MINNESOTA STATE COLLEGES AND UNIVERSITIES
BOARD OF TRUSTEES

Agenda Item Summary Sheet

Committee: Human Resources Committee  Date of Meeting:  May 19, 2009

Agenda Item: Personnel Plan for Minnesota State Colleges and Universities Administrators

☐ Proposed Policy Change  ☐ Approvals Required by Policy  ☑ Other Approvals ☐ Monitoring

☐ Information

Cite policy requirement, or explain why item is on the Board agenda:
Board approval of the proposed changes to the Plan is required prior to presenting it for approval by the Subcommittee on Employee Relations.

Scheduled Presenter(s):
Bill Tschida, Vice Chancellor for Human Resources

Outline of Key Points:
The following are the more significant proposed changes to the Plan:
• Unpaid Salary Savings Leave of Absence
• Severance Pay Modification Related to Position Reductions
• Salary Administration – Suspend Merit Increases

Background Information:
Proposed changes have been discussed among members of the Leadership Council.
BACKGROUND
The Personnel Plan for Minnesota State Colleges and Universities Administrators for 2009-2011 is being presented to the Board with its proposed changes.

RECOMMENDED COMMITTEE ACTION
The Human Resources Committee recommends that the Board of Trustees adopts the following motion.

RECOMMENDED MOTION
The Board of Trustees approves the Personnel Plan for Minnesota State Colleges and Universities Administrators for 2009-2011, and authorizes the Chancellor and his designees to take all measures they deem appropriate to secure legislative approval to implement the Plan.

Date of Board Action: May 20, 2009
Date of Approval: May 20, 2009
Date of Implementation: July 1, 2009
PERSONNEL PLAN
For
ADMINISTRATORS


As approved by the Board of Trustees on ______ and by the Legislative Subcommittee on Employee Relations on ______
Final approval and effective date ________
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1.00 APPLICATION

This Plan applies to all unclassified administrators of the Minnesota State Colleges and Universities as defined in Section 1.02 of this Plan, who are not covered under the terms of a collective bargaining agreement.
1.01 NON-DISCRIMINATION

The provisions of this Plan shall be applied equally without discrimination as to race, sex, creed, religion, color, national origin, age, disability, marital status, status with regard to public assistance, sexual orientation, or membership or activity in a local commission as defined by law. The Board is committed in accordance with its policies to ensuring an employment environment free of harassment and violence.
1.02 DEFINITIONS

**Subd. 1 Minnesota State Colleges and Universities Administrators**

“Administrators” are those unclassified employees in positions which meet the “managerial” definition outlined in Minnesota Statute §43A.02, Subd. 28. Administrators are staff who create or formulate, influence, or manage policy or direct the college/university system. Administrators make high level operating decisions in the college/university system or delegate such decisions to others.

Administrators include the Chancellor, presidents, vice presidents/deans, vice chancellors, associate vice chancellors, directors in the Office of the Chancellor, associate/professor, associate vice presidents/deans, deans/directors (academic/instructional programs), associate/director of the Office of the Chancellor, and other titles where the position has the same responsibilities. Additionally, administrators may include employees who:

(a) report directly to the Chancellor, president, vice president, vice chancellor, associate vice chancellor or directors in the Office of the Chancellor and who meet the test for “managerial employee”; or

(b) meet the test for a “managerial employee,” and are responsible for academic research, academic public service responsibilities including institutional relations, alumni and foundation activities; academic program administration or academic program outreach, including curriculum development and implementation, instruction, or direction of a program having direct contact with students about financial aids, admissions and registration, placement, campus student life and development, or related educational programs and services.

For purposes of this Personnel Plan, administrator positions are those assigned to salary ranges 1 to 14 as well as the presidents, vice chancellors and Chancellor. Assignment of positions to salary ranges shall be based upon assigned duties and responsibilities.

**Subd. 2 Types of Appointments**

- Continuing - employed in a position without a specified end date.
- Acting - assigned to fill a position when the incumbent is on leave or is otherwise unable to serve; or in the event of a presidential vacancy, assigned
by the Chancellor to serve as president pending the start of an interim, continuing or contractual appointment by the Board of Trustees.

- Temporary - employed in a position with a specified start and end date.
- Interim - assigned to temporarily fill a vacant position pending the completion of a search or reorganization of all or part of the college/university or Office of the Chancellor, or under similar circumstances.
- Contractual - an appointment pursuant to Section 1.03 Subd. 1 (g) or Subd. 2 (g). These appointments have certain terms and conditions specified in the contract and are subject to renewal by the Board of Trustees.

**Subd. 3 Supervisory Authority**

For purposes of this Personnel Plan, supervisory authority for administrators in the Office of the Chancellor and college/university presidents resides with the Chancellor. Supervisory authority for campus administrators resides with the president. When used in this Plan, the phrase "Chancellor/president" shall mean the Chancellor for administrators in the Office of the Chancellor and presidents, and the president for campus administrators.
1.03 APPOINTMENTS/TERMS OF APPOINTMENTS

Subd. 1 Chancellor

(a) The Chancellor is selected by and serves at the pleasure of the Board, which sets the terms and conditions of employment.

(b) The Board sets the annual salary for the Chancellor within the approved range pursuant to Section 1.13, Subd. 3 of this Plan.

(c) The Chancellor may hold academic rank and may retain faculty tenure or unlimited faculty status in a university/college, if applicable and approved by the Board, consistent with the provisions and procedures of the university/college.

(d) Upon completion of service as Chancellor, the Board may appoint the Chancellor as a “Distinguished Senior Fellow for Academic Affairs.” The Board shall determine specific duties and shall set the salary pursuant to Section 1.13, Subd. 3 of this Plan.

(e) The Board may terminate the Chancellor’s employment at any time. However, at the Board’s discretion, upon notice of termination the Chancellor may be reassigned up to twelve (12) months. In the event of reassignment, the Chancellor must perform the assigned duties until the date of separation from the Minnesota State Colleges and Universities.

(f) The Board may choose to appoint a Chancellor utilizing a continuing, acting, interim or contractual appointment.

(g) A contractual appointment must include:
   • Established term lengths not to exceed five (5) years; however, an initial contract with a Chancellor may not exceed three (3) years.
   • An annual salary and provision for any increases within the salary range.
   • Provisions related to termination of employment by the Board before expiration of the term of the contract, which may include payments in addition to any benefits earned under Section 1.08 of this Plan. However, such payments may not exceed one (1) year’s salary and may not be made when termination is for just cause.

If the Board so chooses, the contract may include:

   • Non-economic provisions.
   • Additional remuneration not covered elsewhere in this Plan, which shall not exceed 30% of the base salary established under Section 1.13, Subd. 3 of this
Plan. This may include compensation above the maximum salary limits established in Section 1.13, Subd. 3.

If the Board appoints a Chancellor utilizing a contractual agreement as defined in Section 8 1.02, Subd. 2 of this Plan, the Board is not precluded from exercising its power to terminate the Chancellor at any time.

**Subd. 2 Vice Chancellors and Presidents**

(a) Vice chancellors and presidents shall be appointed and terminated according to policies established by the Board.

(b) Annual salaries shall be set pursuant to Section 1.13, Subd. 4 of this Plan and in accordance with any process established in Board policy.

(c) A vice chancellor or president may hold academic rank and may retain faculty tenure or unlimited faculty status in a university/college, if applicable and approved by the Chancellor and Board, consistent with the provisions and procedures of the university/college.

(d) Upon completion of service as vice chancellor for academic affairs or president, the Board may appoint the individual as a “Distinguished Senior Fellow for Academic Affairs.” The Chancellor shall determine the specific duties and shall set the salary pursuant to Section 1.13, Subd. 4 and 5 of this Plan.

(e) If the continuing appointment of a vice chancellor or president is terminated, s/he may be reassigned for up to twelve (12) months. However, s/he will receive three (3) months written notice of the effective date of termination. In the event of reassignment, the vice chancellor or president must perform the assigned duties until the date of separation from the Minnesota State Colleges and Universities.

(f) The Board, upon the recommendation of the Chancellor, may choose to appoint a vice chancellor or president utilizing a continuing, acting, interim or contractual appointment.

(g) A contractual appointment must include:
- Established term lengths not to exceed five (5) years; however, an initial contract with a vice chancellor or president may not exceed three (3) years.
- An annual salary and provision for any increases consistent with the Plan.
- Provisions related to early termination of employment under the contract by the Board, which, for presidents, may include payments in addition to any benefits earned under Section 1.08 of this Plan. However, such payments may
not exceed one (1) year’s salary and may not be made when termination is for just cause.

If the Board so chooses, the contract may include:

- Non-economic provisions.
- Additional remuneration not covered elsewhere in this Plan, which shall not exceed 30% of the base salary established under Section 1.13, Subd. 4 of this Plan. This may include compensation above the maximum salary limits established in Section 1.13, Subd. 4.

If the Board appoints a vice chancellor or president utilizing a contractual agreement as defined in Section 1.02, Subd. 2 of this Plan, the Board is not precluded from exercising its power to terminate the vice chancellor or president at any time.

**Subd. 3 Administrators in Continuing, Acting, Interim, and Temporary Appointments**

(a) Employment At Will. Administrators serve at the pleasure of the Chancellor/president and no provision of this Plan shall be construed to alter the at-will nature of an administrator’s employment.

Administrators in acting, interim and temporary appointments may be terminated without advance notice at any time, with or without cause.

(b) Initial Continuing Appointments. The Chancellor/president may choose to provide written assurance of an initial period of continuing appointment of up to 18 months for an administrator not previously employed within the system. Such initial appointments may be terminated for just cause.

(c) Notice Requirements For Involuntary Termination Of Continuing Appointments Due To Shortage of Funds, Reorganization or Other Reasons Not Reflecting On the Administrator.

Administrators in continuing appointments shall receive a minimum of three (3) months written notice of the effective date of their termination.

The Chancellor/president may develop a written procedure for the Office of the Chancellor/college/university that permits longer minimum notice periods for individual administrators in continuing appointments, not to exceed nine (9) months.
Individual administrators shall have a minimum notice period of three (3) months unless the Chancellor/president has notified them in writing that they have a longer notice period. The Chancellor’s/president’s procedure on minimum notices and all associated commitments expire at the end of the Chancellor’s/president’s appointment to their current position. In the event a Chancellor/president leaves office, all continuing appointments that were under their control shall be subject to the three (3) month minimum notice requirement until the new Chancellor/president adopts a new procedure pursuant to this clause. Acting and interim Chancellors and presidents do not have the authority to adopt a procedure regarding minimum notice periods.

The Chancellor/president has the authority to reassign a continuing administrator on or after the date the notice of involuntary termination has been issued. The reassigned administrator must perform all assigned duties until the date of separation from the Minnesota State Colleges and Universities. Such reassignment shall not exceed nine months unless the Chancellor or the Chancellor’s designee determines that a longer reassignment is warranted.

(d) Termination for cause. The involuntary termination of an administrator’s continuing appointment for cause is not subject to the minimum notice requirements of this Plan.

(e) Academic Rank and Faculty Tenure or Unlimited Faculty Status.
Consistent with the provisions and procedures of the university/college for making decisions relative to these matters, administrators otherwise qualified may hold academic rank and may retain faculty tenure or unlimited faculty status in the college/university, if applicable and approved by the Chancellor or president(s).

College/University presidents may grant faculty tenure or unlimited faculty status to individuals employed as academic program deans as defined by the Chancellor’s designee. The impact of such a tenure/unlimited status decision upon the terms and conditions of employment of members of the faculty bargaining unit shall be governed by the provisions of the applicable labor agreement between the Minnesota State Colleges and Universities and the certified exclusive faculty representative. Any variance from such contractual provisions must be obtained through collective bargaining negotiations conducted by or on behalf of the president.

Subd. 4 Assignment and Reassignment of Duties

The Chancellor/president shall define and redefine the duties of administrators under his/her supervision. The Chancellor/president may at any time reassign an administrator to another position within the college/university or Office of the
Chancellor. Where a reassignment between a college/university and the Office of the Chancellor is concerned, the Chancellor and the president of the college/university shall consult with each other and the individual prior to such reassignment. Reassignment between colleges/universities must be approved by the presidents of the affected institutions and must be consistent with personnel policies and contractual provisions. Such reassignment does not constitute a vacancy.

Subd. 5 Discipline

In addition to the option of terminating an administrator’s appointment, the Chancellor/president has the authority to take any other disciplinary actions he/she deems appropriate, including but not limited to reprimand or suspension with or without pay.

Subd. 6 Outside Employment

An administrator may accept concurrent employment outside the Minnesota State Colleges and Universities System only with the prior written approval of the Chancellor/president. The Chancellor/president shall consider the provisions of Minnesota Statutes 43A.38 when reviewing any request.
1.04 EVALUATION

Subd. 1 Chancellor

(a) The Chancellor shall be evaluated each year.

(b) Any evaluation report prepared by or for the Board shall be deemed private and made available only to the Chancellor and the members of the Board.

Subd. 2 All Other Administrators

All other administrators shall be evaluated each fiscal year and a copy of the evaluation documentation shall be retained in the administrator's personnel file.
1.05 HOLIDAYS

Subd. 1 Observed Holidays

The following days shall be designated as holidays when they occur during an administrator's appointment:

Independence Day            Christmas Day
Labor Day                  New Year's Day
Veteran's Day*             Martin Luther King Day
Thanksgiving Day           Presidents' Day*
Day after Thanksgiving*    Memorial Day

* The Chancellor/president may designate an alternate day for the observance of these holidays.

When any of the above holidays falls on a Saturday, the preceding day shall be observed as a holiday. When any of the above holidays falls on a Sunday, the following Monday shall be observed as a holiday.

In order to receive a paid holiday, an eligible administrator must be in payroll status on the normal work day immediately preceding the holiday and the normal work day immediately following the holiday(s). Part-time administrators shall be paid for the number of hours s/he would have worked had there been no holiday.

Subd. 2 Floating Holidays

Effective with fiscal year 2007, one day was added to the vacation accrual schedule in Appendix A in lieu of a floating holiday.

Subd. 3 Religious Holidays

When a religious holiday not observed as one of those holidays listed above falls on an administrator's regularly scheduled work day, the administrator shall be entitled to that day off to observe the religious holiday.

Time to observe a religious holiday shall be taken without pay unless the administrator uses accumulated annual leave or, by mutual consent with the appointing authority, is able to work an equivalent amount of time at some other
time during the fiscal year to compensate for the time lost. An administrator shall notify his/her supervisor of his/her intention to observe a religious holiday in advance of the holiday.
1.06 LEAVES OF ABSENCE WITH PAY

Subd. 1 Annual Leave

(a) Accrual. All full-time twelve (12) month administrators shall accrue annual leave with pay at the rates as set forth in Appendix A.

Administrators who are employed less than full-time (normally 10 days per payroll period) shall have their annual leave accrual rate prorated according to the portion of time worked.

In lieu of accruing leave according to Appendix A, administrators employed for more than six months and less than twelve months shall be credited with one day of annual leave at the end of each full pay period worked during the appointment, not to exceed 23 days of leave accrual for the appointment. Administrators appointed for six months or less are not eligible to accrue annual leave.

For purposes of this section, continuous service shall include all continuous state service. Continuous service is broken by any separation from state employment. At the discretion of the Chancellor/president, a new administrator may be granted length of service credit for any prior employment the Chancellor/president determines to be related to employment in the Minnesota State Colleges and Universities. A current administrator may make a written request for such credit for prior related employment at any time, however, the change in accrual rate shall take effect with the first full pay period in the fiscal year the request is approved.

When appointment to an administrator position in the Minnesota State Colleges and Universities is the initial entry into state service or a move from a faculty position, full-time administrators shall be credited with ten (10) days of annual leave. Such credit shall be reduced proportionately as annual leave is accumulated. Administrators, who separate from their administrative position and who have used more of the ten (10) days than they would have accrued as provided in Appendix A, shall have their last paycheck reduced by the number of days of annual leave taken in excess of that earned.

An administrator who moves without a break in employment between positions in the classified and/or unclassified services, whether within the system or between the system and other state agencies, shall have his/her accumulated leave, to a maximum of 34 days, and length of service transferred. This provision shall also apply to administrators/managers who move from positions in the legislative or judicial branches.
(b) Limits on Accrual. Annual leave may be accumulated to any amount provided that once every twelve months, each administrator's accumulation must be reduced to 34 days. If this is not accomplished prior to the end of the last full pay period in September each year, the administrator's accumulation shall automatically be reduced to 34 days as of that date, and the amount of accumulation over 34 days will transfer to the administrator's bank of lapsed sick leave [see Subd. 2(b)] below. Saturdays, Sundays and legal holidays will not be counted as days of leave. In the event that the administrator’s accumulated balance cannot be reduced to 34 days due to assigned job requirements, the Chancellor/president may extend the deadline for up to a maximum of six (6) months. At the end of the agreed upon time frame (maximum of six [6] months), the accumulation shall be reduced and the excess transferred to lapsed sick leave.

(c) Use of Annual Leave.

(1) Beyond the ten (10) days credited pursuant to Subd. 1(a) above, administrators may not take annual leave until they have earned the number of days to be taken.

(2) Annual leave may only be taken in full day or one-half (1/2) day increments.

(3) The administrator must obtain the prior approval of the Chancellor/president or their designees for the use of annual leave, unless the administrator is using annual leave to observe a religious holiday. The Chancellor and presidents may determine periods of annual leave for themselves at times best suited to their workload.

(d) Payment Upon Separation. Upon separation from state service, or if a change in employment results in the administrator being ineligible to accrue further annual leave, an administrator shall be paid for his/her accrued but unused balance of annual leave not to exceed 34 days.

(e) Conversion of Accumulated Annual Leave to a Minnesota State Colleges and Universities Approved 403(b) Account or to the Deferred Compensation (457) Plan Operated by the State Retirement System. Once in each fiscal year, with the approval of the Chancellor/president and based on the availability of funds, an administrator may convert a portion of his/her accumulated annual leave to a 403(b) account approved by the system or the 457 Plan operated by MSRS. Each administrator may convert up to one (1) day of annual leave for each three (3) days of annual leave used in the previous fiscal year, provided that the administrator shall not convert more than five (5) days per fiscal year.
This provision shall not be used in the pay period which includes the first of July. Contributions to the administrator's 403(b) or 457 account made through the conversion of annual leave days are subject to all of the rules and regulations of the respective program and IRS regulations.

Subd. 2 Sick Leave

All sick leave will accrue on a per pay period basis as follows:

(a) Accrual

(1) Except as noted in (2) below, 15 days of sick leave shall be credited to all new full-time administrators at the time of their employment to cover possible disability during the first 30 pay periods of employment. Beginning with the 31st pay period of employment, each administrator shall be credited with one-half (1/2) additional day of sick leave for each succeeding pay period of employment completed. Administrators who separate from their administrative position before completing 30 pay periods of employment and who have used more sick leave days than they would have accrued at the rate of one-half (1/2) day for each pay period, shall have their last paycheck reduced by the number of days of sick leave taken in excess of that earned.

(2) Employees accepting an administrator position in the Minnesota State Colleges and Universities under the provisions of Subd. 2 (a)(5) below shall not be credited with days as defined in Subd. 2 (a)(1) above, but shall be credited with any sick leave balance and accrual rates in effect at the time of their appointment in the Minnesota State Colleges and Universities.

(3) Administrators commencing employment on less than a full-time basis shall be given a pro-rata portion of the 15 day sick leave credit as described in Subd. 2 (a)(1) above. Beginning with the 31st pay period of employment, each part-time administrator will be credited with one-half (1/2) day of sick leave pro-rated by the fraction of time employed for each succeeding pay period of employment.

(4) Administrators specifically employed for a limited period of service not to exceed 15 months shall be credited with one-half (1/2) day of sick leave for each pay period of anticipated service rather than 15 days as described above. The amount of sick leave credited for part-time administrators so employed shall be pro-rated by the fraction of time employed.
(5) An administrator who moves without a break in employment between positions in the classified and/or unclassified services, whether within a system or between agencies, shall have his/her accumulated leave transferred. This provision shall also apply to employees who move to administrative positions from administrative or non-administrative positions covered by other plans or collective bargaining agreements or from positions in the legislative or judicial branches.

(b) Limits on Accrual. Sick leave may be accrued up to a maximum of 125 days. Sick leave earned in excess of this amount will be considered lapsed but shall be recorded. Any administrator who has such lapsed sick leave recorded to his or her credit may, upon approval of the Chancellor/president, have the lapsed sick leave restored in the event of an extended illness. Such administrator shall supply medical information as may be required.

(c) Use of Sick Leave. Sick leave may only be taken in one-half (1/2) day increments. The use of sick leave shall be approved, when appropriate, by the Chancellor/president or his/her designee. Administrators may use up five (5) days of sick leave for the birth or adoption of the administrator’s child. Sick leave shall be granted for absences made necessary: 1) by reason of illness, or disability, including temporary disabilities caused or contributed to by pregnancy, miscarriage, abortion, childbirth, and recovery there from; 2) by exposure to contagious disease which may endanger the individual or the public health; or 3) by illness in the immediate family making it necessary that the administrator be absent from his or her duties. In the case of absence for illness of members of the immediate family, the term “immediate family” shall be defined to include the spouse, brothers and sisters living in the administrator’s household, or children, wards, parent or parents of the spouse. The Chancellor/president may extend these provisions to include other residents of the household. Leave taken under the Family Medical Leave Act shall be charged to sick leave as appropriate.

(d) Reinstatement. An administrator who is eligible to accrue sick leave, who is reappointed to a position within the Minnesota State Colleges and Universities within four (4) years from the date of separation in good standing, shall have his or her sick leave balance and bank, if any, restored. However, any administrator being reappointed after receiving severance pay shall have his or her leave restored proportionately by deducting the days or fractions of days which were paid as severance. This provision shall also apply to administrators who are appointed to an unclassified position in the Minnesota State Colleges and Universities following separation in good standing from positions covered by other plans or collective bargaining agreements or from positions in the legislative or judicial branches, unless the previous accrual rates and maximum accumulations were greater than those provided in this Personnel Plan, in which case leave balances and banks shall be
restored in amounts equal to what they would have accumulated under this regulation.

**Subd. 3 Bereavement Leave**

The use of a reasonable period of bereavement leave (not deducted from sick leave), up to five (5) days per occurrence, shall be granted in case of a death in the administrator's immediate family. The term “immediate family” shall include the spouse, parents, parents of the spouse, children, grandchildren, brothers, sisters, grandparents, or wards of the administrator. The use of sick leave for bereavement purposes shall be granted in case of the death of a regular member of the administrator’s household, sister-in-law or brother-in-law or the following relatives of the spouse: children, grandchildren, grandparents or wards. Bereavement leave in all other cases may be granted, but shall be deducted from the administrator’s annual leave.

**Subd. 4 Military Leave of Absence**

An administrator of the Minnesota State Colleges and Universities who is a member of the state or federal armed services is entitled to leave of absence with pay as defined in Minnesota Statute §192.26.

**Subd. 5 Court-Related Leaves of Absence**

An administrator in the Minnesota State Colleges and Universities shall be granted a leave of absence with pay for:

(a) appearance before a court, legislative committee, or other judicial or quasi-judicial body in response to a subpoena or other direction by proper authority for purposes related to the administrator's Minnesota State Colleges and Universities position.

(b) attendance in court in connection with an administrator's official duty, such attendance including the time required in going to the court and returning to the administrator's place of work.

**Subd. 6 Jury Duty Leave**

Jury duty leave for time to serve on a jury, provided that when not impaneled for actual service but only on call for service, the administrator shall report to work.
**Subd. 7 Voting Time Leave**

Voting time leave, in accordance with Minnesota Statute §204C.04 for administrators eligible to vote in any statewide general election or any election to fill a vacancy in the United States Congress, provided that the leave is for a period of time long enough to vote during the morning of the election day.

**Subd. 8 Emergency Leave**

Emergency leave, in the event of a natural or man-made emergency, shall be granted pursuant to Minnesota State Colleges and Universities Board Policy 4.4, Weather/Emergency Closings.

**Subd. 9 Leave for Bone Marrow and Organ Donation**

An administrator undergoing a medical procedure to donate bone marrow, an organ or a partial organ to another person shall be granted paid leave not to exceed 5 days. If there is a medical determination that the administrator does not qualify as a donor, any paid leave of absence granted to the administrator prior to the medical determination is not forfeited.

**Subd. 10 Investigatory Leave.**

The Chancellor/president may place an administrator who is the subject of a disciplinary investigation on an investigatory leave with pay.
1.07 LEAVES OF ABSENCE WITHOUT PAY

**Subd. 1 Personal Leaves of Absence**

The Chancellor/president may approve leaves of absence without pay and without employer paid benefits when deemed to be in the best interest of the college/university or system. No regular leave without pay shall extend for a period greater than one (1) year. No administrator shall have more than two (2) consecutive year long leaves without pay without the consent of the Chancellor. While on unpaid leave, an administrator shall have the right to continue insurance benefits, to the extent permitted by law at his/her own expense.

**Subd. 2 Parental Leaves of Absence**

Leave of absence shall be granted to a natural or adoptive parent for a period of up to six months when requested in conjunction with the birth or adoption of the administrator’s child. The leave shall commence on the date requested by the administrator but no later than six weeks after the birth or adoption; except that, in the case where the child must remain in the hospital longer than the mother, the leave may begin up to six weeks after the child leaves the hospital. Sick leave used with a medical practitioner’s statement prior to the birth of the child will not reduce the duration of the leave of absence. Upon request, the Chancellor/president may grant extensions of the leave of absence, but in no case shall the leave of absence exceed one year.

**Subd. 3 Salary Savings Leave of Absence**

Upon the request of an Administrator, the Chancellor/president may approve an unpaid leave of absence for the purpose of reducing salary expenditures. Approved leaves shall be taken in half-day or full day increments. An Administrator taking a leave under this subdivision shall continue to accrue annual leave and sick leave and be eligible for paid holidays and insurance benefits as if actually working during the time of leave. If a leave is more than one full pay period or longer in duration and a holiday occurs during the leave, holiday pay shall be paid on a pay warrant following the leave of absence.
1.08 SEVERANCE

Subd. 1 Severance Pay

Administrators shall receive severance pay upon separation from employment for one of the following reasons:

(a) retirement at or after age 65;
(b) death;
(c) separation immediately following: (1) ten (10) years of continuous state employment as a manager/administrator, or (2) five (5) years of continuous employment as an administrator in the Minnesota State Colleges and Universities, or (3) 20 years of continuous state employment;
(d) retirement immediately following ten (10) years of continuous state employment with immediate entitlement at the time of retirement to receive a retirement benefit under a state retirement program;
(e) involuntary separation from employment with the System and the State of Minnesota because of a reduction in personnel;
(f) upon voluntary termination of employment pursuant to the receipt of an incentive provided by law.

Notwithstanding any other provision, severance pay shall not be made to an administrator under this Plan who is involuntarily terminated with cause pursuant to Section 1.03, subd. 3 (a) or (d).

Effective with separations occurring on or after January 2, 2008 severance pay shall be a sum equal to 40% of the administrator’s accumulated but unused sick leave balance at the time of separation paid at the administrator’s final rate of pay, provided that the severance payment shall not exceed the equivalent of 130 days of salary.

Administrators employed by the state universities on June 30, 1995, who elected to retain severance pay at 50% of his/her accumulated but unused sick leave balance, not to exceed 125 days times the regular daily rate of pay at the time of separation, shall continue to be eligible for this severance pay provision. Should an administrator electing this option have less than 125 days of regular sick leave accumulated, the difference may be transferred from lapsed sick leave for purposes of severance pay.
Severance payments shall be paid in cash if the severance payment is being made because of the death of the administrator, or if the gross amount of a severance payment to be paid under this subdivision is less than $5,000.00. All other severance payments shall be transferred to a Health Care Savings Account established under Minnesota Statutes 352.98.

In the event an administrator who has received severance pay is subsequently reappointed within the Minnesota State Colleges and Universities, future severance pay for that individual shall be computed upon the unused sick leave balance accumulated since the time of reappointment.

**Subd. 2 Severance Payments Per Employment Contracts.**

In addition to severance pay benefits available under Subdivision 1, the terms of a contractual appointment may include severance pay up to six (6) months salary upon completion of the full term of a contractual appointment which is not renewed.

**Subd. 3 Re-employment of Early Retirees**

Administrators who have received an early separation incentive from the Minnesota State Colleges and Universities or one of its predecessor systems/institutions may be re-employed by the Minnesota State Colleges and Universities for limited periods a temporary, interim or acting appointment, with prior written approval of the Chancellor/president.
1.09 INSURANCE

Except as otherwise provided below, the insurance benefits provided in the State Managerial Plan are applicable to administrators. A copy of the State Managerial Plan insurance article is attached as Appendix B.

Subd. 1 Eligibility for Participation in the State Employee Group Insurance Program

An administrator employed at least 50% time during a nine (9) month or longer appointment may elect to be covered by the benefits provided for in this Plan.

Subd. 2 Eligibility for State-Paid Benefits

To be eligible for the full employer contribution toward the premiums for health, dental and basic life insurance benefits, an administrator must be employed for at least 75% time during a nine (9) month or longer appointment. To be eligible for a partial employer contribution toward the premiums for health, dental and basic life insurance benefits, an administrator must be employed at least 50% time and less than 75% time during an appointment of nine (9) months or longer.

Subd. 3 Maintaining Eligibility for Employer Contribution During Leaves

An administrator eligible for basic coverage paid by the employer shall have such coverage maintained during the period of a sabbatical leave or leave without pay for educational or other purposes judged by the Chancellor to be of benefit to the Minnesota State Colleges and Universities.

Subd. 4 Amount of Employer Contribution

(a) Full Employer Contribution for Administrator Insurance Premiums: The employer shall contribute an amount equal to the total employee-only premium of the Minnesota Advantage Health Plan and 100% of the cost of basic life coverage and accidental death and dismemberment coverage. The employer shall also contribute an amount equal to the lesser of 90% of the employee-only premium of the State
Dental Plan, or the actual employee-only premium of the dental plan chosen by the administrator, however, for calendar years 2008, 2010, and 2009, the minimum administrator contribution shall be five (5) dollars per month.

(b) Full Contribution for Dependent Health and Dental Insurance: The employer shall contribute an amount equal to 85% of the dependent premium of the Minnesota Advantage Health Plan and an amount equal to the lesser of 50% of the dependent premium for the State Dental Plan, or the actual dependent premium of the dental plan chosen by the administrator.

(c) Partial Employer Contributions For Health, Dental And Basic Life Insurance:
Administrators who qualify for a partial employer contribution for health and dental insurance coverage shall, at the administrator’s option, receive 75% of the full employer contribution for both employee-only and dependent coverage. These administrators shall receive the full employer contribution for basic life insurance coverage.

(d) Contribution for Administrators Involuntarily Terminated Due to Abolition of Position or Reorganization. An administrator with an employer contribution and who has been employed for at least three (3) years of continuous service shall remain eligible for an employer contribution for up to six (6) months from the date of separation if the position he/she occupies is abolished because of a reduction in force. In no event shall the employer contribution continue beyond the date at which the administrator reaches the age of 65.
1.10 EXPENSE REIMBURSEMENT

Except as otherwise provided below, the expense reimbursements for all administrators covered under this Plan are the same as those provided in the State Managerial Plan. A copy of the State Managerial Plan expense reimbursement language is attached as Appendix C.

The Chancellor/president may reimburse travel expenses for candidates invited to participate in employment interviews. The Chancellor/president may also reimburse one additional person accompanying a candidate to the employment interview. In determining to reimburse travel expenses, the Chancellor/president shall consider the availability of qualified candidates, the needs of the system or institution, and the availability of funds. Any expenses paid are subject to the provisions of this Plan regarding types and maximum amounts of reimbursement.

Administrators in acting or interim positions may be considered in travel status for up to six (6) months. One or more extensions of up to an additional six (6) months may be granted by the Chancellor. The Chancellor or the president making the acting or interim appointment may establish lower limits on travel expenses than those contained in the State Managerial Plan for the duration of the acting or interim appointment.

The State Managerial Plan provides for higher meal reimbursement rates for selected metropolitan areas. These higher rates shall also apply to reimbursable meals obtained within Hennepin and Ramsey counties.

An administrator using their personal motorcycle for business purposes shall be reimbursed at one-half the Federal IRS mileage reimbursement rate for use of a personal automobile, rounded to the nearest cent per mile.

Where anticipated reimbursable travel expenses exceed $150, the Chancellor/President shall advance the administrator the amount of the anticipated expenses upon the administrator’s request made a reasonable period of time prior to the travel date. Smaller advances may be made at the discretion of the Chancellor/President. If the amount of the advance exceeds the actual expenses, the administrator shall return the excess within two weeks of return from travel. The Chancellor/President may issue the administrator an employer-owned credit card in lieu of a travel advance.
1.11 RELOCATION EXPENSES

Subd. 1 Eligibility, Limits and Conditions

Administrators may be reimbursed for relocation expenses as indicated below. An administrator must have written approval from the approving authority, as indicated below, prior to incurring any relocation expenses. The approving authority shall establish an overall limit on total relocation reimbursement in writing, usually in the formal offer of employment. Once established, the limit shall not be lowered. This limit shall not exceed $50,000 or twenty (20) percent of the initial base salary, whichever is greater, effective with reimbursements occurring after July 1, 2007. The approving authorities are as follows:

(a) The Board of Trustees for the Chancellor

(b) The Chancellor for Administrators in the Office of the Chancellor and Presidents

(c) The President for Campus Administrators other than the President.

The Chancellor/president may reimburse an administrator for relocation expenses associated with an initial appointment. Authorization for relocation expenses must be made in writing on or before the date of hire. The written authorization must contain a specific monetary reimbursement limit. The Chancellor/president may limit both the type and amount of reimbursement. New administrators may receive reimbursement of expenses prior to their first day of employment.

Reimbursement for relocation expenses will be allowed only for expenses incurred prior to and within one (1) year after the date of appointment or reassignment unless other time extension arrangements have been approved by the Chancellor/president.

Some of the payments under these provisions may be considered wages by the Internal Revenue Service and as such are subject to income tax withholding.

Subd. 2 Covered Expenses

Reimbursable expenses may include, but are not limited to, the following:

(a) Travel Status. For up to six (6) months, a new administrator may be considered in travel status and receive expense reimbursement consistent with 1.10 of this Plan and Appendix C. Travel status for new administrators may be extended up to an additional six (6) months by the Chancellor/president.
(b) **Travel to Work Location.** Four (4) round trips by the administrator's spouse and two (2) round trips by the administrator's dependents to the new work location with reimbursement consistent with 1.10 of this Plan and the State Managerial Plan (Appendix C).

Cost of travel of the administrator's spouse and dependents when moving to the new work location, consistent with 1.10 of this Plan and the State Managerial Plan (Appendix C).

(c) **Moving Expenses.** The actual cost of moving and packing household goods may be reimbursed. The administrator shall obtain no less than two (2) bids for packing and/or moving household goods. Approval shall be obtained from the president for college/university administrators, and the Chancellor for administrators in the Office of the Chancellor and presidents, prior to making any commitment to a mover to either pack or ship the administrator's household goods. Payment shall be made for moving a house trailer if the trailer is the administrator's domicile.

(d) **Miscellaneous Expenses.** Documented miscellaneous expenses directly related to the move may be reimbursed to the administrator. These expenses may include, but are not limited to, such items as: fees involved in the purchase of a house in the new location, disconnecting and connecting appliances and/or utilities, the cost of insurance for property damage during the move, the cost of moving vehicles, payment of loan origination fees not to exceed one percent (1%) of mortgage, or other direct costs associated with rental or purchase of another residence. An administrator shall not be reimbursed for improvements to a house or property being sold or purchased.

Neither the State of Minnesota nor the Minnesota State Colleges and Universities shall be responsible for the loss or damage to any administrator's household goods or personal effects.

**Subd. 3 Realtor's Fees**

The cost of the realtor's fees on the sale or purchase of the administrator's principal residence, but not both, or fees required to break a lease on an administrator's rented domicile may be reimbursed up to six percent (6%) of the selling/purchase price of the principal residence. A signed copy of the settlement statement showing that the employee paid the realtor's fees or other documentation of the amount of realtor's fees must accompany the request for reimbursement.
1.12 CAREER DEVELOPMENT AND TUITION WAIVER

Subd. 1 Courses, Tuition and Fees

(a) Administrators employed on at least a 75% basis shall be entitled to enroll in courses offered by a college/university in the Minnesota State Colleges and Universities without payment of tuition or fees, except laboratory and special course fees. Such enrollment shall not exceed a total of 24 semester credit hours per fiscal year for any administrator.

(b) To the extent that the administrator does not exercise the rights above, the administrator's spouse or dependents shall be eligible to take credits in an institution type which is similar to that in which the employee is employed (i.e., if employed in a community, technical or consolidated college, is entitled to tuition waiver in any community, technical or consolidated college; if employed in a state university, is entitled to tuition waiver in any state university), within the limits above, with waiver of tuition only.

The spouse or dependent(s) of an administrator in the Office of the Chancellor shall be entitled to enroll, on a space available basis, without payment of tuition as follows:

(1) Administrators employed by the State University System on June 30, 1995 -- in courses offered by a state university.
(2) Administrators employed by the Community College System or the Technical College Board or a technical college on June 30, 1995 -- in courses offered by a state community, technical or consolidated college.
(3) Administrators not previously employed in one of the above systems -- shall select one type of institution (college or university) in which to exercise this right. This selection is offered on a one-time only basis and is not subject to change by the administrator.

Dependents shall be those persons meeting the Department of Employee Relations' definition of dependent for health insurance purposes.

The tuition waiver benefit shall not be used for courses that are part of an applied doctorate program.
Subd. 2 Professional Development

The Chancellor/president may fund professional development for administrators. This may include attendance at professional meetings, seminars, visits to post-secondary institutions or other relevant activities that will enhance professional knowledge and performance.

Subd. 3 Sabbatical Leave

An administrator is eligible for a sabbatical leave to secure additional education, training, or experience which will better prepare him/her to carry out his/her management responsibilities. A sabbatical leave may be granted for any period up to one (1) year at no pay, partial pay, or full pay. Administrators are not eligible for holiday pay or to accrue or use annual leave and sick leave while on sabbatical leave. Granting of a sabbatical leave is at the discretion of the Chancellor. The administrator shall be eligible to retain state-paid insurance benefits for which s/he is otherwise eligible while on sabbatical leave. A sabbatical leave may be granted if all of the following criteria are met:

(a) the administrator has at least six (6) years of service in a sabbatical eligible position in the Minnesota State Colleges and Universities;
(b) the administrator has submitted a plan to the president or appropriate vice chancellor or Chancellor showing how the leave will serve the purpose described above;
(c) the president or vice chancellor has recommended approval of the plan to the Chancellor;
(d) the Chancellor has granted prior approval of the plan;
(e) the organization's functions and goals can be carried out during the administrator's absence;
(f) funds are available for this purpose;
(g) the administrator agrees, in writing, to return to employment in the system following completion of a paid sabbatical leave for the amount of time specified by the Chancellor at the time the leave was approved and agrees to repay the amount of sabbatical compensation if s/he does not return for the agreed upon time; and
(h) the administrator agrees to prepare and deliver a written report at the end of the sabbatical, which shall be shared with other administrators.
1.13 SALARY ADMINISTRATION

Subd. 1 Purpose
The purpose of this policy is to establish salary ranges and to define other salary policies that affect administrators.

Subd. 2 Annual Base Salary

These salary ranges, and annual base salaries set within these ranges, are for the full fiscal year (July 1 - June 30) and shall not be added to or subtracted from to reflect fluctuations in the number of work days (260, 261 or 262) in a given year.

Subd. 3 Chancellor

The Board shall set the salary of the Chancellor within the range listed below. The salary range shall be subject to legislative approval pursuant to Minnesota Statute §15A.081, Subd. 7c.

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Subd. 4 Presidents

(a) FY 2008-2010 and FY 2009-2011 Salaries Increases. The Chancellor shall determine the salary of a presidents and or vice chancellors upon their appointment, and shall make subsequent salary adjustments within the salary ranges in (b) of this subdivision. There shall be no base salary adjustments for presidents and vice chancellors in the biennium ending June 30, 2011.
(b) FY 2008 Salary Ranges

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FY 2009 Salary Ranges for FY 2010 and 2011

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Subd. 5 Salary Ranges and Increases for All Other Administrators

(a) Fiscal Year 2008-2010. Up to four (4.0) percent. Normally, a set percentage of aggregate base salaries may be used for merit increases to be effective no earlier than July 1, 2007. Such merit increases may be granted either on the base or as a lump sum at the discretion of the Chancellor/president. Such salary increases shall not result in a salary above the maximum of the salary range to which the position is assigned. There shall be no merit increases in FY 2010.

(b) Fiscal Year 2009-2011. Up to five (5.0) percent. Normally, a set percentage of aggregate base salaries may be used for merit increases to be effective no earlier than July 1, 2008. Such merit increases may be granted either on the base or as a lump sum at the discretion of the Chancellor/president. Such salary increases shall not result in a salary above the maximum of the salary range to which the position is assigned. There shall be no merit increases in FY 2011.
### (c) Salary Ranges for Fiscal Year 2008

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<th>Range</th>
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### Salary Ranges for Fiscal Years 2009, 2010 and 2011

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Subd. 6 General Salary Administration Policies

(a) Entry Appointment. Presidents may make entry appointments at salaries up to and including the designated delegation limit for the salary range. Entry appointments beyond the delegation limit for the salary range must have the prior approval of the Chancellor's designee.

(b) Promotion. An individual promoted to a position assigned by the Chancellor's designee to a higher salary range may be granted a salary increase as follows:

(1) placement below the delegation limit of the new salary range; or
(2) up to a maximum of ten percent (10%) if the increase would place the administrator above the delegation limit of the new salary range.

The Chancellor or designee may grant larger increases based on the employment conditions that may make such action necessary.

With the exception of administrators who are below the minimum of the new salary range, nothing in the above language should be interpreted as requiring that a salary increase be granted upon promotion.

(c) Lateral Transfer. An administrator who transfers to another position in the same salary range shall not have his/her salary changed.

(d) Movement to a lower salary range. An administrator who voluntarily moves or is reassigned to a position in a lower salary range shall normally retain their current salary, unless the administrator’s salary is above the maximum rate for the lower salary range.

The Chancellor/president has the discretion to reduce an administrator’s salary to any rate in the lower salary range. The Chancellor or designee has the discretion to permit an administrator to retain their salary above the maximum for the lower range.

(e) Counters to External Offers of Employment. The Chancellor may adjust the salary of any administrator who presents to him/her written evidence of an employment offer at a higher salary from an employer outside the system.
(f) Review of Salary Range/Positions

(1) Position Descriptions. Position descriptions shall be reviewed by the administrator and his/her supervisor on a regular basis to determine if changes have occurred in the position or in the organizational structure. Revised or new position descriptions shall be approved by the Chancellor/president or designee, as appropriate.

(2) Review of Present Salary Range/Positions. The Chancellor or designee will assign positions to appropriate salary ranges. A request for position re-evaluation or salary range assignment review may be initiated at any time by an administrator or his/her supervisor. The procedure for handling requests for reviews shall be as set forth by the Chancellor or designee.

(g) Payments Under Special Circumstances for Administrators.
Administrators are paid for accomplishing their jobs, not for the hours worked. Further, since they normally have the ability to schedule their time to accomplish their goals and objectives, they are excluded from Fair Labor Standards Act coverage and are therefore not compensated for overtime.

However, if an administrator teaches a credit-generating course at another college/university within the system on an overload basis, the administrator will be compensated the normal rate paid for that course for part-time temporary faculty not covered under a collective bargaining agreement. Administrators who are assigned to teach a credit-generating course at their home college/university on an overload basis may, at the president's discretion, be compensated at the normal rate paid for that course for part-time temporary faculty not covered under a collective bargaining agreement. Under no circumstances may an administrator be compensated for teaching more than two (2) courses in a fiscal year without the express written approval of the Chancellor/president.

As approved by the president, administrators may receive additional compensation for work which is totally unrelated to their positions and incidental in nature, e.g., officiating at athletic contests, musical performances, non-credit teaching, but not including other instruction-related activities such as counseling, etc. In no case may the pay for such additional work exceed $1,000 per fiscal year.

(h) Exceptional Performance Awards. The Chancellor may adopt a program that provides lump-sum payments to those Administrators who have demonstrated exceptional performance. Expenditures for the program are subject to the availability of funds. In each fiscal year, the total expenditure for this program is limited to no more than one (1) percent of the aggregate base salaries of Administrators actively employed or on leave of absence on the first day of the fiscal year.
Subd. 7 Salary Review and Adjustment

The Chancellor shall have the right to review and adjust administrator salaries where evidence is found of salary inequity based on gender, race, or other equity claims.

Subd. 8 Health/Dental Premium and Expense Accounts

Insurance eligible administrators will have an option to pay for their portion of health and dental premiums on a pretax basis as permitted by law or regulation. Administrators may cover co-payments, deductibles, and other medical and dental expenses or expenses for services not covered by health or dental insurance as permitted by law or regulation, up to a maximum expenditure of $5,000 per insurance year.

Subd. 9 Health Reimbursement Accounts

The Employer will make an annual lump-sum contribution of $600 to a Health Reimbursement Arrangement (HRA) Account for administrators who are employed and eligible for an employer contribution to the State Health insurance plan on January 1 each year. The HRA account will be subject to the rules of the Minnesota State Colleges and Universities approved HRA Plan document.

Subd. 10 Dependent Care Expense Account

Insurance eligible administrators will have an option to participate in a dependent care reimbursement program for work-related dependent care expenses on a pretax basis as permitted by law or regulation.

Subd. 11 Supplemental Retirement

Pursuant to Minnesota Statute §354C.12, the employer shall deduct from the salary of full-time administrators a sum equal to five percent (5%) of the annual salary paid after the first $6,000 up to a maximum of $2,300 ($2,700 effective FY09), to be paid into the Minnesota State Colleges and Universities Supplemental Retirement Account Plan (SRP). The employer shall make a contribution in an amount equal to the deductions made from the administrator's salary. Deductions shall begin in the administrator's third year of full-time employment in the system.

Effective with separations occurring after legislative approval to implement this Plan, Administrators in continuing appointments and having at least five (5) years of continuous service in positions covered by this plan who provide at least nine (9) months written notice of their intent to separate from employment shall receive a lump-sum payment equal to five (5.0) percent of their final annual base salary upon separation. The notice of intent to separate from employment must contain a specific date or brief time period for separation. The Administrator must simultaneously separate from employment with the System and from a position covered by this Plan in order to receive this payment. This provision does not apply to Administrators with individual employment contracts or Administrators in interim or acting appointments with no continuing employment status under the terms of this Plan.


The Chancellor may establish a program of mandatory employee contributions to individual Health Care Savings Plan accounts administered by the Minnesota State Retirement System. The Chancellor shall determine eligibility criteria, contribution amounts and other benefit features consistent with state and federal law.
APPENDIX A

ANNUAL LEAVE ACCRUAL SCHEDULE FOR ADMINISTRATORS

Subd. 1 Chancellor, Presidents, Vice Chancellor for Academic Affairs

Eight (8) days at the end of the first full pay period of the fiscal year, and one (1) day at the end of each of the remaining pay periods worked during each fiscal year of employment.

Subd. 2 Other Full-time Administrators

Shall be credited with annual leave on the following basis:

<table>
<thead>
<tr>
<th>Effective Date Of Accrual Changes</th>
<th>Accrual Rate</th>
</tr>
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<tbody>
<tr>
<td>From date of employment until the beginning of the fiscal year in which the administrator is anticipated to complete 6 years of credited service.</td>
<td>One (1) day at the end of each of the first 23 full pay periods worked during each fiscal year of employment.</td>
</tr>
<tr>
<td>Effective with the beginning of the fiscal year in which the administrator is anticipated to complete 6 years of credited service.</td>
<td>Two (2) days at the end of the first full pay period of the fiscal year and one (1) day at the end of each of the remaining pay periods worked during each fiscal year of employment.</td>
</tr>
<tr>
<td>Effective with the beginning of the fiscal year in which the administrator is anticipated to complete 13 years of credited service</td>
<td>Five (5) days at the end of the first full pay period of the fiscal year and one (1) day at the end of each of the remaining pay periods worked during each fiscal year of employment.</td>
</tr>
<tr>
<td>Effective with the beginning of the fiscal year in which the administrator is anticipated to complete 21 years of credited service.</td>
<td>Seven (7) days at the end of the first full pay period of the fiscal year and one (1) day at the end of each of the remaining pay periods worked during each fiscal year of employment.</td>
</tr>
</tbody>
</table>
In Fiscal Year 2007, one day was added to the vacation accrual schedule in lieu of the Floating Holiday.

Changes in annual leave accrual rates take effect in the first full pay period of the fiscal year in which the administrator is anticipated to satisfy the continuous service requirement.

Administrators employed for less than full-time or employed for less than a full pay period at the beginning or end of their appointment shall have the annual leave prorated for the applicable pay periods.
APPENDIX B – Insurance chapter to be incorporated from State Managerial Plan

APPENDIX C – Expense Reimbursement to be incorporated from State Managerial Plan