

# Chapter 5: Administration

## 5.9 Biennial and Annual Operating Budget Planning and Approval

### POLICY

#### Part 1. Purpose

The board is committed to long-term stewardship of state fiscal resources. It is the policy of the board to approve biennial budget requests and annual all funds operating budget plans for colleges, universities, and the system office.

#### Part 2. Authority

Minn. Stat. § 16A.10 states that in each even-numbered year, an agency must file its upcoming biennial budget request. Under Minn. Stat § 136F.06, the board has plenary authority to govern the colleges and universities and to adopt suitable policies for the institutions.

#### Part 3. Policy

##### Subpart A. Development of a biennial budget request

The chancellor shall develop a biennial operating budget request for the system after consultation with constituency groups.

The board shall approve the biennial budget request.

##### Subpart B. Development of all funds operating budgets

The chancellor shall provide a financial outlook and issue guidelines for preparation of an operating budget to be developed by each college or university.

The colleges, universities, and the system office shall prepare balanced budgets consistent with board policies and system procedures.

The board shall approve the systemwide annual all funds operating budget.

#### Part 4. Accountability/Reporting

The chancellor is responsible for monitoring the system, system office, and college and university budgets. The chancellor shall provide budget updates for all funding sources on an exception reporting basis.

The president is responsible for monitoring the college or university budget to ensure accuracy and a balanced budget.

#### Part 5. Student Consultation

College and university budget development is subject to student consultation requirements as defined by board policy.

## 5.10 Reserves and Year-End Fund Balances

### POLICY

**Part 1. Authority.** Pursuant to *Minnesota Statute 136F.06, subd. 1 (see related documents below)*, the board shall possess all powers necessary to govern the state colleges and universities and all related property. Those powers shall include adopting suitable policies for the institutions it governs. **Board Policy 7.1**, Finance and Administrative Authority of Board, Chancellor and Presidents, delegates authority to the chancellor to develop procedures and guidelines which implement the board's policies for the administrative and financial management of the system, including all colleges and universities.

**Part 2. Overview** It is the policy of the board that the Minnesota State Colleges and Universities shall maintain an appropriate portion of general fund balances designated as a reserve for which no use is presently planned.

**Part 3. Accountability/Responsibilities** The system office is responsible for maintaining a portion of the overall system resources as a system reserve. The office may maintain a system general fund reserve of up to two percent of the annual Minnesota State Colleges and Universities state appropriation, which can be used at the discretion of the chancellor.

The president at each college and university is responsible for maintaining a portion of the college or university resources as a reserve. A college or university general fund reserve should be five to seven percent of the previous year's general fund operating revenues.

## 5.11 Tuition and Fees

### POLICY

## Part 1. Policy objectives

The tuition and fees policy of Minnesota State seeks to balance five values:

1. **Affordable access to higher education:** Minnesota State will champion a quality affordable higher education that all Minnesotans can access.
2. **Sustainability:** Minnesota State seeks to provide the resources needed for colleges and universities to support quality higher education and long-term financial viability.
3. **Equity:** Minnesota State students taking similar academic programs are charged similar rates across Minnesota State colleges and universities.
4. **Transparency:** Minnesota State students will know what they are paying for and how their total tuition and fee charges are calculated.
5. **Flexibility for innovation and emerging markets:** Minnesota State seeks to support the flexibility to be innovative, respond to the marketplace, and address emerging program and course development requirements.

## Part 2. Authority

Minnesota Statutes §136F.06, Powers and Duties, and Minnesota Statutes §136F.70, Tuition; Fees; Activities Funds provide that the board shall set tuition and fees and adopt suitable policies for the colleges and universities it governs. All colleges and universities shall charge tuition and fees consistent with Minnesota Statutes, board policies, and system procedures. The board shall approve the tuition and fee structure for all colleges and universities.

The chancellor may establish limits on tuition and fee rate increases that are presented to the board as part of the annual operating budget. The chancellor or designee is authorized to make any necessary technical adjustments to the tuition rates and fees. Technical adjustments are defined as changes in tuition and fee rates which are deemed a correction or the addition of a program rate for a new program established in the interim.

## Part 3. Tuition

Tuition shall be charged by all colleges and universities. The tuition categories are:

1. Per credit
2. Banded
3. Differential course and program
4. Market driven

Each tuition category may include resident, reciprocity, and nonresident rates. All tuition must be identified separately on a tuition and fee statement.

Colleges and universities have the option to create guaranteed tuition rates for undergraduate programs.

## Part 4. Authorization and notice.

### Subpart A. Authorization of required and campus discretionary fees.

The board authorizes the following four categories of fees to be charged to Minnesota State students. The amount of the fees and how they are charged are determined by a college or university, subject to Minnesota statutes and board policy.

1. Required fees are in statute or established by board policy and are required to be charged by all colleges and universities.
2. Campus discretionary fees are established by board policy and adopted at campus discretion.
3. Personal property charges, service charges, and assessments are established by board policy and adopted at campus discretion.
4. Revenue Fund fees are established in accordance with statutes, board policy, and bond indenture.

### Subpart B. Notice required

All fees must be identified separately on a tuition and fee statement. On an annual basis, colleges and universities shall publish all fees that are charged to their students.

## Part 5. Fees

### Subpart A. Required fees

There are five required fees:

1. Senior citizen fee in lieu of tuition
2. Parking fee, permits, or charges
3. Late fee
4. Payment plan fee

5. Statewide student association fee

All colleges and universities shall charge these fees consistent with Minnesota Statutes, board policies, and system procedures.

**Subpart B. Campus discretionary fees**

The board authorizes the campus discretionary fee categories and approves the fee maximums. The system office shall review, report, and make recommendations to the board regarding fee maximum levels every two years.

The authorized campus discretionary fees are:

- 1. Application fee
- 2. Credit for prior learning assessment fee
- 3. Student life/activity fee
- 4. Athletics fee
- 5. Health services fee
- 6. Special events fee
- 7. Residential learning community fee
- 8. Technology fee
- 9. New student orientation fee

**Subpart C. Personal property charges, service charges, and assessments.**

Colleges and universities may charge students the cost of property retained by the student and services received by the student. The allowable charge must be based on actual costs. Colleges and universities may also assess charges to discourage certain behaviors.

**Subpart D. Revenue fund facility fees.** Adequate fees must be charged for the use of revenue fund facilities to meet the requirements of Minnesota Statutes §136F.93 and 136F.95 and the Master Indenture of Trust. The fees must be sufficient to cover debt, operating cost and all repair and replacement costs, and reserves.

There are two types of revenue fund fees:

- 1. Revenue fund fees. Colleges and universities shall charge revenue fund fees for facilities that were constructed, renovated or acquired using revenue bonds or facilities that the board designated as part of the revenue fund. Revenue fund fees include but are not limited to:
  - a. Room and board fees
  - b. Student union facilities fees

- c. Wellness center and recreation facility fees
- d. Parking ramp and surface lot facility fees
- e. Other revenue fund fees for eligible projects as may be approved by the board

- 2. Revenue fund fees charged for use of facilities. Colleges and universities shall charge fees for the use of revenue fund facilities, which must be reported to the board as part of the annual operating budget. On an annual basis, colleges and universities shall publish all fee schedules or explanation of fees that are charged to their students for revenue fund facilities. Revenue fund fees include but are not limited to event or facility usage fees, service charges, and equipment charges. The president of the college or university shall have final approval on all fees and subsequent rates for the use of revenue fund facilities.

**Part 6. Student Consultation**

All tuition and fees are subject to student consultation requirements as defined by board policy.

**5.12 Tuition and Fee Due Dates, Refunds, Withdrawals, and Waivers**

**POLICY**

**Part 1. Purpose**

To provide management and guidance on tuition and fee due dates, refunds, withdrawals, and waivers.

**Part 2. Authority**

Policy 1A.1, Part 6, Subpart A states that the board is authorized by Minnesota Statute §136F.06 to adopt suitable policies for the institutions it governs.

**Part 3. Tuition and Fee Due Date**

Colleges and universities shall follow the tuition and fees payment due date framework as authorized by system procedure. Colleges and universities shall drop all courses for students who have not met the minimum payment requirement, do not have a financial aid deferment, or have not established a payment plan. An extension of the payment due date must be granted to students who have filed and are awaiting approved

financial aid from federal, state or other third-party sources.

Colleges and universities shall inform a student that has received a financial aid deferment that they will remain registered and financially obligated for the tuition and fees even if they do not receive financial aid.

The president or designee may grant short-term tuition and fee payment deferrals in cases where, due to exceptional circumstances, a student needs additional time to arrange third-party financing or otherwise satisfy a tuition and fee balance due.

#### **Part 4. Payment Plans**

Colleges and universities shall provide payment plans for students, permitting them to pay their tuition and fees after the due date. Colleges and universities shall assess a fee for payment plans to cover the costs of processing payments consistent with this policy.

#### **Part 5. Refunds for Dropped Courses**

Students may attend at least one class session for each registered, credit-based course without obligation. Refunds for courses dropped by the established deadline will be issued as authorized by the system procedure on refunds.

Students are financially obligated for tuition and fees if withdrawing from a course after the established deadline to drop courses. Students may petition the college or university to apply the amount of the tuition and fees from a course withdrawal to the cost of an added course for the current academic term.

#### **Part 6. Waivers**

The president or designee may waive amounts due to the college or university as authorized by the system procedure on waivers.

Each college or university shall define the terms under which any authorized waiver will be granted. The college or university shall document the reason for all waivers. The college or university cannot waive the MSUSA or MSCSA student association fee. However, a college or university may elect to pay the fee on behalf of a student who qualifies for an approved tuition or fee waiver.

Colleges and universities shall, in consultation with students, develop guidelines to implement this policy. These guidelines must be available to students.

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#### **Part 7. Accountability and Reporting**

Colleges and universities shall maintain records on refunds, drops, withdrawals, nonattendance, and waivers to ensure accountability and accurate reporting in accordance with applicable procedures.

### **5.13 Information Technology Administration**

#### **POLICY**

**Part 1. Policy Statement.** It is the policy of the Board in accordance with the system's mission to disseminate and extend knowledge, to foster the free exchange of ideas, and to provide effective support for its teaching, research and public service functions. Appropriate access will be afforded to information technology resources, including but not limited to computers, software, e-mail accounts, internet access, and similar computing tools, for students, faculty and staff for fulfilling the missions, and for appropriate related activities.

**Part 2. Responsibilities.** The chancellor shall develop an information technology strategic plan for approval by the Board and prescribe data, applications, security, and technology standards in order to ensure the effectiveness, efficiency, timeliness, and accuracy of information gathered, stored and utilized by the system office, colleges, and universities. Each college and university shall ensure that the information technology planning components of its strategic plan are aligned with system planning goals.

Each college and university shall adopt a policy on computer and network system use and security.

**Part 3. Accountability/Reporting.** The chancellor periodically shall provide an update to the Board on the implementation of the system information technology strategic plan.

### **5.14 Contracts, Procurements, and Supplier Diversity**

#### **POLICY**

#### **Part 1. Authority**

Pursuant to Minn. Stat. §136F.581, the board has authority for contracts and purchases consistent with

Minn. Stat. §471.345, the Uniform Municipal Contracting Law, and other pertinent statutes, as well as the authority to utilize any contracting options available to the commissioner of administration under Minn. Stat. Chapters 16A, 16B, and 16C.

## **Part 2. Policy Statement**

Minnesota State serves as a good steward of tuition funds, state appropriations, and other resources entrusted to it by Minnesotans and the students we serve. In that pursuit, system contracting and procurement practices and processes shall be transparent and fair, consistent with the authorities afforded in state statute.

Minnesota State is committed to creating and maintaining a supply chain that resembles the diversity of the students and communities it serves. The Board supports the use of its purchasing power to enhance and optimize business and contracting opportunities for historically underutilized businesses. For the purposes of this policy, Targeted Businesses (TGBs) are defined as Minority-owned (MBE) and Women-owned businesses (WBE) pursuant to Minn. Stat. 16C.16 Subd. 5.

## **Part 3. Responsibilities**

The colleges, universities, and system office are responsible for procurement of necessary goods and services and the implementation of contracts that maximize the use of financial resources.

The Minnesota State procedures for procurement and contracts shall be consistent with Minn. Stat. §471.345, the Uniform Municipal Contracting Law, as applicable, and in compliance with other pertinent state and federal laws. The procedures shall provide detailed instructions for campus and system implementation.

## **Part 4. Accountability/Reporting**

### **Subpart A. Compliance**

College and university presidents will be held accountable by the chancellor for complying with state and federal laws, board policy, and system-wide procedures for all purchases and contracts.

### **Subpart B. Contract form approval**

Any contracts or other legally binding agreements, including grant agreements, or memorandums of understanding/agreement that create legally binding obligations and responsibilities, that do not adhere to system approved contract templates must be approved

in advance by the Office of General Counsel or Attorney General's Office.

## **Subpart C. Board approval required**

1. Any procurement, lease agreement, or professional/technical/consulting service contract with a value in excess of \$1,000,000 or contract amendment that would increase the total value of a contract to more than \$1,000,000 must be approved in advance by the board.
2. The following contracts and agreements must be approved in advance by the board if the total value of the initial contract/agreement and/or subsequent amendments exceeds \$3,000,000:
  - a. Inter-agency agreements;
  - b. Joint powers agreements;
  - c. System master contracts if the total purchases made for goods or services under the master contract are expected to exceed \$3,000,000; individual purchase orders made under a system master contract approved by the board are not subject to separate Board approval;
  - d. Grant agreements other than federal grants or grants from Minnesota state agencies.
3. Joint powers agreements that create a joint powers board, regardless of the dollar value, must be approved in advance by the Board.

## **Subpart D. Five-year limit**

Contracts, including real property leases, must not exceed five years, including renewals, unless a longer period is otherwise provided for by law, or approved by the board for contracts subject to approval under Subpart C, or by the chancellor or the chancellor's designee.

## **Subpart E. Exemptions**

The following contracts are not subject to the approval process under Subpart C:

1. Design and construction contracts associated with projects approved by the Board as part of a capital bonding request or revenue bond sale.

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2. Purchase orders made under a master contract of the Minnesota Department of Administration or MnIT.
3. Federal grants and grants from Minnesota state agencies.
4. On-going Utility Contracts for colleges and universities where the area provider is the only feasible source of services such as electricity, gas, and other energy sources (steam, propane, or fuel oil).

#### **Subpart F. Reports**

Semiannual reports on all contracts with values greater than \$1,000,000, except those listed in Subpart E, must be provided to the board's finance committee and available on the system's website.

### **5.15 Fund Raising**

#### **POLICY**

**Part 1. Policy Statement.** It is the policy of the Board of Trustees that any college, university, and the system office conducting fund raising and/or gambling events shall do so in accordance with the following principles and guidelines.

#### **Part 2. Fundraising Principles and**

**Guidelines.** Organizations whose primary activity is to solicit funds publicly on behalf of the Minnesota State Colleges and Universities or its institutions shall obtain the approval of the chancellor for the system office and the president for a college or university before using the college's or university's name or facilities to solicit funds. If a foundation has a signed contract in place between the foundation and the college or university it supports, no further approval is required.

Organizations whose primary activity is not fundraising but which occasionally provide funds to the Minnesota State Colleges and Universities are not covered by these guidelines unless their fundraising efforts involve the use of the college or university's name and facilities. However, the Minnesota State Colleges and Universities neither endorse nor disapprove efforts by private sector groups to engage in such fundraising activities when those activities are associated with the sale of goods and services.

The relationship of the Minnesota State Colleges and Universities to fundraising efforts for intercollegiate athletics shall be in strict compliance with applicable rules and regulations of any intercollegiate athletic association or conference of which the college or university is a member.

**Part 3. Gambling.** Except as provided in this policy, no gambling or betting, as commonly understood and/or defined in Minnesota Statutes, Chapter 609.75-609.76 is allowed on college, university or system property.

Raffles are not prohibited by this policy if:

- a) The raffle is conducted by a college, university, or system office, or related groups; and
- b) Prizes are donated by an individual, firm or other organization such as foundations and auxiliary boosters; and
- c) The raffle meets the requirements of Minnesota Statutes section 349.166.

**Part 4. Accountability/Reporting.** An annual accounting will be provided to the Board of Trustees of the receipt and disposition of funds or gifts-in-kind contributed to the system, colleges or universities as provided for in **Board Policy 7.7**, Gifts and Grants Acceptance.

### **5.16 Risk Management and Insurance**

#### **POLICY**

**Part 1. Policy Statement.** It is the policy of the Board of Trustees that the system office, colleges, and universities will obtain property and casualty insurance as appropriate either through the State's Risk Management Program and/or other authorized and applicable programs.

**Part 2. Responsibilities.** The chancellor for the system office and the presidents for the colleges and universities are responsible for effectively managing risks in order to conserve and manage the assets of the system office, colleges and universities and minimize the adverse impacts of risks or losses.

**Part 3. Accountability/Reporting.** The Board of Trustees will be updated on an exception-based reporting system on the risk management and insurance coverages of the system office, colleges, and universities.

## 5.17 Commitment to Environmental Sustainability

### POLICY

#### Part 1. Policy Statement

Minnesota State is committed to principles of environmental sustainability in the operation of college and university campuses and their academic and student support programs. The Board of Trustees promotes reduction of carbon dioxide emissions, energy and water conservation and efficiency, reduction of solid waste, alternative transportation options, sustainable food and dining practices, conservation and protection of the natural environment, and pollution prevention and mitigation, striving to meet and—where practicable—exceed obligations under law and executive orders.

#### Part 2. Responsibilities

The chancellor, in concert with college and university presidents, shall develop procedures and initiatives that reflect long-term environmental stewardship of the campuses and surrounding environment. The chancellor shall develop facilities planning guidelines, design and construction standards, and energy conservation, and procurement procedures as well as academic, service learning and student support programs that strive to reduce dependence on fossil fuels and provide long-term stewardship of campus and community resources.

College and university presidents shall develop and implement campus-based initiatives in support of these practices, and identify and report accomplishments consistent with Part 3.

#### Part 3. Accountability

Colleges, universities, and the system office shall appoint a staff member for sustainability issues and facilitate development and implementation of campus-based initiatives. The staff member shall maintain records regarding recycling, energy and water consumption and conservation, and pollution prevention efforts and shall monitor and communicate programs, initiatives and curriculum addressing sustainability. The system office and each college and university shall report progress and accomplishments periodically to the Board.

## 5.18 Alcoholic Beverages or Controlled Substances on Campus

### POLICY

**Part 1. Policy Statement.** It is the policy of the Board of Trustees that any college or university using alcohol and/or controlled substances will do so only in accordance with this policy.

#### Part 2. Use or Possession of Alcohol and Controlled Substances at Minnesota State Colleges and Universities and System Office.

- A. Compliance with Federal Law. In order to comply with Federal law, including, but not limited to, the Drug-Free Schools and Communities Act (34 CFR Part 86), the Drug-Free Workplace Act (34 CFR Part 85) and the Campus Security Act, the Minnesota State Colleges and Universities system office will adopt and implement a policy which is designed to prevent abuse of alcohol and the use of controlled substances.
- B. Compliance with State Law ([see related documents below](#)). Minnesota State Colleges and Universities prohibit unlawful use, possession, production, manufacture, and distribution of alcohol and other drugs and controlled substances.
- C. Policy. Except as provided in this policy, the possession, use, sale or distribution of alcoholic beverages and 3.2% malt liquor at Minnesota State Colleges and Universities and institution-sponsored events on or off campus is prohibited.
- D. Exception for Instructional Purposes. Use of alcohol in laboratory and classroom instruction/experiments is not prohibited.

**Part 3. Responsibilities.** The chancellor for the system office and the president for the college or university are delegated authority to approve use of alcohol at specific special events on campus or college or university sponsored events off campus. Approval shall be consistent with the system office or campus drug and alcohol policy and with system procedures. The procedures shall address the following: compliance with local ordinances and state law relating to sale, possession or consumption of alcohol; providing adequate dram shop/public liability insurance; and any other matters deemed necessary by the chancellor.

**Part 4. Accountability/Reporting.** Records regarding approval of the use of alcohol at specific events shall be maintained by the college or university in accordance with approved records retention schedules.

## 5.19 Travel Management

### POLICY

**Part 1. Authority.** Pursuant to Minnesota Statutes section 136F.42, subd. 2 ([see related documents below](#)), the Board of Trustees may adopt policies for the colleges and universities to approve and administer travel arrangements, other than reimbursement, for employees and students on campus, and for the system office to provide the same services for employees in that office.

**Part 2. General Responsibilities.** The Board of Trustees delegates authority to the chancellor for systemwide travel management. System procedures providing standard guidelines and processes shall be followed to fund authorized travel at state expense when such travel is necessary to conduct official business and to promptly reimburse employees for expenses incurred.

**Part 3. Responsibility and Accountability.** The employee is responsible for complying with Minnesota State Colleges and Universities travel policy and procedures, the employee's respective bargaining agreement or compensation plan, state laws, federal laws, and IRS guidelines and for accurately completing all required forms for reimbursement of authorized official business travel expenses. The employee's supervisor is responsible for reviewing and approving all travel requests and expenses.

## 5.20 Special Expenses and Chancellor/Presidential Expense Allowances

### POLICY

**Part 1. Objective.** An expense account may be established for the chancellor and the presidents as listed below. The amounts specified are annual expenditure limits:

Chancellor	\$10,000
Colleges with two or more campuses and all universities	\$8,000
Colleges with a single campus	\$5,000

(Expenses of center directors/campus administrators are to be included with the expenses of the president.)

**Part 2. Scope.** The expense account shall be used for expenses related to the performance of duties and responsibilities for which no other reimbursement is provided. System procedures on allowable expenditures from the account shall apply.

**Part 3. Accounting.** Each expenditure made from this account shall be accounted for, subject to review by the system office and to periodic post-audit.

## 5.21 Possession or Carry of Firearms

### POLICY

Click here for the Office of General Counsel's Frequently Asked Questions about [How the "Conceal and Carry" Law Effects Minnesota State Colleges and Universities](#)

**Part 1. Purpose and Scope.** The purpose of this policy is to establish restrictions on possession or carry of firearms applicable to the Minnesota State Colleges and Universities System, in accordance with the Minnesota Citizens' Personal Protection Act of 2003, Minnesota Statutes section 624.714, and other applicable law (see related documents below).

### Part 2. Definitions.

**Subpart A. Employee.** "Employee" means any individual employed by Minnesota State Colleges and Universities, its colleges and universities and the system office, including student employees.

**Subpart B. Firearm.** "Firearm" means a gun, whether loaded or unloaded, that discharges shot or a projectile by means of an explosive, a gas or compressed air.

**Subpart C. Pistol.** "Pistol" means a weapon as defined in Minnesota Statutes section 624.712, subd. 2 (see related documents below).

**Subpart D. Student.** "Student" means an individual who is:

1. registered to take or is taking one or more courses, classes, or seminars, credit or noncredit, at any system college or university; or
2. between terms of a continuing course of study at the college or university, such as summer break between spring and fall academic terms; or
3. expelled or suspended from enrollment as a student at the college or university, during the pendency of any adjudication of the student disciplinary action.

**Subpart E. System property.** "System property" means the facilities and land owned, leased, or under the primary control of Minnesota State Colleges and Universities, its Board of Trustees, system office, colleges, and universities.

**Subpart F. Visitor.** "Visitor" means any person who is on system property, but does not include (1) an employee of the Minnesota State Colleges and Universities acting in the course and scope of their employment; or (2) a student, when that student is on system property.

**Part 3. General.** No person is permitted to carry or possess a firearm on system property except as provided in this policy.

#### **Subpart A. Employees.**

1. **Prohibition.** Employees are prohibited from possessing or carrying a firearm while acting in the course and scope of their employment, either on or off system property, regardless of whether the employee has a permit to carry a firearm, except as otherwise provided in this policy.
2. **Employee reporting responsibility.** An employee with a reasonable basis for believing an individual is in possession of or carrying a firearm in violation of this policy has a responsibility to report the suspected act in a

timely manner, unless doing so would subject the employee or others to physical harm. Reports should be made to the official designated in the applicable policy of the college, university or system office. This policy shall not prohibit prompt notification to appropriate law enforcement authorities when an immediate threat to personal safety exists. Employees shall not make reports of a suspected violation knowing they are false or in reckless disregard of the truth.

**Subpart B. Students.** Students are prohibited from possessing or carrying a firearm while on system property, regardless of whether the student has a permit to carry a firearm, except as otherwise provided in this policy.

**Subpart C. Visitors.** Visitors are prohibited from possessing or carrying a firearm while on system property, except as otherwise provided in this policy.

#### **Part 4. Exceptions.**

**Subpart A. Parking areas.** This policy does not prohibit the lawful possession or carry of firearms in a parking area or parking facility.

**Subpart B. Authorized uses.** This policy does not prohibit:

1. Lawful possession or carry related to an academic use or use at a campus shooting range, such as law enforcement programs, approved in writing by the college or university president; or
2. Transport of an unloaded firearm directly between a parking area or parking facility and the location authorized for its use, or transport of an unloaded firearm directly between a parking area or parking facility and a storage facility provided by the college or university.
3. Possession or carry of a pistol by a visitor who has a lawful permit to carry a pistol pursuant to Minnesota Statutes section 624.714, subd. 1a (see related documents below).
4. Possession or carry of a firearm by a licensed peace officer under Minnesota Statutes section 626.84, subd.1(c) or by a qualified law enforcement officer pursuant to 18 United

States Code section 926B (see related documents below), when possession or carry is otherwise authorized by law.

Nothing in this policy requires a college or university to provide storage facilities for employees' or students' weapons.

**Part 5. Storage in State Vehicles Prohibited.** No vehicle owned, leased, or otherwise under the control of the system shall be used to store or carry a firearm, except as authorized for purposes under part 4.B.1.

**Part 6. Violations.** Violations of this policy by students or employees are misconduct subject to discipline, up to and including expulsion or termination.

**Part 7. Referral to Law Enforcement.** Minnesota State Colleges and Universities may refer suspected violations of law to appropriate law enforcement authorities, and provide access to investigative or other data as permitted by law.

**Part 8. Effect.** In the event any other system, college, university or system office policy or procedure is found to be in conflict with this policy, the terms of this policy shall govern.

## 5.22 Acceptable Use of Computers and Information Technology Resources

### POLICY

#### Policy Statement

Computer and information technology resources are essential tools in accomplishing the mission of Minnesota State Colleges and Universities and its individual colleges and universities. These resources must be used and managed responsibly in order to ensure their availability. This policy establishes responsibilities for acceptable use of Minnesota State Colleges and Universities information technology resources.

#### Part 1. Purpose

##### Subpart A. Acceptable use

System information technology resources are provided for use by currently enrolled system students, administrators, faculty, employees, and other authorized users. System information technology resources are the property of Minnesota State Colleges

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and Universities, and are provided for the direct and indirect support of the system's educational, research, service, student and campus life activities, administrative and business purposes, within the limitation of available system technology, financial, and human resources. The use of Minnesota State Colleges and Universities information technology is conditioned on adherence to this policy and any procedures or guidelines adopted pursuant to this policy.

#### Subpart B. Academic freedom

Nothing in this policy shall be interpreted to expand, diminish, or alter academic freedom articulated under Board policy and system collective bargaining agreements, or the terms of any charter establishing a system library as a community or public library.

#### Part 2. Applicability

This policy applies to all users of system information technology, whether or not the user is affiliated with Minnesota State Colleges and Universities, and to all uses of system information technology, wherever located.

Minnesota State Colleges and Universities is not responsible for any personal or unauthorized use of its system information technology or the security of personal data or devices on or using system information technology resources.

#### Part 3. Definitions

##### System

The Board of Trustees, the system office, the colleges and universities, and any part or combination thereof.

##### System information technology

All system facilities, technologies, and information resources used for information processing, transfer, storage and communications. This includes, but is not limited to, computer hardware and software, computer labs, classroom technologies such as computer-based instructional management systems, and computing and electronic communications devices and services, such as modems, e-mail, networks or use of a network via a physical or wireless connection, telephones, voicemail, facsimile transmissions, video, mobile computing devices, and multimedia materials.

##### Transmit

To send, store, collect, transfer, or otherwise alter or

affect information technology resources or data contained therein.

#### **User**

Any individual, including, but not limited to, students, administrators, faculty, employees, and volunteers using system information technology in any manner, whether or not the user is affiliated with Minnesota State Colleges and Universities.

#### **Part 4. Scope**

##### **Subpart A. Procedures**

The chancellor shall adopt procedures under this policy, including, but not limited to: security; employee use consistent with Minn. Stat. § 43A.38 and other applicable law; monitoring; unauthorized uses; and other limitations on use.

##### **Subpart B. Sanctions**

Users who violate this policy or related system, college, or university procedures shall be subject to disciplinary action through appropriate channels. Violations may be referred to appropriate law enforcement authorities consistent with applicable law and procedures.

### **5.23 Security and Privacy of Informational Resources**

#### **POLICY**

**Part 1. Policy Statement.** Minnesota State Colleges and Universities is committed to protecting the security and privacy of its information resources and to make information accessible to fulfill its mission of providing high quality higher education. The system shall maintain the confidentiality, integrity and availability of information resources; ensure continuity of operations; prevent, control and minimize the impact of security incidents; and manage risks to those resources regardless of the storage medium, transmission or disposal methods. Each college and university and the system office shall adopt and implement privacy and security policies, procedures, plans, programs and training for its information resources consistent with applicable system policy, procedures and other applicable standards and state and federal law.

All users of Minnesota State Colleges and Universities system information resources are responsible for the privacy, security, and appropriate use of those

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resources over which they have authority, access or control, and for compliance with applicable laws, regulations, policies, procedures and other standards. Each college, university and the system office shall provide appropriate security awareness resources for its users.

**Part 2. Applicability.** This policy applies to all users of system information resources; and to all system information resources in any form or storage media, wherever located.

#### **Part 3. Definitions.**

**Subpart A. Access.** Access means the authority to view information, and when appropriate, insert, update, delete, or download information. Access shall be authorized to individuals or groups of users depending on the application of law or system policy or procedure. Technical ability to access information is not necessarily equivalent to legal authority.

**Subpart B. Information Resources.** Information resources means all data collected, created, received, maintained or disseminated by any Minnesota State Colleges and Universities user, regardless of its form, storage media or conditions of use.

**Subpart C. System.** System, or Minnesota State Colleges and Universities system, means the Board of Trustees, the state colleges and universities, the system office, and any part or combination thereof.

**Subpart D. User.** User means any individual, including but not limited to, students, administrators, faculty, other employees, volunteers, and other authorized individuals using system information resources, whether or not the user is affiliated with Minnesota State Colleges and Universities.

**Subpart E. Integrity.** Integrity means assuring that information is kept intact, and not lost, damaged or modified.

**Subpart F. Availability.** Availability means assuring that information is accessible to authorized users when needed.

**Subpart G. Confidentiality.** Confidentiality means assuring that information is accessible only as authorized.

#### **Part 4. Scope.**

**Subpart A. Procedures.** The chancellor shall adopt security and privacy procedures under this policy.

**Subpart B. Sanctions.** Users who violate this policy or related system, college or university procedures shall be subject to disciplinary action through appropriate channels. Violations may be referred to appropriate law enforcement authorities.

## 5.24 Safety and Security Compliance

### POLICY

**Part 1. Policy Statement.** Minnesota State Colleges and Universities is committed to creating and maintaining safe and secure environments in order to fulfill its mission of providing high quality higher education. Each college and university and the system office shall create, implement, and monitor appropriate plans, programs, procedures, and training consistent with applicable legal and professional standards, regulations and available resources to promote safety and security of individuals and system property. These measures include, but are not limited to, compliance with standards for security for individuals and system property; environmental health; occupational safety; and emergency management.

#### Part 2. Definitions.

**Subpart A. Security.** Actions, practices, procedures, processes, and programs associated with protecting individuals and the physical assets such as property, facilities, vehicles, equipment, and material on system property and operating locations from threat of or actual damage or loss.

**Subpart B. Environmental health.** Actions, practices, procedures, processes, and programs associated with preserving and protecting the natural environment (air, soil, and water) of system property and operating locations.

**Subpart C. Occupational safety.** Actions, practices, procedures, processes, and programs associated with protecting the health and well-being of employees in performing their assigned responsibilities on system property and operating locations.

**Subpart D. Emergency management.** Planning, organizing, coordination, integration, training and execution of efforts to prevent, minimize, respond to, Adopted at 6/3/21 FLW and 6/9/21 President's Cabinet

and recover from injury or damage resulting from natural or manmade disasters or other crisis situations.

**Subpart E. System property.** System property means the facilities and land owned, leased, or under the primary control of Minnesota State Colleges and Universities, its Board of Trustees, system office, colleges, and universities.

**Part 3. Applicability.** This policy applies to all employees and students of the Minnesota State Colleges and Universities system. To the extent that more than one standard is established for matters subject to this policy, the more stringent standard shall govern.

## 5.25 Use of Electronic Signatures

### POLICY

**Part 1. Policy Statement.** This policy authorizes colleges, universities, and the system office to use electronic signatures to conduct official business, to the extent such use meets the requirements of Minn. Stat. Ch. 325 L and other applicable law, board policy, and system procedure.

**Part 2. Definitions.** Terms used in this policy or in system procedure shall be interpreted consistent with Minn. Stat. Ch. 325L and other applicable law

**Subpart A. Authentication.** Authentication means the process used to ascertain the identity of a person or the integrity of specific information. Authentication ensures that the user applying an electronic signature is in fact who they say they are and is authorized to sign.

**Subpart B. Digital signature.** Digital signature means a type of electronic signature produced by two mathematically linked cryptographic keys, a private key used to sign, and a public key used to validate the signature. A digital signature is created when a person uses his or her private key to create a unique mark (called a "signed hash") on an electronic document.

**Subpart C. Digitized signature.** Digitized signature means a graphic image of a handwritten signature in any form, including facsimile.

**Subpart D. Electronic signature.** Electronic signature means a digital or digitized signature made by electronic sound, symbol or process that is attached to or logically

associated with a record and that is executed or adopted with the intent to sign the record.

**Subpart E. Electronic record.** Electronic record means any record that is created, received, maintained, and/or stored through electronic means, regardless of the method used to create that record. Examples of electronic records include, but are not limited to, electronic mail, word processing documents, spreadsheets, and databases.

**Part 3. Methodology to Reflect Level of Risk.** Prior to approving use of electronic signatures for any transaction category, a college, university, or the system office shall ensure that applicable legal requirements are met and that any operational risk is offset by the anticipated benefit, consistent with system procedure.

System procedure may provide for various methodologies, such as use of digital or digitized signatures, depending on the risks associated with the particular transaction, including fraud, repudiation, and financial loss. The quality and security of the electronic signature method must be commensurate with the risk and needed assurance of the authenticity of the signer, including whether to require a digital or digitized signature.

#### **Part 4. Authority and Responsibilities.**

**Subpart A. Procedures.** The chancellor shall adopt system procedures to implement this policy, meet all applicable legal requirements, and ensure practical and secure application of electronic signatures.

**Subpart B. Delegated authority.** Nothing in this policy is intended to authorize any individual to sign on behalf of the Board if he or she has not been granted such authority in accordance with board policy and system procedure.

**Subpart C. Use of other formats.** This policy shall not be construed to require use of electronic signatures by a college, university, or the system office, or to limit the right of a college, university, or system office to conduct official business on paper or in non-electronic form, or to affect the right of a college, university, or system office to have documents provided or made available on paper.

**Subpart D. Maintenance of electronic records.** Colleges, universities, or the system office may

maintain official records in an electronic format provided that the relevant record retention schedule is updated to reflect electronic record management and the college, university or system office has determined that the electronic records are trustworthy, complete, accessible, and durable.

#### **Part 5. Sanctions.**

Employees or students who falsify or misuse electronic signatures for college, university or system office transactions are subject to disciplinary action, up to and including termination or expulsion, and civil and criminal remedies.

## **5.26 Management of Enterprise System Data**

### **POLICY**

#### **Part 1. Policy**

Enterprise system data must be governed and managed as an asset for the purpose of protecting, delivering, and enhancing its value within Minnesota State colleges, universities, and system office. The Data Management Program for enterprise system data shall be established and maintained by the vice chancellor of information technology.

#### **Part 2. Definitions**

For purposes of this board policy, the following definitions apply:

##### **Data Management Program**

A program that comprises the processes, governance, policies, standards, and tools that consistently define and manage the essential data of an organization.

##### **Data governance**

Data governance is the exercise of authority, control, and shared decision making (planning, monitoring, and enforcement) over the management of enterprise system data assets.

##### **Enterprise system data**

Minnesota State electronic data collected, stored, transmitted, or maintained by the system office or a third party acting on behalf of the system office for the benefit of the colleges and universities within the Minnesota State system.

**Part 3. Authority, responsibilities and procedures**

The chancellor shall adopt system procedures to implement this policy to ensure adoption and application of a Data Management Program for enterprise system data.

The vice chancellor of information technology shall create a Data Governance Committee to recommend the adoption of system procedures and operating instructions for the management and governance of all enterprise system data.