

Minneapolis College of Art and Design

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

Purpose

The College issues this Faculty Administrative Policies Handbook (the Handbook) to all new faculty members at the time of their initial appointment. A Handbook with current revisions will be available in the Human Resources Office and also on the Human Resources homepage at intranet.mcad.edu. Administrative memos pertaining to policy and operations should be kept by faculty members 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) as of the revision date located in the footer of this document. This Handbook does not apply to staff or work-study employees. This Handbook is to be used as a guide by faculty members and is not intended to, and does not create a contractual relationship between the College and its faculty members. Each member of the faculty has an individual employment contract with the College. The contractual rights of each 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 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 faculty member.

Applicability

All College 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 employees 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 extensive 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 if they have been put on restriction 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: HUMAN RESOURCES RECORDS

Access to Human Resources Records

Faculty members' files are kept in the Human Resources office and the office of the Executive Assistant of Academic Affairs. You may review your file upon written request and in accordance with Minnesota law. The full text of the Minnesota Personnel Records Statute [Minnesota Statutes § 181.960-967 (2007)], which sets forth all your available rights and remedies, can be found at <http://www.leg.state.mn.us/leg/statutes.asp>.

Human Resources Record Changes

You should inform the Human Resources Office of any changes that involve your name, address, home phone number, number of dependents, beneficiary or marital status, including divorce or legal separation. Such changes in your personal status may affect your insurance policies and tax status. It is particularly important that you keep us informed of an emergency phone number.

PART FOUR: BENEFITS AND PAYROLL

The College currently provides a wide range of benefits for its eligible employees. The benefits described below reflect those benefits presently available to faculty. These benefits are subject to change or elimination at any time, within the sole discretion of MCAD, without prior notice to employees. Additionally, insurance carriers, premium amounts, eligibility requirements, and administrative procedures may be changed. This statement is true of all benefits, whether or not this information appears on specific written communications regarding benefits.

All statements of coverage are subject to the terms, conditions, restrictions, and other eligibility requirements set forth in the plan documents, which are the final word in terms of eligibility and coverage. An employee's eligibility for or receipt of benefits does not affect MCAD's right to terminate or discipline the employee.

Workers' Compensation

As provided by law, the College carries insurance to cover on-the-job injuries beginning from the date of employment. As part of our Workers' Compensation Program, the College has established a Return-to-Work Program. The goal of this program is, when appropriate, to return the injured employee to work (either to the original job or to a transitional assignment) as soon as possible, if feasible. Generally, missed time not covered by workers' compensation (appointments, the first three days of missed work) should be designated as sick time. Additional information can also be found in the Employee Safety Manual located on the Occupational Health and Safety intranet website.

Unemployment Compensation

As provided by law, you may have the protection of unemployment insurance as administered by the Minnesota Department of Economic Security. This Department can be contacted for further information.

Insurance Eligibility

The College currently provides various insurances for its eligible employees. The specific eligibility requirements are specified in the policies and materials provided by the insurance carriers and these will govern eligibility in each individual case. Benefit enrollment forms must be completed and returned to the Human Resources Office within 30 days of your first day of work. Coverage becomes effective the first of the month following your first day of work.

Details of the insurance benefits currently offered under the College's Flexible Benefits Plan may be found in the current Enrollment Booklet. This booklet is available in the Human Resources Office or on the Human Resources intranet page. In all cases, the terms of the insurance plan will govern, including the extent and duration of benefits.

MCAD currently offers medical, dental, life and long-term disability insurance. Employees may also elect to take supplemental short-term disability insurance. An employee assistance plan is also offered.

Benefits Continuation (COBRA)

In accordance with state and federal laws, terminating employees (and enrolled spouses and dependent children) may be eligible to extend their medical, dental and life insurance benefits by paying the full group rate of such insurance. For a full statement of your extension rights, please see the current Flexible Benefit Enrollment Booklet.

Retirement Plan

Ranked faculty who meet current conditions of eligibility are participants in the Minneapolis College of Art and Design Retirement Plan. Eligibility is currently determined by age and date of employment: ranked faculty must attain age 21 and have two years of continuous service working the equivalent of 1000 hours per year before they are eligible to participate in the College sponsored portion of the plan. New faculty hired from eligible institutions where they have two years of continuous service and have attained age 21 may be eligible to participate in the plan immediately. New employees hired from higher education institutions described in Section 170(b)(1)(A)(ii) of the Code; non-profit institutions described under Section 501(c) (3) of the Code or employed by federal, state or local governments, where they have two years of continuous service and have attained age 21 may be eligible to participate in the plan immediately. Once eligibility requirements have been met, the College will contribute 5% of your total compensation to your retirement account. Eligible faculty will be required to contribute 3.5% of salary by payroll reduction as a condition of employment. The pension benefits you receive will depend upon the value of this account when you retire.

All faculty members, even if they are not benefits eligible, may elect to contribute to a Supplemental Retirement Annuity (SRA). Individuals are eligible to contribute to an SRA contract immediately following employment. This tax-deferred annuity allows you to accumulate retirement funds.

Current options for investing your Retirement or Supplemental Retirement Annuity Funds are described in the current Employee Benefit Plan Enrollment Booklet and in information available in the Human Resources Office.

Retiree Medical Coverage

Currently, the College's medical policy permits retirees (and their spouses/dependents) who are 62 or over at the time of their retirement from MCAD to continue their medical coverage under COBRA, until the later of the expiration of the initial 18-month period or the end of the month in which they reach age 65. In no case can COBRA be taken for more than a total of 36 months.

In order to run Medicare and COBRA concurrently after age 65, your Medicare (Part A) must be approved and in place before you sign up for COBRA. Otherwise, your continuation coverage will cease when you become entitled to Medicare. COBRA coverage can be maintained by paying the College's full group rate.

Holidays

All faculty working from August to May are released from service for designated MCAD holidays during this period. The dates for the next year's holidays are distributed by November of each year and are posted on the Human Resources intranet page.

Payroll Actions

For information about Payroll, including timecards, paychecks and other payments, please see the MCAD Finance Division Policy Manual on the Business Office Intranet Site

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.

PART FIVE: TUITION PROGRAMS

Waiver of Tuition for Continuing Studies Courses

Regular, full-time faculty who have been with the College for six months are eligible to enroll in Continuing Studies courses. Regular, part-time faculty must have been employed one year to enroll.

Benefits-eligible faculty, their spouses and their children may enroll tuition free in evening, summer, or Saturday classes at the College if the classes are not fully enrolled. It is expected that faculty will not enroll in classes that conflict with their teaching responsibilities. The faculty member, spouse or child is limited to one class each per semester.

A registration fee of \$25 is charged, and any additional fees must also be paid. In addition, sons and daughters of eligible faculty who do not meet the IRS definition of dependent will be charged an administrative fee of 7.65% of the value of the tuition; the faculty member will also be charged 7.65% of the value of the tuition for FICA; the value of the tuition will be reported on the faculty member's IRS Form W-2 as gross, taxable income; and, if the employee is a participant in MCAD's Defined Contribution Retirement Plan, the employer and employee contributions will also be made on this amount of income.

Requests for tuition waivers should be directed to the Human Resources Office. Tuition waiver requests must be completed each semester or you will be charged for the class. These forms are available upon request from the Human Resources Office, or can be found on the HR Intranet Site.

Waiver of Tuition for MCAD Undergraduate Day School Classes

Regular, full-time faculty who have been with the College for six months are eligible to enroll in undergraduate day school classes. Part-time, benefits-eligible faculty must have been employed one year to enroll. Faculty members, spouses and their children may enroll immediately without a waiting period. Classes may be taken for credit or audited. Mentorship credits are not covered by tuition waiver.

Benefits-eligible faculty who wish to enroll in undergraduate day school classes at MCAD may do so through the Tuition Waiver Program. The faculty member is limited to one class each semester; it is expected that faculty members will not enroll in classes that conflict with their teaching responsibilities. Enrollment will be allowed only if the selected class is not fully enrolled. A registration fee of \$30 is charged and any additional fees must also be paid.

Faculty members, spouses and their children may enroll in day classes for credit, full-time or part-time, on a space available basis. The participant must pay a registration fee of \$30 per semester, and any additional fees must also be paid. In addition, sons or daughters of eligible faculty who do not meet the IRS definition of dependent will be charged an administrative fee of 7.65% of the value of the tuition; the faculty member will also be charged 7.65% of the value of the tuition for FICA; the value of the tuition will be reported on the faculty member's IRS Form W-2 as gross, taxable income; and, if the employee is a participant in MCAD's Defined Contribution Retirement Plan, the employer and employee contributions will also be made on this amount of income.

Requests for tuition waivers should be directed to the Human Resources Office. Tuition waiver requests must be completed each semester or you will be charged for the class. These forms are available upon request from the Human Resources Office, or can be found on the HR Intranet Site.

Waiver of Tuition for MCAD Graduate School Classes

Benefits-eligible faculty members who wish to enroll in graduate classes at MCAD may do so through the Tuition Waiver Program. Regular, full-time faculty who have been with the College for six months are eligible to enroll in graduate school classes. Part-time, benefits-eligible faculty must have been employed one year to enroll.

A registration fee of \$35 is charged and any additional fees must also be paid. In addition, faculty will be charged an administrative fee of 7.65% of the value of the tuition; faculty members will also be charged 7.65% of the value of the tuition for FICA and the value of the tuition will be reported on their IRS Form W-2 as gross, taxable income. If the faculty member is a participant in MCAD's Defined Contribution Retirement Plan, the employer and employee contributions will also be made on this amount of income.

Requests for tuition waivers should be directed to the Human Resources Office. Tuition waiver requests must be completed each semester or you will be charged for the class. These forms are available upon request from the Human Resources Office, or they can be found on the HR Intranet Site.

MFA Program

Faculty must be accepted into the MFA Program before enrolling in classes. Classes may be taken for credit only. Mentorship credits are not covered by tuition waiver.

Faculty are limited to one class each semester. Enrollment will be allowed only if the selected class is not fully enrolled. It is expected that faculty members will not enroll in classes that conflict with their teaching responsibilities.

Masters in Sustainable Design (MASD)

Employees must be accepted into the MASD Program before enrolling in classes. The MASD may be taken on a part-time or full time basis. Employees are limited to reimbursement for one class each semester. Enrollment will be allowed only if the selected class is not fully enrolled. Classes are not offered in the summer. It is expected that faculty members will not enroll in classes that conflict with their teaching responsibilities.

Tuition Reimbursement Program

Full-time faculty who have been with the College for six months are eligible to participate in the Tuition Reimbursement Program. Part-time, benefits-eligible faculty must have been employed one year to participate. Courses directly relevant to one's present position will be reimbursed up to \$3,488.00 per fiscal year. This reimbursement is for tuition cost only; all fees, materials, books, etc. are not eligible for reimbursement under this program. MCAD undergraduate and graduate courses should be submitted for waiver under our Tuition Waiver Program. There may be situations where the number of eligible applicants exceeds the College's budgeted amount for tuition reimbursement. In this case, the reimbursement may be given on a pro-rata basis.

To receive reimbursement, the course must be approved in advance and taken for credit at an external accredited institution and be completed with a grade of "C" or better. Applications must be approved before the course is begun.

Applications for summer or fall courses must be received by June 1st of each year; applications for winter or spring courses must be received by December 1st. Applications received after this date will be considered only if budgeted funds remain. Forms are available from the Human Resources Office.

Tuition Exchange Scholarship

Full-time faculty who have been with the College for six (6) months are eligible to participate in the Tuition Exchange Scholarship program. Part-time, benefits-eligible faculty must have been employed one year to participate. Scholarships are not granted for graduate study, non-degree study or second undergraduate degrees.

Under this program, spouses and dependent children may attend undergraduate courses at one of several hundred colleges in the United States. A list of participating colleges can be found at www.tuitionexchange.org. The spouse or dependent child must be enrolled as a full-time student while in the Tuition Exchange Scholarship Program. This benefit may be restricted to two years of attendance depending upon how many students are enrolled in the program. Please contact the Human Resources Office for further information.

It is important that faculty recognize that there are many variables, which may affect a spouse or dependent's ability to utilize this program. We cannot control how many of our applicants will be accepted into the program, nor do we have control over whether an applicant will be accepted by the school of their choice. Because of this, the College recommends that this program be considered as just one potential option for college financing.

The fall before your spouse or dependent child plan to enroll in college, contact the Human Resources Office to confirm that you are eligible and then complete all required forms.

PART SIX: TIME-OFF/LEAVES-OF-ABSENCE

Family and Medical Leave

A. Policy Statement

1. Employees who have been employed for at least 12 consecutive months immediately preceding the request for FMLA leave and worked the equivalent of at least 1,000 hours during the preceding 12 months, may take up to:
 - (a) 12 weeks of unpaid leave in each 12 month period for any of the following reasons:
 - the birth or adoption of a child;
 - placement of a child for foster care;
 - their own serious health condition;
 - or to care for a family member (spouse or child) with a serious health condition.
 - because of any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, parent or parent-in-law is on covered active duty in the Armed Forces, including the National Guard and Reserves, or has been notified of an impending call or order to covered active duty in the Armed Forces, including the National Guard and the Reserves. Please see Human Resources for the specific activities and events which constitute a "qualifying exigency" and "covered active duty."
 - (b) 26 weeks of unpaid leave in each 12 month period to care for a covered service member, including covered veterans, with a serious injury or illness if the employee is the spouse, son, daughter, , parent, parent-in-law or next of kin of the service member. "Next of kin" means the nearest blood relative other than the spouse, parent, son or daughter, in the follow order of priority: blood relatives who have been granted legal custody of the covered service member by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered service member has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave under the FMLA.
2. An employee returning from fulfilling his or her military obligation shall be credited with the hours of service that would have been performed but for the period of military service in determining whether the employee worked the required equivalent of 1,000 hours of service.
3. When both a husband and wife are employed by MCAD and are eligible for FMLA leave, the two employees are limited to a total of 12 weeks of leave if leave is taken for the birth or adoption of a child, placement of a child for foster care, or to care for the employee's parent.
4. For purposes of calculation, the 12-month period is a "rolling" 12-month period measured backward from the first day of the FMLA leave. In some circumstances, as required by state law, additional six-week parental leaves can be taken within the one-year period if warranted by the birth or adoption of a child.
5. If intermittent leave is requested in connection with the employee's serious health condition, the certification from a health care provider is required to document the need for intermittent leave.
6. Leave in conjunction with the birth, adoption or placement for foster care of a child must be taken within one year of the birth, adoption or foster care placement.

B. Notice to MCAD

If you know in advance that you will need FMLA leave, 30 days written notice is required whenever possible. Supervisors are to forward this written request to the Human Resources Office. Otherwise, an employee must provide written notice as soon as practicable. Although verbal notice is sufficient in cases of medical emergency, the employee must submit written notice to the Human Resources Office setting forth the reasons for the requested leave and the anticipated duration of the leave.

C. Certification

1. In the event an absence of more than 5 consecutive full days is required to care for your covered family member with a serious health condition, or due to your own serious health condition that makes you unable to perform your job, you are required to submit medical certification from a health care provider on a form furnished by the Human Resources Office.
2. In the event your leave is for a qualifying exigency in connection with a covered military member, you must submit a certification that provides the information requested in the form furnished by Human Resources. This form must be accompanied by documents which support the request for the leave, such as a copy of the covered military member's active duty orders or other documentation issued by the military which indicates that the active military member is on active duty or call to active duty status in support of a contingency operation, and the dates of the covered military member's active duty service. A qualifying exigency could include:
 - (a) Short-notice deployment (seven or less calendar days prior to the date of deployment).
 - (b) Military events and related activities.
 - (c) Childcare and school activities.
 - (d) Financial and legal arrangements.
 - (e) Counseling.
 - (f) Rest and recuperation.

- (g) Post-deployment activities.
 - (h) Arranging for alternative care.
 - (i) Attending meetings with staff at a care facility.
3. If the leave is taken to care for a covered service member with a serious injury or illness, MCAD requires the employee to obtain certification completed by an authorized health care provider of the covered service member. The certification must be on a form furnished by Human Resources.
 4. MCAD can contact the employee's health care provider for purposes of clarification and authentication after MCAD has given the employee an opportunity to cure any deficiencies in the certification. An official from Human Resources, not the employee's supervisor, will contact the health care provider. If an employee chooses not to provide MCAD with authorization allowing MCAD to clarify the certification with the health care provider, and does not otherwise clarify the certification, MCAD can deny the taking of the FMLA leave if the certification is unclear. It is the employee's responsibility to provide MCAD with a complete and sufficient certification and to clarify the certification if necessary.
 5. When leave is foreseeable and 30 days notice has been provided, you must provide certification before leave begins. Otherwise, the certification must be submitted within 15 calendar days after receipt of written notice that certification is required. Forms for this certification are available in the Human Resources Office. Completed forms should be sent to the Human Resources Office. Leave may be denied in the event of a failure or refusal to satisfactorily complete this form.
 6. When the leave involves your serious health condition, a second or third opinion from a designated physician may be required at the College's expense. Recertification of your condition may be required every 30 days or if the circumstances in the previous certification have changed, there is doubt as to the status reason for the leave, or the employee requests an extension of leave. If leave was taken as a result of your personal serious health condition, you must also provide certification from the healthcare provider stating that you are fit to resume your job; any restrictions you may have must be included in the certification.

D. Salary and Benefits

1. You may be eligible for sick pay and short-term disability for your own illness if not covered by Workers Compensation; sick pay may be taken for the serious illness of a child, spouse, or parent/parent-in-law. In such cases, FMLA and sick/disability leave run concurrently. Earned vacation time may also be taken during the leave. Receipt of disability benefits will be contingent upon completion of a FMLA Health Care Provider Disability Benefits Form. Medical, dental, life, short-term and long-term disability insurances will be continued during the leave, up to twelve weeks, with you paying your portion of any required premiums. If you are receiving a wage during the leave, the premiums will be deducted from your paycheck during the regular payroll cycle. If you know about your leave in advance, premiums can also be deducted in advance, in some circumstances. If you are not receiving a check, your premium portion is due the first of each month. If a check is not received by the 30th of the month, coverage may lapse. In that event, when you return from leave, coverage will be restored. Medical reimbursement accounts may be maintained by payroll deduction if you are receiving a check or prepaid if you are not receiving a check. Your monthly payment is due the first of each month.
2. If you decide not to continue your medical reimbursement account, you cannot be reimbursed for claims incurred during the period when coverage is terminated. If you elect to reinstate your medical reimbursement account upon return from FMLA, your coverage will be prorated to reflect the FMLA period during which no payments were made and reduced by prior reimbursements.
3. You may wish to suspend any dependent care reimbursement account contributions during the period of your Family and Medical Leave. Dependent care expenses incurred during the leave cannot be reimbursed because such expenses were not incurred to enable you to work, as required by the IRS.

E. Reinstatement

At the end of the FMLA leave, you will be restored to your prior position or to a position with equivalent benefits, pay, and other conditions of employment unless you would otherwise have been subject to layoff during the leave. You will retain all accrued, unused pre-leave benefits.

Leave Benefits

In all cases, your Department Chair should be notified as soon as you are aware that you will be utilizing any of the leaves listed below so that replacement faculty can be obtained or classes rescheduled.

Parenting and Pregnancy Leave Policy

Under Minnesota law, eligible employees can take up to twelve (12) weeks of unpaid leave in the following circumstances:

- upon birth or adoption of a child;
- a female employee for prenatal care, or incapacity due to pregnancy, childbirth or related health conditions.

Employees must give MCAD a reasonable notice of the date the leave will begin and the estimated duration of the leave. For leave taken in connection with the birth or adoption of a child, the leave must begin within twelve (12) months of the birth or adoption. If, however, the child must remain in the hospital longer than the mother, the leave must begin within twelve (12) months after the child leaves the hospital.

Employees are eligible for Parenting and Pregnancy leave if they have worked at least 1000 hours in the 12 month period immediately preceding the leave.

If an employee is on an FMLA leave for pregnancy or pregnancy-related health conditions, the FMLA leave and the Parenting and Pregnancy leave will run concurrently.

Sick/Safe Time Policy

Sick Time

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 appointments) 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, unless you are also applying for Family Medical Leave.

Benefits-eligible faculty receive ten days of sick time per academic year. If a faculty member is sick from Monday to Friday, five days of sick time are reported to the Department Chair.

Example:

- If:** A faculty member is unable to teach a scheduled class on Tuesday due to illness.
And: He/she is ill Monday through Wednesday.
Then: Three days of personal/sick time are reported to the Department Chair.

In the event of an extended illness (more than five days) you will be required to submit a Health Care Provider Disability Benefits Form. The College may withhold personal/sick time payment in the event of a failure or refusal to complete this form. This form will enable the College to contact your physician for additional information or enlist the services of an independent physician. Receipt of personal/sick time payment may be contingent upon your providing medical records for review by MCAD's medical advisor or by undergoing an independent, job-related medical examination. If you are

utilizing sick time, it is important that you remain in continuous contact with your Department Chair so that scheduling arrangements and your anticipated return to work date can be discussed

If you are ill more than five days, you may not return to work until a statement is received from the attending or designated physician that your illness no longer prevents you from working.

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.

Independent Medical Advice

The College may enlist the services of independent physicians to assist with case management of employee illness or injuries when sick or disability benefits are requested for more than five consecutive days. They may assist the College in determining whether an employee meets the requirements for disability benefits and may also assist in determining when it is medically appropriate to return to work. Additionally, they may help in making needed accommodations to an employee's daily responsibilities upon return to work as required by the physician. To accomplish these goals, medical staff may review an employee's medical records; talk with the employee and relevant department supervisor, doctor or health care provider; schedule independent medical examinations; or develop a treatment plan.`

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.

In this circumstance, the cost of the substitute will be paid by MCAD.

Short-Term Disability Benefits

If you are a benefits-eligible faculty member, you may be eligible for the available short-term disability benefits (STD) currently provided by the College. STD may only be used for injuries or illnesses not covered by Workers' Compensation.

STD benefits are payable if the faculty member:

- cannot perform the usual and customary duties of their occupation, or available light duty; and
- was disabled due to the result of a non-occupational Accidental Bodily Injury or Illness; and
- remains disabled until the date when the STD begins.

The amount of weekly compensation, for periods of disability that occur during the contract year, is calculated by taking 1% of your annual base salary.

In cases of partial disability, a proportional partial benefit will be paid. The College will calculate this benefit.

Two or more periods of absence due to disability arising from the same cause are considered one period of disability if both disability absences occur within a one-month (30-day) period of time. The one-month period of time is considered to have commenced with the start of the initial disability. Two or more periods of disability, due to an unrelated injury or sickness, are considered one period of disability, unless separated by a return to full-time work.

The period during which short-term disability benefits and personal/sick time are paid, plus any unpaid time off cannot exceed **26 weeks**. STD begins on the 15th calendar day of disability or the day following the expiration of personal/sick time benefits, whichever is later.

Before short-term disability benefits can be paid, a Health Care Provider Disability Benefits Form must be received and approved by the Human Resources Office. On-going certification of disability status will be required. The individual may return to work only after documentation is received from the attending or designated health care provider stating that the medical condition no longer prevents him or her from working.

Receipt of STD payment may be contingent upon the employee providing medical records for review by MCAD's medical advisor or by undergoing an independent, job-related medical examination.

During a faculty member's absence while receiving short-term disability benefits, the College currently continues to pay its portion of the medical premium and continues your basic life and disability insurances. STD benefits do not continue if you are terminated or if you resign for any reason.

The fact that a faculty member is on a Family and Medical Leave Act leave-of-absence does not mean the faculty member is eligible for short-term disability benefits. (Please reference FMLA policy.)

Example:

Jim Morrison, an MCAD faculty employee, was granted 10 days of personal/sick time. He becomes very ill and is out of work for an indeterminate length of time. First he must use his 10 days of personal/sick time. Then he will begin receiving STD, which will cover the subsequent 24 weeks, making a combined total of 26 weeks of sick and STD. At that point, he may be eligible for long-term disability benefits.

Long-Term Disability Benefits

After the exhaustion of short-term disability benefits, an employee may be eligible for long-term disability benefits. If an employee has been receiving short-term disability benefits for four months, and the employee's medical provider states the employee will not be returning to work, the Human Resources Office will initiate the process of applying for long-term disability benefits with the employee's assistance. Determination of whether an employee is initially eligible to receive or to continue to receive long-term disability benefits is solely within the discretion and authority of the College's long-term disability carrier. Upon such determination by the insurance carrier, an employee is no longer an MCAD employee, regardless of whether an employee is deemed eligible or ineligible to receive long-term disability benefits.

Medical Information

Medical information on individual employees is treated confidentially. MCAD will take reasonable precautions to protect such information from inappropriate disclosure. Department heads and supervisors have a responsibility to respect and maintain the confidentiality of employee medical information.

School Conferences and Activities Leave

Employees may be granted up to sixteen hours per year to attend school conferences or school-related activities of their children, provided these activities cannot be scheduled during non-work hours. If your child receives child care services or attends a pre-kindergarten regular or special education program, you may use this leave time to attend a related conference or activity, or to observe and monitor the services or program, provided the conference, activity, or observation cannot be scheduled during non-work hours. You may use accrued vacation time for these activities if you wish to be paid for the time taken; otherwise, the time taken will be unpaid. Please give reasonable notice of your intended leave to your supervisor so that any disruptions resulting from your absence can be minimized.

Bone Marrow/Organ Donation Leave

You will be granted a paid leave of absence of up to 40 hours of work if you seek to undergo a medical procedure to donate bone marrow or an organ. This leave may be taken on an intermittent basis. Please notify your supervisor, in

advance, of the length of the leave, and then notify Human Resources so the appropriate steps and documentation can begin. A verifying document from the physician, of the purpose and length of the leave, will be required.

Personal Leave (Without Pay)

Benefits-eligible faculty may request a full-time or part-time leave-of-absence. Unpaid leaves of absence may be taken for the following reasons: academic or professional fellowship receipt by the faculty member; completion of research by the faculty member; formal study by the faculty member; any program of enrichment approved by the Vice President of Academic Affairs acting for the College; assignments of work which are considered to benefit the College; other specified reasons considered by the Vice President of Academic Affairs to be in the best interests of the College.

Leaves-of-absence must be mutually agreed upon by the College and the faculty member; the integrity of the ongoing academic program being the primary but not exclusive consideration. Ordinarily, leaves of absence shall not be longer than one academic year. Leaves will be granted only in increments of one semester, but two increments may be applied for at one time. Ordinarily, requests for a leave of absence must be submitted in writing to the Vice President of Academic Affairs through the Department Chair six months prior to when the leave is to begin. A final decision on a leave of absence is made by the Vice President of Academic Affairs in consultation with the Department Chair.

You will have the option of continuing certain benefits under COBRA, paying the full cost of the premium. While on leave, the faculty member does not accrue time towards extended appointment, sabbatical or promotion.

Adoption Leave:

The College will allow employees to use up two weeks of their personal/sick time upon adoption of a child.

Time Off for Voting

You may take reasonable time off from work to vote, without penalty or deduction from salary or wages because of the absence. Time off may be taken to vote in regularly scheduled state primaries or general elections, an election to fill the vacancy in the office of U.S. senator or U.S. representative, an election to fill the vacancy in the office of state senator or state representative, or a presidential primary. A request for time off to vote should be made to your supervisor in advance of the absence.

Other Political Leaves

An employee who is entitled to attend a major political party precinct caucus is permitted to be absent from work, without pay, to attend the caucus. Ten days written notice is required.

Employees may be absent from work, without pay, to attend any meeting of the state central committee or executive committee of a major political party if the employee is a member of the committee. Time off is also granted to attend any convention of a major political party if the employee is a delegate or alternate delegate. Ten days written notice is required.

Employees elected to public office are permitted unpaid time off or leave, to attend meetings necessitated by the public office. You may use accrued vacation time for these activities if you wish to be paid for the time taken. When you take time off, every effort will be made to allow you to make up the time with other hours worked. Please give reasonable notice of your intended time off or leave to your supervisor so that any disruptions resulting from your absence can be minimized.

Election Judge Wages

Faculty may be absent from work to serve as election judges. The College will pay the differential between election judge pay and your regular wages. Twenty days written notice is required to your Department Chair.

Funeral Leave

Benefits-eligible faculty may receive paid funeral leave. You will be granted up to three working days leave of absence with pay for the purpose of attending or making funeral arrangements in the event of a death in your immediate family (spouse, child, step-child, parent, step-parent, sister, step-sister, brother, step-brother, sibling of spouse, mother-in-law, father-in-law, grandparent, step-grandparent, grandchild, step-grandchild). An additional two days of paid leave may be granted under certain circumstances, e.g., when the funeral is held in a distant location.

Military Duty

The College recognizes duty requirements of members of the U.S. armed forces and will comply with applicable laws regarding military participation.

Jury Duty

The College encourages you to respond to calls for jury duty and will continue your full pay while you serve; your jury duty pay will not be deducted from this amount. While serving on a jury, you are expected to meet your College obligations to the extent permitted by the schedule of jury duty.

Crime Victims Leave

MCAD will grant Reasonable Time Off from Work to employees:

- 1) to attend criminal court proceedings in which the employee, his/her spouse, or his/her Next of Kin have been the victim of a Heinous Crime, or
- 2) to seek an order for protection under the Domestic Abuse Act or an order for protection against Harassment, or
- 3) who, as a Victim or witness of a Crime, are subpoenaed or requested by the prosecutor to attend court for the purpose of giving testimony in criminal proceedings related to the victim's case.

Except in cases of imminent danger or where otherwise impractical, employees must notify their supervisor 48 hours in advance of the need for Time Off under this policy. Upon request, employees must provide written verification supporting the need to be in court. Examples of verification include, but are not limited to the following: copy of the subpoena or a letter from the prosecutor.

Information pertaining to leave taken under this policy will be kept confidential by MCAD.

Definitions

Crime: conduct that is prohibited by local ordinance and results in bodily harm to an individual, or which is prohibited by statute and for which the individual may be sentenced to imprisonment, with or without a fine.

Domestic Abuse Act: abuse occurring within the context of the household, family or significant romantic relationship.

Harassment: unwanted acts, words or gestures having a substantial adverse effect on your safety, security or privacy, regardless of the relationship between the perpetrator and the victim.

Heinous Crime: first, second or third degree criminal sexual conduct if the offense was committed with force or violence or if the complainant was a minor at the time of the offense; assault in the first degree; or murder or attempted murder in the first, second or third degree.

Next of Kin: related by adoption, marriage or blood; to include parent, spouse, child, sibling, or spouse's parent, child or sibling.

Reasonable Time Off from Work: reasonableness must be defined on a case-by-case basis, but time off from work is limited to the actual time of the court proceedings which typically occur between 8:30 a.m. and 4:30 p.m., Monday through Friday, except when closed for holidays. Upon request, employees shall provide verification that supports their reason for being absent from the workplace, and the time and duration of the court proceedings.

Time Off:

Faculty members are expected to take leave from work under this policy when they are otherwise not scheduled to be teaching, observing office hours, or fulfilling other assigned duties. Arrangements for leave under this policy must be coordinated with the department chair.

Victim: one who incurs loss or harm as a result of a crime. The term victim does not include the person charged with or alleged to have committed the crime.

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 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 is prepared to manage 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
- fraud and other unlawful acts

MCAD specifically prohibits these and any other illegal activities in the actions of its employees related to their employment by MCAD.

II. Reporting Responsibility

Employees and volunteers who believe that theft, financial dishonesty and other fraud have been committed by an MCAD employee (“Concern”) should report such Concern in accordance with this policy.

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. 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 of 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 of Finance/CFO.

If the concern was reported verbally to the Vice President of Finance/CFO, the reporting individual, with assistance from the Vice President of Finance/CFO, will put the concern in writing. The Vice President of Finance/CFO is required to promptly report the concern to the Chair of the Audit Committee, which has specific and exclusive responsibility to investigate all Concerns. If the Vice President of 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 responsible for investigating, and making appropriate recommendations to the President, 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. There should be no communication with the suspected individuals 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. 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 faculty obtain information regarding MCAD students or other employees, which is considered to be confidential information. It is important that 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 faculty member'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.

Faculty members handling confidential information are responsible for its security. Disclosure of confidential information may subject a faculty member to disciplinary action.

Any materials or documents drafted by a faculty member 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 a faculty member 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.

Absence Due to Illness or Other Emergencies

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.

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 and or 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:

- Only copyrighted materials are subject to the restrictions in this policy statement. Uncopyrighted materials may be copied freely and without restriction. 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 marketing 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 exceed 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. Derogatory, explicit, obscene, sexually harassing material, or any other inappropriate material 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 regular faculty, adjunct faculty, staff or students 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 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. Regular faculty, adjunct faculty, staff and faculty 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 regular faculty, adjunct faculty, staff and students.

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. 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 regular faculty, adjunct faculty and staff on controlled substance use in the workplace:

The Minneapolis College of Art and Design ("the College" or MCAD) 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 individual 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 regular faculty, adjunct faculty and staff are required to notify the College of any criminal drug statute conviction for a violation occurring in the workplace within five (5) days of such conviction. Continued employment with the College is expressly conditioned upon full compliance with this statement.

VII. Employee Sanctions

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. The decision to sanction or terminate the convicted employee remains within the discretion of MCAD.

VIII. Reporting of Violations

MCAD will report all 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

VP 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 forms 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 Administration 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	(612)873-5555

730 South 8 th Street Entrance Minneapolis MN 55415	
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: MEMBERSHIPS

Mia Membership

Benefits-eligible faculty receive a free membership in the Minneapolis Institute of Art. To activate this membership please use the enrollment link provided: <http://new.artsmia.org/join-and-invest/> Any MCAD faculty who wish to view special exhibitions may show their badge/business card to reserve tickets during open museum hours. Mia staff will be able to provide up to two (2) free tickets per visit with MCAD identification. Please review the website for complete details on membership and upgraded membership opportunities.

This benefit will be continued at the option of the Minneapolis Institute of Art.

PART NINE: 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" at: http://intranet.mcad.edu/modules/transportation/assets/MCAD_Parking_Transportation_Guide.pdf

PART TEN: SECURITY, SAFETY AND HEALTH

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 College employees upon their 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

The Associate Vice President of Facilities issues keys to College facilities, for faculty and staff of the College. You are responsible for their safekeeping until returned to the Associate Vice President of Facilities upon termination of employment.

Life-Threatening Illness in the Workplace

Faculty members with a life-threatening illness may continue to work as long as they pose no threat to themselves or others by doing so, and as long as they are able to meet the performance standards of their job. The College will comply with all applicable laws when dealing with an employee with a life-threatening illness.

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.

If the College is officially closed on a regularly scheduled working day, benefits eligible employees will be paid based on the time they were scheduled to work.

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.

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 X1700.

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. Failure to comply with this requirement may jeopardize your status as a member of the MCAD community.

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.

APPENDIX: FACULTY PAY SCALE (Effective: June 2016)

Visiting Faculty.....	\$43,697
Assistant Professor (1 st Year).....	\$51,003
Assistant Professor.....	\$56,571
Associate Professor (1 st Year).....	\$60,593
Associate Professor.....	\$65,657
Professor (1 st Year).....	\$71,349
Professor.....	\$77,785
Professor (5 th Year).....	\$79,805
Chair Stipend.....	\$ 9,000

