

System Civil Rights Compliance Review

Preliminary Letter of Findings Report

Minnesota West Community & Technical College

June 21-22 and July 7-8, 2021

Conducted by:



Minnesota State
Office of Equity and Inclusion
30 7th St. E., Suite 350
St. Paul, MN 55101-7804

An equal opportunity educator and employer

Introduction

It is the philosophy of the Minnesota State that this compliance program is perceived and projected as an opportunity to put students first and to improve the learning environment through activities that allows the system to:

- Examine the status of existing conditions;
- Identify problems that exist;
- Plan for correction and/or improvement;
- Implement plans for change; and
- Change for the improvement of programs and services.

The purpose of the on-site review visit is part of an effort to continuously improve the learning environment and to ensure compliance with the federal civil rights authorities, as set forth in the Office for Civil Rights Guidelines. System Civil Rights Reviews are based on federal guidelines and laws. The Office for Civil Rights Guidelines is based on the following authorities:

- Title VI of the Civil Rights Act of 1964 (race, color, national origin);
- Title IX of the Education Amendments of 1972 (sex);
- Section 504 of the Rehabilitation Act of 1973 (disability); and
- Americans with Disabilities Act of 1990 (access)

Each college is required to implement the provisions of these federal laws to ensure students and employees are free from discrimination. Colleges are encouraged to aggressively enforce Minnesota State nondiscrimination policies and procedures used to comply with federal nondiscrimination laws. The Guidelines require the Minnesota State Colleges and Universities to conduct annual reviews of occupational education programs to prevent, identify, and remedy discrimination in occupational education programs operated by local education agencies receiving federal funds.

A virtual document review was conducted via Zoom on June 21-22, 2021. An On-Site Accessibility Review was conducted at the multiple campuses of Minnesota West Community and Technical College on July 7-8, 2021. The review team consisted of the following professionals:

Andriel Dees Interim System Diversity Officer System Office	Jeralyn Jargo State Director of Career Technical Education System Office
Wendy Roberson Dean of Student Success, Equity and Inclusion Saint Paul College	Brent Glass Associate Vice Chancellor for Student Affairs and Enrollment Management System Office
	Jessica Holmes Urban Design Perspectives, Inc. Facilities Assessment Consultants

The On-Site Review was coordinated at Minnesota West Community and Technical College by Rebecca Weber, Dean of Student Services, and the administrative team.

Definitions

No Evidence of a Violation -- The Review Team found no evidence of a violation with the requirements of Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Americans with Disabilities Act of 1990, their implementing regulations and the Section II - B Guidelines. The Review Team determined that no corrective action was required for that specific guideline or standard.

Corrective Action Required -- Failure to comply with one or more requirements of Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Americans with Disabilities Act of 1990, their implementing regulations and the Section II - B Guidelines. The Review Team determined that corrective action was required for that specific guideline or standard.

Discrimination -- Any action which differentiates or distinguishes among persons or limits or denies a person or a group of persons opportunities, privileges, roles, or rewards on the basis of their race, sex, color, creed, religion, age, national origin, disability, marital status, status with regard to public assistance, sexual orientation, or membership or activity in a local commission as defined by law.

Voluntary Compliance Plan -- A plan of action developed by the institution to eliminate any identified non-compliance, to overcome the past effects of such non-compliance, and to prevent the future reoccurrence of such non-compliance.

Dear President Gaalswyck:

Thank you for taking the time to assist Minnesota State Office of Equity and Inclusion and the Career and Technical Education division during the on-site civil rights compliance review of Minnesota West Community & Technical College conducted on June 21-22 and July 7-8, 2021. As you know, as a recipient of federal financial assistance, Minnesota West Community & Technical College is required to comply with federal laws and regulations that prohibit discrimination on the basis of race, color, national origin, sex, and disability. The *Guidelines for Eliminating Discrimination and Denial of Services on the Basis of Race, Color, National Origin, Sex, and Handicap in Vocational Education Programs* (34 C.F.R. Part 100, Appendix B) (Guidelines) require each state agency responsible for the administration of career and technical education programs to conduct compliance reviews of sub-recipients that offer career and technical education programs and that receive federal financial assistance from the U.S. Department of Education. The purpose of the on-site review was to determine the college's compliance with the *Guidelines* and the following federal laws and regulations:

- Title VI of the Civil Rights Act of 1964 and its implementing regulations at 34 C.F.R. Part 100, which prohibit discrimination on the basis of race, color, and national origin;
- Title IX of the Education Amendments of 1972 and its implementing regulations at 34 C.F.R. Part 106, which prohibit discrimination on the basis of sex;
- Section 504 of the Rehabilitation Act of 1973 and its implementing regulations at 34 C.F.R. Part 104, which prohibit discrimination on the basis of disability; and
- Title II of the Americans with Disabilities Act of 1990 and its implementing regulations at 28 C.F.R. Part 35, which prohibit discrimination on the basis of disability.

Minnesota West Community & Technical College was selected for review based on Minnesota State's targeting plan, which requires review of sub recipients with the highest disparities between their total enrollment and their CTE enrollment on the bases of race, sex, and disability.

This letter of findings (LOF) summarizes Minnesota State OCR Review Team's findings in the following nine major areas of review:

- I. Administrative Requirements;
- II. Recruitment, Admissions, and Counseling;
- III. Accessibility;
- IV. Comparable Facilities;
- V. Services for Students with Disabilities;
- VI. Financial Assistance;
- VII. Work-study, Cooperative Programs, and Job Placement; and
- VIII. Employment.

This LOF describes any findings of noncompliance for which corrective action is required. All required corrective action must be included in Minnesota West Community & Technical College's Voluntary Compliance Plan (VCP). A VCP template is attached to the email, along with this Final LOF, though you may use a different format if you so choose. At a minimum, your VCP should address every item of noncompliance, describe the corrective action that your institution will take to remedy each item, the target completion date (month and year), and a statement of how completion of the corrective action will be reported and verified to Minnesota State. In addition, for each item, please identify the individual(s) responsible for completing the corrective action. We will review the VCP, and either approve it as is, or work with you to ensure that the appropriate corrective action is taken to bring your college into compliance.

Thank you again for your cooperation during the on-site review. Your team's time and effort in organizing documents for the Minnesota State's review and scheduling interviews was much appreciated. Feel free to contact me if you have any questions regarding this LOF. Please be advised that your college has a continuing obligation to maintain compliance with all civil rights requirements.

Please note that Federal law prohibits retaliation against individuals because they assisted or participated in any manner in an investigation under Title VI, Title IX, Section 504, or the ADA. Thus, a postsecondary institution may not intimidate, threaten, coerce, or discriminate against any individuals because of their cooperation with an MOA review. See 34 C.F.R. §§ 100.7(e), 104.61, 106.71; 28 C.F.R. § 35.134.

/s/

Andriel M. Dees, J.D.

Interim System Diversity Officer

Office of Equity and Inclusion

Minnesota State

Report of Findings

Summary of Findings from On-site and Virtual Review of Minnesota West Community & Technical College Conducted on June 21-22 and July 7-8, 2021

I. Administrative Requirements

A. Annual Notice of Nondiscrimination

Applicable Requirements: *Guidelines* Section IV.O.

Prior to the beginning of each school year, recipients must advise students, parents or guardians, employees, and the general public that all vocational opportunities will be offered without regard to race, color, national origin, sex, or disability. Announcement of this policy of nondiscrimination may be made, for example, in local newspapers, recipient publications, and/or other media. The notice must include a brief summary of program offerings and admission criteria, as well as the name, office address, and phone number of the person(s) designated to coordinate compliance under Title IX, Section 504, and Title II. If a recipient's service area contains a community of national origin minority persons with limited English language skills, public notification materials must be disseminated to that community in its language and must state that recipients will take steps to assure that the lack of English language skills will not be a barrier to admission and participation in vocational education programs.

Summary of Findings and Analysis:

The Minnesota State OCR Review Team interviewed administrative staff and reviewed documentation provided by Minnesota West Community & Technical College to determine whether the college was appropriately providing its annual notice of nondiscrimination.

Minnesota West Community & Technical College provided copies of the Board policy statement that has been adopted as a separate nondiscrimination policy statement for each regulation. These are noted on the website and accessible to both students, applicants, and employees.

Required Corrective Action(s): None.

B. Continuous Notice of Nondiscrimination

Applicable Requirements: 34 C.F.R. §§ 100.6(d), 104.8, and 106.9; and 28 C.F.R. § 35.106.

A recipient must take continuing steps to notify participants, beneficiaries, applicants, employees, and unions, that it does not discriminate on the basis of race, color, national origin, sex, or disability. The notice must identify the employees designated to coordinate compliance under Title IX, Section 504, and Title II. If a recipient publishes or uses recruitment materials or publications containing general information that it makes available to participants, beneficiaries, applicants, or employees, it shall include in those materials or publications a statement of this nondiscrimination policy.

Summary of Findings and Analysis:

The Minnesota State OCR Review Team interviewed administrative staff and reviewed documentation provided by Minnesota West Community & Technical College to determine whether the institution was appropriately providing its continuous notice of nondiscrimination.

Minnesota West Community & Technical College's continuous notice of nondiscrimination appeared in all major college publications, their strategic inclusion plan, recruitment materials and on the college's website. All policies are online. Notices were readily available in English and Spanish. The accessibility statement in a syllabus template for faculty was readily available.

There was no evidence that would be considered a violation. However, please note the following:

- There was not information provided regarding an annual notice for students on CTE opportunities. It was noted that the notice is providing in orientation, but this needs to be readily available beyond orientation.
- Ensure all handbooks include proper information regarding ADA.

Required Corrective Action(s): None.

C. Designation of Compliance Coordinators

Applicable Requirements: 34 C.F.R. §§ 104.7(a) and 106.8(a); 28 C.F.R. § 35.107(a).

A recipient shall designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under those laws and regulations, including investigations of complaints alleging noncompliance.

Summary of Findings and Analysis:

The titles and contact information for Minnesota West Community & Technical College's Title IX and

Section 504/Title II coordinators were provided in all major college publications and on the college's website. Because there are multiple campuses, each campus had its own points of contact. The names and contact people for Title IX, ADA, and Section 504 were very easy to find online and are posted in several publications and around campus. The policy language is also posted publicly in a common area on campus. The names were listed in: handbooks, website, syllabi, affirmative action plan, college catalog Interviews with staff and students confirmed that the college community knew where to find this information. The Title IX and Section 504/Title II coordinators received training in their respective areas, and there is no evidence of concerns about the coordinators' performance of their duties or of any conflict of interest.

There was no evidence that would be considered a violation.

Required Corrective Action(s): None.

D. Grievance Procedures

Applicable Requirements: 34 C.F.R. §§ 104.7(b) and 106.8(b); 28 C.F.R. § 35.107(b).

A recipient shall adopt and publish grievance procedures providing for the prompt and equitable resolution of student and employee complaints alleging any discrimination based on sex or disability.

Summary of Findings and Analysis:

The Minnesota State OCR Review Team reviewed Minnesota West Community & Technical College's Title IX and Section 504/Title II grievance procedures. These procedures appeared in the student handbook and the student code of conduct. The procedure is also posted on the college's website and can be easily found by searching "complaint process". Interviews with staff and students confirmed that the college's community knew where to find the grievance procedures. The Minnesota State OCR Review Team also reviewed both sets of procedures under the "prompt and equitable" requirements set forth in the Title IX, Section 504, and Title II regulations.

Required Corrective Action(s): None

II. Recruitment, Admissions, and Counseling

A. Admissions Criteria and Access to Classes

Applicable Requirements: *Guidelines* Sections IV.A, IV.K, and IV.N; 34 C.F.R. §§ 100.3(a) and (b)(1)(v), 104.4(a)-(b), 104.42(a)-(c), 104.43, 106.21, 106.22, 106.34 and 106.35; 28 C.F.R. § 35.130.

A recipient may not develop, impose, maintain, approve or implement admissions criteria that unlawfully discriminate on the basis of race, color, national origin, sex or disability. However, if a recipient can demonstrate that such criteria have been validated as essential to participation in a given program and that alternative equally valid criteria that do not have such a disproportionate adverse effect are unavailable, the criteria will be judged nondiscriminatory.

Recipients may not deny students with disabilities access to vocational education programs or courses because of architectural or equipment barriers, or because of the need for related aids and services or auxiliary aids. Academic requirements that the recipient can demonstrate are essential to a program of instruction or to any directly related licensing requirement will not be regarded as discriminatory but, where possible, a recipient must adjust those requirements to the needs of students with disabilities.

Access to vocational programs or courses may not be denied to students with disabilities on the ground that employment opportunities in any occupation or profession may be more limited for individuals with disabilities than for individuals without disabilities. A recipient may not separate students by sex or deny a student access to a class or program based on their sex unless expressly authorized by Title IX or its implementing regulations.

A recipient generally may not make pre-admission inquiry as to whether an applicant is an individual with a disability, but, after admission, may make inquiries on a confidential basis as to disabilities that may require accommodation. A recipient also may not make a pre-admission inquiry as to the marital status of an applicant or apply any rule concerning the actual or potential parental, family, or marital status of a student or applicant which treats persons differently on the basis of sex.

Summary of Findings and Analysis:

The Minnesota State OCR Review Team reviewed this year's Minnesota West Community & Technical College's Application. There was no evidence of discrimination.

The Minnesota State OCR Review Team also reviewed Minnesota West Community & Technical College program requirements that have additional admission pre-requisites. There is a program called Breaking Traditions which helps potential applicants think beyond what they have previously seen as potential career/academic option. The website is very clear laying out processes and policies, and very easy to understand. All web pages have Text to Speak embedded. College Knowledge Month includes closed captioning with multiple language translations.

Required Corrective Action(s): None

B. Access for National Origin Minority Students with Limited English Language Skills

Applicable Requirements: *Guidelines* Section IV.L.

Recipients may not restrict admission to vocational education programs because the applicant, as a member of a national origin minority with limited English language skills, cannot participate in and benefit from vocational instruction to the same extent as a student whose primary language is English. **It is the responsibility of the recipient to identify such applicants and assess their ability to participate in vocational instruction.**

Summary of Findings and Analysis:

Overall, processes and procedures are clearly communicated via website and in written communications. Support services are communicated and made available. These were easy and convenient to access. Staff utilize technology and captioning in Zoom. Advisors have done some work on translation. Also all web pages have Text to Speak embedded. College Knowledge Month includes closed captioning with multiple language translations. Level one flier is available in English and Spanish.

There was no evidence that would be considered a violation. However, please note the following:

- There did not appear to be a clear process to show how to identify applicants with Limited English Proficiency. Clarify internal processes to make this more clear and identifiable.

Required Corrective Action(s): None

C. Counseling and Prospects for Success

Applicable Requirements: *Guidelines* Sections V.A, V.B, and V.D; 34 C.F.R. §§ 100.3(a) and (b), 104.47(b), and 106.36; 28 C.F.R. § 35.130.

Recipients must ensure that their counseling materials and activities do not discriminate on the basis of race, color, national origin, sex or disability. Recipients must ensure that counselors do not steer any student to enroll in a particular career or program, or measure or predict a student's prospects for success in any career or program, based upon the student's race, color, national origin, sex, or disability. If a vocational program disproportionately enrolls

male or female students, minority or nonminority students, or students with disabilities, recipients must take steps to ensure that the disproportion does not result from unlawful discrimination in counseling activities.

Summary of Findings and Analysis:

There is good evidence of processes and procedures related to seeking counseling. Further, there is evidence of communication strategies to raise awareness of counseling services. Minnesota West partners with Southwest Minnesota Private Industry Council for outreach with underserved community. There is also collaboration with Perkins Coordinator to attract students differently to fields. There is an intentional outreach to high school career pathways programs in the many areas Minnesota West serves. Promotional materials do not discriminate. Promotional materials could be used to represent and communicate student diversity.

There was no evidence that would be considered a violation. However, please note the following:

- As a best practice, there could be listed more inclusive community resources.

Required Corrective Action(s): None

D. Counseling of Students with Limited English Speaking Ability or Hearing Impairments

Applicable Requirements: *Guidelines* Section V.D; 34 C.F.R. §§ 100.3(a)-(b) and 104.47(b).

Recipients must ensure that counselors can effectively communicate with national origin minority students with limited English language skills and with students who have hearing impairments. This requirement may be satisfied by having interpreters available.

Summary of Findings and Analysis:

There was adequate information available for admissions and also marketing in Spanish. There was also adequate information on the website related to communicating with students that are hearing impaired.

Overall, there was no evidence that would be considered a violation. However, please note the following:

- The Site Review team suggests expanding access to different languages beyond Spanish to include other emerging immigrant populations.

Required Corrective Action(s): None

E. Recruitment and Promotional Activities

Applicable Requirements: *Guidelines* Sections V.A, V.C, and V.E; 34 C.F.R. §§ 104.42(a) and 106.23(a) and (b).

Recipients must take steps to ensure that their promotional and recruitment efforts do not discriminate or perpetuate stereotypes or limitations on the basis of race, color, national origin, sex or disability. If a recipient's service area contains a community of national origin minority persons with limited English language skills, promotional literature must be distributed to that community in its language.

Summary of Findings and Analysis:

Overall, there was strong evidence of representation of diversity in materials. Materials are provided in Spanish, but may want to consider other languages given then linguistic diversity of the student population. There was strong evidence of information provided to students with disabilities. However, there was limited information on how Minnesota West promotes information to potential students with disabilities. Other than access to the website, there could be more information promoting accessibility.

Required Corrective Action(s): None

III. Physical Accessibility for Students with Disabilities

Applicable Requirements: *Guidelines* Section IV.N; 34 C.F.R. § 104.21; 28 C.F.R. § 35.149.

A recipient may not exclude students with disabilities from its programs or services because its facilities are inaccessible to or unusable by individuals with disabilities. Applicable accessibility standards are determined by the date that a facility was constructed or the date that the facility was most recently altered:

- Construction or Alteration Initiated Before June 4, 1977: The Program Access accessibility standards apply. A recipient shall operate its program or activity so that when each part is viewed in its entirety, it is readily accessible to individuals with disabilities. A recipient is not required to make each of its existing facilities or every part of a facility accessible to and usable by persons with disabilities. 34 C.F.R. § 104.22.
- Construction or Alteration Initiated Between June 4, 1977 and January 17, 1991

(inclusive): The "American National Standard Specifications for Making Buildings and Facilities Accessible to, and Usable by, the Physically Disabled," published by the American National Standards Institute, Inc. (ANSI), apply.

- Construction or Alteration Initiated Between January 18, 1991 and January 26, 1992 (inclusive): The Uniform Federal Accessibility Standards (UFAS) accessibility standards (Appendix A to 41 CFR subpart 101-19.6) apply. 34 C.F.R. § 104.23.
- Construction or Alteration Initiated Between January 27, 1992 and September 14, 2010 (inclusive): The 1991 Americans with Disabilities Act Standards or UFAS accessibility standards apply. 28 C.F.R. §35.151(c)(1).
- Construction or Alteration Initiated Between September 15, 2010 and March 14, 2010: The 1991 Americans with Disabilities Act Standards or UFAS accessibility standards or 2010 Americans with Disabilities Act Standards apply. 28 C.F.R. §35.151(c)(2).
- Construction or Alteration Initiated March 15, 2012 or After: The 2010 Americans with Disabilities Act Standards apply. 28 C.F.R. §35.151(c)(3).

The Site Assessment visit was conducted on July 7 and July 8, 2021. We noted accessibility violations at the following areas for Minnesota West Community & Technical College:

- Granite Falls Campus
- Canby Campus
- Pipestone Campus
- Jackson Campus
- Worthington CCE Campus
- Worthington Campus

OBSERVED AREA	# OF ACCESSIBILITY VIOLATIONS
Parking Lots	16
Accessible Routes	0
Protruding Objects	1
Clear Width	0
Restrooms	46
Classrooms	5

PARKING LOTS

For every 25 parking spaces, there must be 1 Accessible space. For every 6 accessible spaces, there must be at least 1 Van Accessible space. There were 6 violations observed.

Accessible parking spaces and van accessible spaces shall be visible with appropriate striping and symbol of accessibility. There were 10 violations observed.

ACCESSIBLE ROUTE

Swinging doors shall have adequate maneuvering clearances. There were no violations observed.

CLEAR WIDTH

Doorways shall have a minimum clear width of 32". There were no violations observed.

PROTRUDING OBJECTS

Objects shall not protrude into a walkway more than 4 inches if between 27 and 80 inches above the finish floor. There was 1 violation observed.

RESTROOMS

There were various types of areas observed that require corrective actions.

CLASSROOMS

There were various types of areas observed for accessibility that require corrective actions.

Detailed information can be found in the adjacent report.

IV. Comparable Facilities

Applicable Requirements: *Guidelines* Section VI.D; and 34 C.F.R. § 106.33.

Recipients must provide changing rooms, showers, and other facilities for students of one sex that are comparable to those provided to students of the other sex. Such facilities must be adapted or modified to the extent necessary to make the vocational education program readily accessible to individuals with disabilities.

Summary of Findings and Analysis: Minnesota West Community and Technical College had separate locker rooms and showers for male and female students. Minnesota State OCR Review Team reviewed these facilities and noted that they were comparable in number and condition of lockers and showers. There was no evidence of a violation.

Required Corrective Action: None.

V. Services for Students with Disabilities

Applicable Requirements: *Guidelines* Sections IV.N; 34 C.F.R. §§ 104.4(a), 104.43 and 104.44; 28 C.F.R. §§ 35.130, and 35.160-35.163; VI.A; Section 504: 34 CFR § 104.34 (a)(b)

Recipients may not deny students with disabilities access to vocational education programs or courses because of the need for related aids and services or auxiliary aids. If necessary, recipients must modify instructional equipment; modify or adapt the manner in which the courses are offered; provide auxiliary aids that effectively make lectures and necessary materials available to postsecondary students with disabilities; and provide related aids or services that assure secondary students an appropriate education.

Recipients shall take such steps as are necessary to ensure that no student with a disability is denied the benefits of, excluded from participation in, or otherwise subjected to discrimination because of the absence of educational auxiliary aids for students with impaired sensory, manual, or speaking skills.

Recipients must operate programs and activities in the most integrated setting appropriate to the needs of qualified individuals with disabilities.

Summary of Findings and Analysis:

The site review team found strong evidence of outreach practices and information provided by

the Office for Students with Disabilities. Documentation exists by campus, program, disability, and accommodation. The accommodations noted are extended test time or alternative test site only. There was also strong evidence of accommodations made and the process for seeking accommodations. However, the welding program has reported disabilities but no accommodations. In addition, strong evidence was provided of properly and updated accommodation record keeping.

Required Corrective Action(s): None

VI. Financial Assistance

Applicable Requirements: *Guidelines* Sections VI.B34 C.F.R. §§ 100.3(a) and (b), 104.4(a) and (b), 104.46, and 106.37.

Recipients generally may not award financial assistance to vocational education students on the basis of race, color, national origin, sex, or disability. Materials and information used to notify students of opportunities for financial assistance may not contain language or examples that would lead applicants to believe the assistance is provided on a discriminatory basis. If a recipient's service area contains a community of national origin minority persons with limited English language skills, such information must be disseminated to that community in its language.

Summary of Findings and Analysis:

Overall, the site review team found the financial assistance information informative and within the applicable requirements. There were materials available in Spanish, but no other languages.

There was no evidence that would be considered a violation. However, please note the following:

- The Office of Higher Education has videos with translations in Hmong and Somali for financial aid information. The college may want to consider incorporating those materials for financial aid.

Required Corrective Action(s): None.

I. Work-Study, Cooperative Programs, and Job Placement

Applicable Requirements: 34 C.F.R. §§ 100.3(a)-(b), 104.4(a)-(b), 104.46, 106.31, and 106.38(a). A recipient must ensure that it does not discriminate on the basis of race, color, national

origin, sex, or disability in making available opportunities in cooperative education, work study and job placement programs. Recipients must also ensure that students participating in cooperative education, work study and job placement programs are not discriminated against by employers or prospective employers on the basis of race, color, national origin, sex, or disability in recruitment, hiring, placement, assignment to work tasks, hours of employment, levels of responsibility, and in pay. A recipient may not cooperate with an employer that requests students on the basis of sex, race, color, national origin or disability status.

Summary of Findings and Analysis:

The Minnesota State OCR Review Team reviewed Minnesota West Community and Technical College's templates for contracts with all employers or other sponsors offering work-study, cooperative education, job placement, and apprenticeship programs and the application materials that students complete to obtain these positions. Each contract contained an assurance that the employer or other sponsor does not discriminate against students on the basis of race, color, national origin, sex, or disability (System's template for Internship/Clinical Agreements- Letters J and K include the non-discrimination statements). Application materials included the college's nondiscrimination notice, along with a statement that employers or other sponsors are prohibited from engaging in unlawful discrimination.

Required Corrective Action(s): None.

II. Employment

Applicable Requirements: *Guidelines* Sections VIII.A-F; 34 C.F.R. §§ 104.11-104.14, and 106.51- 106.61.

Recipients may not engage in any employment practice that discriminates against any employee or applicant for employment on the basis of race, color, national origin, sex or disability. Recipients generally may not make pre-employment inquiries concerning disability or marital status.

Summary of Findings and Analysis:

In addition to interviewing instructors and administrators, the Minnesota State OCR Review Team reviewed Affirmative Action Plans, Personnel Action Reports (PARs) and documents for accommodations for employees with disabilities. All of these postings contained the proper nondiscrimination notice and policies. The Minnesota State OCR Review Team also reviewed the college's salary policies (determine by bargaining

contracts). There was no evidence of a violation.

Required Corrective Action(s): None.

**Minnesota State
System Civil Rights Compliance Reviews
Activities & Timelines**

Activity	Time Line or Deadline	Description
1. Target Colleges for On-Site Review	Biennially	All eligible colleges will be reviewed using compliance indicators. Four colleges will be selected based on compliance indicator ratings.
2. Written Notice to College	90 days prior to Pre-Audit On-Site Review visit	The chancellor will provide written notice to the colleges selected for an On-Site Review and requesting that the president identify an On-Site Review coordinator.
3. Pre-Audit Orientation Visit	60 days prior to On-Site Review visit	The team leader will visit the college to provide an orientation to the On-Site Review process. The orientation will include the purpose of the visit, visit
4. On-Site Review	2-3 days	<p>A 6-10-member team will conduct the On-Site Review. The On-Site Review will consist of:</p> <ul style="list-style-type: none"> • Entrance interview with key administrative personnel. • Review of all college facilities - compliance with ADA • Review of materials, documents, and records • Interviews with administrators, faculty, staff, and students • Visits and observation of classrooms, resource

		<p>centers, counseling offices, and special facilities/equipment</p> <ul style="list-style-type: none"> • Informal interviews • Exit interview with administrative team & On-Site Review team
5. Written Notification of Findings of Review Team – Preliminary Report	30 days after conclusion of on-site visit	The team leader will provide the president with the written preliminary notification of findings based on the On-Site Review. The notification of findings will include specific findings and recommendations for correction or remediation. The findings are reviewed and approved by the Human resources division prior to release to the college.
6. Review of Written Notification of Findings – Preliminary Report	30 days from date on cover letter of Notification of Findings Report	College reviews the Notification of Findings Report – Preliminary Report. College accepts the report or recommends revisions based on additional documentation. Team leader verifies revisions, as appropriate.
7. Written Notification of Findings of Review Team – Final Report	15 days after receipt of the revised Report	The team leader will provide the president with the written final notification of findings based on the On-Site Review. The notification of findings will include specific findings and recommendations for correction or remediation.
8. If Voluntary Compliance Plan Needed -- First Draft of Voluntary Compliance Plan	60 days from date on cover letter of Notification of Findings Report	Compliance plans are written using the recommended format and address how the specific non-compliance item will be corrected or remediated. The plans will define the action to be taken, timelines, personnel responsible, technical assistance needs, and

		monitoring and evaluation results/outcomes.
9. Review of Voluntary Compliance Plan by Minnesota State	30 days from receipt of Voluntary Compliance Plan	Human Resources division personnel will review the Voluntary Compliance Plan draft. If the plan has not adequately addressed the findings, the On-Site Review team will make recommendations for adequately correcting non-compliance items.
10. Notify President of Acceptance Status of Voluntary Compliance Plan Identified Revisions Needed and Returned to Campus	30 days from receipt of Voluntary Compliance Plan	Human Resource division will notify the president of the status of the Voluntary Compliance Plan. Technical assistance will be offered to assist in the revision of the plan if revisions are needed.
11. Revised Voluntary Compliance Plan	15 days from receipt of identified revisions	Human Resources division personnel will review the revised Voluntary Compliance Plan. If the plan needs additional work on non-compliance items, a meeting will be held with the president and college staff to assist with compliance.
12. Appeal Process	90 days from date on cover letter of Notification of Findings Report	An appeal process will be available should the college disagree with any finding(s) or decision of the On-Site Review team. The Vice Chancellor for Human Resources will first hear the appeal. If resolution has not been reached, the chancellor will hear the appeal. The decision of the chancellor will be final.
13. Approved Voluntary Compliance Plan	90 days from date on cover letter of Notification of Findings Report	The Human Resources division provides written notice that the

		Voluntary Compliance Plan has been accepted or not accepted.
14. Unable to Secure Voluntary Compliance -- Report to Office for Civil Rights	90 days from date on cover letter of Notification of Findings Report	Minnesota State reports to Office for Civil Rights the details of findings of noncompliance for each college that fails to take corrective action to remedy violations found during the On-Site Reviews. The report includes efforts by Minnesota State to secure voluntary compliance.
15. Inadequate Plan, But Working In Good Faith -- Report to Office for Civil Rights	120 days from date on cover letter of Notification of Findings Report	Minnesota State reports to Office for Civil Rights if a college submits a Voluntary Compliance Plan that is inadequate, but is working in good faith to remedy the deficiencies in the plan.

16. Monitor Voluntary Compliance Plans	Starts with the acceptance of the Voluntary Compliance Plan and ends with the completion of all Voluntary Compliance Plan actions. Documentation updates to Minnesota State every nine months.	<p>The Human Resources division monitors the results of the Voluntary Compliance Plan actions to correct noncompliance and partial compliance issues defined in the Notification of Findings report. Monitoring continues until all action plans have been accomplished.</p> <p>Colleges will be requested to submit documentation updating the implementation status of their Voluntary Compliance Plans every nine months.</p>
17. Biennial Report	Each even numbered year. 2000, 2002, 2004, etc.	Minnesota State will report the results of all On-Site Reviews in the Biennial Report to Office for Civil Rights. The report will include the Notification of Findings and the Voluntary Compliance Plans

