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MEMORANDUM

DATE: December 15, 2023

TO: Jennifer Ward, Faculty Alliance Chair

FROM: Karen Perdue, Board of Regents' Vice Chair and Academic and Student
Affairs Committee Chair 

CC: Regents
President Pitney
General Counsel Cooper
Paul Layer, Vice President Layer

SUBJECT: Executive Session

REFERENCE: Memo of December 11, 2023, from Ward to Perdue, same subject
(attached)

Thank you for your letter and for bringing the issue to my attention.

Yes, the Board of Regents complied with Alaska Statute 44.62.310 and University Regulation 02.06.030 to enter into executive session.

It was an oversight, not an intentional act that excluded the ex officio member from the November 9, 2023, executive session. In retrospect, the committee likely could have included you in the accreditation discussion portion of the session.

The Academic and Student Affairs Committee rarely has an executive session; however, I will be mindful of the topics and include the ex officio committee member in future sessions as appropriate.

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December 11, 2023

To: Karen Purdue, Regent

Cc: Pat Pitney, President
Paul Layer, Vice President
Matthew Cooper, General Counsel
Brandi Berg, Executive Officer

From: Jennifer Ward, Faculty Alliance Chair

Re:  Process compliance in executive session

On November 9, 2023 in the afternoon toward the end of the Academic and Student Affairs Committee meeting, President Pitney made the following motion for an executive session:

"The Academic and Student Affairs Committee of the Board of Regents goes into executive session to discuss matters the immediate knowledge of which would clearly have an adverse impact on the finances of the university, matters which by law are required to be confidential, and to receive legal advice regarding accreditation, litigation claims, and legislative strategy. This motion is effective November 9, 2023."

Despite the fact that I serve as an ex officio member on this committee I was excluded from the private session. This is concerning because the committee proceeded to discuss matters relevant to faculty governance (especially accreditation) without the benefit of faculty voice and background knowledge at the table.

I am asking that you review your policies, procedures, and Alaska statute with General Counsel and

- a) determine whether your committee was compliant with all regulations in the process followed for moving to executive session,
- b) determine a way to include all your committee members in topical discussions listed on your agenda,
- c) in cases where faculty governance participation may not be appropriate due to a sensitive nature that they not be discussed in a committee where faculty governance has been invited to participate.

The Academic and Student Affairs Committee is the one forum for faculty to provide input and support to the Board in an official capacity. My aim is to make the process thoughtful, appreciated, and compliant with law and BOR policies and regulations.