly and may be invited by the Chair to attend department meetings.

PART FOUR: DEPARTMENT POLICIES

General Department Policies

Procedures for obtaining office supplies, reimbursements, making photocopies, ordering textbooks, etc., will be provided to Adjunct Faculty by their Department Chair.

Office Assignment

The Department Chair makes office assignments.

Office Hours

Adjunct Faculty are to observe designated office hours (1 hour per 3-credit course per week), and required to be available in their offices at those times.

E-Mail

E-mail accounts are established for all Adjunct Faculty. All Adjunct Faculty have access to e-mail either through the computer in their office or other computer stations in the Learning Center, Library and various computer labs. In continuing efforts to utilize the electronic network, cut down on the use of paper and improve communications and efficiency, all meeting notices, general information and informal communication is through e-mail. All registered e-mail users are expected to check for e-mail messages regularly.

PART FIVE: PAYROLL ADMINISTRATION

Payroll and Paychecks

Adjunct Faculty salary is prorated over the semester of hire. Notification of the dates of the first and last paychecks is provided at the beginning of each semester. Paychecks are issued twice per month (one on the 15th and one on the last day of each month) and are delivered in a sealed envelope to individual mailboxes at the College. You may request to have paycheck direct deposited to any bank of your choice. You can do so by filling out a form in the Business Office. You will then receive a receipt of deposit in your mailbox.

Nondisclosure of Wages

The College does not:

- require nondisclosure by an employee of his or her wages as a condition of employment:
- require an employee to sign a waiver or other document which denies an employee the right to disclose the employee's wages: or

- take any adverse employment action against an employee for disclosing the employee's own wages or discussing another employee's wages which have been disclosed voluntarily.

The College will not retaliate against an employee for asserting rights or remedies under this section. An employee may bring a civil action against an employer for a violation of these sections and a court may order reinstatement, back pay, restoration of lost service credit, if appropriate, and the expungement of any related adverse records of an employee who was the subject of the violation.

Automatic Deposit of Pay

If you choose to have your paycheck automatically deposited, you have the option of having your net pay or a portion of your pay deposited to a savings and/or checking account. Automatic deposit will continue until a written notice to the Payroll Department to terminate this service is received.

Deductions

Deductions for federal and state taxes are made as required by law.

Benefits

Adjunct Faculty are eligible for employer social security contributions, unemployment and workers' compensation benefits; they are not eligible for the college's short-term disability, pension, medical and dental insurance, or other benefits.

As an Adjunct Faculty member, you are eligible to participate, on a pre-tax basis, in the College Supplemental Retirement Annuity Program (403b) through TIAA-CREF. Enrollment packages may be obtained from the Human Resources Office. Once your application has been submitted to the Human Resources Office, you will be asked to sign a Salary Reduction Agreement which will in turn be submitted to our Payroll Department in order to begin your account.

Sick/Safe Time Policy

Adjunct faculty accrue one hour of sick time for every 30 hours worked, up to a maximum accrual of 80 hours. Hours worked is determined by the following formula:

$$\text{Class Credit Hours} \times 3.0 \times \text{Number of Weeks Taught}$$

For example, a three credit class is equal to 135 hours (3 hours x 3 x15 weeks) and would result in an accrual of 4.5 sick time (135/30).

Your sick time may be used to care for your own health, including illnesses or injuries not covered by Workers' Compensation. Sick leave benefits can also be used for absences to care for the health of a family member or member of a household, including your child (minor or adult), step-child, adopted child, foster child, spouse, sibling, parent, step-parent, parent-in-law, guardian, ward, registered domestic partner, grandchild, or grandparent. "Grandchild" includes a step grandchild, and a biological, adopted or foster grandchild. Benefits can also be used for attending to the health of the people who currently reside in your home.

Qualifying absences for health reasons include each of the following:

- Diagnosis, treatment, recuperation, or preventative care (including doctor, dentist, or eye doctor appointment) for a medical or mental health condition, illness, or injury
- Medical or mental health emergencies
- Recuperation after giving birth; you may also use sick time to care for a covered family member after the family member gives birth
- Closure of MCAD for public health reasons
- Care for a family member or member of household due to unexpected closure of their school or place of care, including closure for inclement weather.

You are not required to provide specific details about the reason you are taking sick time, as long as it is taken for a permissible purpose.

Sick time will not be paid upon separation of employment.

Safe Time

Sick time may also be used to provide or receive assistance because of sexual violence, domestic abuse or stalking. Safe time can be used for yourself or to assist a family member or member of your household, as delineated above.

Sick time can be taken for such activities as:

- Medical and psychological counseling
- Relocation, victim services, and other safety planning
- Seeking a restraining order
- Participating in a legal proceeding.

MCAD will not retaliate against you for requesting or using safe time.

What to Do if Illness or Emergency Prevents You From Meeting Your Class

Contact your Department Chair as soon as possible so arrangements can be made for covering your class. If there is little time before your class begins and you have been unable to reach the Chair, call (or have someone call) the Coordinator of Academic Affairs Administration and explain the situation. Always include the name of the class and when and where it is supposed to meet. It is very important that every effort be made to reach your Chair. If time is very short, the Chair may want to meet with the class or arrange for another faculty person to do so. Do not, under any circumstances, cancel the class.

The cost of the substitute will be paid by MCAD.

PART SIX: COLLEGE SERVICES

Administrative Office Hours

Generally, College administration offices are open between the hours of 8:30 a.m. and 5:00 p.m.

College Cafeteria, Vending Machines

The cafeteria, located on the second floor of the Main Building, provides food service during the school year. It is open Monday through Thursday from 8:00 a.m. to 5:00 p.m., and Friday from 8:00 a.m. to 4:00p.m.

Vending machines for snacks and beverages are located in both College buildings.

Library

The College library has over 225 periodicals and 60,000 volumes, primarily dealing with art and design and other subjects taught at the College. Faculty members are welcome to check out materials upon presentation of proper identification.

Parking

Commuter students, staff and faculty can park in the MCAD lot off of 26th Street, on a space available basis. Parking is charged by the hour during the academic year: \$0.25 per hour from 7 a.m. to 9 p.m., Monday through Friday; and \$0.15 per hour at all other times. Payment is made with a stored-value card, which can be purchased by commuter student, staff and faculty in the Art Cellar. Cards are available in \$5, \$10, \$20 or \$40 amounts.

For more information on MCAD's parking policies, please refer to MCAD's "Campus Parking and Transportation Guide" http://intranet.mcad.edu/modules/transportation/assets/MCAD_Parking_Transportation_Guide.pdf

Mail Processing

Mail pickups are made at various locations throughout the complex each workday. For any large or special mailing, please notify the Mail Department at least 48 hours in advance to arrange for service.

All personal mail must be properly stamped before depositing into the College mail system. Personal packages can be mailed via UPS for shipping costs.

PART SEVEN: CONDUCT

Conflict of Interest

At times, staff or faculty members may be faced with situations where the actions they take on behalf of MCAD could conflict with their own personal or family interests. Employees must avoid situations in which their private interests inappropriately influence the actions they take at work. Employees must not use their MCAD positions for private gain for themselves or for persons with whom they have personal, business, or financial ties. The following are examples of conflicts of which are not permitted:

- You are prohibited from engaging in any business activities which conflict or may conflict with the interests of MCAD. You may not have an interest in and/or receive income from any enterprise doing business with or in competition with, MCAD.
- You are prohibited from being employed by, or acting as a consultant to, an MCAD supplier.
- You cannot own or have a substantial interest in a supplier or contractor to MCAD.
- You must not have a personal interest, financial interest or potential gain in an MCAD transaction.
- You may not place MCAD business with an entity owned or controlled by an MCAD employee or family member.

Exceptions to this policy require the prior written approval of the Vice-President of Human Resources or the Vice President, Finance/CFO. If you believe you have an actual or potential conflict of interest, you are required to report it to your supervisor immediately.

Gifts, Meals, and Entertainment:

Employees can accept occasional meals, refreshments, and entertainment if they are shared with the individual who has offered to pay for such courtesy provided that:

- Such courtesy is not inappropriately lavish or excessive.
- The employee accepting the courtesy would not feel uncomfortable discussing the courtesy with his or her supervisor or co-worker or having the courtesies known by the public.

Employees may accept token, unsolicited gifts, other than money, including:

- Flowers, fruit baskets and other modest presents that commemorate a special occasion.
- Gifts of nominal value, such as calendars, pens, mugs, caps and t-shirts (or other novelty, advertising or promotional items).

You may not give or receive anything that can be construed as a bribe, kick-back, or other illegal payment.

Employees found to be in violation of this policy can be disciplined, up to and including termination.

Reporting Suspected Theft, Financial Dishonesty, or Fraud

Like all organizations, MCAD is faced with the risks that come from theft, financial dishonesty or other fraud by MCAD volunteers and employees. MCAD manages these risks and their potential impact on MCAD in a lawful, ethical and professional manner.

The impact on MCAD of theft, financial dishonesty or other fraud may include:

- the actual financial loss incurred
- damage to the reputation of MCAD
- the cost of investigation
- loss of employees
- loss of customers
- litigation
- fines and penalties

MCAD is committed to the deterrence, detection and correction of theft, financial dishonesty and other fraud by MCAD employees. The discovery, reporting and documentation of such acts provides a sound foundation for the protection of innocent parties, the taking of disciplinary action against offenders up to and including dismissal where appropriate, the referral to law enforcement agencies when warranted by the facts, and the recovery of losses and other expenses.

I. Definition of Theft, Dishonesty and other Misconduct

For purposes of this policy, theft, financial dishonesty and other fraud, includes, but is not limited to:

- theft or other misappropriation of assets of MCAD students, customers, suppliers or others with whom MCAD has a business relationship
- intentional misstatements in the financial records of MCAD
- forgery or other alteration of documents
- in the actions of its faculty related to their employment by MCAD.

II. Reporting Responsibility

Each employee of MCAD has an obligation to report in accordance with this policy questionable or improper accounting or auditing concerns.

III. No Retaliation

This policy is intended to encourage employees to raise concerns within the College for investigation and appropriate action. With this goal in mind, no employee who, in good faith, reports a concern shall be subject to retaliation or adverse employment consequences because of the report of a concern. Moreover, an employee who retaliates against someone who has reported a concern in good faith is subject to discipline up to and including dismissal from the volunteer position or termination of employment.

IV. Reporting Concerns

Employees should first discuss their concern with their supervisor. If, after speaking with his or her supervisor, the individual continues to have reasonable grounds to believe the concern is valid, the individual should report the concern to the Vice President, Finance/CFO. In addition, if the individual is uncomfortable speaking with his or her supervisor, or the supervisor is a subject of the concern, the individual should report his or her concern directly to the Vice President, Finance/CFO.

If the concern was reported verbally to the Vice President, Finance/CFO, the reporting individual, with assistance from the Vice President, Finance/CFO, will put the concern in writing. The Vice President, Finance/CFO is required to promptly report the concern to the Chair of the Audit Committee of the Board of Trustees, which has specific and exclusive responsibility to investigate all concerns. If the Vice President, Finance/CFO does not promptly forward the concern to the Chair of the Audit Committee, the reporting individual should directly report the concern to the Chair of the Audit Committee.

Anonymous Reporting

Employees who would prefer to report their concerns about theft, financial dishonesty and other fraud anonymously can contact Lighthouse, a third party organization

Lighthouse can be contacted 24/7 by:

Web: www.lighthouse-services.com/mcad
Toll-free telephone: 844-420-0088
E-mail: reports@lighthouse-services.com (include MCAD's name in your report)
Fax: 215-689-3885 (include MCAD's name in your report)

Concerns will be reported to the College for evaluation and investigation on an anonymous basis. Lighthouse will make every effort to protect the reporter's identity Please note, however, that because the information

provided in the report to MCAD may be the basis of an internal and/or external investigation by MCAD into the issue being reported, it is possible that the reporter's identity may become known to MCAD during the course of the investigation.

Reports of sexual harassment, sexual violence, and grievances should not be made through Lighthouse, but through the processes described in those policies.

V. Responsibility and Authority for Follow Up and Investigation

The Audit Committee has the primary responsibility for all investigations under this policy. The Audit Committee has the primary responsibility for investigating, and making appropriate recommendations to the resident, with respect to all reported concerns under this policy.

Designated members of the investigative team will have:

- free and unrestricted access to all MCAD records and premises
- the authority to examine, copy and/or remove all or any portion of the contents of files, desks, cabinets, and other storage facilities (whether in electronic or other form) without the prior knowledge or consent of any individual who might use or have custody of any such items or facilities when it is within the scope of investigative or related follow up procedures.

VI. Reported Incident Follow Up Procedure

Care must be taken in the follow up of suspected theft, financial dishonesty or other fraud to avoid acting on incorrect or unsupported accusations, to avoid alerting suspected individuals that follow up and investigation is underway, and to avoid making statements which could adversely affect the College, an employee, or other parties.

Accordingly, the general procedures for follow up and investigation of reported incidents are as follows:

1. Employees and others must immediately report all factual details regarding the reported concern.
2. All records related to the reported incident will be retained wherever they reside.
3. The employee reporting the concern should not communicate with the suspected individual(s) about the matter under investigation.
4. Neither the existence nor the results of investigations or other follow up activity will be disclosed or discussed with anyone other than those persons who have a legitimate need to know in order to perform their duties and responsibilities effectively.
5. All inquiries from an attorney or any other contacts from outside MCAD, including those from law enforcement agencies or from the employee under investigation, should be referred to the Audit Committee Chair.

Investigative or other follow up activity will be carried out without regard to the suspected individual's position or level or relationship with the College.

VII. Acting in Good Faith

Anyone reporting a concern must act in good faith and have reasonable grounds for believing the information disclosed indicates an improper accounting or auditing practice, theft, dishonesty or other financial misconduct. The act of making allegations that prove to be unsubstantiated, and that prove to have been made maliciously, recklessly, or with the foreknowledge that the allegations are false, will be viewed as a serious disciplinary offense and may result in discipline, up to and including termination of employment. Such conduct may also give rise to other actions, including civil lawsuits.

VIII. Confidentiality

Reports of concerns, and any investigations relating to them, shall be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

Disclosure of reports of concerns to individuals not involved in the investigation will be viewed as a serious

disciplinary offense and may result in discipline up to and including termination of employment. Such conduct may also give rise to other actions, including civil lawsuits.

Confidentiality

In connection with their employment at MCAD, many Adjunct Faculty obtain information regarding MCAD students, donors or other employees, which is considered to be confidential information. It is important that staff and faculty members hold the confidential information of the College in trust and confidence, and not use or disclose it, directly or indirectly, except as may be necessary in the performance of the employee's duties for the College. Disclosure could be highly damaging to the College, its donors or others. Disclosure could also be a violation of state or federal law. In particular, federal law protects the confidentiality of student education records. Any information regarding students and employees with the exception of "directory information" (name, position title, department name, room number, phone extension, cell phone number and fax number) is regarded as confidential information. Access to confidential or sensitive information is limited to those employees who have a need to know.

Employees handling confidential information are responsible for its security. Disclosure of confidential information may subject an employee to disciplinary action.

Any materials or documents drafted by an employee or provided to any employee in connection with MCAD employment belong to, and are the property of MCAD. Upon termination of any assignment, such materials and documents, and all copies, must be returned to MCAD.

Violations of this policy will subject an employee to disciplinary action up to and including termination, legal action, or both.

Weapons

The possession of firearms, explosives or ammunition, or any other dangerous material that can be used to inflict bodily harm or damage buildings is prohibited on college property.

Smoking

The College instruction buildings (Main and Morrison) are smoke-free. Smoking is prohibited at the main entrances to the Main, Morrison and Liberal Arts buildings, as well as the east Main and Shop entrances and the Morrison loading dock entrance. Smoking is also prohibited within 20 feet of all other entrances to the Main, Morrison and Liberal Arts buildings, as well as the dorms. A campus map of the prohibited areas for smoking can be found on the Human Resources Intranet Site under the Section entitled "Resources". This policy also applies to e-cigarettes or other alternative smoking devices. Smoking will be permitted on the College Center balcony.

Use of Copyrighted Materials

It is the policy of the Minneapolis College of Art and Design to follow the United States Copyright Law of 1976 as amended (Title 17 United States Code hereinafter referred to as the "Copyright Act"). Accordingly, all faculty, staff and students of the Minneapolis College of Art and Design should follow these policy guidelines:

- Because a copyright notice is not required for copyright protection, most works should be presumed to be copyrighted.
- Copyrighted materials may be copied or otherwise used without the copyright owner's permission where such copying constitutes fair use as that term is defined under the Copyright Act.
- Copyrighted software may be copied without the copyright owner's permission only in accordance with the Copyright Act. Section 117 of the Copyright Act permits making an archival backup copy. Most software, however, is licensed to the user, and the terms of the license agreement may give the user permission to make copies of the software in excess of the single archival copy permitted by the Copyright Act. As a result, the user's right to copy licensed software beyond those rights given under the Copyright Act may only be determined by reading the user's licensed agreement. Any copying or reproduction of the

copyrighted software on Minneapolis College of Art and Design's system must be in accordance with the Copyright Act and the pertinent software license agreement. Faculty, students and staff may not use unauthorized copies of software on Minneapolis College of Art and Design's systems, or on computers or networks housed on the system.

- In order to copy or otherwise distribute or display materials, including software, where the materials are copyrighted, and the use exceeds what is permitted by the license, and the proposed use is likely not a fair use as that term is defined under the Copyright Act, permission must be obtained from the copyright owner.
- The Minneapolis College of Art and Design will terminate the account of any user who the Minneapolis College of Art and Design believes has repeatedly infringed the copyrights of others.
- The Minneapolis College of Art and Design's policy is to accommodate all standard technical measures designed to protect copyrighted works.
- The contact agent regarding copyright issues for the Minneapolis College of Art and Design is the Library Director. The contact agent's mailing address, phone number, and e-mail address are: Director, Library, Minneapolis College of Art and Design, 2501 Stevens Avenue, Minneapolis MN 55404, (612) 874-3700, library@mcad.edu. Notifications of claimed or suspected infringements should be directed to this agent.

Telecommunications and Computer Use

MCAD may monitor, access and disclose the contents of employees' electronic and/or telephone communications (including E-mail and voice-mail), when it has a legitimate business need. The issuance of a password or other means of access to the computer or voice-mail systems is to assure appropriate confidentiality of MCAD files and information. The issuance of a password does not guarantee privacy for personal or improper use of MCAD equipment and facilities. The computer system (including E-mail) and telephone system are MCAD property and are subject to viewing or inspection by MCAD officials.

All employees are expected to operate and use the computer and phone systems for the legitimate business of MCAD. Employees are prohibited from installing personal programs or applications on the MCAD computer system. The telephone and computer systems are not to be used for the transmission of personal or commercial advertisements, solicitations, political material, or any other unauthorized personal use. Occasional proper personal use of computer equipment, software, and the telephone is permitted when personal use does not interfere with expected work performance or violate any applicable policy, rule or law.

MCAD has the right to monitor, view, handle, store, manage or use for any purpose E-mail, voice-mail, or any other electronic information processed on MCAD's equipment. Intimidating, threatening, explicit, obscene, harassing material or similar inappropriate language in violation of MCAD policy is expressly prohibited on MCAD equipment, and employees who violate this policy are subject to discipline, including termination.

Animals on Campus

Because of maintenance problems, damage and distractions, animals other than those assisting the disabled or as subjects for a drawing class are permitted in College buildings only on a limited basis (contact the Associate Vice President of Facilities in advance).

Drugs and Alcohol on Campus

An individual's involvement with drugs and alcohol can adversely affect academic and job performance, jeopardize an individual's well-being and undermine the professional and academic structure of MCAD. The goal of MCAD is to establish and maintain a creative environment free from the effects of drug and alcohol abuse in compliance with the Drug-Free Workplace Act and the Drug-Free Schools and Communities Act.

I. Policy Statement:

The unlawful possession, use, distribution, manufacture or dispensing of illicit drugs and alcohol by students
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or employees is prohibited on MCAD property or as part of MCAD activities, except that alcohol may be possessed or consumed on MCAD property by persons 21 years of age or older in their dormitory rooms and/or approved for campus catered events.

II. Sanctions:

Violation of this prohibition against illicit drugs and alcohol by a student may lead to a disciplinary sanction, up to and including suspension or expulsion. Employees are also subject to sanctions for violations occurring on MCAD property or the work site or during work time up to and including termination from employment. Referral for prosecution under criminal law is also possible for students and employee. Violations of the Student Code of Conduct are subject to the disciplinary procedures and sanctions applicable to other types of disciplinary infractions.

A. Sanctions may include:

1. Warning and admonition
2. Required compliance
3. Confiscation
4. Probation
5. Suspension or expulsion
6. Interim suspension
7. Referral for criminal prosecution

III. Legal Sanctions Under Federal, State, or Local Laws for the Unlawful Possession or Distribution of Illicit Drugs and Alcohol

A. Information about Minnesota controlled substance crimes and penalties can be found at the following website:

1. <http://www.revisor.leg.state.mn.us/stats/152>

B. Information about Minnesota alcohol related crimes and penalties can be found at the following websites:

1. <http://www.revisor.leg.state.mn.us/stats/169>
2. <http://www.revisor.leg.state.mn.us/stats/340A>

C. Information about federal drug trafficking penalties for most drugs can be found at the following website:

1. <http://www.justice.gov/dea/druginfo/ftp3.shtml>:

D. Information about federal drug trafficking penalties for marijuana can be found at the following website:

1. <http://www.justice.gov/dea/druginfo/ftp3.shtml>

IV. Health Risks Associated with the Use of Illicit Drugs and the Abuse of Alcohol

A. Information about the health risks of drug use and abuse can be accessed through the following website:

1. <http://www.nida.nih.gov>

V. Drug and Alcohol Programs Available to Employees or Students

As an additional part of its Drug Free Awareness Program, MCAD currently provides counseling services through the Student Affairs Office. This counseling consists of an initial assessment of the potential drug and/or alcohol problem and referral to the appropriate agencies or treatment facilities in the community. Alcoholism, chemical dependency and drug addiction benefits are also available through the employee health plan currently offered by MCAD. Additionally, MCAD currently offers an Employee Assistance Program whereby employees may seek initial counseling and support for drug and/or alcohol related issues and/or problems. The individual referral may also contact a community service agency, such as the Minnesota Department of Human Services Chemical Dependency Department, the Ramsey County Chemical Dependency Service, the Hennepin County Chemical Health Program, or the United Way First Call for Help.

Individuals who need help are encouraged to seek it.

VI. Employee Notification

Statement to employees on controlled substance use in the workplace:

The College will not tolerate controlled substance use by its employees anywhere in its facilities. The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is strictly prohibited in any of the College's workplaces. Any employee found to be in violation of this prohibition will be subject to severe sanctions up to and including termination of employment with the College. All employees are required to notify the College of any criminal drug statute conviction for a violation occurring in the workplace within five (5) calendar days of such conviction. Continued employment with the College is expressly conditioned upon full compliance with this statement.

VII. Employee Sanctions

- A. Within thirty (30) days of notification of a criminal drug conviction occurring in the workplace, MCAD will determine the appropriate personnel action, up to and including termination of employment with MCAD.
- B. The decision to sanction or terminate the convicted employee remains within the discretion of MCAD.

VIII. Reporting of Violations

MCAD will report all employee convictions of a criminal drug statute occurring in the workplace to the appropriate federal contracting officer or granting agency within ten (10) days of actual notice of said conviction.

Policy Against Sexual Harassment and Sexual Violence

Contact information:

Jen Zuccola
Title IX Coordinator
Dean of Student Affairs
612-874-3626
jzuccola@mcad.edu

Pam Newsome
Deputy Title IX Coordinator
Vice President of Human Resources
612-874-3798
pnewsome@mcad.edu

I. Policy Statement

The Minneapolis College of Art and Design (the "College" or MCAD) encourages an atmosphere of mutual respect among members of its community. The College prohibits and will not tolerate sexual harassment or sexual violence by any member of the College community against another College community member. The College believes that all individuals should be treated with respect and dignity. Therefore, it is the expectation of the College that all individuals, in the course of performing their jobs or pursuing their academic careers, will conduct themselves appropriately. Sexual harassment or sexual violence committed by an MCAD student, faculty member or staff member against any other member of the College community is prohibited and will not be tolerated.

II. Definitions

- A. Advisor
Any individual who provides the Complainant or Respondent support, guidance or advice.
- B. Coercion
To force one to act based on fear of harm to self or others. Means of coercion may include, but are not limited to, pressure, threats, emotional intimidation, or the use of physical force.

C. Complainant

Any individual filing a complaint under this Policy who believes he or she has been the victim of sexual harassment or sexual violence by any member of the College community.

D. Consent

Under Federal Law Consent means:

Words or overt actions by a person indicating a freely given present agreement to perform a particular sexual act with the actor. Consent does not mean the existence of a prior or current social relationship between the actor and the victim or that the victim failed to resist a particular sexual act. A person who is mentally incapacitated or physically helpless cannot consent to a sexual act. The use of alcohol or drugs by either person will not diminish the actor's responsibility for sexual violence under this Policy.

Under Minnesota Law Consent means:

Words or overt actions by a person indicating a freely-given and present agreement to perform a certain sexual act with the actor. Minnesota law expressly states that a pre-existing relationship or the fact that the complainant did not resist is not consent.

E. Dating Violence

Under Federal Law Dating Violence means:

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. This violence is also called domestic abuse and may be subject to criminal prosecution under Minnesota law. Under Minnesota law, "domestic abuse" includes among other things:

1. Physical harm, bodily injury or assault;
2. The infliction of fear of imminent physical harm, bodily injury, or assault;
3. Terroristic threats;
4. Criminal sexual conduct, if committed against a family or household member by a family or household member.

Individuals encompassed in this definition include, but are not limited to:

1. Persons involved in a significant romantic or sexual relationship;
2. Spouses or former spouses, parent, children, and other persons related by blood;
3. Persons who are presently residing together or who have resided together in the past;
4. Persons who have a child in common.

Under Minnesota Law Dating Violence means:

1. An act of domestic abuse, which is defined as an act of physical harm, bodily injury, or assault;
2. The infliction of fear of imminent physical harm, bodily injury, or assault;
3. Terroristic threats, criminal sexual conduct, or interference with an emergency call that is committed against a family or household member by a family or household member.

Family or household member is defined as follows:

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

F. Domestic Violence

Under Federal Law Domestic Violence means:

A felony or misdemeanor crime of violence committed

1. By a current or former spouse or intimate partner of the victim;
2. By a person with whom the victim shares a child in common;
3. By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
4. By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred;
5. By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Under Minnesota Law Domestic Violence means:

1. An act of domestic abuse which is an act of physical harm, bodily injury, or assault;
2. The infliction of fear of imminent physical harm, bodily injury, or assault;
3. Terroristic threats, criminal sexual conduct, or interference with an emergency call that is committed against a family or household member by a family or household member.

Family or household member is defined as follows:

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

G. Incapacitation

Incapacitation is the physical and/or mental inability to make informed, rational judgments and decisions. States of incapacitation include sleep and blackouts. Where alcohol or other substances are involved, incapacitation is determined by how the substance impacts a person's decision-making capacity, awareness of consequences, and ability to make informed judgments.

In evaluating whether a person was incapacitated for purposes of evaluating effective consent, MCAD considers two questions:

1. Did the person initiating sexual activity know that their partner was incapacitated? And, if not,
2. Should a sober, reasonable person in the same situation have known that their partner was incapacitated?

If the answer to either of these questions is "yes," effective consent was absent.

For purposes of this Policy, incapacitation is a state beyond drunkenness or intoxication. A person is not incapacitated merely because they have been drinking or using drugs. Because the impact of alcohol and other drugs varies from person to person, one should be cautious before engaging in sexual contact or intercourse when either party has been drinking alcohol or using other drugs.

H. Member

Any College faculty member, student, staff member or other individual engaged in any College activity or program.

I. Respondent

Any member of the College community alleged to have committed a violation of this Policy, against whom a complaint has been filed.

J. Result

Any initial, interim and final decision by any MCAD official authorized to resolve disciplinary matters

within the institution.

K. Sexual Assault

Sexual assault means an actual, attempted, or threatened sexual contact with another person without that person's consent. Sexual assault may include physical contact with a person's genital area, other bodily orifices (anal, oral or vaginal) or with a person's buttocks or breasts, either over or under clothing, if the contact is done without consent. Sexual assault can be committed by persons of the same sex or opposite sex, and could involve a stranger, acquaintance or date. Child (under 18) sexual abuse and incest is also included in this policy. Sexual assault is a criminal act that can be prosecuted under Minnesota law.

L. Sexual Harassment

Sexual harassment is a violation of Title VII of the Civil Rights Act of 1964 and the Minnesota Human Rights Act.

Sexual harassment consists of unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct or communication is made either explicitly or implicitly a term or condition of employment or academic status;
2. Submission to or rejection of such conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or academic endeavors;
3. That conduct or communication has the purpose or effect of substantially interfering with an individual's employment, academic endeavors or professional performance, or creates an intimidating, hostile or offensive employment or educational environment.

Sexual harassment is a specific form of sex discrimination. While sexual harassment often takes place in a situation of power differential between persons involved, sexual harassment may occur between persons of the same status (i.e., student-student, faculty-faculty, staff-staff). Sexual harassment may also range in severity. Prohibited sexual harassment can include acts of sexual violence.

Students, faculty and staff should understand that consensual sexual relationships might become a violation of this Policy, particularly those relationships between individuals of unequal status. The validity of the consent involved in such a relationship can easily come into question. While the College cannot forbid such relationships, it deems them to be very unwise.

Sexual harassment may include, but is not limited to:

1. Frequent verbal insults, harassment or abuse;
2. Subtle pressure for sexual activity;
3. Frequent inappropriate touching;
4. Intentional unwelcome physical conduct with another's body, including persistent unwelcome sexual propositions or inappropriate behavior such as touching, caressing or kissing, whether with or without threat of punishment for noncompliance and without promise of reward for compliance;
5. Persistently requesting unwelcome favors, whether or not accompanied by implied or overt threats concerning an individual's employment or educational status;
6. Any sexually motivated unwelcome touching.

M. Sexual Violence

Sexual violence includes a continuum of conduct that includes sexual assault, dating and relationship violence, stalking, as well as aiding acts of sexual violence. The use of alcohol or drugs by either person will not diminish the actor's responsibility for sexual violence under this Policy. All form of sexual violence identified in this Policy are also prohibited forms of sexual harassment.

N. Stalking

Under Federal Law stalking means:

As a course of conduct which the actor knows or has reason to know would cause the victim under the circumstances to feel frightened, threatened, oppressed, persecuted, or intimidated, and causes

this reaction on the part of the victim regardless of the relationship between the actor and victim.

Under Minnesota Law stalking means:

Conduct which the actor knows or has reason to know would cause the complainant under the circumstances to feel frightened, threatened, oppressed, persecuted, or intimidated, and causes this reaction on the part of the complainant. Stalking does not depend on the relationship between the actor and the complainant. Stalking also does not require a specific intent to cause the complainant harm.

O. Title IX Coordinator

The individual at the College designated as responsible for coordinating the College's compliance with Title IX of the Education Amendments of 1972. In most circumstances a complaint under this Policy will be investigated by either the Vice President of Human Resources or the Dean of Student Affairs.

III. Internal Complaint Process

A. Filing a Complaint

Complaints of sexual harassment or sexual violence should be made in the following manner:

1. Any members of the College Community who believe they have been the victim of sexual harassment or sexual violence by any other member of the College community are urged to immediately report the alleged act to the appropriate College official.
 - If the victim is a student, the complaint should be reported to the Dean of Student Affairs;
 - If the victim is a member of the faculty, the complaint should be reported to the Vice President of Human Resources.
 - If the victim is a staff member, the complaint should be reported to the Vice President of Human Resources.
 - If the Dean of Student Affairs, the Vice President of Academic Affairs, or the Vice President of Human Resources is the subject of the complaint, the report should be made to the President of the College.
 - If the President of the College is the subject of the complaint, the report should be made to the Vice President of Human Resources.
2. Campus authorities are required to treat victims with dignity and are prohibited from suggesting that victims are at fault for the crimes or violations that allegedly occurred and from suggesting that victims should have acted in a different manner to avoid such crimes.
3. If the College deems it appropriate or necessary, the College has the right to investigate allegations of sexual harassment and sexual violence despite a victim's decision not to file a complaint.
4. All College employees with teaching or supervisory authority are obligated to report incidents of sexual harassment and sexual violence of which they become aware.
5. When a member of the college community reports to the College that the member has been a victim of sexual harassment or sexual violence by another member of the College community, the College will provide the member with a copy of this Policy, which includes a written explanation of the member's rights and options. This Policy does not cover sexual harassment or sexual violence committed by a third party who is not affiliated with the College. Notwithstanding the above, this Policy applies to criminal incidents of sexual harassment or sexual violence against a student or employee of the College occurring on property owned or leased by the College or at any activity, program, organization, or event sponsored by the College.
6. Any member of the College community who in good faith reports an incident of sexual harassment or sexual violence, whether as a victim or a witness, shall not be penalized by the College for admitting in the report to a violation of the College's student conduct policy on the personal use of drugs or alcohol.
7. Any member of the College community who is victim of sexual assault or harassment may submit an anonymous report online through the Student Affairs page. All reports will be used for statistical tracking in compliance with the federal Student Right to Know and Campus Security

Act. Reports made anonymously may not be investigated unless a formal report is submitted to the Title IX coordinator.

B. Investigation

1. All complaints of alleged sexual harassment and sexual violence are investigated under the oversight of the College's Title IX Coordinator. In most circumstances the complaint will be investigated by either the Vice President of Human Resources or the Dean of Student Affairs or their designees. The investigator may recommend findings and if necessary, the sanction to be imposed. The Title IX Coordinator is responsible for deciding whether this Policy has been violated and if there is a finding of sexual harassment or sexual violence, the sanction to be imposed.
2. Many factors are considered in determining whether the alleged conduct violates this Policy, including but not limited to: the surrounding circumstances, the nature of the alleged sexual conduct, the relationships between the parties involved, the context in which the alleged incident(s) occurred, and whether the behavior was unwelcome. Whether a particular action or incident violates this Policy requires a determination based on the facts and circumstances surrounding the alleged incident(s). The investigation may include personal interviews with the Complainant, the individual(s) against whom the complaint is filed and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator.
3. The Title IX Coordinator will deliver, in writing, to both the Complainant and the Respondent:
 - Result explaining the rationale for the Result, and the sanction or other remedy, if any;
 - The procedures for the Complainant and the Respondent to appeal the Result of the investigation;
 - Any changes to the Result;
 - When such Result becomes final. This written Result will be delivered simultaneously to the Complainant and the Respondent. The written Result provided to the Complainant will only disclose information about sanctions imposed, if any, which directly relate to the Complainant.
4. The investigation will be prompt, fair and impartial and will use a "preponderance of the evidence" standard. The investigation will be conducted by officials who do not have a conflict of interest or bias for or against the Complainant or the Respondent.

C. Rights of the Complainant and the Respondent During the Investigative Process

1. The Complainant will be provided the same opportunity as the Respondent to meet with the Title IX Coordinator and/or the designee after filing the complaint. The Title IX Coordinator and/or investigator will advise the Complainant and the Respondent of their rights and responsibilities under this Policy. If the Complainant was the victim of a sexual assault, the Complainant may decide when to repeat a description of the incident of sexual assault.
2. Copies of all written statements and other written information submitted by the parties will be shared with the other party. The Title IX Coordinator (or investigator) may redact names and other identifying information if it is determined necessary or appropriate.
3. Both parties have the right to have an Advisor of their choice accompany them during all Meetings and proceedings related to the Complaint. The Advisor's role is to observe and advise a party and the Advisor cannot speak during the meetings. This restriction applies equally to both parties.
4. A timely notice of meetings to both parties at which the Complainant or Respondent may attend.
5. The Complainant and the Respondent will be provided timely and equal access to any information that will be used during disciplinary meetings.

D. Appeal

1. Either party can appeal a Result of the Title IX Coordinator (and/or investigator) to the Vice President of Academic Affairs on the basis that the applicable procedures were not followed, the information presented does not support the Result reached or the sanction imposed, or there was a conflict of interest involving the investigator/Title IX Coordinator.

2. Appeals must be filed within five (5) class days of the Title IX Coordinator's Result. If the Vice President of Academic Affairs or his/her designee deems it necessary, he or she may interview one or both parties and/or any witnesses.
3. If a designee is selected by the Vice President of Academic Affairs, such designee will issue a report to be used by the Vice President of Academic Affairs in reaching a Result. The Result of the Vice President of Academic Affairs is final.

E. Notifications

The Complainant and the Respondent will be simultaneously notified in writing of:

1. The result of any internal disciplinary proceeding that arises from an allegation of dating violence, domestic violence, sexual assault or stalking;
2. MCAD's procedures for the Complainant and the Respondent to appeal the decision of the Title IX Coordinator;
3. Any change to the decision; and
4. When the decision becomes final.

IV. Interim Action

When a complaint is filed under this Policy, both during and after the process of investigating a complaint and conducting a campus disciplinary procedure, campus personnel will provide assistance in shielding the victim from unwanted contact with the Respondent at the request of the Complainant. The Complainant can request a change in employment, academic, living, and/or transportation situations, even if the Complainant chooses not to report the crime to campus police or local law enforcement. The Title IX Coordinator or investigator will decide what interim action is appropriate for the period through the final determination of the complaint and what changes are reasonably available. Such interim actions could include:

For students: an interim suspension, reassignment to alternate housing, limitation of access to designated College housing facilities and/or campus facilities by time and location, limitation of the privilege to engage in specified College activities, or, in the case of residential housing, reassignment to a different dormitory.

For employees: an interim suspension, reassignment to a different employment position, or limitation in interactions between the complainant and the respondent.

V. Criminal Proceedings

The College urges all victims of sexual violence to file a complaint with the appropriate criminal authorities. If the individual elects to or is unable to make such a report, a representative from the College's Office of Public Safety will assist the individual in notifying law enforcement authorities and the appropriate individual as described in Section III(A)(1) above. Individuals also have the right to decline to report incidents to law enforcement. Regardless of whether there is a criminal investigation of the complaint of sexual harassment or sexual violence, the College will proceed with its investigation and determination as to whether this Policy has been violated. The College will not wait for the conclusion of a criminal investigation or criminal proceeding to begin or to continue with its investigation.

Notwithstanding the above, the College may briefly delay any fact-finding process while the criminal authorities collect and gather evidence. Once the police have concluded their collection of evidence, the College will promptly resume and complete its fact-finding and investigation of the complaint.

VI. Discipline and Remedies

A. The purpose of College discipline is to be corrective and educational as well as punitive. Assigned discipline may include a combination of sanctions for a particular incident. The sanctions which may be incurred include, but are not limited to, the following:

1. Verbal Warning: a notice that continuation or repetition of prohibited conduct may be cause for additional disciplinary action.

2. Formal Reprimand: an official written statement of the College's disapproval of the actions of a student or employee and a warning that any future violation(s) will result in more serious discipline.
3. Disciplinary Probation: an official notice that the conduct of the student or employee is in violation of this Policy or other College Policy but does not warrant suspension, dismissal or termination. Probation is for a designated period of time and includes the possibility of more severe disciplinary sanctions if the Respondent commits another violation during the probationary period. In the case of a student, during the probation period, a student will be considered "not in good standing" and may be excluded from some programs and curricular or extracurricular activities.
4. Suspension: an involuntary separation of the student or employee from the College for a definite period of time and/or until certain conditions are met. Suspension of a student may require administrative review and approval by the appropriate officials prior to readmission. In the case of an employee, the suspension is unpaid.
5. Deferred Suspension: the discipline of suspension may be placed in deferred status provided that the student or employee completes other assigned sanctions by specified deadline dates. Failure to complete all sanctions and provide evidence of completion by the deadline date(s) will result in the automatic implementation of the suspension without further charges or administrative procedures. If a student or employee is found responsible for another violation of College Policy during the period of deferred suspension, the student or employee may be permanently dismissed from the College.
6. Permanent Dismissal: a student or employee can be involuntarily separated from the College.
7. Delay and/or Denial of Degree Award: during the period disciplinary charges are pending against a student, the College may deny and/or delay issuance of a degree. Further, the College may refuse to issue a degree to a student who is serving a suspension or has been permanently dismissed from the College.
8. Revocation of Degree: an awarded degree may be revoked for violations of this Policy, which occurred prior to the award of the degree but are discovered after the degree has been awarded, where the violation is sufficient to justify the suspension or permanent dismissal of the student.
9. Other Sanctions: other sanctions may be imposed instead of or in addition to those specified above, which could include: (a) restitution (compensation for loss, damage or injury); (b) fines; (c) community service; (d) trespass notice; (e) restrictions and loss of privileges for the use of a College facility or service; (f) anger management programs and treatment; (g) alcohol education programs and treatment; (h) other appropriate education and training programs.

B. Remedies can also be issued for a Complainant. Possible remedies for the Complainant include:

For Students:

1. Providing an escort so that the Complainant can move safely between classes and activities.
2. Ensuring that the Complainant and Respondent do not attend the same classes.
3. Providing counseling services.
4. Providing academic support services.
5. Arranging for the Complainant to retake a course or withdraw from a class without a penalty.

For Employees:

1. Providing an escort so the Complainant can move safely between work and parking or the bus stop.
2. Providing counseling services.
3. Separating the Complainant and Respondent during the work day.

VII. Timing

- A. The Title IX Coordinator (or investigator) will normally complete the investigation within sixty (60) days from receipt of the complaint. This time frame may be extended during periods when classes are not held (i.e., spring break, final examination period) or because of difficulties in interviewing witnesses or other reasons beyond the control of the Title IX Coordinator.
- B. The Vice President for Academic Affairs will normally issue a written Result in an appeal within thirty (30) days after receiving a written appeal.
- C. The time frames may be extended for good cause, provided that the parties are provided with notice of

the extension, the reason for the delay and the expected date of the Result.

- D. Interim measures imposed pending the outcome of the investigation process shall remain in place until a final determination is made under these procedures.

VIII. No Retaliation

Submission of a complaint or a report of a violation of this Policy that is made in good faith will not affect the individual's future employment, educational endeavors, work assignments or academic career with the College.

No retaliatory action will be taken against any person because he/she makes a complaint of sexual harassment or sexual violence or participates in an investigation regarding such offenses. The prohibition on retaliation includes retaliation by campus authorities, the Respondent, organizations affiliated with the Respondent, other students, and staff and faculty members. If anyone believes he or she is being retaliated against for making a complaint or participating in an investigation, he or she should immediately report such retaliation to the Title IX Coordinator or investigator who will promptly investigate the report of retaliation.

IX. Confidentiality

The College is sensitive to the need for privacy for the Complainant, the Respondent, and any witnesses. Therefore, in investigating complaints of sexual harassment or sexual violence, the College will be as discrete as possible. However, absolute confidentiality may not be possible in every case given the College's responsibility to provide members of the community with a positive working and learning environment that is free from sexual harassment and sexual violence. Conduct that is inconsistent with this Policy poses a potential harm or danger to members of the College community, and in some cases, the College must issue a timely warning to the College community in compliance with the Clery Act, 20 U.S.C. § 1092. In these cases, the College will only provide enough information to safeguard the College community. Also, disclosure of the allegations to the Respondent and to those within the College administration with a need to know may be necessary to ensure a thorough, fair, and impartial investigation. Each situation will be resolved as discreetly as possible, with information shared only with those who need to know in order to investigate and resolve the matter. Requests for confidentiality will be considered to the greatest extent possible, provided such request does not preclude the College from effectively responding to the complaint and taking appropriate corrective and preventive action. Any accommodations or protective measures provided to a Complainant will be kept as confidential as possible. All files, documents, and other materials collected during the investigation will be kept in the confidential files of the Title IX Coordinator. A student who reports an incident of sexual assault will, upon request, have access to his or her description of the incident as it was reported to the College. This right to access applies even if the student transfers to another postsecondary institution.

X. Support Services

The College provides confidential counseling services in the Student Affairs Office during fall and spring semesters for students who feel they have been victims of sexual violence. Benefits eligible staff and faculty may use the Employee Assistance Program (Health Partners: Twin Cities (866) 326-7194 or www.hpeap.com for counseling and referral).

RESOURCES:

Other MCAD Resource Numbers:	
MCAD Public Safety Emergency Line	(612)874-3555
Student Housing	(612)874-3780
Student Affairs	(612)874-3738
MCAD Financial Aid	(612)874-3733
International Student Assistance	(612)874-3628

Additional external resource numbers:	
Rape and Sexual Assault Center	(612)825-4357
First Call for Help/United Way	(651)291-0211
MN Center for Crime Victims Service	(651)201-7300
	(888)622-8799
Crisis Intervention Center: Suicide Hotline	(612)873-2222
Assessment/Info/Referral	(612)873-3161
Minneapolis Civil Rights Office	(612)673-3012
Domestic Abuse Service Center	(612)348-5073
AIDSLINE	(612)373-2437
Chrysalis: A Center for Women	(612)871-0118
Council on Crime and Justice: Crime Victim Services (24 hours)	(612)340-5400
Clinics and Hospitals	
Hennepin County Medical Center (HCMC) 701 Park Avenue Minneapolis, MN 55415	(612)873-3132
HCMC (Urgent Care) Red Building, R1.060 730 South 8 th Street Entrance Minneapolis MN 55415	(612)873-5555
Abbott Northwestern Hospital 800 East 28 th Street Minneapolis, MN 55407	(612)863-4233
Minneapolis Police	
Emergency Call	911
Fifth Precinct	(612)673-5705

XI. What to do if it Happens to You

- A. If you are a victim of sexual harassment or sexual violence, it is recommended that you take immediate action to obtain medical, emotional or other assistance.
- B. Remember that it's not your fault.
- C. Get to a safe place.
- D. Immediate assistance is available by calling the Minneapolis Police at 911.
- E. Don't be afraid to ask for help. Tell someone: your roommate, your Resident Advisor, your counselor, the Dean of Student Affairs, campus security, an instructor or a staff member.
- F. Remember everything you can about your assailant.
- G. Do not disturb any evidence. Do not shower, douche, wash clothing or comb hair.
- H. Do not disturb items. Leave the scene of the incident untouched.
- I. Go to the hospital for: rape exam, sexually transmitted disease check, pregnancy test, and injuries. Hospitals will verify and preserve evidence for the police.
- J. At the request of a sexual assault victim or complainant or at the direction of law enforcement, the Public Safety officers will provide complete and prompt assistance in obtaining, securing, and maintaining evidence in connection with an incident of sexual assault and in preserving materials relevant to a campus disciplinary proceeding.
- K. Victims are urged to contact the Dean of Student Affairs, the Vice President of Human Resources, or another College official to make an internal complaint, and contact local legal authorities to report the crime and press charges.

XII. Education and Training

- A. The College offers informational sessions on sexual harassment and sexual violence to students, staff, and faculty. Public safety officers, the Vice President of Academic Affairs, the Title IX Coordinator, and all investigators will be required to undergo annual training on the issues related to dating violence, domestic violence, sexual assault and stalking and on how to conduct an investigation that protects the safety of victims and promotes accountability. Furthermore, MCAD will notify all students, faculty members and staff members of this Policy.
- B. The College will present education programs and campaigns that promote prevention and awareness of domestic violence, dating violence, sexual assault, and stalking for incoming and current employees and students. This will include:
 - 1. Training on safe and positive options for bystander intervention that individuals may take to prevent harm or intervene in risky situations;
 - 2. Information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks;
 - 3. Procedure victims should follow if a crime of dating violence, domestic violence, sexual assault or stalking has occurred, including the procedures described in this Policy;
 - 4. Definitions under Minnesota law of various terms covered by this Policy.

XIII. Additional Rights of Sexual Assault Victims

Students who report a sexual assault under this Policy and subsequently choose to transfer to another postsecondary institution will, upon request, be provided with information about resources for victims of sexual assault at the institution to which they are transferring.

In addition to the rights and responsibilities described in this Policy, victims of sexual assault have additional rights under Minnesota's Crime Victims Bill of Rights, which is located in Chapter 611A of Minnesota Statutes, as well as the right to assistance from the Minnesota Crime Victims Reparations Board and the Commissioner of Public Safety. Information on Minnesota's Crime Victims Bill of Rights can be obtained by contacting the Minnesota Department of Public Safety, by visiting the Minnesota Department of Public Safety website, or by viewing Minnesota Statute 611A at www.revisor.mn.gov/statutes. The Minnesota Crime Victims Reparations Board can be contacted at 651-201-7300 or 1-888-622-8799.

Maltreatment of Minors

When a complaint is made under this policy or investigation of such a complaint provides knowledge or reason to believe that child abuse has occurred, MCAD will comply with Minnesota Statute 626.556, Reporting of Maltreatment of Minors. Any staff or faculty member who knows or has reason to believe a child is being physically or sexually abused shall immediately report the information to the local welfare agency, agency responsible for assessing or investigating the report, police department or county sheriff. The oral report must be made immediately by telephone or otherwise. The oral report must be followed up within 72 hours, not including weekends and holidays, by a written report to the appropriate police department, the county sheriff, the agency responsible for assessing or investigating the report, or the local welfare agency. A mandated reporter's failure to report known or suspected abuse is a misdemeanor. Anyone, whether or not a mandated reporter, who reports child abuse in good faith is immune from civil liability. At the same time inform the Dean of Student Affairs of your report.

MCAD performs background checks on any staff member who has direct contact with minors in its Summer Youth Programs. These staff members are also fully informed on sexual harassment, sexual violence, and sexual abuse policies and procedures. Any parent or student in Summer Youth Programs who has questions or concerns regarding these policies should contact the Director of Continuing Education or the Dean of Student Affairs.

PART EIGHT: SECURITY, HEALTH AND SAFETY

Please reference the Emergency Action Plan Manual and Employee Safety Manual for more detailed information. These are available on the Occupational Health and Safety intranet page.

Identification Cards

Picture identification cards may be issued to you upon employment.

If you need access to College buildings after normal working hours, contact MCAD Public Safety at (612) 874-3700 or use the after hours access door located at the east gallery door. IDs must be presented to the officer to be admitted to the building.

If you are in the building after normal working hours, you are encouraged to notify Public Safety and carry your ID card in the event a Public Safety Officer requests it.

Keys

Keys to Adjunct Faculty offices and mailroom (located on the second floor of the main building, immediately at the top of the stairs that lead from the main gallery) are issued by the Associate Vice President of Facilities. Adjunct Faculty are responsible for their safekeeping until returned to the Associate Vice President of Facilities at the end of the semester of their employment.

Work Interruption

In the event the College will close due to inclement weather or some other type of emergency, an announcement will be broadcast over WCCO TV, WCCO Radio (830 AM), KSTP TV, KSTP Radio (1500 AM). You can also go on-line to wcco.com and kstp.com. An announcement will also be posted on the MCAD website at www.mcad.edu.

The Safety Committee

The Minneapolis College of Art and Design has established a Safety Committee that is composed of faculty, staff and student representatives from relevant operating units. Its primary purpose is to ensure as healthy an environment as possible for all students, employees and visitors.

In the event you become aware of a safety problem, please contact the Occupational Health and Safety Coordinator.

Hazardous Material

Individuals who handle toxic or hazardous substances in the course of their work at the College are required to maintain, use and dispose of such substances in accordance with applicable state, federal and local laws and regulations. Department heads must provide training on the appropriate and safe use of hazardous materials before individuals use them.

Emergency, Accident or Fire

Any emergency, accident or fire should be reported immediately to the MCAD Public Safety Department. If an emergency evacuation is required, the following procedure is to be followed:

- When the alarm sounds, leave the building immediately, closing the doors behind you.
- Exit via the stairwells only. Do not use the elevators.
- Once outside, report to the Mall area between the Main Building and the dorms.
- Do not re-enter the building until the Fire Chief or the Public Safety Department gives the “all clear.”

Personal Injuries

All injuries, no matter how minor, should be reported immediately to the Public Safety Department (Emergency 612-874-3555 or X1555, Non-emergency 612-874-3700 or X1700). You may treat minor injuries yourself (first-aid boxes are located throughout the buildings), or a member of the Public Safety Department may assist you. Paramedics, who will be dispatched by Public Safety, will treat serious injuries. In cases of extreme emergency,

call 911 before contacting Public Safety.

All injuries are to be reported to your Department Chair. Injuries of staff or faculty must be reported to the Human Resources Office (612-874-3504 or X1504) within 24 hours. A first-report-of-injury form must be filed promptly.

Managed Care for Work-Related Injuries

If you are injured on the job, you may receive medical treatment at the Minnesota Occupational Health Clinic. The clinic is located at 1661 St. Anthony Avenue, St. Paul, MN 55104. If you are injured on the job, your supervisor should call the clinic at 651-968-5300 to schedule an appointment. The clinic is open from 7:00 a.m. to 5:00 p.m., Monday through Friday. The clinic requires an Authorization Form, which you can find in the First Report of Injury Packet, or it can be obtained from Human Resources or the Public Safety Department.

Directions from MCAD to the Minnesota Occupation Health Clinic are: go north on 3rd Avenue to Franklin. Turn right (east) on Franklin and cross 35W bridge. Turn left onto entrance ramp to 35W, then merge to I-94 east to Snelling Avenue exit (#238). Turn left (north) on Snelling over bridge, left at first light onto St. Anthony Avenue in right lane to 1661 St. Anthony Avenue.

After-hours, weekends or for major medical emergencies, go directly to the emergency room at Abbott Northwestern Hospital. The hospital is located at 800 East 28th Street. The emergency room telephone number is 612-863-4233.

Directions from MCAD to Abbott Northwestern Hospital are: go south on 3rd Avenue to 26th Street. Turn right (west) to Stevens Avenue. At Stevens Avenue, turn left and proceed to 28th Street. Turn left (east) and continue to 10th Avenue. Turn left on 10th Avenue and go one block and turn left to emergency room.

Campus Security/Clery Act Report

The Annual Campus Security Report is available in the Public Safety Department. This report includes campus crime statistics for the most recent three-year period and a broad range of institutional policies concerning campus security. These policies pertain to crime prevention, the reporting of crimes, and other important topics. A full copy of the report can be found at

<http://www.mcad.edu/campussecurityact>

You may also obtain a copy of this report by contacting the Public Safety Department, Minneapolis College of Art and Design, 2501 Stevens Avenue South, Minneapolis, MN 55404 or by calling 612-874-3700 or X 1700.

Campus Sex Crimes Prevention Act of 2000

Faculty, staff and students are required to comply with the Sex Crimes Prevention Act of 2000, including registration with appropriate State Agencies if applicable. Information concerning registered sex offenders who are enrolled or employed at MCAD can be obtained from the Public Safety Department.

Public Safety

612-874-3700 or X1700 – Non-emergency

612-874-3555 or X1555 – Emergency

The Department of Public Safety is responsible for the overall safety and security of all faculty, staff, students and visitors on campus. 24 hours a day, 7 days a week, and 365 days a year the department works toward its purpose of protecting life and property, preventing crime and providing a service to all members of the community. In addition, the department has responsibilities that range from alarm management to lost & found services, access control and parking services. Public Safety works closely with the Minneapolis Police Department on criminal matters, neighborhood issues, crime prevention, and campus safety in order to make a more safe and secure campus environment.

Public Safety employs full and part-time officers who have received specialized training, which includes law enforcement, conflict resolution, crisis management, and first aid (including an on-site AED defibrillator). Some of their duties include patrolling the campus, monitoring alarm panels and building cameras, answering the colleges main telephone lines and emergency line as well as serving as a source of information to college faculty, staff, students and visitors.

Public Safety Officers will also provide escorts and vehicle jump-starts. Both of these services will be offered on campus and within a two-block radius of campus, 24 hours a day. Public Safety personnel encourage you to walk in groups, or if walking alone, call for an escort. To ensure safety on campus, Public Safety personnel may ask to see your MCAD identification card, so be sure to carry it with you at all times.

The safety and security of our campus and community is everyone's responsibility. If you are a victim or witness of any crime or incident, you are encouraged to make a report to Public Safety or the Minneapolis Police Department promptly. All reports will be documented and investigated. The reporting of these crimes and incidents allows Public Safety to reassess security controls and patrol strategies, develop better methods of crime prevention, and notify the community when relevant by posting and e-mailing notices. Dial 612-874-3555 or X1555 in emergency situations, or 612-874-3700 or X1700 to reach MCAD Public Safety for routine security matters. For information on crime prevention, location of emergency call boxes, or any other safety and security matter, please contact Public Safety or stop at the office located in the main gallery.

CITY OF MINNEAPOLIS NOTICE TO EMPLOYEES

Sick and Safe Time Ordinance

Effective July 1, 2017

WHAT The City of Minneapolis Sick and Safe Time Ordinance ensures that all eligible persons working in the City receive paid leave to use when they or a family member are sick, injured, need preventative health care, or need to seek help for domestic violence, sexual assault, stalking, or other related issues listed in the ordinance.

The Ordinance is intended to allow employees to care for themselves and family members, making Minneapolis a healthier, more secure, and more productive community.

WHO The Sick and Safe Time Ordinance applies to all employees who work within Minneapolis city limits. All types of employees qualify, including full-time, part-time, seasonal, paid interns and temporary staff. Employees collect a minimum rate of 1 hour of paid (at customary rates and benefits) of sick and safe time off for every 30 hours worked.

However, if there are 5 or fewer employees in an organization, the time off may be unpaid. Employers must front-load time or allow each employee to accrue at least 48 hours per year, which must carry over from year to year, until reaching 80 accrued and unused sick and safe time hours during subsequent years.

USAGE Employees can use their leave for all of the reasons outlined by the Ordinance:

- Treatment, recuperation, or preventative care for a medical or mental health condition, illness, or injury.
- To seek law enforcement, counseling, or other services for domestic abuse, sexual assault, or stalking.
- Closure of an employee's place of business for public health reasons.
- Needs related to the medical health, mental health, or physical safety of a family member (child, spouse, domestic partner, parent, grandparent, or member of household); or unexpected closure of a family member's school or place of care, including inclement weather.

Requirements

Upon request by an employee, an employer must provide, in writing or electronically, information stating the employee's then-current amount of:

- ✓ Accrued sick and safe time available to the employee.
- ✓ Used sick and safe time.

For use of Sick and Safe time off, employers may require advance notice as soon as practicable -- not more than 7 days -- and reasonable explanation of need.

Complaints

If an employee believes that they have been subject to a violation of the Sick and Safe Time Ordinance, please file a report with the City of Minneapolis Labor Standards Enforcement Division located at:

350 S. Fifth St. Rm. 239,
Minneapolis, MN 55415,
by calling 311, or online:
www.minneapolismn.gov/sicktimeinfo.

Retaliation Prohibited

It is unlawful for an employer to restrain, or deny the exercise of, or the attempt to exercise, any right protected under the Minneapolis Sick and Safe Time Ordinance.



THIS POSTER MUST BE DISPLAYED WHERE EMPLOYEES CAN EASILY READ IT

(Poster may be printed on 8 1/2" x 11" letter size paper)

More questions? We're here to help: sicktimeinfo@minneapolismn.gov or call 311.

For reasonable accommodations or alternative formats please contact the Minneapolis Civil Rights Department at 612-673-2091. People who are deaf or hard of hearing can use a relay service to call 311 at 612-673-3000. TTY users can call 612-673-2157 or 612-673-2626. Para asistencia 612-673-2700, Yog xav tau kev pab, hu 612-673-2800, Hadii aad Caawimaad u baahantahay 612-673-3500.

APPENDIX: ADJUNCT FACULTY PAY SCALE (Effective: 6-1- 2016)

For 0-23 Credits Taught.....	\$4,459 per 3-credit course
For 24-71 Credits Taught.....	\$5,017 per 3-credit course
For 72-119 Credits Taught.....	\$5,758 per 3-credit course
For 120+ Credits Taught.....	\$6,278 per 3-credit course