



Agenda  
**System Governance Council**  
Monday, February 22, 2016  
3 p.m. – 5 p.m.  
Video: [Google Hangout](#)  
Audio: 1-855-280-1855

1. Call to Order and Roll Call

Voting Members:

Mathew Carrick, Chair, Coalition of Student Leaders  
Faye Gallant, Chair, Staff Alliance  
Cécile Lardon, Chair, Faculty Alliance  
Rachel Morse, UAA Alumni  
Monique Musick, Vice Chair, Staff Alliance  
Jessy Post, Manager, UAS Alumni  
Kate Ripley, Director, UAF Alumni  
Tara Smith, Vice Chair, Faculty Alliance  
Jeff Woods, Representative, Coalition of Student Leaders

Ex Officio Members:

Morgan Dufseth, Executive Officer, System Governance  
James R. Johnsen, President

Guests:

Saichi Oba, Associate Vice President for Student and Enrollment Services  
Michael O'Brien, Associate General Counsel

2. Adopt Agenda

3. Approve Past Minutes  
3.1. January 25, 2016

Attachment 1

4. Chair's Report

Monique Musick

5. Member Updates

- 5.1. Alumni
- 5.2. Coalition of Student Leaders
- 5.3. Faculty Alliance
- 5.4. Staff Alliance

6. Ongoing Business

- 6.1. Legislative session advocacy
- 6.2. Update on Statewide Transformation Teams
  
- 7. New Business
  - 7.1. Strategic Pathways Feedback
  - 7.2. Title IX Scorecards Attachment 2
  - 7.3. SB 174 – Guns on Campus Attachment 3
  - 7.4. Draft Regulation on Telework Attachment 4
  - 7.5. Remote Chair Testimony at BOR meetings
  
- 8. Title IX Update – Saichi Oba, Michael O’Brien 3:30 p.m.
  
- 9. UA System Update – President Johnsen 4:00 p.m.
  
- 10. Information from Reports/Roundtable/Announcements
  
- 11. Agenda Items for March 21 Meeting
  
- 12. Adjourn

Minutes  
**System Governance Council**

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1. Call to Order and Roll Call

Voting Members:

Mathew Carrick, Chair, Coalition of Student Leaders

Faye Gallant, Chair, Staff Alliance

Rachel Morse, UAA Alumni

Monique Musick, Vice Chair, Staff Alliance

Jeff Woods, Representative, Coalition of Student Leaders

Ex Officio Members:

Morgan Dufseth, Executive Officer, System Governance

Guests:

James R. Johnsen, President, University of Alaska

Leslie Drumhiller, UAF Government Relations Officer

Members Absent:

Cécile Lardon, Chair, Faculty Alliance

Jessy Post, Manager, UAS Alumni

Kate Ripley, Director, UAF Alumni

Tara Smith, Vice Chair, Faculty Alliance

2. Adopt Agenda

Mathew moved to adopt, Jeff seconded. None opposed.

3. Approve Past Minutes

3.1. November 30, 2015

Rachel moved to adopt, Jeff seconded. None opposed.

[Attachment 1](#)

4. Chair's Report

Monique Musick

Monique gave an update on recent activities. She met with President Johnsen last week; their discussion focused on the best use of the System Governance Council. In her opinion, this group is an opportunity for the leaders of leaders to sit down and listen to each other. She wants to turn

this group's meeting into something more than just a report of what is going on in other areas—but will need to take it to the next level to do that.

The president and Monique also discussed the big campaigns coming up for UA—SGC should be critical for providing feedback to those campaigns—especially early on so that they can give effective feedback. Timelines weren't discussed but it sounds like they are working on RFPs for a survey on public perceptions now and then later this year they would use that feedback to facilitate the next phase of the campaign.

## 5. Member Updates

- 5.1. Alumni – Alumni directors will get together on Feb. 2 for a teleconference to discuss how alumni are represented and communicate to the Board. They are also looking at participating in the Coalition of Student Leaders legislative conference in Juneau and are trying to find the best way to take advantage of the opportunity for cross-pollinating students and alumni.
- 5.2. Coalition of Student Leaders – Their first meeting of this semester is tomorrow at 1:30. The next three meetings will focus on the upcoming legislative advocacy trip, which includes two days of Coalition meetings where they will decide on how to effectively advocate for the university, decide on issues to support, and create a unified agenda and message. The Coalition will then meet for two days with legislators to advocate for the University of Alaska.
- 5.3. Faculty Alliance – Morgan provided the update in the absence of faculty members. The Alliance held its retreat on Sat. Jan. 23. They invited members of the Summit Team and discussed priorities and how to move forward in the current budget situation.
- 5.4. Staff Alliance – Staff Make Students Count nominations are open until Feb. 12

## 6. New Business

- 6.1. Legislative session advocacy – The State Relations website has been updated with information for the current legislative session and more fact sheets will be added as they are updated/things change. The first Capitol Report was sent out by AVP Christensen last week. Rep. Tammie Wilson, head of the House Subcommittee on the University, made a presentation to the Subcommittee—without consulting UA for any data. From within UA, a lot of the data was seen as questionable, especially the way it was presented without context (information surrounding rural campuses as well as number of degree programs offered). However, it did touch on some areas that will likely be discussed by UA leadership.

Legislative meetings coming up – The first meeting with House Committee on UA's budget will be on Feb. 8; President Johnsen will be there to present.

Budget fact sheets/booklets will not be printed unless requested—UA Office of Public Affairs (OPA) will work with groups who have specific distribution plans.

OPA/University Relations will have something on the contingency budget, Title IX, guns on campus, and other bills that may come up (including repeal of college readiness requirements). If any Council members know of anyone that would have a strong message of support for UA, OPA can help coordinate and develop. They are currently working on getting out tools to employees/advocates to work UA's strategy. Rachel suggested getting a list of key contacts for targeted messaging—which constituents can really help tell UA's story.

Statewide Transformation Teams/Working Group Leaders are meeting next Jan. 27 and 28. Their [website](#) has names of all the [individual working group](#) members – share concerns or suggestions with them.

6.2. Governance Travel to Board Meetings – In light of travel restrictions, should governance look at alternatives to sending the chair to the BOR meeting in-person? There are pros (networking, in-person face contact, shared experience) and cons (cost, time) to both methods. After discussion, the group decided to still travel to Board meetings, but take measures to reduce travel costs. When appropriate, chairs can also coordinate with a local representative to provide the report in-person. President Johnsen was in support of travel to Board meetings but also liked the idea of teaming up with local representatives when that made sense.

7. UA System Update – President Johnsen 4:00 p.m.  
The president provided his views on a number of issues including the university's budget, the current legislative session, and the recent Board of Regents' retreat.

- Rep. Wilson did not seek input from UA for her presentation, and she is pushing hard for consolidation. The president asked his staff not to respond to questions from the media or public following the presentation, however, he made it clear he will assist Rep. Wilson going forward should she ask the university for input.
- Governor's budget request will likely result in a net effective cut of \$50M for the university.
- Sen. Pete Kelly is planning on introducing a guns on campus bill and it is likely to pass. UA leaders are trying to figure out the best path forward and want to be involved early rather than later.
- There is a proposal for ANSEP to take over [Mt. Edgecumbe](#), the residential high school in Seward. The president thinks this is a good idea but there has been no due diligence done, which would be necessary before taking on such a large commitment. The university would need to investigate before taking over a new facility (a residential high school facility with a swimming pool). He supports it in concept but knows there is a lot of homework to do before moving forward.
- At the Regents' retreat, the president reviewed with them what UA is doing to meet state needs. NCHEMS data was shared, which indicated Alaska is one of the top

states in receiving federal funding but at the low end for degrees awarded. A recent study noted that by 2020 65% of jobs in Alaska will require some higher education. If the university doesn't respond, Alaska will have to continue importing skilled workers—especially in health care and education.

- The Board unanimously gave formal approval for the president to continue working on a draft framework for a long-term strategic plan for the university. This framework would involve re-structuring, consolidation, and each university taking the lead in their respective areas of excellence and opportunity. The president subsequently shared this information with all UA employees via email. The Board has asked for the president to come back at February board meeting with a communication plan, implementation plan, and roles and responsibility, as well as a short-term component for the rest of fiscal year. UA will need to know by June where the programs will be housed and will then likely spend a year to figure out how to implement, and then two years for actual implementation. Principles of this framework: focus, access, diversity, excellence, and consistency.
- Following the presidents discussion, Council members agreed they would begin to work on a feedback form for employee input.

#### 8. Information from Reports/Roundtable/Announcements

#### 9. Agenda Items for February 22 Meeting

- 9.1. Public Testimony – invite Brandi to meeting
- 9.2. Telecommuting Regulations
- 9.3. Exploring student and alumni testify remotely at BOR meetings

#### 10. Adjourn

Rachel moved to adjourn. The meeting adjourned at 4:55 p.m.

February 12, 2016

**University of Alaska Concerns About SB 174  
Concealed Carry on Campus**

SB 174 takes away most of the Board of Regents' authority to regulate the carrying of concealed handguns and knives at the university, even by persons who don't have a concealed carry permit.

As drafted, the legislation would preclude the Board of Regents and University administration from effectively managing student and employee conflicts and campus safety issues where concealed weapons are involved. The Board of Regents and UA Administration oppose the bill in its current form. The following details the University's concerns about the proposed legislation and explains changes requested by the University.

**Differences Between the University and State or Municipal Governments.** Unlike state or municipal laws, the University's firearms regulations do not extend into the community at large. University policy and regulation only apply to conduct in University buildings and on UA's developed property.<sup>1</sup> These rules do not establish criminal penalties, and primarily affect students and University employees.

In addition, these rules are required to permit the University to manage areas, situations and people *for which the University is responsible*. This distinction is critical because unlike the state or a municipality, the University must proactively manage and is responsible for how thousands of students and employees interact as they live, eat, work and play on its premises.

**Critical Changes Requested** – UA does not support this bill because it eliminates UA's ability to effectively manage student and employee conflicts and safety issues where concealed weapons are involved. However, amendment to permit regulation in the highly sensitive situations discussed below would address a number of concerns.

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<sup>1</sup> The University believes its current policy and regulations are constitutional and allow it to effectively deal with safety issues as they arise. Firearms are permitted: at approved and supervised activities, including rifle ranges, gun shows, etc.; in cars located on streets or in parking lots; by faculty or staff in residences and by dormitory students in approved storage, and while transporting firearms directly to residences or dormitory storage locations; and on undeveloped and uninhabited university land. As detailed in a March 31, 2014 memo to Senate Finance, the constitutional right to bear arms is not implicated when restrictions apply only to sensitive places such as schools and government buildings. That memo is attached as Appendix A.

The University must have rules to effectively manage the following critical situations. In addition, these situations are analogous to situations in which concealed carry is criminalized under current state law. However, because of technical distinctions, they fall short of coverage by criminal law, and could not be regulated by the University under the current bill. UA requests amendment to permit regulation in the following circumstances to address these critical safety issues:

**1) When the behavior of students or employees demonstrate they pose a risk of harm to themselves or others** - The Report to the NRA by the National School Shield Task Force recommends that schools react promptly to behavior that indicates a risk. However, under the bill as structured, a student or employee who exhibits behavior indicating they pose a risk of harm to themselves or others, or who exhibits warning signs including depression, suicidal gestures, or overt hostility or aggression (everyday occurrences on residential college campuses) could not be deprived of his/her concealed weapons.<sup>2</sup> The Americans with Disabilities Act and comparable state law prohibits the university from simply removing mentally ill individuals from campus. Allowing regulation that provides a reviewable process to prohibit or restrict troubled individuals from possessing weapons on campus would provide an essential tool to keep campuses safe while complying with state and federal anti-discrimination law. This is particularly true given the high rate of suicide in Alaska, and the increased fatality rates associated with suicide attempts using firearms.

**2) In student dormitories or other shared living quarters** – Unlike private homes, student housing and dorms provide a high density, communal living environment for the convenience of students. Unlike private landlords, UA has significantly more responsibility for student well-being. UA serves as the “adult,” through residence advisors and other staff, monitoring student well-being, resolving disputes, and requiring compliance with rules. More than half of resident students are under 21 years old, may not legally carry concealed weapons, and do not necessarily get to choose their roommates. The bill would result in concealed weapons being present in dorms where they would be accessible to ineligible roommates and transient guests, and where alcohol is readily available for consumption. Allowing regulation that would prohibit possession of concealed weapons in shared student residences would be

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<sup>2</sup> This is the case even if the person is involuntarily hospitalized for psychological evaluation, if the evaluation ends without a formal finding of mental illness or formal commitment for treatment. Unless a person is formally adjudicated mentally ill he/she remains eligible to possess weapons under state and federal law. While this may be appropriate in the broader community, it is not required for “sensitive places” like schools, universities and government buildings in which there is no constitutional right to carry weapons.



consistent with existing age limits on concealed carry, alcohol restrictions on possession of firearms, as well as with requirements for “adult resident” consent to concealed carry in a residence.

**3) In university programs for K-12 students and in facilities where programming for K-12 students is provided** – The University runs numerous dedicated programs for K-12 students on university premises.<sup>3</sup> These include programs like Mat-Su Middle College and ANSEP at UAA, Upward Bound and RAHI at UAF, and summer college experience programming at UAS. Allowing regulation in this area would avoid a situation where the University cannot manage these programs consistent with existing state law that generally criminalizes adult possession of deadly and defensive weapons on K-12 grounds, in buildings, and at K-12 events.

**4) In university facilities housing health and counseling services or other services related to sexual harassment or violence** – University health and counseling centers and Title IX compliance offices routinely investigate allegations of sexual assault, sexual harassment and domestic violence as well as provide assistance to alleged victims and alleged perpetrators. Allowing regulation in these areas would avoid situations where the University must allow disgruntled and seriously stressed parties to bring concealed weapons to investigative or other meetings, and would parallel existing state law making possession of a firearm on the grounds of a domestic violence shelter a crime.

**5) During adjudication of staff or student disputes or disciplinary issues** – The University routinely adjudicates staff and student disputes, disciplinary and academic issues. On the student side these cases frequently involve assaultive behavior. Allowing regulation would avoid a situation where the University would be required to allow combative and highly stressed students or employees to carry a concealed weapon to adjudications, and would be consistent with current state law that makes possession of a firearm in a court facility a crime.

All the above situations are analogous to situations that have been criminalized under state law. Absent the ability to regulate in these high-risk areas, UA will be placed in a situation where it

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<sup>3</sup> Literally thousands of K-12 students are on our campuses during the course of a year, taking classes, participating in outreach or other educational programming.

cannot act when harm is foreseeable, and cannot comply with the standard of care suggested by those statutes.<sup>4</sup>

Permitting regulation in these circumstances has value even if the regulations are not always followed. Even criminal law does not prevent all crimes from occurring. UA's policies, like criminal laws, allow UA to take potentially preventative action when it becomes aware of a violation that poses a threat of harm<sup>5</sup> and to respond administratively when non-criminal violations occur. This is particularly important in the high conflict circumstances common on University campuses described above. UA requests that the bill be amended to permit UA to manage in these circumstances.

### **Concealed Carry Permit**

SB 174 also omits the requirement in Senator Coghill's 2014 bill that a person obtain a concealed handgun permit as a condition to carry a concealed handgun at the university. In 2014 the university opposed concealed carry permits as a substitute for the University's ability to manage its students, workforce and property. For the reasons discussed in the 2014 memo to Senate Finance,<sup>6</sup> a permit requirement alone is not an adequate substitute for the ability to manage in the sensitive areas described above.

However, a requirement that a person obtain a permit, in addition to the requested amendments providing University authority to regulate in these sensitive areas, makes sense in the university environment. A permit would require some training and knowledge about gun safety and applicable law, and exclude individuals with certain (but not all) criminal backgrounds from obtaining a permit.

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<sup>4</sup> The University appreciates the fact that the bill includes an immunity provision. While that should be effective against state damage claims, that will not be much consolation if an avoidable incident occurs. State immunity also may not bar certain civil rights actions or administrative sanctions by federal agencies.

<sup>5</sup>The University is a small community where information about firearm possession may be shared by roommates, classmates or by the owner, sometimes willingly to brag or intimidate, and sometimes unwittingly.

<sup>6</sup> Attachment A, March 31, 2014, UA General Counsel Memo to Senate Finance, at pp.7-8.

**R. \_\_\_\_\_ [new number]. Telework**

This regulation applies to work outside of the primary university-provided workplace during scheduled work hours for one or more days a week on a regular basis. This regulation does not apply to faculty who are on sabbatical or other approved leave, or to faculty who, consistent with their approved workload, are physically present to teach in the university setting and to maintain reasonable office hours at the primary university-provided workplace.

- A. Telework is an arrangement in which the university permits an employee to work during scheduled work hours at an alternate location that is remote from the primary university-provided workplace. Under this arrangement, the employee maintains close contact with his/her supervisor and coworkers through various forms of communication technology and fulfills all performance expectations.
1. Telework arrangements are at the discretion of the university and require written approval as follows.
    - a. All arrangements for telework require approval of the supervisor and the department dean/director, in consultation with appropriate Human Resources personnel.
    - b. For regular faculty, an arrangement for telework must be reflected in the faculty member's workload. The university reserves the right to modify the nature of the workload in a manner consistent with the applicable collective bargaining agreement.
    - c. An arrangement for work to be performed outside the State of Alaska requires a written telework agreement and advance written approval of the supervisor, the department dean/director, the regional human resources office, the chancellor, and the statewide human resources office. Approval by the dean/director confirms that the department or program has identified and budgeted for taxes, insurance, and administrative costs associated with the work activity outside of Alaska.
  2. Requirements for approval of a telework arrangement include the following:
    - a. The nature of the work shall be such that face-to-face direction or interaction with others is minimal or may be scheduled to permit teleworking. Tasks that benefit from uninterrupted work time are suitable for telework, such as writing, editing, reading, analysis, design work, and computer programming.
    - b. Telework must be compatible with the operational and customer service needs of the department or program.
    - c. The overall impact of the employee's total time out of the university-provided workplace must not adversely affect the mission of the department or program.
    - d. Taxes, insurance, and administrative costs incurred to maintain an employee who works outside of the state of Alaska must be identified and budgeted by the department or program. Statewide Human Resources will charge the department or program for all fees associated with the work activity outside of Alaska.
    - e. Telework must not subject confidential records to unauthorized disclosure.

- f. The need for specialized material or equipment must either be minimal or flexible.
- g. Telework must not adversely affect customer service delivery or employee productivity.
- h. The employee must have excellent performance, productivity, and work habits, including the ability to be self motivated and have minimal face to face daily supervision, and must maintain the expected quantity and quality of work while teleworking. A telework agreement may include provisions to ensure that all performance expectations are met.
- i. The employee must be able and willing to provide an adequate and safe work space that is free of distractions.

B. Telework Requests.

- 1. An employee who desires to work at a location other than the primary university-provided workplace shall submit a written request to their supervisor for consideration.
- 2. An employee with a disability who desires a telework arrangement as a reasonable accommodation under the Americans with Disabilities Act shall submit a request to the affirmative action officer in accordance with University Regulation 04.02.033.

C. Work hours and Scheduling

- 1. The employee shall be reachable by telephone, fax, pager, or e-mail during scheduled work hours.
- 2. The employee shall be on-site at their department or program to attend required meetings and training sessions, and to perform work as requested by the supervisor.
- 3. Overtime work for a non-exempt employee must be pre-approved in writing by the supervisor. An employee who works overtime without advance written approval is subject to discipline.
- 4. The employee shall obtain supervisory approval before taking leave in accordance with university policy. The university, as a public agency, has policies and practices established pursuant to principles of public accountability under which certain employees accrue annual leave and sick leave and may be placed on leave without pay for absences when accrued leave is not used.

D. Telework Location and Safety

- 1. The employee shall maintain an appropriate alternate work place that is separate from food preparation areas and sources of water. The university is not responsible for any costs associated with setup of a home office or the tax, insurance and other legal implications for the business use of an employee's home. The responsibility for

understanding and fulfilling all such obligations shall rest solely with the employee.

2. The university may inspect the alternate workplace.
3. The employee shall immediately report to the supervisor any job related injuries.
4. The university is not responsible for injury to any other person or to property arising out of the use of or activities in the alternate workplace. The employee shall not hold business visits or meetings at an alternate workplace. The employee shall hold the university harmless for injuries to others or damage to property at the alternate workplace.
5. In case of injury, theft, loss, or tort liability, the employee shall grant the university unlimited access to investigate and to inspect the alternate workplace.

#### E. Equipment

1. Unless the university agrees otherwise, employees who are approved for a telework arrangement will provide their own equipment, including computer system, software, printer, phone, and furnishings. Employees are responsible for maintenance and repair of their equipment. The university is not liable for loss, damage, or wear to employee-owned equipment.
2. Supervisors may approve temporary or occasional use of university equipment on a case-by-case basis. The employee shall not use, or allow others to use, university equipment for purposes other than university business.
3. All equipment, records and materials provided by the university remain the property of the university and shall be immediately returned to the university upon request.

#### F. Information Security

1. Employees shall comply with all laws, rules and procedures applicable to University employment, including Regents Policy and University Regulation 02.06, and shall safeguard all information that has not been disseminated to the public, including confidential records and proprietary university information that is accessible from their alternate work location.
2. Employees shall ensure that appropriate security mechanisms are present and enabled on university owned equipment, as well as on employee-owned equipment if used for University business, and shall ensure that security updates are maintained on such equipment.
3. The employee shall return all papers, computer files, and other records to the university at the end of the assignment or upon request.

4. An employee who engages in telework authorizes the university to take possession of any work related documents or equipment and to copy the entire contents of any storage device, media or backup equipment or service that has been used to generate or store university related records. The University shall follow the procedures applicable to University-owned equipment in Regents' Policy and University Regulation 02.07.
  
- G. Geographic differentials will not be paid if the employee's telework location is not in the same geographic area as the university-provided workplace or if the employee's university-provided workplace is in a location for which a geographic differential does not apply.
  
- H. The employee will be responsible for payment of all transportation and subsistence expenses for travel between the telework location and the university-provided workplace, except as otherwise specified in a written telework agreement approved by the department dean/director and the regional human resources office. Travel at university expense must comply with R05.02.060.
  
- I. Employees shall make arrangements for dependent care while teleworking. Telework is not an alternative means for an employee to fulfill dependent care obligations.
  
- J. Telework arrangements are granted on a temporary and revocable basis. The university may suspend or terminate telework arrangements at any time for any reason or no reason and require the employee to report to the primary work location upon written notice, not to exceed ninety (90) days. The university's decision to grant, deny, or terminate a telework arrangement is not subject to university grievance policies.
  
- K. If this regulation conflicts with an applicable collective bargaining agreement, the provisions of the bargaining unit agreement shall take precedence over this regulation.