

**CHAPTER 5000**  
**DEPARTMENT OF HUMAN RIGHTS**  
**DISCRIMINATION COMPLAINTS;**  
**CERTIFICATES**

5000 0400 CHARGES

5000 0500 INVESTIGATION

5000 0900 COMPLAINT

5000 2250 PRESERVATION OF RECORDS

**5000.0400 CHARGES.***[For text of subps 1 and 1a, see M.R.]*

**Subp. 1b. Time for filing.** A charge must be filed within one year of an alleged unfair discriminatory practice. Filing is accomplished by delivery of the charge to the department's office before one year has elapsed. Time is computed under Minnesota Statutes, sections 645.15 and 645.151.

*[For text of subps 2 and 2a, see M.R.]*

**Subp. 3. Service.** A copy of the charge and a form that describes additional information requested to supplement the initial response to the charge shall be served by the commissioner upon a respondent either by personal delivery or by mail within ten days after it has been filed with the department.

*[For text of subps 4 to 6, see M.R.]***Statutory Authority:** *MS s 363.05 subd 1 para (7)***History:** *13 SR 2825***5000.0500 INVESTIGATION.**

**Subpart 1. Answer to charge.** A person against whom a charge has been filed shall submit to the commissioner a written answer to the charge within 20 days of receipt of the charge. The reply may contain a statement of the respondent's position and may present any evidence related to the subject matter of the charge.

*[For text of subps 2 to 5, see M.R.]***Statutory Authority:** *MS s 363.05 subd 1 para (7)***History:** *13 SR 2825***5000.0900 COMPLAINT.***[For text of subps 1 and 2, see M.R.]*

**Subp. 3. Service and filing.** A complaint, notice, and order for hearing shall be served upon a respondent by certified mail and filed in district court or with an administrative law judge at least ten days before the date of the hearing as provided by Minnesota Statutes, sections 363.06, subdivision 4, paragraph (3) and 363.14, subdivision 1, and part 1400.5600.

*[For text of subp 4, see M.R.]***Statutory Authority:** *MS s 363.05 subd 1 para (7)***History:** *13 SR 2825***5000.2250 PRESERVATION OF RECORDS.***[For text of subps 1 to 3, see M.R.]*

**Subp. 4. Records at educational institutions.** An educational institution shall not make inquiries; or create, maintain, or use records that are prohibited in Minnesota Statutes, section 363.03, subdivision 5, paragraph (3), except for meeting the requirements of an affirmative action plan; or meeting the reporting requirements of federal or state agencies. When these exceptions do occur, all material or information that identifies the race, color, creed, religion, national origin, sex, age, marital status, or disability of a student or person seeking to be admitted as a student to the institution, when received, must be kept secure and private. The material or information must be available only to authorized personnel for meeting affirmative action requirements or reporting requirements of federal or state agencies.

**Statutory Authority:** *MS s 363.05 subd 1 para (7)*

**History:** *13 SR 2825*