



UNIVERSITY
of ALASKA
Many Traditions One Alaska

Agenda

Faculty Alliance

Friday, April 14, 2017

[Google Hangouts](#)

or call 1-855-280-1855

2:30 p.m. – 4:30 p.m.

1. Call to Order

Voting Members:

Megan Buzby, President-Elect, UAS Faculty Senate

Sharon Chamard, 1st Vice President, UAA Faculty Senate

Chris Fallen, President-Elect, UAF Faculty Senate

David Fitzgerald, President, UAA Faculty Senate,

Maren Haavig, Past President, UAS Faculty Senate

Lisa Hoferkamp, President, UAS Faculty Senate

Orion Lawlor, President, UAF Faculty Senate

Debu Misra, Past President, UAF Faculty Senate

Tara Smith, Past President, UAA Faculty Senate; Chair, Faculty Alliance

Staff:

Morgan Dufseth, Executive Officer, System Governance

Guests:

President Johnsen will join at 3:45 p.m.

2. Adoption of Agenda

3. Approval of March 24 Minutes

4. Public or Guest Comments:

5. Report from Chair:

6. Report from Faculty Senates (current Presidents): Issues, concerns, motions; questions or comments to Faculty Alliance

7. Ongoing Business

7.1. Protection of Minors Regulation draft (last look)

7.2. Shared Governance Survey

7.3. Enrollment Plan Response

8. New Business
 - 8.1. Motion of support for funding UA System
 - 8.2. Services for Students Experiencing Disabilities
9. Agenda Items for April 28 Meeting
 - 9.1. Revised Phase 2 Options, if available
10. Agenda Items for May 12 Meeting
 - 10.1. Induction of new members & installation of new chair
 - 10.2. Title IX policy/regulation
11. Comments, concerns, and announcements
12. Adjourn

Upcoming Meetings & Events:

April

21-SAC, 3-5p, Audio

28- Faculty Alliance Meeting, 2:30-4:30p via Google Hangouts

May

1-Faculty Alliance report due to Statewide Governance

1-UAF Faculty Senate, 1p-3p

2- Chair meets with President, 1p, Anchorage

2- Chair meets with VPAAR, 2p, phone

5-UAA Faculty Senate, 2:30p-4:30p

5-UAS Faculty Senate, 3p-5p

12- Faculty Alliance Meeting & Transition to new members, 2:30-4:30p via Google Hangouts

19-SAC, 3-5p, Audio

22- BOR Public Testimony, 4p-6p, audio

25- BOR ASA Committee meeting, 8:30a-11:30a, video

25- BOR Facilities Committee meeting, 1p-5p, video

26- BOR Audit Committee meeting, 9a-11a, video

June

1-2, BOR meeting, Fairbanks

16: SAC, 3-5p, Audio



UNIVERSITY
of ALASKA
Many Traditions One Alaska

Minutes

Faculty Alliance

Friday, March 24, 2017

Google Hangouts

1-855-280-1855

2:30 p.m. – 4:30 p.m.

1. Call to Order

The meeting came to order at 2:32 p.m.

Voting Members:

Megan Buzby, President-Elect, UAS Faculty Senate

Sharon Chamard, 1st Vice President, UAA Faculty Senate

Chris Fallen, President-Elect, UAF Faculty Senate *joined at 3:15*

David Fitzgerald, President, UAA Faculty Senate

Maren Haavig, Past President, UAS Faculty Senate

Lisa Hoferkamp, President, UAS Faculty Senate

Orion Lawlor, President, UAF Faculty Senate *joined at 3:15*

Debu Misra, Past President, UAF Faculty Senate

Tara Smith, Past President, UAA Faculty Senate; Chair, Faculty Alliance

Staff:

Morgan Dufseth, Executive Officer, System Governance

Guests:

President Johnsen at 3:45

2. Adoption of Agenda

Dave moved to approve, seconded by Maren. There were none opposed. The agenda was adopted as presented.

3. Approval of March 10 Minutes

Members reviewed the minutes and agreed no changes were necessary. The minutes were approved as presented.

4. Report from Chair: March 14 meeting with President Johnsen; SAC will forward our calendar recommendations to the Summit Team with their support

Tara noted she met with President Johnsen on March 14 and they focused mainly on how to incentivize enrollment and athletics. Her March report to the Senates is available [here](#).

5. Report from Faculty Senates (current Presidents): None or only important items; questions or comments to Faculty Alliance; report from David Fitzgerald on meeting with Chair O’Neill

UAF: Orion and Chris, the two active members of UAF Faculty Senate had not yet joined the meeting. However, Debu noted the UAF AdComm would be discussing CES Research and the issues brought up after its attempted elimination at their meeting today.

UAA: Dave reported it was overall a good meeting with Board Chair Gloria O’Neill, although he noted it was clear they had different ideas of what the focus of the meeting would be. For his part, Dave reported he focused on including faculty input at each step of the process, and also brought up that he did not feel Strategic Pathways was an effective process for restructuring. They also discussed the decision to consolidate the College of Education at UAS, the decision to not eliminate athletics, single accreditation, and statewide reductions. Dave also noted he told Chair O’Neill he thought the president didn’t want recommendations from the Strategic Pathways review teams because, in his opinion, the president already has his mind made up and was just waiting to see if one of the options fit his predetermined decision.

Maren asked if Dave got the sense the Chair O’Neill was starting to realize the SP process was so flawed as to be ineffective. Dave noted Chair O’Neill said there had to be changes made and improvements at UA but also agreed that the beginning of the process (Phase 1) was flawed. They also discussed automation and how increased workloads of busy work are preventing employees from doing their actual jobs. He also noted that there has been a lack of support for IT to the campuses from SW.

As follow up, Dave suggested to Chair O’Neill that she meet with Tara before she left the Alliance.

UAS: UAS members noted they had no significant updates to share.

6. Ongoing Business

- 6.1. Statewide Reductions

Members reviewed the proposed resolution and agreed on several changes. Debu moved to approve the resolution, seconded by Dave. There were no objections. The resolution carried 9-0. The approved resolution can be read [here](#).

- 6.2. Public Opinion Piece

Members discussed whether they should still develop an opinion piece/response to Dermot Cole’s article. Chris agreed to continue to develop.

- 6.3. Protection of Minors Regulation draft

Tara noted she had sent suggested changes to the new revisions but had not yet heard back from Tim Edwards, UA Chief Risk Officer. Members expressed frustration that the language still did not make clear if the policy/regulation addressed courses that may include minors and programs specifically for minors held on a university campus. Megan suggested wording under definitions to clarify what a course is at UA. Members agreed to share with their respective Faculty Senates. Tara noted the

current draft will likely be reviewed at the April 22 Statewide Academic Council meeting.

7. Public or Guest Comments

President Johnsen joined the meeting at 3:48 p.m.

The president started with updates on:

Budget – The UA operating budget is currently at \$325M in the House and \$309 in Senate, with nothing for capital budget. The president noted he is taking the approach to continue to advocate for what we need and preparing for what we might get. He is currently working with campus administration and will present contingency budgets to the Regents at their special meeting on April 13.

Strategic Pathways – The president reported he had started a second round of face-to-face meeting with affected units to review Phase 2 options. The president noted he was pushing back timelines on the RFI on cost-benefit analysis but still hopes to get that work done over the summer and take the results to the Board in September. He noted that for Institutional Research Option 4 (Collaborative Knowledge Network) appears to have universal approval and he did not think it would require a cost-benefit analysis. For Fisheries, the same could be said for Option 3 (Jointly Offered Programs Between UAF and UAS), where there is already strong collaboration between UAF and UAS. For Fisheries, a proposal has already been reviewed by SAC, and the president expects it will be reviewed at the June BOR meeting. But in other areas, the president reported a cost-benefit analysis is needed but he was not pushing to have it done before June. Tara asked if the president still planned to distribute a memo with his initial thoughts on Phase 2 options; he promised he was.

June 2017 Board of Regents' meeting – The president noted he spoke with Chair O'Neill on ways to enhance faculty/governance participation at formal Board meetings. He noted they still had to work out the details but noted they expect to have improvement in opportunity to have faculty's voice heard. Tara noted faculty governance should also be included on matters affecting the general welfare of the university.

President Johnsen reported Dennis Jones and Aims McGuinness have been invited to draft a white paper on how Alaska could become a higher performing state system and lead a discussion on the university system in Alaska at the June BOR meeting.

Regarding the UA Foundation development campaign, the president reported he will have an update to the Board at their June meeting, however, the campaign is moving forward at this time with preliminary outreach.

Questions:

Dave asked who the request for SP Phase 2 Options RFI was addressed to at UAA; the president noted the provost had been contacted and likely Interim CBPP Dean Bogdan Hoanca following Rashmi Prasad's recent departure.

Megan asked if there was interest in asking marketing faculty to develop an enrollment campaign, or would they be hiring an outside firm to develop. The president noted he was thinking of finding a firm with experience and a proven track record in enrollment campaigns, however, he noted at previous jobs he has tried to make sure an internal employee was involved to help with the next phase.

Tara asked if the president thought he would be able to meet with the next Alliance chair, Lisa Hoferkamp based out of Juneau, in face-to-face meetings. The president indicated he would like to try to continue that practice and would be willing to find ways to either meet in Juneau or Fairbanks.

Re-evaluation of Phase 1 areas – The president indicated he hadn't made any decisions but was looking at IT because there was a lot of funding tied up in that area. Dave asked if the call for automation would be possible with the 20% reduction in IT. Tara asked about the academic decisions from Phase 1. The president noted they aren't planning to revisit at this time but they will adapt to issues as they develop.

8. New Business

8.1. Motion of support for Faculty Regents

Members reviewed a draft motion for Faculty Senates to pass in support of a faculty member on the Board of Regents. Sharon agreed to work on additional language relating to best practices and improved relations with faculty, and with share will Alliance members by next Wednesday.

8.2. Faculty Alliance Chair Duties

Tara noted there were no documented duties and details of workload for the Faculty Alliance chair. She reported she has developed a list of all expected duties and activities the chair is expected to take on for the year. She noted she negotiated six credits for the fall and spring semester, however, that she thinks that should be standardized.

9. Agenda Items for April 14 Meeting

9.1. Revised Phase 2 Options, if available

10. Agenda Items for April 28 Meeting

11. Comments, concerns, and announcements

Sharon noted she was troubled with the president's comments regarding options he saw as having overwhelming support and not requiring a cost-benefit analysis.

Regarding Rep. Wool's bill to create seats for faculty on the UA Board of Regents, Debu noted there wasn't an expectation it will move this year but that it was good to get the word out now to familiarize legislators with the idea.

12. Adjourn

Debu moved to adjourn, Chris seconded. The meeting adjourned at 4:34 p.m.

Upcoming Meetings & Events:

April

- 3-UAF Faculty Senate, 1p-3p
- 4- Chair meets with VPAAR, 2p, phone
- 7-UAA Faculty Senate, 2:30p-4:30p
- 7-UAS Faculty Senate, 3p-5p
- 13- Chair meets with President, 10a, Anchorage
- 14- Faculty Alliance Meeting, 2:30-4:30p via Google Hangouts
- 21-SAC, 3-5p, Audio
- 28- Faculty Alliance Meeting, 2:30-4:30p via Google Hangouts

May

- 1-Faculty Alliance report due to Statewide Governance
- 1-UAF Faculty Senate, 1p-3p
- 2- Chair meets with President, 1p, Anchorage
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- 5-UAA Faculty Senate, 2:30p-4:30p
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- 25- BOR ASA Committee meeting, 8:30a-11:30a, video
- 25- BOR Facilities Committee meeting, 1p-5p, video
- 26- BOR Audit Committee meeting, 9a-11a, video

June

- 1-2, BOR meeting, Fairbanks
- 16: SAC, 3-5p, Audio

REGENTS' POLICY
PART IX – STUDENT AFFAIRS
Chapter 09.06 - Services for Students Experiencing Disabilities

P09.06.010. Prohibition Against Discrimination on the Basis of Disability.

The university provides an equitable and non-discriminatory learning environment in that is welcoming, accessible, and inclusive to persons who experience a disability. No otherwise qualified individual will be denied reasonable access to, participation in, or the benefits of, any program or activity operated at or by the university because of disability. Each qualified student experiencing a disability will be eligible to receive appropriate academic adjustments and programmatic accommodations necessary for the student to access educational opportunities, programs, activities, or services in the most inclusive setting possible.

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P09.06.020. Definitions.

Definitions for implementation of this chapter will be specified in University Regulations.

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P09.06.030. Accommodation of Students experiencing disabilities.

- A. The university will strive to provide appropriate reasonable academic adjustments and other programmatic accommodations to qualified students experiencing disabilities to ensure access to educational opportunities, programs, and activities in the most inclusive setting possible. The university will make reasonable modifications and adjustments, provided such adjustments would not result in a fundamental alteration of the affected service, program, or activity; lower the standards of an instructional program; result in an undue financial, administrative or academic burden; or create a direct threat to the health or safety of others. Regents' policy, university regulation, and university rules and procedures for accommodation of students experiencing disabilities will be based upon principles and requirements contained in the Americans with Disabilities Act (ADA) of 1990, as amended, and Section 504 of the Rehabilitation Act of 1973, as amended.

- B. The university will not charge students experiencing disabilities a fee for the provision of approved appropriate academic adjustments and other programmatic accommodations. The university generally assumes no responsibility for providing, or for the cost of, non-approved academic adjustments, or devices or services of a personal nature, including but

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not limited to personal care attendants, personal study assistants, individually prescribed devices, or readers for non-programmatic material.

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P09.06.040. Responsibilities for Appropriate Academic Adjustments and Other Programmatic Accommodations.

- A. The chancellors are responsible for ensuring that their respective universities, including extended campuses and sites, meet all legal responsibilities for students experiencing disabilities. Each chancellor will designate an individual to serve as that university's student Disability Support Services (DSS) Director or DSS Coordinator, and may at their discretion appoint site designees for extended campuses or other sites. Each chancellor is also responsible for ensuring that training opportunities related to awareness and understanding of the needs of students experiencing disabilities are made available to all faculty and staff.
- B. The President or a designee is responsible for ensuring that the statewide office meets all legal responsibilities for students experiencing disabilities, and for ensuring that training opportunities related to awareness and understanding of the needs of students experiencing disabilities are made available to all statewide employees.
- C. Students who experience a disability and seek appropriate academic adjustments or other programmatic accommodation must identify themselves to the DSS Director/Coordinator, or site designee, in a timely manner. Students will be required to initiate the interactive process by participating in an intake interview in some form and submitting an application and current medical and / or other acceptable documentation of their disability at the time they seek DSS services.
- D. The responsibilities of the DSS Directors/Coordinators, site designees, and other faculty and staff, will be specified in University Regulations, and may be supplemented by the relevant Chancellor.

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P09.06.050. Resolution of Complaints Regarding Accommodation of Students experiencing disabilities and of Complaints of Discrimination Based on Disability.

- A. Students experiencing disabilities who are dissatisfied with the accommodations or services provided by the university may initiate a formal complaint in accordance with university regulation and rules and procedures only after exhausting the processes for securing the services and accommodations and the informal means for resolving complaints.

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- B. A process will be provided in the university regulation for informal and formal resolution of complaints from students experiencing disabilities who have been denied services or who are dissatisfied with the services provided, and from individuals who allege that a student has been subjected to unlawful discrimination based on disability. The procedure for formal resolution of complaints will incorporate appropriate due process standards and provide for the prompt and equitable resolution of complaints

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P09.06.060. Confidentiality.

The documents submitted by students seeking DSS services and the resulting DSS file will be managed as medical and health files under the supervision of the DSS Director/Coordinator or site designee in accordance with applicable federal and state laws. Diagnostic records and evaluations related to a disability will not be part of a student's academic file. Medical information contained in the files will be released by the DSS Director/Coordinator or site designee only in accordance with federal and state laws, Regents' Policy, or University Regulation..

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P09.06.070. On-line accessibility.

A. All components of the University should establish and maintain University websites and on-line services with the goal of making such information and services accessible to individuals experiencing disabilities.

B. Implementation standards will be specified in University Regulation.

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P09.06.080. Public Events held on University facilities.

A. All meetings, programs, and events held at the university, regardless of whether such programs are operated or funded by the university, must comply with accessibility requirements under federal, state, and local law and University policies and regulations. Accessibility considerations include but are not limited to the event location, seating, audio and visual mediums, interpreters and captioning, and alternative format of publications. The program sponsor is responsible for receiving and coordinating requests for reasonable accommodations. The program sponsor must be able to provide the university with documentation that the sponsor does not discriminate on the basis of disability.

UNIVERSITY REGULATION
PART IX – STUDENT AFFAIRS
Chapter 09.06 - Services for Students Experiencing
Disabilities

R09.06.020. Definitions.

In this chapter

- A. “ADA/Section 504 Coordinator” means the person responsible for overseeing university implementation of the requirements of the Americans with Disabilities Act of 1990, as amended, and Section 504 of the Rehabilitation Act of 1973, as amended;
- B. “appropriate academic accommodation” or “appropriate academic adjustment” means a modification to the learning environment in a particular course, as defined by individual documented need and directly related to the student’s disability and academic work in that course. Such adjustments shall not be approved if the modification fails to meet the requisite course outcomes and technical standards or would fundamentally alter the nature of the course.
 - 1. Appropriate academic adjustments may include auxiliary aids and services (including but not limited to sign language interpreters, recorded texts, or other effective methods of making orally delivered materials available to students who are Deaf or hard of hearing; text-to-speech technology in libraries for students with visual impairments; classroom equipment adapted for use by students with mobility impairment; and other similar services and actions).
 - 2. Appropriate academic adjustments may also include alternate methods for course examinations, as approved by the DSS Director/Coordinator and the course instructor.
- C. “Disability Support Services Director” or “Disability Support Services Coordinator” or “DSS Director/Coordinator” means the individual designated by the chancellor of each university to administer the provision of appropriate academic adjustments and other programmatic accommodations to students experiencing disabilities;
- D. “programmatic accommodation” or “programmatic adjustment” means a modification or adjustment to the physical and learning environment beyond any one particular course, made to enable a student experiencing a disability to pursue educational goals. Programmatic accommodations may include modifications in academic requirements such as length of time needed to complete degree requirements, substitutions for specific courses

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required for degree completion, and adaptation of the manner in which specific courses are conducted, as approved by the Disability Support Services Director/Coordinator and the provost, after consultation with the department chair and dean. Such adjustments shall not be approved if the modification fails to meet the requisite program outcomes and technical standards or would fundamentally alter the nature of the academic program;

- E. “qualified student” means a student experiencing a disability who, with or without an accommodation, meets the academic and technical standards requisite for admission to, or participation in, the student’s selected educational program or activity;
- F. “site designee” means a University employee working at a particular University campus, designated by the Chancellor, to administer, in coordination with the DSS Director/Coordinator, the provision of appropriate academic adjustments and programmatic accommodations to students experiencing disabilities enrolled in courses administered by that campus;
- G. “student experiencing a disability” means a person enrolled to take one or more university courses, with a disability as defined by the Americans with Disabilities Act of 1990, as amended (ADA);

R09.06.041. Responsibilities of Disability Support Services Directors/Coordinators or Site Designees.

- A. Substantively, each university’s DSS Director/Coordinator will oversee the provision of appropriate academic adjustments and other programmatic accommodations provided within the university, including the needs of the extended colleges, campuses, and other sites. The DSS Director/Coordinator, or the site designee in consultation with the DSS Director/Coordinator, is responsible for the provision of services which include:
 - 1. evaluating disability documentation and other information provided by students seeking DSS services on the basis of disability, during the course of the interactive process;
 - 2. consulting with individual faculty and/or staff when required by the nature of the disability, academic adjustment, or programmatic accommodation;
 - 3. authorizing appropriate academic adjustments and other programmatic accommodations for qualified students experiencing disabilities in accordance with regents’ policy and university regulations, rules and procedures, and providing written instructions to faculty and staff for their provision and coordination;
 - 4. providing consultation and training for faculty and staff related to awareness and understanding of the needs of students experiencing disabilities;

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5. addressing concerns from students, faculty, or staff regarding the provision of appropriate academic adjustments or programmatic accommodations for students;
 6. advising the chancellor and directors of other campuses about changes in university practices that would encourage students experiencing disabilities to participate in university programs and activities;
 7. providing consultative input when the Chancellor and/or the director of an extended college or campus appoints a site designee to assist in the delivery of disability support services;
- B. Procedurally, the DSS Director/Coordinator or site designee will review the documentation and determine eligibility for services.
1. If the student is eligible, the DSS Director/Coordinator or site designee will
 - a. authorize appropriate auxiliary aids as specified in R09.06.020.B;
 - b. with the approval of the provost, authorize appropriate modifications to programmatic academic requirements under R09.06.020.D;
 - c. provide the student and faculty and staff written implementation instructions; and
 - d. instruct the student to report any perceived delay in the provision of services to the Director/Coordinator or site designee for resolution
 2. If the DSS Director/Coordinator or the site designee determine that a student is not qualified to receive the requested academic adjustments or programmatic accommodations, or if accommodations the DSS Director/Coordinator recommends are not satisfactory to the student, the Director/Coordinator or site designee will inform the student of the informal and formal processes by which the decision may be further reviewed within the university under R09.06.050.
 3. In reviewing documentation and making determinations with regard to a student who has had a prior determination made at another university within the UA System, the DSS Director/Coordinator is to
 - a. offer the student the option to obtain documentation from the prior university with the student's authorization to avoid requiring the student to submit duplicate documentation, provided that the DSS Director/Coordinator has the discretion to require more timely documentation as may be necessary to insure that a current determination is based on current information; and

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- b. give consideration to the extent to which the accommodations made at the prior university may be adaptable to the current request, provided that this does not negate the need for the DSS Director/Coordinator to engage in an individualized interactive process with the student.

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R09.06.042. Responsibilities of Students Experiencing Disabilities in Seeking Accommodation.

- A. To be considered for eligibility for appropriate academic adjustments or programmatic accommodations, students must identify themselves as having a disability to the DSS Director/Coordinator or site designee and submit current medical, psychological, neuropsychological, psycho-educational, psychiatric, and/or other appropriate diagnostic evaluation(s) completed by professionals with appropriate certification and/or licensure to document the disability and the restrictions or limitations placed on the student by the disability.
- B. Documentation must support the accommodations requested, and may be required before authorization is made for appropriate academic adjustments and/or other programmatic accommodations.
- C. The DSS Director/Coordinator will request additional documentation when existing documentation is unacceptable or inadequate. The University of Alaska will not be responsible for, and will not bear the cost of, any evaluations and/or documentation regarding a disability. Any student seeking eligibility for appropriate academic adjustments is responsible for obtaining the required documentation. DSS staff is not responsible for requesting documentation from a student's qualifying diagnostician.

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R09.06.043. Responsibilities of Faculty and Staff in Providing Accommodations for Students Experiencing Disabilities.

- A. Faculty and staff are responsible for timely implementation of authorized appropriate academic adjustments and other programmatic accommodations. Faculty should contact the DSS Director/Coordinator to request clarification of an authorized academic adjustment, and will work with the DSS Director/Coordinator or site designee to provide the authorized academic adjustments and other programmatic accommodations.
- B. Faculty will not provide any informal academic adjustments or other programmatic accommodations to a student who discloses a disability. Any student who discloses a disability as part of a request for academic adjustment or other programmatic accommodation must be referred to DSS.

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- C. Authorized accommodations or adjustments may not be changed without the approval of the DSS Director/Coordinator or site designee. Faculty or staff who have questions about the authorized accommodation should contact the DSS Director/Coordinator or site designee.
- D. Faculty and staff are responsible for understanding the university's obligation to provide accommodations for students experiencing disabilities, including participation in appropriate trainings.

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R09.06.044. Direct threat.

- A. The university will not permit an individual to participate in or benefit from the services, programs, or activities of the university when that individual poses a direct threat to the health or safety of others.
- B. In determining whether an individual poses a direct threat to the health or safety of others, the university will make an individualized assessment, based on reasonable judgment that relies on current medical knowledge or on the best available objective evidence, to ascertain: the nature, duration, and severity of the risk; the probability that the potential injury will actually occur; and whether reasonable modifications of policies, practices, or procedures or the provision of auxiliary aids or services will mitigate the risk. This determination must be based on actual risk, not mere speculation, stereotypes or generalizations about individuals experiencing disabilities.

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R09.06.045. Reconsideration of Authorized Accommodations.

- A. Deans or Directors who feel an authorized academic adjustment or programmatic accommodation fundamentally alters their program, service or activity; lowers the standards of their instructional program; results in an undue financial, administrative or academic burden; or creates a direct threat to the health or safety of others should contact the DSS Director/Coordinator, or site designee.
- B. If requested to reconsider, the DSS Director/Coordinator or site designee may attempt to resolve the issue informally with the faculty or staff member, the appropriate dean or director, and/or the chief academic officer, following informal conference procedures analogous to those of R09.06.050.A. If informal efforts do not result in resolution, the DSS Director/Coordinator or site designee will prepare a brief memorandum summarizing the disagreement, circulate it to the conference participants, and inform the student of the process for filing a formal complaint within the university.

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R09.06.050. Resolution of Complaints Regarding Accommodation of Students With Disabilities and of Complaints of Discrimination Based on Disability.

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- A. A student who claims to have been denied services by the DSS Director/Coordinator or site designee, or who believes that the services provided are insufficient, may initiate a formal complaint in accordance with R04.02.020.E – R04.02.020.I, but will generally be required to complete the R09.06.041 accommodation process and the informal resolution procedure outlined below before the formal complaint will be processed.
1. If the final determination with which the student is dissatisfied is that of a site designee or other DSS office employee under the supervision of the DSS Coordinator/Director, the site designee or other employee is to communicate the student's dissatisfaction to the DSS Coordinator/Director. The DSS Coordinator/Director will attempt to convene, as soon as practicable, an informal conference with the student, the site designee/other employee, and any others the DSS Coordinator/Director may choose to invite. The informal conference may be in-person, telephonic, or by correspondence. If the informal conference reaches a resolution satisfactory to the student, the DSS Coordinator/Director will prepare a memorandum reflecting the resolution, and this resolution will be circulated to the conference attendees and then implemented, by either the DSS Coordinator/Director or by the site designee/other employee, as in R09.06.041.B.1. If the informal conference fails to reach a resolution, the DSS Coordinator/Director will prepare a memorandum noting that the informal resolution process has been attempted unsuccessfully, and convey that memorandum to the conference attendees and to the ADA/504 Coordinator.
 2. If the final determination with which the student is dissatisfied is that of a DSS Coordinator/Director, the DSS Coordinator/Director is to communicate the student's dissatisfaction to the University official designated by that university's ADA/504 Coordinator, or in the absence of any such designation, to the DSS Coordinator/Director's supervisor. The designee/supervisor will attempt to convene, as soon as practicable, an informal conference with the student, the DSS Coordinator/Director, and any others the designee/supervisor may choose to invite. The informal conference may be in-person, telephonic, or by correspondence. If the informal conference reaches a resolution satisfactory to the student, the designee/supervisor will prepare a memorandum reflecting the resolution, and this resolution will be circulated to the conference attendees and then implemented, by the DSS Coordinator/Director, as in R09.06.041.B.1. If the informal conference fails to reach a resolution, the designee/supervisor will prepare a memorandum noting that the informal resolution process has been attempted unsuccessfully, and convey that memorandum to the conference attendees and to the ADA/504 Coordinator.
- B. A student who believes that the student has been discriminated against on the basis of a disability on some issue that does not involve dissatisfaction with a determination by the DSS Director/Coordinator may initiate a formal complaint in accordance with R04.02.020.E – R04.02.020.I.

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R09.06.060. Confidentiality

All records within the university provided by students seeking DSS services will be filed with the DSS Director/Coordinator or site designee to ensure confidentiality. No one other than the DSS Director/Coordinator or site designee will have immediate access to these files without the student's authorization. Information will be released from the files in accordance with applicable federal and state laws, Regents' Policy, and University Regulation. Information in the DSS file will not be conveyed to anyone other than those UA personnel responsible for implementing the accommodation, and even then such information will be limited to the bare minimum necessary to explain the accommodation.

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R09.06.070. On-line Accessibility.

- A. Persons experiencing disabilities seeking to utilize the University's websites, academic course content, and on-line services should be afforded the opportunity to acquire the same information, engage in the same interactions, and enjoy the same services as non-disabled persons, with substantially equivalent ease of use.
- B. Guidance for implementation of this should be determined with reference to the standards in Web Content Accessibility Guideline (WCAG) 2.0 Level AA.
- C. While the University will be responsive to any complaints and/or requests concerning on-line accessibility, those will not be the sole method of attainment, and the following affirmative steps are also to be taken.
 - 1. The Statewide Chief Information Technology Officer will arrange for periodic internal and external audits of University websites to determine compliance. Audit assessments, including any recommendations for changes, are to be provided to each Chancellor and the President.
 - 2. Each Chancellor, or a delegee, shall arrange for the provision of on-line content accessibility training to all University personnel, including faculty, who will be posting content to any University website, on the steps to be followed in the preparation of such content to minimize difficulties in making such content accessible to persons experiencing disabilities, and in the Chancellors' discretion to establish requirements for such training before University personnel will be allowed to post such content.

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3. Each Chancellor, or a delegee, shall establish policies to require that contracts and agreements between the University and a third-party provider of website-related services or products contain a provision calling for compliance with the standard set in (B) above. This specification should be included in requests for proposals or other bidding or procurement documents for such services or products.
4. Each Chancellor, or a delegee, will arrange for inclusion on each University-generated website, including the home page of each University department or component, a statement of the University's commitment to make the information on its websites accessible to individuals experiencing disabilities, and urging users who are unable to access any pages on the site to contact the University via a specific address or email address.
5. The Statewide Chief Human Resources Officer, in conjunction with the Human Resources Directors of each University, shall arrange for inclusion of a mention in all hiring documents that, if the employee is required to or chooses to post on-line content on University websites, the employee will first participate in the training under (2) above and strive to keep all on-line content accessible;
6. For Statewide, the functions assigned to the Chancellors under paragraphs 2, 3, and 4 above will be fulfilled by the President or a delegee.

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R09.06.080. Public Events held on University facilities.

- A. Contracts for use of University facilities by third parties are to include assurances that the lessees will comply with accessibility requirements under federal, state, and local law and University policies and regulations.
- B. The program sponsor must be able to provide the university with documentation that the sponsor does not discriminate on the basis of disability. The program sponsor's materials must include information on how to request a reasonable accommodation from the program sponsor.
- C. All costs and arrangements for reasonable accommodations for events under this section are to be borne by program sponsors, unless the program sponsor requests and the University determines that the University should bear the cost for a structural modification to the physical facility.

R09.06.090. Disability issues not involving academic or programmatic adjustments.

If a student or other individual brings a disability-related issue not involving academic or programmatic adjustments (e.g., housing, transportation, facilities) to the DSS

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Coordinator/Director or site designee, the DSS Coordinator/Director or site designee is to facilitate referral of the matter to the appropriate University component for resolution.

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UNIVERSITY REGULATION As of 8 Mar 2017
PART IX – STUDENT AFFAIRS
Chapter 09.12 – Protection of Minors

R09.12.010. General Statement: Protection of Minors

The University of Alaska system, as part of its mission, promotes and engages in many programs, events and activities that involve minors throughout its separately accredited institutions and campus locations. Protection and safety of minors is of the highest priority for the University of Alaska. To protect minors engaged in its programs, the University of Alaska has enacted the following regulations to provide protection for minors engaged in programs, events, and activities provided or endorsed by UA or any program conducted at its facilities.

R09.12.030 Definitions

A. Authorized Adults

Authorized Adults are individuals (whether full-time, part-time, temporary, paid, or unpaid), who in their official capacity have any direct and unsupervised contact with a minor. Authorized Adults include but are not limited to UA faculty, staff, other employees, volunteers, graduate and undergraduate students, interns, contractors, and consultants. Authorized Adult status does not apply to UA individuals at public events where there is a reasonable expectation of parental supervision.

B. Behavior of Concern

A behavior of concern is any behavior with minors that is suspicious and inappropriate, but may not rise to the level of abuse. Examples are provided in the Code of Behavior at R09.12.070.

C. Child Abuse or Neglect

Child abuse or neglect is the negligent treatment or maltreatment, injury, sexual abuse, or sexual exploitation of a minor by any person under circumstances which indicate that the child's health, welfare and safety is harmed or threatened. Child Abuse or neglect may be inflicted by any person and may include minor-to-minor abuse or Authorized Adult-to-minor abuse. For purposes of this policy, abuse may include, but is not limited to, the following types and descriptions:

1. Physical Abuse means hitting, spanking, shaking, slapping, unnecessary restraints;
2. Verbal Abuse means using degrading, or threatening language, including using foul language and cursing;
3. Sexual Abuse means any form of sexual conduct, engaging in inappropriate touching, exposing oneself, engaging in sex themed conversations;
4. Mental Abuse includes shaming, humiliation, and cruelty;

5. Neglect means unreasonable withholding of food, water, shelter, and reasonable medical attention.

D. Mandated Reporters

Mandated Reporters are persons that Alaska law legally requires to report child abuse and neglect. They are health practitioners or administrative officers of institutions; teachers and school administrators; child care providers; paid employees of domestic violence and sexual assault programs, crisis intervention and prevention programs, or organizations that provide counseling or treatment to individuals seeking to control their use of drugs or alcohol; peace officers or officers of the Department of Corrections; persons who process or produce visual or printed matter, either privately or commercially; members of a child fatality review team or the multidisciplinary child protection team

E. Minor

A minor is a person under the age of 18 years, unless the person is legally emancipated or legally married.

F. Non UA Sponsored Program

A non UA sponsored program is one where a third party contractor or third party individual hosts a program, event, or activity on UA property. Non UA sponsored programs do not have UA oversight or supervision.

G. Supervised Adults

Supervised Adults are individuals who work with minors under the direction of an Authorized Adult. Supervised Adults do not have unsupervised contact with a minor.

H. Title IX Coordinator

The Title IX Coordinator is responsible for overseeing, coordinating and monitoring the University's policy prohibiting discrimination, sexual assault, sexual harassment, dating and domestic violence, stalking, and retaliation ensuring compliance with federal and state discrimination and sexual harassment laws.

I. UA Approved Training

UA approved training is training submitted by university committees to the Chief Risk Officer and approved for use for Protection of Minor training.

J. UA Sponsored Program or UA Sponsored Activity

A UA Sponsored Program or UA Sponsored Activity is a program, event or activity staffed by at least one Authorized Adult and offered by various academic, departmental or administrative units

of UA, including student organizations, or in cooperation with outside entities on behalf of UA. This definition does not include activities occurring within the context of a numbered UA academic, non-credit, or continuing education course. ~~research activities and UA academic programs that include minors if they involve residential, travel, or experiential components outside the classroom.~~

~~UA academic programs occurring exclusively in the classroom are not required to meet the minor protection requirements of UA Sponsored Programs or UA Sponsored Activities.~~

K-12 Schools and K-12 School Districts visiting UA outside of a UA Sponsored Program or UA Sponsored Activity are exempt from this policy, but must abide by their own supervisory requirements and certifications, including the ratio of authorized adult(s) to minors. The K-12 School or K-12 School District shall be responsible for the care of its minors at all times.

K. UA Course—Numbered class offerings occurring within UA academic, non-credit, or continuing education programs or units. These education and training courses' and programs' primary focus is adult learners and reflect that in their design, delivery, and content.

R09.12.040 Registration of UA Sponsored Programs

The Chief Risk Officer, in consultation with the Statewide administration, the University of Alaska Anchorage, the University of Alaska Fairbanks, and the University of Alaska Southeast, shall develop a system to register UA Sponsored Programs and Activities as well as Non UA Sponsored Programs occurring on all UA campuses. Registration information shall be provided to the UA Chief Risk Officer annually.

R09.12.050 Employee and Volunteer Screening and Selection

All UA Sponsored Programs or UA Sponsored Activities must adhere to the following employee and volunteer screening and selection criteria. These steps must be completed before an applicant is released to work with minors in a paid or unpaid position.

A. Authorized Adults

All UA Sponsored Programs shall be staffed by at least one Authorized Adult who supervises all other Supervised Adults. Screening and selection of a new Authorized Adult must be documented in an individual's file and include:

1. A standard application;
2. Signed UA Code of Behavior;
3. A borough/county criminal background check in all boroughs/counties where the applicant has lived the last 7 years; a multi-state criminal background check with Social Security Number Trace and Alias Search; and a national sex offender registry check; and

4. Have an interview.
5. A minimum of three reference checks that include professional and personal references.

Individuals currently classified as Authorized Adults should comply with at least the first three items listed above in order to maintain their positions.

UA Sponsored Programs and UA Sponsored Activities shall repeat items (A) 2 annually and item (A) 3 every three years.

B. Supervised Adults

Screening and selection of all other UA individuals working with minors in a program who may not be an Authorized Adult must include:

1. A standard application;
2. Signed UA Code of Behavior; and
3. A national sex offender registry check.

UA programs shall repeat items (B) 2 annually and item (B) 3 every three years.

R09.12.055 Minimum Required Supervision Ratios

An Authorized Adult must provide every minor with reasonable and appropriate supervision while that minor is on campus. Unless otherwise approved, every program at which minors are present must have a minimum Authorized Adult to minor ratio of the following:

Type	Ratio
Daycare Facilities	State of Alaska Administrative Code: 7 AAC 57.510 ¹
UAF Sponsored Events-Activities with caregiver responsibilities	State of Alaska Administrative Code: 7 AAC 57.510 ³
UAF Sponsored Events-Activities without caregiver responsibilities	No required ratio, based on event
UAF Hosted Activities	State of Alaska Administrative Code: 7 AAC 57.510 ³
K-12 School Partnerships	See R09.12.030.J of this regulation

The ratio for 13-17 year old minors is established at a minimum of one Authorized Adult to 18

¹ The ratio can be found by accessing the Alaska Administrative Code at [http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://www.jnu01.legis.state.ak.us/cgi-bin/folioisa.dll/aac/query=\[JUMP:'Title7Chap57!2C+a!2E+5'\]/doc/{@1}?firsthit](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://www.jnu01.legis.state.ak.us/cgi-bin/folioisa.dll/aac/query=[JUMP:'Title7Chap57!2C+a!2E+5']/doc/{@1}?firsthit)

Minors, additional Authorized Adults should be added at the discretion of the program or EHSRM.

R09.12.060 Training

All Authorized Adults and Supervised Adults must annually complete UA-Approved Protection of Minor and mandated reporter training courses, and must complete those courses prior to having contact with or access to minors. Additional program-specific training may be required.

R09.12.070 Code of Behavior

University of Alaska ~~Sponsored Programs and Activities programs~~ serving minors are required to include a signed Code of Behavior in their registration materials that includes the following minimum statement:

“Our program provides the highest quality services available to minors. Our commitment is to create an environment for minors that is safe, nurturing, empowering, and that promotes growth and success for the minors who participate in our program. Any type of abuse will not be tolerated and will result in immediate dismissal from the program and/or University of Alaska (UA). UA will fully cooperate with authorities if allegations of abuse are made and investigated.

To accomplish this mission together, employees, volunteers, and other adults participating in ~~programsUA Sponsored Program and Activities; events, research and activities involving~~intended for minors:

1. Shall treat minors with respect at all times.
2. Shall treat minors fairly regardless of race, color, religion, national origin, age, sex, sexual orientation, gender identity, physical or mental disability, genetic information or pregnancy or parenthood status.
3. Shall adhere to uniform standards of affection as outlined in any applicable university or program specific procedures, and shall not engage in private displays of affection.
4. Shall not use or be under the influence of alcohol or drugs in the presence of minors or during activities or events involving minors.
5. Shall not discuss sexual encounters with or around minors, unless required academically.
6. Shall not date or become romantically involved with minors in the program.
7. Shall not make pornography in any form available to minors or assist them in any way in gaining access to pornography.
8. Shall not have secrets with minors or ask minors to keep secrets.
9. Shall not swear or tell sexual, discriminatory, degrading or otherwise offensive jokes.

10. Shall not stare at or comment on the minors' bodies.
11. Shall not engage in inappropriate electronic communication, such as "friending" or "following" minors, or allowing minors to "friend" or "follow" them, as may be further defined by specific program policies.
12. Shall avoid outside-of-program contact or interaction with minors, which may be further defined by specific program procedures.
13. Shall not be naked, shower, bathe, "skinny-dip" or undress with or in the presence of minors.
14. Shall not take any photographs or videos of minors or post photographs or videos on a digital, electronic, hosted media, web-based service or any other medium without first obtaining a release from the minor's parent or legal guardian.
15. Shall not abuse minors in anyway including the following:
 - Physical abuse:* hitting, corporal punishment, spanking, shaking, slapping, unnecessary restraints
 - Verbal abuse:* degrade, threaten, cursing
 - Sexual abuse:* inappropriate touch, exposing oneself, sexually oriented conversations
 - Mental abuse:* shaming, humiliation, cruelty
 - Neglect:* withholding food, water, shelter
16. Shall not allow minors to engage in hazing, bullying, derogatory name-calling, games of "Truth or Dare," ridicule, or humiliation.
17. Shall report concerns or complaints about other adults or minors in accordance with all reporting policies, which include the anonymous **UA Confidential Hotline at toll free (855) 251-5719.**"

R09.12.080 Reporting and Response

If at any time any individual has reason to reasonably believe that a minor is in imminent physical danger, they shall contact law enforcement immediately. UA expects all employees, Authorized Adults, and Supervised Adults who become aware of abuse and neglect of a minor to interrupt the behavior immediately, document it and report the incident, or circumstances causing suspicion of abuse to a supervisor, Dean, Director, Department Head, or Campus Risk Manager. Additional reporting responsibilities follow.

A. Reporting Abuse and Neglect

1. Individual Reporting of Abuse and Neglect

- a. All UA employees, Authorized Adults, and Supervised Adults who suspect or become aware of any child abuse or neglect must report~~s~~ their suspicion, observation or knowledge to their supervisor within 24 hours.
- b. All UA employees, Authorized Adults, and Supervised Adults who become aware of

discrimination against a child based on gender or sexual identity or sexual harassment of a child, which includes sexual assault, sexual misconduct, or any other behavior of a sexual nature, must also report that conduct to his or her campus Title IX coordinator or Title IX contact within 24 hours.

2. Mandated Reporters

Some employees may be a Mandated Reporter under Alaska law. It is an employee's responsibility to determine their Mandated Reporter status. Mandated Reporters must submit a report to the Office of Children's Services within 24 hours of reasonable cause to suspect that a child has suffered harm as a result of abuse or neglect. The mandated reporter has no responsibility to complete any type of investigation or determine if their suspicions are correct, but only must have a reasonable amount of information to say that they believe abuse or neglect may have occurred. Alaska Statute defines "reasonable cause to suspect" as "cause, based on all the facts and circumstances known to the person that would lead a reasonable person to believe that something might be the case." Alaska law grants immunity from civil or criminal liability to persons who make reports in good faith and in a timely manner.

Mandatory reporters who become aware of abuse or neglect that involves discrimination against a child based on gender or sexual identity or sexual harassment of a child, which includes sexual assault, sexual misconduct, or any other behavior of a sexual nature, must also report that conduct to his or her campus Title IX coordinator or Title IX contact within 24 hours.

If an employee is a Mandated Reporter, UA expects him or her to adhere to the requirements of that law in addition to the requirements described in this section. If an individual has questions about mandated reporting, consult a supervisor, Campus Risk Management for guidance.

3. Employees Subject to the Alaska Professional Teaching Practices Act

All faculty ~~Some employees, particularly faculty, may be~~ are subject to the responsibilities established by the Alaska Professional Teaching Practices Act. ~~It is an employee's responsibility to determine whether they are subject to the Alaska Professional Teaching Practices Act. If an e~~In addition to the other duties established by that Act, employees is subject to it-it, UA expects him or her to adhere to that Act and its code of ethics in addition to the requirements described in this section. ~~may not engage in physical abuse of a student or sexual conduct with a student and shall report to the Professional Teaching Practices Commission knowledge of such an act by an educator.~~

4. Supervisor or Administrator Response to a Report of Abuse or Neglect

The University expects supervisors or administrators who receive a report of abuse or neglect to act on that report. Supervisors and administrators should immediately forward reports of abuse or neglect to their supervisor, as well as campus police, the Title IX office, or external agencies as appropriate. Supervisors and administrators should consult and follow Campus protocols regarding reporting. The University of Alaska Campus protocols for response and reporting are on file with the Campus Risk Management, Campus Protection of Minor Committees, Chief Risk Officer, and the Office of General

Counsel. Contact one of these offices for additional assistance.

5. Reporting Minor-to-Minor Sexual Contact, Sexualized Behaviors, Suspicious or Inappropriate Behavior, including Behaviors of Concern

While the behaviors described in this section may fall outside of illegal activity, their prevention is important to providing a safe learning environment free of harassment for minors. As a result, UA expects all employees, Authorized Adults, and Supervised Adults who suspect, are told of, or observe minor-to-minor abuse or sexualized behaviors to immediately report their observations to their supervisor. Examples of conduct between minors to report include, but are not limited to sexual contact, hazing, bullying, derogatory name-calling, taunting, roughhousing, games of “Truth or Dare,” singling out minor for disparate or negative treatment, ridicule or humiliation, or behaviors listed as Behaviors of Concern.

In addition to reporting the behavior described in this section, employees, Authorized Adults, and Supervised Adults are expected to immediately interrupt the behavior and separate the minors, ensure the safety of the minors, refrain from conducting any investigation, document observations, allegations and suspicions, and report the incident to a supervisor.

R09.12.085 Minor Protection in UA Courses

Regulations will be promulgated to addressing minor students participating in UA Courses.

Suggested text from Faculty Alliance:

Minors participating in UA Courses are granted the same rights and responsibilities as all matriculated UA students. These rights and responsibilities are clearly delineated in Board of Regents Policy as well as Title IX and FERPA regulations.

R09.12.090 Contractors, Facilities Use Agreements, and Non-UA Events

Contractual agreements concerning personnel or facilities related to programs, activities, research and events including minors must comply with this policy. Contractors shall be held to the same standard as employees and volunteers of UA and shall be provided a copy of this policy.

The following shall be included as a term of the contract where a third party contract involves interaction with minors or as part of UA sponsored programs.

If the terms of the contract anticipate contact with minors, require work where minors reside, or work where minors swim or change clothing, the following provisions shall be in effect:

A. Contractor shall defend, indemnify and hold harmless the University, its Board of Regents, officers and employees, from and against any and all claims, causes of action, losses liabilities, damage or judgments directly or indirectly related to any mental or physical injury or death arising out of its contact or its conduct or the contact or conduct of its directors, employees, subcontractors, agents or volunteers with minors including sexual abuse of minors as defined by Alaska statute.

B. Contractor shall purchase an insurance rider, endorsement, or secondary policy that names the University as an additional insured and covers and protects the University from claims and losses for the abuse defined in A. above and provide the University with a copy of that rider prior to the commencement of work under this contract. The Campus Risk Manager will have the authority to waive this requirement with written approval from the Chief Risk Officer and the UA General Counsel's Office.

C. Contractor shall present the University with certification prior to the commencement of work under this contract that all employees, directors, subcontractors, agents or volunteers that may have Contact with minors shall:

1. Be trained and certified in the identification, prevention and reporting of the sexual abuse of minors;
2. Undergo a local, state, and nationwide criminal background check and national sex offender registry check;
3. Be prohibited from working under this contract involving minors if they:
 - i. have been convicted of a crime of violence, neglect, or abuse against a minor,
 - ii. are a registered sex offender,
 - iii. have been convicted of an assault, reckless endangerment, neglect, or
 - iv. have been convicted of possession of child pornography.
4. Adhere to the contractor's written policies related to the supervision of minors. At a minimum the contractors supervision procedures should include:
 - i. Minimum adult to minor ratios;
 - ii. How to supervise minors during overnight activities;
 - iii. How to supervise minors during activities that are associated with water use, including, but not limited to, pools, showers, bathing areas, swimming, etc.;
 - iv. How to supervise minors during transition times, including drop-off and pick-up.

D. Failure to satisfy A, B, C above may result, at the University's sole discretion, with immediate termination of this contract for cause, without regard to any other termination provision.