



**DIVERSITY AND EQUITY COMMITTEE
JANUARY 28, 2015
09:45 AM**

**MCCORMICK ROOM
30 7TH STREET EAST
SAINT PAUL, MN**

Please note: Committee/Board meeting times are tentative. Committee/Board meetings may begin up to 45 minutes earlier than the times listed below if the previous committee meeting concludes its business before the end of its allotted time slot.

- (1) Minutes of the Diversity and Equity Committee of November 19, 2014**
- (2) Proposed Amendment to Policy 1B.1 Equal Opportunity and Nondiscrimination in Employment and Education – (Second Reading)**

Members

Ann Anaya, Chair
Elise Ristau, Vice Chair
Kelly Charpentier-Berg
Alexander Cirillo
Thomas Renier
Louise Sundin

Bolded items indicate action required.

Minnesota State Colleges and Universities

**DIVERSITY AND EQUITY COMMITTEE
NOVEMBER 19, 2014
McCORMICK ROOM
30 7TH STREET EAST
ST. PAUL, MN**

Committee Members Present: Ann Anaya, Chair; Trustees Elise Ristau, Kelly Charpentier-Berg, Alexander Cirillo, Thomas Renier and Louise Sundin

Other Board member Present: Margaret Anderson Kelliher, Duane Benson, John Cowles, Robert Hoffman, Michael Vekich, and Erma Vizenor

Leadership Council Representatives Present: Chancellor Steven Rosenstone, Chief Diversity Officer Leon Rodrigues, President Cecilia Cervantes, President Adenuga Atewologun and President Richard Davenport

Convene

The Diversity and Equity Committee met on November 19, 2014, 4th Floor, McCormick Room, 30 East 7th Street in St. Paul. Chair Ann Anaya called the meeting to order at 10:32 am

Minutes of the Diversity and Equity Committee of October 22, 2014

The minutes of October 22, 2014 were approved as submitted.

Proposed Amendment to Policy 1B.1 Equal Opportunity and Nondiscrimination in Employment and Education (First Reading)

Chair Anaya introduced the first reading of the proposed amendment to Board Policy 1B.1 Equal Opportunity and Nondiscrimination in Employment and Education Opportunity. The purpose of the amendment is that on May 11, 2014, Governor Mark Dayton signed the Women's Economic Security Act (WESA), which expanded the Minnesota Human Rights Act to cover familial status. Previously, familial status was limited only to the housing context; meaning, property owners could not deny housing to an individual that was living with a minor child or pregnant. With WESA a women with a minor child or pregnant will have protection under Minnesota Employment Law. An employer cannot treat such individuals differently based on their familial status. In response to the legislation, the proposed changes to Board Policy 1B.1 Equal Opportunity and Nondiscrimination in Employment and Education Opportunity were submitted. Chair Anaya introduced Renée Hogoboom, Associate Director for Diversity and Equity to present on the proposed amendment. Ms. Hogoboom stated that Policy 1B.1 has always mirrored the Minnesota Human Rights Act and that is why this change is included in employment.

Associate Director. Hogoboom stated that familial status language-was added to lines 16, 17 and 21, and is the only change made to the policy. Associate Director Hogoboom reminded

the committee that the last time the 1B.1 policy was reviewed, was two years ago. The policy is on a cyclical review of every three years; however, the change in statute required the amendment. Chair Anaya clarified that there is a change to subpart E Protected Class and that the dates will be changed and finalized with the second reading of the policy. Associate Director Hogoboom affirmed that the comment was correct.

Chair Anaya asked for feedback on the policy amendment proposal. Trustee Alex Cirillo asked if anyone would be opposed to the changes. Ms. Hogoboom confirmed that this is a straightforward change to the policy.

Recruitment of Diverse Students

Committee Chair Anaya introduced the next topic and stated that when we started our strategy for the diversity committee for this year we were looking internally at our staff and faculty for diversity and we now look externally at recruitment of students. As we follow the Academic and Student Affairs presentations, Trustee Anderson Kelliher stated that a collaborative effort between the two committees makes sense. As we recruit diverse students, it pairs nicely with the committee. We work towards a day where there is no need for the Diversity and Equity Committee and that the Academic and Student Affairs and the Diversity committees work jointly.

Committee Chair Anaya introduced presenters, Chief Diversity Officer Leon Rodrigues, Presidents Cecilia Cervantes, Hennepin Technical College, Adenuga Atewologun, Riverland Community and Technical College and Richard Davenport, Minnesota State University, Mankato.

Dr. Rodrigues explained that when we discuss the recruitment of diverse candidates traditional students are ones who complete high school and are considering post-secondary education, career and technical education as well as students currently enrolled in high school and Post-Secondary Options. Dr. Rodrigues thanked Vice Chancellor John O'Brien for setting up the context for this discussion in his earlier presentation to the board. Dr. Rodrigues shared that the focus is on students who may not have contemplated college or may have given up on the idea of college. The recruitment process for diverse students therefore also includes reaching students who have an interest in pursuing a college degree, career or technical qualification, but have not done so immediately after high school, often referred to as non-traditional students as well as students who may be seeking a degree, certification, or updating of their educational qualifications. Dr. Rodrigues shared an overview of predicted high school graduates; current diverse student participation rates and what might be considered non-traditional students. Dr. Rodrigues added that while much of this conversation refers to students from diverse race and ethnic backgrounds, or gender, the efforts to recruit also includes students who have disabilities, identify as Lesbian, Bisexual, Gay, Transgender, and Questioning (LGBTQ) or are returning veterans.

Dr. Rodrigues shared enrollment trends, recruitment strategies and campus practices aimed at recruiting and serving diverse students at MnSCU and preparing them for careers and participation in society. He also shared information on initiatives led by system office staff that pertain to our P-20 partnerships, College Readiness programs, and Adult Basic

Education Programs, which are aimed at attracting non-traditional students. These partnerships are fostered to ensure successful college engagement and academic success. Dr. Rodrigues highlighted system enrollment trends, which include – underrepresented groups, students who are first generation college goers and those who are from lower socio-economic households.

Dr. Rodrigues presented three charts. Chart 1 shows the percentage of American Indian students, other students of color, and Pell Eligible students, which comprise an increase in Minnesota High School graduates. American Indian and students of color, show the highest growth in the next 10 years. The data collection is every two years and the last collection was completed in 2011. Chart 2 demonstrates MnSCU enrollment by students of color by head count on Pell eligible students. Minnesota State Colleges and Universities serve more diverse students than all other Minnesota higher education institutions combined. Chair Anaya clarified that although MnSCU has a head count drop as described in an Academic and Student Affairs presentation that the rate of students of color has risen. Dr. Rodrigues confirmed that she is correct and the number of students of color enrollment will continue to increase over the next 10 years and there will be a decline of white students as seen in Chart 3. Chair Anaya inquired where the students of color reside geographically in comparison to where they are attending school. Are they attending in the metro because that is where they reside or are they also attending outstate? Dr. Rodrigues replied that based on the predictions there is much work to do.

Dr. Rodrigues commented that recruiting diverse students not only includes the deliberate planning and actions of our institutions, but also includes relationships with other structures, such as K-12 and Adult Basic Education, to ensure that Minnesotans have access to postsecondary education. He added that MnSCU has been collaborating with the Minnesota Department of Education to increase high school completion, college and career readiness, and college enrollment of diverse students. He pointed out that one key aspect of the partnership is co-sponsoring summits in which secondary and postsecondary leaders and educators from across the state are working on issues that are common to us. This would be to specifically look at issues of the achievement gap and highlight examples of successful local and national models that have served low-income, first generation, students of color, and English language learners. He adds that these summits have called for secondary and postsecondary partners to create or expand programs that provide more opportunities for high school students to develop career pathways and access to college credits early on, which reduce the cost of college tuition. Over 750 leaders and educators attended these summits last year and there are already close to 800 registered for this year.

Dr. Rodrigues shared that in addition to Pathways to Postsecondary 2.0 summits, another set of statewide forums that bring together leaders and educators from career and technical education are offered on developmental education, and Adult Basic Education. These forums concentrate on collaborative efforts with ABE to serve diverse adult learners in career pathways, and include a showcase of ABE/postsecondary partnership models, and practice models serving low-income, first generation college students, students of color, and English language learners. Dr. Rodrigues added that through partnerships between MnSCU, the Department of Education, and Adult Basic Education, MnSCU continues to support its goals

of increasing diverse students' access to postsecondary education and our recruitment of diverse students.

Cecilia Cervantes, president of Hennepin Technical College stated that staff at the college that the increases in our communities of color were indeed going to be significant in the metro area. If Hennepin Technical College were going to meet the mission of serving all citizens, particularly those of color, it was important to be intentional in pursuing those communities. She added that due to their decrease in funding and their need to accomplish the mission, they researched Federal Grants from the U.S. Department of Education and other sources in order to bring in resources to help in the efforts to recruit more communities of color to take advantage of the array of technical programs. President Cervantes added that Hennepin Technical College was also hearing from community partners that they needed their students to be well-trained employees. Their grant research was successful; there are now four grants and a Gateway to College grant. Those grants have allowed them to hire individuals to go out into the community and work with public schools to help create a college-going culture in the school and familiarize them with programs and services that they offer at Hennepin Technical College. They have also attributed the positions to a redistribution of funds in the college. Staff has engaged with students to support them as they form affinity clubs to be more comfortable on campus and to plan multicultural events. Hennepin Technical College was the recipient for an outstanding award for LGBTQ club last year. The increase in students of color at the college has risen 10 percent. The achievement gap at Hennepin Technical College is close to being eliminated.

Committee Chair Anaya exclaimed that she is very impressed with the work done at Hennepin Technical College. She added that programs like this are what encouraged her to go to college. Chair Anaya commented that it is forgotten if you do not grow up in a family where it is presumed that you will go to college, there needs to be some convincing and comfort given and this can only be done by someone that shows care and concern for a student's future. Chair Anaya applauded Hennepin Technical College and their accomplishments.

Adenuga Atewologun, president, Riverland Community and Technical College, commented on recruitment events. He shared that there is a common theme at the college - collaboration, partnership and intentionality. He noted that Hennepin Technical College, Riverland Community and Technical College, and Minnesota State University, Mankato are three campuses out of 11 that received awards from the Mexican Consulate from the Institute for Mexicans Abroad and this shows a targeted approach to help those in our communities. President Atewologun stated that his focus is to be all-inclusive, not just the minority but the majority as well for all multi-cultural events. Riverland Community and Technical College wants it to be known that diversity is good for all. President Atewologun stated that it is important to know your community demographics, to assist those appropriately that are in that community based on their cultural demographic.

President Atewologun - Riverland Community and Technical Colleges recruitment events:

- Multicultural staff and Student Ambassadors
- Latino Student Summit with 200 Latino High School students participating

- Multicultural Career Day and College Fair. The Goal was to encouraged and motivated students to pursue educational opportunities. There are 300 underrepresented and minority students to participate. Sponsors include Riverland, Minnesota College Access Network and Minnesota State University, Mankato
- Latino and Somali Education Nights for students and parents

President Atewologun talked about the collaboration and partnership with organizations in the community to gain scholarship money, including a successful program with the Hormel Foundation in Austin. The college receives typically \$200,000 to \$300, 000 a year to support the Be Your Best and Cycles of Success High School student programs.

Committee Chair Anaya expressed appreciation to Riverland Community and Technical College for their commitment and dedication.

Richard Davenport, president, Minnesota State University, Mankato spoke about the 2014 Inside Higher Education Report on nationwide ACT scores that show that 57% of the graduation class took the ACT test. Of those students, on the average white students scored 22.3, African American students scored 17; Latinos scored 18.8, and Asians 23.5. These scores show how disadvantaged students are to get into universities. President Davenport described the change in culture on the campus. Ten years ago, if there was a person of color everyone noticed them. Today it is very different. The numbers of people of color have multiplied at least four fold on campus. As of last year, the numbers of people of color has increased to 11.3%, which does not include international students. At MSU, Mankato they talk about it being everyone's responsibility to recruit and especially retain students of color. MSU, Mankato's retention is not as good as they would like it to be, retention over all is about 51 % and for those of color, it is 42%, and they are looking to close the gap. There are partnerships with campuses to assist with student success and to make the move to a four-year degree. There are five strategic priorities in addition to the MnSCU priorities and their number one priority is Diversity. MSU, Mankato's focus is not only on getting those underrepresented students on the campus but ultimately to graduate them. Intrusive advising and early alert has been critical.

Trustee Benson stated that it was most important for retention of diverse students to have a teacher/mentor relationship, such as that reflected in sports teams and coaches. He asked if that model been thought of and what are the obstacles? President Cervantes responded that the model is indeed used by utilizing the various advisors and advocates and the relationships that are built. They also work with them on academic programming and courses each semester; this builds relationships so the student is then comfortable to ask for advice on issues they are facing. A program was started where incoming students were identified as highest risk and those students are followed up with. Trustee Bensons added that he would like to see it go a step further. We would like you to recruit these hard to recruit populations and retain them.

Trustee Cirillo stated that when looking at the recruiting models there are usually schools that you go to as feeder schools. He asked if the feeder schools have a diverse population. President Atewologun replied that they do have schools with diversity and they maintain relationships with those schools and the diversity staff. At Riverland, the success coaches represent those minority students they support. Trustee Cirillo added that those schools should be part of the

marketing programs at each of the campuses. Dr. Rodrigues explained that most of the campuses have relationships with the schools and send out recruiters to college fairs at those schools. He also shared that he attended the Latino Engineering day at MSU, Mankato State University and was impressed with the different speakers and activities for the students and how they were introduced to the different aspects of campus life. The students were given Mankato memorabilia to help them identify with the college. Many were Spanish speaking and the staff were Spanish speaking. President Davenport added that experience is so important; it helps those students get a sense of the campus. Mankato is currently collaborating with South Central College on a partnership program. The program has a bus that goes back and forth from South Central to Mankato State campus so the students can live in Mankato and complete their degree at South Central. This has helped to break down the barriers and reduce the fears some students have for attending a bigger campus.

Committee Chair Anaya thanked the committee for their work and for the presentations. She stated that the key to retention is inclusion and that the committee is on the right path. These are the commendable strategies. Trustee Anaya commented that she would like to see more collaboration and partnership with Academic and Student Affairs committee in the next phase.

The meeting adjourned at 11:21 a.m.

Respectfully submitted,
Sonya Castillo, Recorder

**MINNESOTA STATE COLLEGES AND UNIVERSITIES
BOARD OF TRUSTEES**

Agenda Item Summary Sheet

Committee: Diversity and Equity

Date of Meeting: January 28, 2015

Agenda Item: Proposed Amendments to Board Policy 1B.1 Equal Opportunity and Nondiscrimination in Employment and Education (Second Reading)

- Proposed Policy Change Approvals Required by Policy Other Approvals Monitoring
- Information

Cite policy requirement, or explain why item is on the Board agenda:

Amendment to Board policy requires approval of the Board.

Scheduled Presenter(s):

Renée Hogoboom, Associate Director for Diversity and Equity

Outline of Key Points/Policy Issues:

On May 11, 2014, Governor Mark Dayton signed the Women’s Economic Security Act (WESA), which expands the Minnesota Human Rights Act to cover “familial status.” Previously, familial status was limited only to the housing context: landlords could not deny housing to an individual who was living with a minor child or who was pregnant. Now, with the passage of the Women’s Economic Security Act, an individual who is living with a minor child or who is pregnant will have protection under Minnesota employment law: an employer cannot treat such individuals differently from other employees based on their familial status. In response to that legislation, we propose the above change to the policy.

Background Information:

The proposed action is a second reading to amend Board Policy 1B.1, Nondiscrimination in Employment and Education Opportunity.

**BOARD OF TRUSTEES
MINNESOTA STATE COLLEGES AND UNIVERSITIES**

BOARD ACTION

**Proposed Amendments to Board Policy 1B.1 Equal Opportunity and
Nondiscrimination in Employment and Education Opportunity (First Reading)**

BACKGROUND: The Board of Trustees approved this policy initially in 1994 and amended the policy in 2006 and in 2012. Due to a recent Legislative change, it is proposed the language be amended to include familial status as a protected class in employment.

CONSULTATION

Consultation has occurred as follows:

The policy has been broadly distributed to allow for review and comment by as many stakeholders as possible. A draft of the proposed policy was electronically distributed to the following group listservs on November 3, 2014:

- Presidents
- Cabinet
- Chief Academic Officers
- Chief Diversity Officers
- Chief Human Resources Officers
- Affirmative Action Officers
- Chief Student Affairs Officers
- Academic Deans
- Inter Faculty Organization State Leadership
- Minnesota State College Faculty State Leadership
- Minnesota State University Association of Administrative and Service Faculty State Leadership
- Minnesota State College Student Association State Leadership
- Minnesota State University Student Association State Leadership
- Minnesota Association of Professional Employees State Leadership
- Middle Management Association State Leadership
- American Federation of State, County and Municipal Employees State Leadership

RECOMMENDED COMMITTEE ACTION

The Diversity and Equity Committee recommends that the Board of Trustees adopt the following motion:

RECOMMENDED MOTION

The Board of Trustees approves the proposed amendments to Board Policy 1B.1 Equal Opportunity and Nondiscrimination in Employment and Education.

BOARD OF TRUSTEES
MINNESOTA STATE COLLEGES AND UNIVERSITIES

BOARD POLICY		1B.1
Chapter	1B.	SYSTEM ORGANIZATION AND ADMINISTRATION EQUAL EDUCATION AND EMPLOYMENT OPPORTUNITY
Section	1.	Nondiscrimination in Employment and Education Opportunity

1 **1B.1 EQUAL OPPORTUNITY AND NONDISCRIMINATION IN EMPLOYMENT**
2 **AND EDUCATION.**

3
4 **Part 1. Policy Statement**

5 Subpart A. Equal opportunity for students and employees. Minnesota State Colleges and
6 Universities has an enduring commitment to enhancing Minnesota’s quality of life by
7 developing and fostering understanding and appreciation of a free and diverse society and
8 providing equal opportunity for all its students and employees. To help effectuate these goals,
9 Minnesota State Colleges and Universities is committed to a policy of equal opportunity and
10 nondiscrimination in employment and education.

11
12 Subpart B. Nondiscrimination. No person shall be discriminated against in the terms and
13 conditions of employment, personnel practices, or access to and participation in, programs,
14 services, and activities with regard to race, sex, color, creed, religion, age, national origin,
15 disability, marital status, status with regard to public assistance, sexual orientation, gender
16 identity, or gender expression. In addition, discrimination in employment based on [familial](#)
17 [status or](#) membership or activity in a local commission as defined by law is prohibited.

18
19 Harassment on the basis of race, sex, color, creed, religion, age, national origin, disability,
20 marital status, status with regard to public assistance, sexual orientation, gender identity, ~~or~~
21 gender expression, [or familial status](#) -is prohibited. Harassment may occur in a variety of
22 relationships, including faculty and student, supervisor and employee, student and student,
23 staff and student, employee and employee, and other relationships with persons having
24 business at, or visiting the educational or working environment.

25
26 This policy is directed at verbal or physical conduct that constitutes discrimination/
27 harassment under state and federal law and is not directed at the content of speech. In cases in
28 which verbal statements and other forms of expression are involved, Minnesota State Colleges
29 and Universities will give due consideration to an individual’s constitutionally protected right
30 to free speech and academic freedom. However, discrimination and harassment are not within
31 the protections of academic freedom or free speech. The system office, colleges, and
32 universities shall maintain and encourage full freedom, within the law, of expression, inquiry,
33 teaching and research. Academic freedom comes with a responsibility that all members of

34 our education community benefit from it without intimidation, exploitation or coercion.

35
36 This policy shall apply to all individuals affiliated with Minnesota State Colleges and
37 Universities, including but not limited to, its students, employees, applicants, volunteers,
38 agents, and Board of Trustees, and is intended to protect the rights and privacy of both the
39 complainant and respondent and other involved individuals, as well as to prevent retaliation or
40 reprisal. Individuals who violate this policy shall be subject to disciplinary or other corrective
41 action.

42
43 This policy supersedes all existing system, college, and university equal opportunity and
44 nondiscrimination policies.

45
46 **Part 2. Definitions.**

47
48 **Subpart A. Consensual Relationship.** Consensual relationship means a sexual or romantic
49 relationship between two persons who voluntarily enter into such a relationship. Employees
50 who are members of the same household should also refer to Board Policy 4.10, Nepotism.

51
52 **Subpart B. Discrimination.** Discrimination means conduct that is directed at an individual
53 because of his or her protected class and that subjects the individual to different treatment by
54 agents or employees so as to interfere with or limit the ability of the individual to participate
55 in, or benefit from, the services, activities, or privileges provided by the system or colleges
56 and universities or otherwise adversely affects the individual's employment or education.

57
58 **Subpart C. Discriminatory harassment.** Discriminatory harassment means verbal or
59 physical conduct that is directed at an individual because of his or her protected class, and that
60 is sufficiently severe, pervasive, or persistent so as to have the purpose or effect of creating a
61 hostile work or educational environment.

62
63 As required by law, Minnesota State Colleges and Universities further defines sexual
64 harassment as a form of sexual discrimination which is prohibited by state and federal law.
65 Sexual harassment includes unwelcome sexual advances, requests for sexual favors, sexually
66 motivated physical conduct, and other verbal or physical conduct of a sexual nature when:

- 67 1. Submission to such conduct is made either explicitly or implicitly a term or condition
68 of an individual's employment or education, evaluation of a student's academic
69 performance, or term or condition of participation in student activities or in other
70 events or activities sanctioned by the college or university; or
- 71 2. Submission to or rejection of such conduct by an individual is used as the basis for
72 employment or academic decisions or other decisions about participation in student
73 activities or other events or activities sanctioned by the college or university; or
- 74 3. Such conduct has the purpose or effect of threatening an individual's employment;
75 interfering with an individual's work or academic performance; or creating an
76 intimidating, hostile, or offensive work or educational environment.

77 **Subpart D. Employee.** Employee means any individual employed by Minnesota State

78 Colleges and Universities, including all faculty, staff, administrators, teaching assistants,
79 graduate assistants, residence directors and student employees.

80
81 **Subpart E. Protected Class.** For purposes of this policy:

- 82 1. Protected class includes- race, sex, color, creed, religion, age, national origin,
83 disability, marital status, status with regard to public assistance, sexual orientation,
84 gender identity, or gender expression. In addition, [familial status and](#) membership or
85 activity in a local human rights commission ~~are is a~~ protected classes in employment.
- 86 2. This policy prohibits use of protected class status as a factor in decisions affecting
87 education and employment where prohibited by federal or state law.

88
89 **Subpart F. Retaliation.** Retaliation includes, but is not limited to, intentionally engaging in
90 any form of intimidation, reprisal or harassment against an individual because he or she:

- 91 a) made a complaint under this policy;
- 92 b) assisted or participated in any manner in an investigation, or process under this policy,
93 regardless of whether a claim of discrimination or harassment is substantiated;
- 94 c) associated with a person or group of persons who are disabled or are of a different
95 race, color, creed, religion, sexual orientation, gender identity, gender expression, or
96 national origin; or
- 97 d) Made a complaint or assisted or participated in any manner in an investigation or
98 process with the Equal Employment Opportunity Commission, the U.S. Department
99 of Education Office for Civil Rights, the Minnesota Department of Human Rights or
100 other enforcement agencies, under any federal or stated nondiscrimination law,
101 including the Civil Rights Act of 1964; Section 504 of the Rehabilitation Act of 1973;
102 the Minnesota Human Rights Act, Minn. Stat. Ch. 363A, and their amendments.

103
104 Retaliation may occur whether or not there is a power or authority differential between the
105 individuals involved.

106
107 **Subpart G. Sexual harassment and violence as sexual abuse.** Under certain
108 circumstances, sexual harassment or violence may constitute sexual abuse according to
109 Minnesota law. In such situations, the system office and colleges and universities shall
110 comply with the reporting requirements in Minnesota Statutes Section 626.556 (reporting of
111 maltreatment of minors) and Minnesota Statutes Section 626.557 (Vulnerable Adult
112 Protection Act). Nothing in this policy will prohibit any college or university or the system
113 office from taking immediate action to protect victims of alleged sexual abuse. Board Policy
114 1B.3 Sexual Violence addresses sexual violence.

115
116 **Subpart H. Student.** For purposes of this policy, the term “student” includes all persons
117 who:

- 118 1. Are enrolled in one or more courses, either credit or non-credit, through a college
119 or university;
- 120 2. Withdraw, transfer or graduate, after an alleged violation of the student conduct
121 code;

3. Are not officially enrolled for a particular term but who have a continuing relationship with the college or university;
4. Have been notified of their acceptance for admission or have initiated the process of application for admission or financial aid; or
5. Are living in a college or university residence hall although not enrolled in, or employed by, the institution.

Part 3. Consensual Relationships. An employee of Minnesota State Colleges and Universities shall not enter into a consensual relationship with a student or an employee over whom he or she exercises direct or otherwise significant academic, administrative, supervisory, evaluative, counseling, or extracurricular authority or influence. In the event a relationship already exists, each college and university and system office shall develop a procedure to reassign evaluative authority as may be possible to avoid violations of this policy. This prohibition does not limit the right of an employee to make a recommendation on personnel matters concerning a family or household member where the right to make recommendations on such personnel matters is explicitly provided for in the applicable collective bargaining agreement or compensation plan.

Part 4. Retaliation. Retaliation as defined in this policy is prohibited in the system office, colleges and universities. Any individual subject to this policy who intentionally engages in retaliation shall be subject to disciplinary or other corrective action as appropriate.

Part 5. Policies and procedures. The chancellor shall establish procedures to implement this policy. The equal opportunity and nondiscrimination in employment and education policy and procedures of colleges and universities shall comply with Board Policy 1B.1 and Procedure 1B.1.1.

Date of Adoption: 9/20/94

Date of Implementation: 9/20/94

Date & Subject of Revisions:

1/28/15 – Amended to include familial status as a protected class protected from discrimination in employment.

5/15/13 - Amended a technical error in 1B.1, Part 2, Subpart C3, changing "purpose and effect" to "purpose or effect" to be consistent with the requirement of state and federal law and with Board Policy 1B.1, in the first section of Part 2.

11/14/12 - Amended the name of the policy to include equal opportunity. Amended policy by expanding language on equal opportunity; adding gender expression and gender identity as protected classes protected from discrimination; specifically prohibiting retaliation on the basis of participation in a discrimination complaint under state or federal law; modifying the definition of student for purposes of the policy; and other changes to streamline or clarify language. Amendments take effect upon adoption.

6/21/06 - Amended policy to streamline and clarify language. Part 3 was amended to prohibit relations between employees and students or employees over whom the employee exercises direct or significant authority or influence. Amendments do not take effect until November 1, 2006.

12/20/95 - Added everything after the first paragraph.

There is no additional HISTORY for policy 1B.1.