

Agenda
Coalition of Student Leaders
Regular Meeting

Tuesday, March 29, 2016

1:30 p.m. – 3:30 p.m.

Via [Google Hangout](#)

Or by audio conference: 1-855-280-1855

(Please mute unless speaking.)

1. Call to Order and Roll Call

Voting Members:

UAA student representatives:

Shannon Cefalu, Kachemak Bay Branch Student Association (Homer)

Cheryl Tuttle, Kenai River Campus Student Union (Kenai)

Jeffrey Woods, Kodiak College Student Association (Kodiak)

Everret Hamilton, Matanuska-Susitna Student Government Council (Palmer)

Junaid Khan, Prince William Sound Community College Student Association (Valdez)

Arina Filippenko, Union of Students at the UAA (Anchorage)

UAF student representatives:

Mathew Carrick, Associated Students of UAF (Fairbanks)

UAS student representatives:

Callie Conerton, United Students of UAS (Juneau)

Krystalee Gabbard, United Students of UAS (Ketchikan)

Samantha Weaver, United Students of UAS (Sitka)

Ex-Officio Members:

Colby Freel, Commissioner, Alaska Commission on Postsecondary Education

Stacey Lucason, Student Regent, UA Board of Regents

Staff:

Morgan Dufseth, Executive Officer, System Governance

Guests

Michael Hostina, UA General Counsel

Lori Klein, Title IX Coordinator, UAS

Raaj Kurapati, Associate Vice Chancellor for Financial Services, UAF

2. Adoption of the Agenda

3. Approval of February 23 and February 28 meeting minutes

Attachment 1 & 2

4. Public and Guest Comments

5. Alaska's Open Meeting Act

Michael Hostina
Attachment 3

6. Credit Card Convenience Fee

Raaj Kurapati
Attachment 4

7. Revisions to Regents' Policy on Title IX Issues

Lori Klein
Attachment 5

8. Officer Reports

- A. Mathew Carrick (Chair)
- B. Callie Conerton (Vice-Chair)
- C. Junaid Khan (Secretary)
- D. Arina Filippenko (Treasurer)
- E. Sam Weaver (Historian)

9. Committee Reports

- A. Alaska Advantage Incentive Program committee
- B. Stay on Track committee
- C. System Governance Council

10. Ongoing Business

11. New Business

- A. Resolution of Support for the Alaska Native GER Attachment 6
- B. Resolution Recommending a Required Campus Safety Course Attachment 7
- C. Criteria for Evaluating Programs/Services for Inclusion in Phase I of Strategic Pathways
- D. Next Year's Tuition Increase
- E. Transition Process

12. Campus Reports

13. Agenda Items for April 26 Meeting (President Johnsen will attend)

14. Comments and Special Orders

15. Adjourn



Minutes
Coalition of Student Leaders
Regular Meeting

Tuesday, February 23, 2016

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Via [Google Hangout](#)

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1. Call to Order and Roll Call

Voting Members:

UAA student representatives:

Shannon Cefalu, Kachemak Bay Branch Student Association (Homer)
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UAF student representatives:

Mathew Carrick, Associated Students of UAF (Fairbanks)

UAS student representatives:

Callie Conerton, United Students of UAS (Juneau)

Ex-Officio Members:

Stacey Lucason, Student Regent, UA Board of Regents

Staff:

Morgan Dufseth, Executive Officer, System Governance

Guests

James R. Johnsen, President
Daniel M. White, Vice President for Academic Affairs and Research

Members Absent

Junaid Khan, Prince William Sound Community College Student Association (Valdez)
Arina Filippenko, Union of Students at the UAA (Anchorage)
Krystalee Gabbard, United Students of UAS (Ketchikan)
Colby Freel, Commissioner, Alaska Commission on Postsecondary Education

2. Adoption of the Agenda

Callie moved to adopt the agenda, seconded by Jeff. There were no objections. The agenda was adopted as presented.

3. Approval of February 9 meeting minutes

Callie moved to adopt the February 9, 2016, minutes, seconded by Jeff. There were no objections. The minutes were approved as presented.

4. Discussion with President Johnsen and VP White

- A. Legislative Advocacy** – President Johnsen noted that advocating for the university is very important. Now is a critical time because the legislature is working on the university's capital and operating budget – currently in House Finance Committee and being worked on by the Subcommittee on the University (led by Rep. Tammie Wilson).
- B. University Budget** – This year budget is around \$350 million from the legislature. The governor's proposal was \$335M; the budget proposed by Rep Wilson's subcommittee is \$288M including \$8 million for general funds goes to UAA and UAF region athletic program. The president and his staff are responding to requests from Rep. Wilson for information in research and outreach, which is good because legislators need to understand that the university needs matching funds for research to work at UA. The president also noted the need to advocate for SW administration as well—without SW the campuses would have to duplicate services three times over.
- C. Title IX** – The University produced scorecards which evaluate campus Title IX compliance. Each campus is working to improve on the items being evaluated and will provide regular updates at BOR meetings.
- D. SB 174 (Guns on Campus)** – UA has expressed concern regarding six areas of the bill – four of the six areas were adopted by the sponsors/committee in the draft that is being considered this afternoon. The president will testify later today to highlight the two areas not addressed (regulated conceal carry in areas where there are K12 students and permit and training requirements necessary before being allowed in certain areas on campus).
- E. HB 264 (Repayment of APS and Alaska education grants)** – The president noted he hadn't heard much about this bill but thought it is a legitimate bill for students to raise concerns about while in Juneau.
- F. Strategic Pathways** – The president noted the underlying assumption when he developed Strategic Pathways was having some stability in terms of our budget. The current plan can work within a reduced budget environment, however, it cannot succeed if the budget is cut to only "student instruction" (Rep. Wilson's \$288M proposal). The university would be forced to move quickly if the budget was reduced to Rep. Wilson's numbers and make changes starting at the beginning of FY17 (July 2016). The administration is currently working on creating teams who will look at areas, programs, degrees that will be included in Phase I of Strategic Pathways. They will analyze data over the summer and then, in the fall, the teams will meet to generate and evaluate options, providing a recommendation to the Board of Regents in February

2017, then will move on to an implementation plan, so that it will be ready to go in the summer of 2017, while also gearing up for Phase II. This approach is contingent on getting something closer to the governor's budget (\$335M) but if our budget is closer to \$288M than the process will be accelerated and revised.

When questioned about Kenai Peninsula College's status as a community campus and not a lead university, the president noted it is a community campus offering 2-year degrees with a mission more focused on technical and vocational education. He noted that size was not so much a factor as mission and purpose.

VP White also noted that, as budget unfolds, students are encouraged to contact him (or send items through Morgan) if you have questions.

5. Officer Reports

- A.** Mathew Carrick (Chair) – Reported nothing new other than working on legislative conference; after the conference, he would like to start a conversation about how to elect next year's chair – it isn't clear in charter which can lead to issues in the fall; main goal would be decide whether to elect someone at end of this semester or beginning of next semester. If at the end of this semester, than how Mathew will be treated as a Chair over the summer.
- B.** Callie Conerton (Vice-Chair) – Excited to see everyone. Reported the Coalition will be showing *The Hunting Ground* after dinner on Saturday and will include discussion with the UAS Title IX coordinator and Chancellor Rick Caulfield; also working on legislative appointments and will send out final schedule soon. She will explain later more about the offside location for CSL students where on Monday and Tuesday students can put their stuff before their meetings.
- C.** Junaid Khan (Secretary) – absent
- D.** Arina Filippenko (Treasurer) – absent
- E.** Sam Weaver (Historian) – absent

6. Committee Reports

- A.** Alaska Advantage Incentive Program committee – Have not met – committee may need new members (Sitka representative no longer serving and Robespierre is away too)
- B.** Stay on Track committee – rep not present
- C.** System Governance Council – Met yesterday and talked about results of SP feedback survey;
- D.** Community Campus Tuition Working Group – have not met; will discuss during the Juneau to see if need to include on the agenda

7. Ongoing Business

- A.** Legislative Conference agenda – Callie reviewed the draft schedule with Coalition members. Finalized the time for speakers. The conference will start on Saturday 2pm at Baranof. UAF chancellor Richard will be there to give another Intro. Member of Juneau

assembly and special assistant to Sen. Denis Eagan, his name is Jesse Kiel. Glen will be discussing to students about how legislature process works, Stephanie Butler will talk about Alaska Performance Scholarship and few former Alumni from will join us. Michelle Rizk is a new University Relation Vice President. Callie also encourages students to focus on Juneau advocacy trip.

- B.** Issues to discuss with legislators – Mathew reviewed items offered at the last meeting and asked if there were any more for consideration (none were offered).

8. New Business

No new business was brought forward.

9. Campus Reports

Shannon had nothing to report as the Kachemak student government has not met since the last CSL meeting.

Cheryl reported that Kenai River Campus has decided not to send students to Juneau for the legislative conference and have instead opted to video record testimony from students; also wanted to mention that smaller community campuses need to be highlighted as well and want to advocate for the issues closer to their community.

Jeff reported the Kodiak student government is trying to review their budget and have been having some difficulty getting access to it; they are still working on spring social planning; will only have Jeff attending the legislative conference from Kodiak – other two students were unable to attend; officers have voluntarily taken reductions in stipends and they have reinvested the funds in an excellence award.

Everret reported there was lots going on at the Mat-Su campus, including helping the student ambassador program in March with spring carnival; they are discussing where to hold their upcoming dance—at the café or theatre or even off campus; also working on holding officer elections late this spring.

Mathew reported no major updates and, due to technical difficulties, he cut his update short.

Callie reported the Juneau campus was working on preparing for the upcoming legislative conference, as well as the Banff Film Festival which starts next week after the conference.

10. Future Agenda Items

Possible resolution in opposition to SB 174 – need to get most current draft of bill

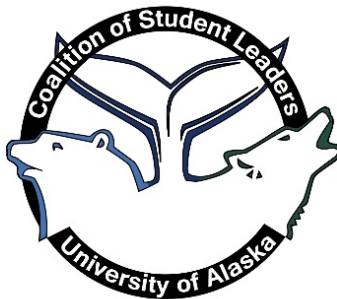
11. Comments and Special Orders

Jeff asked, regarding Strategic Pathways, if anybody knew how the lead campus would affect community campuses. Morgan noted that because community campuses have a 2-year mission, they would not be as affected by the lead university model.

12. Adjourn

Meeting adjourned at 2:38 p.m.

DRAFT



Minutes
Coalition of Student Leaders
Special Meeting

Sunday, February 28, 2016
12:30 p.m. – 5:00 p.m.
Treadwell Room – Baranof Westmark
Juneau, Alaska
Or by audio: 1-866-832-7806, PIN 8266781

1. Call to Order and Roll Call

The official Coalition meeting started late due to conference presentations and an unplanned speaker.

The meeting came to order at 1:25 p.m.

Voting Members:

UAA student representatives:

Jeffrey Woods, Kodiak College Student Association (Kodiak)
Everret Hamilton, Matanuska-Susitna Student Government Council (Palmer)
Junaid Khan, Prince William Sound Community College Student Association (Valdez)
Arina Filippenko, Union of Students at the UAA (Anchorage)

UAF student representatives:

Mathew Carrick, Associated Students of UAF (Fairbanks)

UAS student representatives:

Callie Conerton, United Students of UAS (Juneau)
Samantha Weaver, United Students of UAS (Sitka)

Ex-Officio Members:

Stacey Lucason, Student Regent, UA Board of Regents
Colby Freel, Commissioner, Alaska Commission on Postsecondary Education

Staff:

Morgan Dufseth, Executive Officer, System Governance

Members Absent:

Shannon Cefalu, Kachemak Bay Branch Student Association (Homer)

Cheryl Tuttle, Kenai River Campus Student Union (Kenai)

Krystalee Gabbard, United Students of UAS (Ketchikan)

2. Adoption of the Agenda

Jeff moved to adopt without amendment, Callie seconded. No objections. Agenda was adopted as presented.

3. Legislative Advocacy Talking Points

A. Discussion – Review and discussion of the nine issues previously discussed by the Coalition – Members discussed issues as a group and then CSL members met with their local campus representatives to ensure each campus is unified in their vote.

Coalition members engaged in a discussion surrounding the topics gathered at the previous two CSL meetings. All conference attendees were allowed to participate in the discussion, however, each campus cast a unified vote.

Arina moved to adjourn to campus caucuses until 3:05 p.m., Jeff seconded. There were no objections. The motion passed unanimously.

Following the break for caucus, the Coalition re-convened and began a discussion on whether to go into executive session. Following discussion, the group decided not to put forth a motion to go into executive session.

Jeff moved to address the most recent version of SB174, Arina seconded. Six in favor; zero opposed, one abstained. Motion passed.

B. Voting

Following review with their local student government, voting Coalition members offered their top three choices for topics to discuss with legislators.

Voting was recorded as follows (each campus provided their ‘top 3’ picks:

	Mat-Su	Sitka*	UAA*	PWSC*	UAF	UAS*	Kodiak*
SB 174	3	2	2	2			2
UAF Engineering				3	2	2	
Funding Gov Budget		1	1	1	1	1	1
Strategic Pathways							
HB 264	2	3					

Title IX					3	3	
HB 202	1						
CTE APS							

*Sitka, Anchorage, Prince William Sound, Juneau, and Kodiak all noted they would like to address Strategic Pathways and Title IX as sub-points under the Governor's Budget.

The votes indicated the three topics would be: (1) funding the Governor's budget; (2) opposition to SB 174; and (3) funding the UAF engineering building. The Coalition also agreed to include the sub-points of Strategic Pathways and Title IX under funding the Governor's budget.

4. New Business

Arina motioned to break for caucus for five minutes, Samantha seconded. None opposed. Motion passed.

Arina moved to make an official stance on HB 264 and HB 202, seconded by Jeff. No objections. Motion passed unanimously.

Arina move to oppose HB 264, seconded by Sam. No objections. Motion passed unanimously.

Arina moved to support of HB 202, seconded by Jeff. No objections. Motion passed unanimously.

5. Future Agenda Items

The following topics were offered:

Open meetings discussion

Communications on UA Outreach – Student Regent Lucason

6. Comments and Special Orders

Callie announced that USUAS-JC will hold a rally on Tuesday on behalf of CSL at 12pm outside the Capitol. All conference attendees were invited to participate.

7. Adjourn

Everret moved to adjourn. The meeting adjourned at 3:40 p.m.

REGENTS' POLICY
PART II - ADMINISTRATION
Chapter 02.06 - Open Meetings

P02.06.010. General Statement. The University of Alaska will conduct meetings in accordance with AS 44.62.310 (the Alaska Open Meetings Law) and any additions or exemptions thereto.

(03-09-84)

UNIVERSITY REGULATION
PART II - ADMINISTRATION
Chapter 02.06 - Open Meetings

R02.06.011. Purpose

This chapter provides the requirements and procedures for giving reasonable public notice of open meetings held by governmental bodies of the university.

(11-13-14)

R02.06.012. Applicability.

This chapter applies to all meetings held by governmental bodies of the university system. In this chapter, the term “governmental body” means an assembly, council, board, commission, committee, or other similar body of the university with the authority to establish policies or make decisions for the university or with the authority to advise or make recommendations to the university; "governmental body" includes the members of a subcommittee or other subordinate unit of a governmental body if the subordinate unit consists of two or more members.

(11-13-14)

R02.06.013. Exceptions.

This chapter does not apply to:

- A. A governmental body performing a judicial or quasi-judicial function when holding a meeting solely to make a decision in an adjudicatory proceeding; or
- B. Staff meetings or other gatherings of the employees of the university, including meetings of an employee group established by policy of the Board of Regents of the University of Alaska or held while acting in an advisory capacity to the Board of Regents.

(11-13-14)

R02.06.020. Notice Requirements.

- A. Except for bona fide emergency circumstances, at least three (3) working days’ advance public notice shall be given for all meetings subject to this chapter.
- B. Notice shall be given as follows:
 - 1. Typewritten or printed notice of the meeting shall be posted on at least one public bulletin board at the affected campus or on a public website; reasonable efforts shall be made to post this notice on a public bulletin board or website that is most likely to attract the attention of known interested parties.
 - 2. For those institutions that regularly publish weekly, biweekly, or monthly newsletters, reasonable efforts shall be made to include advance notice of meetings known to be scheduled at the time that the newsletter is prepared for printing.

- C. Each notice must contain the following:
1. a description of the body holding the meeting;
 2. the time, date, and place of the meeting; and
 3. the name and telephone number of a person who may be contacted for additional information regarding the meeting.
- (11-13-14)

R02.06.030. Conduct of Meetings.

- A. Except when voice votes are authorized, and except as provided below, any votes taken by a body or group shall be conducted in such a manner that the public may know the vote of each person entitled to vote. This provision does not apply to votes required to be taken to organize the aforementioned bodies such as election of officers.
- B. If excepted subjects are to be discussed at a meeting in executive session, the meeting must first be convened as a public meeting and the question of holding an executive session to discuss matters that come within the exceptions listed in C. of this section shall be determined by a majority vote of the body. No subjects may be considered at the executive session unless auxiliary to the main question. No action may be taken at the executive session except as permitted by AS 44.62.310.
- C. The following excepted subjects may be discussed in an executive session:
1. matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the university;
 2. subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion;
 3. matters that by law, board policy, or university regulation are required to be confidential; and
 4. matters involving consideration of government records that by law are not subject to public disclosure.
- (11-13-14)

R02.06.040. Responsibility for Implementation.

Each of the chancellors shall be responsible for ensuring compliance with this chapter by covered governmental bodies within their respective institutions. The president shall be responsible for ensuring compliance by covered governmental bodies within the Statewide Administration, as well as covered governmental bodies that extend across institutional lines. The president and the chancellors may delegate their responsibilities for ensuring reasonable public notice under this chapter to such persons or positions as they may designate in writing.

(11-13-14)

AS 44.62.310. Government Meetings Public.

(a) All meetings of a governmental body of a public entity of the state are open to the public except as otherwise provided by this section or another provision of law. Attendance and participation at meetings by members of the public or by members of a governmental body may be by teleconferencing. Agency materials that are to be considered at the meeting shall be made available at teleconference locations if practicable. Except when voice votes are authorized, the vote shall be conducted in such a manner that the public may know the vote of each person entitled to vote. The vote at a meeting held by teleconference shall be taken by roll call. This section does not apply to any votes required to be taken to organize a governmental body described in this subsection.

(b) If permitted subjects are to be discussed at a meeting in executive session, the meeting must first be convened as a public meeting and the question of holding an executive session to discuss matters that are listed in (c) of this section shall be determined by a majority vote of the governmental body. The motion to convene in executive session must clearly and with specificity describe the subject of the proposed executive session without defeating the purpose of addressing the subject in private. Subjects may not be considered at the executive session except those mentioned in the motion calling for the executive session unless auxiliary to the main question. Action may not be taken at an executive session, except to give direction to an attorney or labor negotiator regarding the handling of a specific legal matter or pending labor negotiations.

(c) The following subjects may be considered in an executive session:

- (1) matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the public entity;
- (2) subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion;
- (3) matters which by law, municipal charter, or ordinance are required to be confidential;
- (4) matters involving consideration of government records that by law are not subject to public disclosure.

(d) This section does not apply to

- (1) a governmental body performing a judicial or quasi-judicial function when holding a meeting solely to make a decision in an adjudicatory proceeding;
- (2) juries;
- (3) parole or pardon boards;
- (4) meetings of a hospital medical staff;
- (5) meetings of the governmental body or any committee of a hospital when holding a meeting solely to act upon matters of professional qualifications, privileges or discipline;
- (6) staff meetings or other gatherings of the employees of a public entity, including meetings of an employee group established by policy of the Board of Regents of the University of Alaska or held while acting in an advisory capacity to the Board of Regents; or
- (7) meetings held for the purpose of participating in or attending a gathering of a national, state, or regional organization of which the public entity, governmental body, or member

of the governmental body is a member, but only if no action is taken and no business of the governmental body is conducted at the meetings.

(e) Reasonable public notice shall be given for all meetings required to be open under this section. The notice must include the date, time, and place of the meeting and if, the meeting is by teleconference, the location of any teleconferencing facilities that will be used. Subject to posting notice of a meeting on the Alaska Online Public Notice System as required by AS [44.62.175](#) (a), the notice may be given using print or broadcast media. The notice shall be posted at the principal office of the public entity or, if the public entity has no principal office, at a place designated by the governmental body. The governmental body shall provide notice in a consistent fashion for all its meetings.

(f) Action taken contrary to this section is voidable. A lawsuit to void an action taken in violation of this section must be filed in superior court within 180 days after the date of the action. A member of a governmental body may not be named in an action to enforce this section in the member's personal capacity. A governmental body that violates or is alleged to have violated this section may cure the violation or alleged violation by holding another meeting in compliance with notice and other requirements of this section and conducting a substantial and public reconsideration of the matters considered at the original meeting. If the court finds that an action is void, the governmental body may discuss and act on the matter at another meeting held in compliance with this section. A court may hold that an action taken at a meeting held in violation of this section is void only if the court finds that, considering all of the circumstances, the public interest in compliance with this section outweighs the harm that would be caused to the public interest and to the public entity by voiding the action. In making this determination, the court shall consider at least the following:

- (1) the expense that may be incurred by the public entity, other governmental bodies, and individuals if the action is voided;
- (2) the disruption that may be caused to the affairs of the public entity, other governmental bodies, and individuals if the action is voided;
- (3) the degree to which the public entity, other governmental bodies, and individuals may be exposed to additional litigation if the action is voided;
- (4) the extent to which the governing body, in meetings held in compliance with this section, has previously considered the subject;
- (5) the amount of time that has passed since the action was taken;
- (6) the degree to which the public entity, other governmental bodies, or individuals have come to rely on the action;
- (7) whether and to what extent the governmental body has, before or after the lawsuit was filed to void the action, engaged in or attempted to engage in the public reconsideration of matters originally considered in violation of this section;
- (8) the degree to which violations of this section were wilful, flagrant, or obvious;
- (9) the degree to which the governing body failed to adhere to the policy under AS [44.62.312](#) (a).

(g) Subsection (f) of this section does not apply to a governmental body that has only authority to advise or make recommendations to a public entity and has no authority to establish policies or make decisions for the public entity.

(h) In this section,

- (1) "governmental body" means an assembly, council, board, commission, committee, or other similar body of a public entity with the authority to establish policies or make

decisions for the public entity or with the authority to advise or make recommendations to the public entity; "governmental body" includes the members of a subcommittee or other subordinate unit of a governmental body if the subordinate unit consists of two or more members;

(2) "meeting" means a gathering of members of a governmental body when

(A) more than three members or a majority of the members, whichever is less, are present, a matter upon which the governmental body is empowered to act is considered by the members collectively, and the governmental body has the authority to establish policies or make decisions for a public entity; or

(B) the gathering is prearranged for the purpose of considering a matter upon which the governmental body is empowered to act and the governmental body has only authority to advise or make recommendations for a public entity but has no authority to establish policies or make decisions for the public entity;

(3) "public entity" means an entity of the state or of a political subdivision of the state including an agency, a board or commission, the University of Alaska, a public authority or corporation, a municipality, a school district, and other governmental units of the state or a political subdivision of the state; it does not include the court system or the legislative branch of state government.



University of Alaska Fairbanks 2016-2017

Tuition

WUE students are charged a reduced tuition rate equal to 150 percent of the amount charged to Alaska residents.

Course Level	Resident (per credit)	Non-resident Surcharge (per credit)
100-200	\$192	\$489 for a total of \$681/credit
300-400	\$232	\$489 for a total of \$721/credit
600	\$444	\$463 for a total of \$907/credit

Required General Fees (both resident and non-resident)

Basic Student Fees	Cost
ASUAF Fee	\$42
Athletics and Campus Recreation (required 3 credits or more)	\$10 per credit to a maximum of \$120
Health Center Fee (9 credits or more)	\$135
Facilities Fee	\$6 per credit
Student Recreation Center (optional 3 – 8 credits, required for 9 or more)	\$75
Technology Fee	\$5 per credit to a maximum of \$60 (per campus)
Transportation Fee (3 or more credits)	\$15
Wood Center Student Life Fee (3 credits)	\$35
Sustainability Fee (3 credits)	\$20

UA Network Fee (4 percent of tuition or fee in lieu of tuition applied on a course-by-course basis)

Course Level	Resident (per Credit)	Non-resident Surcharge (per credit)
100-200	\$8	\$28
300-400	\$9	\$29
600	\$18	\$37

Other Fees

Meal Plans: TBC

Residence Hall	Cost
Double Room/Double Occupancy	\$2070
Single Room	\$2535
Cutler Apartment Complex – Includes Winter Break	\$2825
Double Room/Single Occupancy	\$3050

Parking Decals (Student)	Cost
Semester (8 or fewer credits)	\$41
Semester (9 or more credits)	\$78
Annual	\$143
Multi Vehicle	\$10 additional

Estimated textbook cost

(depends on course load and selection) \$250 - \$1,100

NOTE: all fees subject to change

Board of Regents P01.02 Policy Revision Justification
Presented by the UA Title IX Coordinators, representing UAA, UAF and UAS
March 2016

Introduction

The University of Alaska Statewide Title IX Committee is seeking your support to transform P01.02.020 from a non-discrimination and Title IX compliance statement to a broad Discrimination, Discriminatory Harassment, and Sexual and Gender-Based Misconduct policy that guides all issues around discrimination, discriminatory harassment and sexual and gender-based misconduct.

On February 17, 2016, President Johnsen issued a charge to the Statewide Title IX Committee to revise UA BOR Policies and Regulation in 04.02, 04.07, 04.08, and 09.02 to meet federal compliance.

On February 25-26, 2016 representatives from campuses across the UA system met in Fairbanks, AK to evaluate and provide suggestions for policy revision to meet federal compliance. The best course of action recommended was to expand P01.02.020 to one policy governing all response to discrimination, discriminatory harassment, and sexual misconduct.

The UA Title IX Committee is proposing this change to simplify the policy and regulations for students, faculty, staff, and third parties. One policy and regulation for all forms of discrimination is user-friendly and ensures a simpler process to maintain compliance with state and federal guidelines. The change to one policy is also supported by the NotAlone.gov, the White House Sexual Assault Task Force, and the Association of Title IX Administrators (ATIXA).¹

Proposed Revisions

The proposed revisions would remove discrimination, including sexual discrimination and sexual misconduct from 04.02, 04.07, 04.08, and 09.02 and place it all under the revised P01.02.020.

Attached is a document with the proposed changes to the current policy and regulations.

Justification and Rationale for Recommendations:

1. Transforming P01.02.020 into a Discrimination, Discriminatory Harassment, and Sexual and Gender-based Misconduct policy will:
 - a. ensure that users of the policy (students, faculty, staff, and third parties) can easily access the policy, regulations, and procedures that are attached to it. Currently, pieces of discrimination, discriminatory harassment, and sexual and gender-based misconduct are found throughout 04.02, 04.07, 04.08, and 09.02 making it hard for the user to understand the policy or regulations.
 - b. ensure compliance with federal and state laws. One policy will make it easier to revise the policy in the future for federal compliance as new guidance is released.

¹ NotAlone.gov. Schools. See. *Read the checklist for campus sexual misconduct policies.*

<https://www.notalone.gov/schools/>; Price, Marianna. *The ATIXA One Policy, One process Model Policy*. ATIXA.

Board of Regents P01.02 Policy Revision Justification
Presented by the UA Title IX Coordinators, representing UAA, UAF and UAS
March 2016

Recommended changes in Policy are listed below:

1. Adding genetic identity to **01.02.020(A)**. Adding genetic identity brings UA in compliance with Title II of the Genetic Information Nondiscrimination Act of 2008 (GINA), which prohibits discrimination based on genetic information in employment.²
2. Adding section **01.02.030 Scope of University Authority**. This new section designates the jurisdiction of the new policy in P01.02.020. This subsection of policy is revised from P09.02.030 so that it covers students, faculty, staff, and third parties. The language is revised from the language in P09.02.030 for clarity, inclusion, and federal compliance.
3. Adding section **01.02.040 Resources and Options for Assistance**. OCR requires that UA ensure that reporting parties are aware of available resources, on and off-campus.³ Adding this into the policy ensures that reporting parties are informed of the resources and assistance available.
4. Adding section **01.02.050 Coordination of Compliance Activities Covered Under this Policy**. OCR requires that the discrimination policy designate an individual to coordinate the efforts under this policy. This section of policy also codifies the responsibilities and accountability of the Coordinator in one location.
5. Adding section **01.02.060 Prohibited Conduct**. This section outlines broad categories of conduct prohibited under this policy. This section mimics the prohibited conduct outlined in P09.02.
6. Adding section **01.02.070 Responsible Employees**. OCR requires that UA “make clear to all of its employees and students which staff members are responsible employees so that [they] can make informed decisions about whether to disclose information to those employees.”⁴ This simple policy statement allows users of the policy to quickly identify the responsible employees at UA campuses to ensure OCR compliance and user ease.
7. Adding **01.02.080 Reporting Violations of this Policy**. OCR guidance requires the university to outline reporting options.⁵
8. Adding **01.02.090 Amnesty**. Adding an amnesty statement will help counter act the chilling effect to reporting that occurs when reporting parties or witnesses are afraid to report or participate in the process because of their own policy violations.
9. Adding **01.02.100 Retaliation**. Federal law prohibits retaliation. This statement addresses the chilling effect that fear of retaliation places on reporting parties and witnesses.

² *Genetic Information Discrimination*. U.S. Equal Employment Opportunity Commission, available at <http://www.eeoc.gov/laws/types/genetic.cfm>.

³ *Questions and Answers on Title IX and Sexual Violence*. U.S. Dept. of Education Office for Civil Rights, p. 3, available at <http://www2.ed.gov/about/offices/list/ocr/docs/qa-201404-title-ix.pdf>.

⁴ *Questions and Answers on Title IX and Sexual Violence*. U.S. Dept. of Education Office for Civil Rights, p. 15, available at <http://www2.ed.gov/about/offices/list/ocr/docs/qa-201404-title-ix.pdf>.

⁵ *Questions and Answers on Title IX and Sexual Violence*. U.S. Dept. of Education Office for Civil Rights, p. 13, available at <http://www2.ed.gov/about/offices/list/ocr/docs/qa-201404-title-ix.pdf>.

Board of Regents P01.02 Policy Revision Justification
Presented by the UA Title IX Coordinators, representing UAA, UAF and UAS
March 2016

10. Adding **01.02.110 Inquiry and Investigation**. This section addresses how the Coordinator determines which reports warrant a full investigation, the due process rights afforded individuals during the investigation, and the general procedures for the investigation. OCR requires UA to provide due process rights to both parties⁶ and listing the due process rights, as well as the investigation inquiry and general process, will allow users of this policy to understand how UA determines when and how to investigate in a simple and user centric manner.
11. Adding **01.02.120 Standard of Evidence**. OCR requires that UA use a preponderance of the evidence standard for investigations.⁷ This section codifies the requirement for federal compliance.
12. Adding **01.02.130 Sanctions, Corrective Action, and Appeal**. OCR guidance requires the university to outline procedures for sanctions and corrective actions, the rights of all parties to appeal and the appeal process.⁸
13. Adding **01.02.140 Training, Prevention, and Education**. OCR and VAWA require that UA provide training, prevention, and education to students and employees around sexual misconduct, dating violence, domestic violence, and stalking.⁹ Adding this section helps ensure federal compliance with these mandates.

⁶ *Questions and Answers on Title IX and Sexual Violence*. U.S. Dept. of Education Office for Civil Rights, p. 13, available at <http://www2.ed.gov/about/offices/list/ocr/docs/qa-201404-title-ix.pdf>.

⁷ *Questions and Answers on Title IX and Sexual Violence*. U.S. Dept. of Education Office for Civil Rights, p. 14, available at <http://www2.ed.gov/about/offices/list/ocr/docs/qa-201404-title-ix.pdf>.

⁸ *Questions and Answers on Title IX and Sexual Violence*. U.S. Dept. of Education Office for Civil Rights, p. 13, available at <http://www2.ed.gov/about/offices/list/ocr/docs/qa-201404-title-ix.pdf>.

⁹ *Questions and Answers on Title IX and Sexual Violence*. U.S. Dept. of Education Office for Civil Rights, p. 38, available at <http://www2.ed.gov/about/offices/list/ocr/docs/qa-201404-title-ix.pdf>. *Violence Against Women Act*. Fed. Reg.: The Daily Journal of the U.S. Government, available at <https://www.federalregister.gov/articles/2014/10/20/2014-24284/violence-against-women-act>.

Proposed Revisions of BOR P01.02.020 Nondiscrimination and Title IX Compliance
Proposed by the UA Title IX Coordinators, representing UAA, UAF & UAS
March 2016 – All Feedback due March 28, 2016

CHANGES TO THE EXISTING POLICY, PAGE ONE, IN RED

P01.02.020: ~~Nondiscrimination and Title IX Compliance~~ Discrimination, Discriminatory Harassment, and Sexual and Gender-Based Misconduct Policy Statement

- A. It is the policy of the board that in accordance with federal and state law, illegal discrimination against any individual because of race, color, religion, national origin, age, sex, sexual orientation, gender identity, veteran status, physical or mental disability, marital status, **genetic information, or** pregnancy or parenthood is prohibited. Decisions affecting individuals shall be based on the individual's qualifications, abilities, and performance, as appropriate.
- B. The Board of Regents of the University of Alaska system affirms its commitment to a safe and healthy educational and work environment in which the educational programs and activities are free of discrimination on the basis of sex. The board further affirms its commitment to respond appropriately to sexual harassment and sexual violence, in accordance with applicable law as amended from time to time, including Title IX of the Education Amendments of 1972, the Violence Against Women Reauthorization Act, Title VII of the Civil Rights Act of 1964 (which prohibits discrimination on the basis of sex in employment), Alaska Statute 18.80, and due process of law.
1. Chancellors will have primary responsibility for a campus educational and workplace climate free of discrimination and intimidation based on sex, and for appropriate and timely response to sexual harassment and sexual violence at their respective universities, including extended sites;
 2. Chancellors will provide updates to the board regarding compliance with this policy at least bi-annually in December and June and more often as required by circumstances; and
 3. The president will ensure system oversight and coordination among the universities in implementing this policy.

(09-18-15)

ALL SUBSEQUENT DRAFT POLICY IS NEW

P01.02.030. Scope of University Authority

This policy governs the conduct of students, faculty, staff, and third parties (i.e., non-members of the University community such as vendors, alumni, visitors, or local residents) in any way affiliated with the university. This policy pertains to conduct committed by or against students, faculty, staff, and third parties when:

1. The conduct occurs on property owned or controlled by the university, in university online environments and classes, or at activities sponsored by or authorized by the university;
2. The conduct occurs in the context of university employment or educational programs or activities, including but not limited to, university-sponsored study abroad, research, online, or internship programs; or
3. The conduct occurs outside the context of university employment or educational programs or activities, but has continuing adverse effects on or creates a hostile environment for students, employees, or third parties while on university grounds or other property owned or controlled by the university or in any university employment or educational program or activity.

P01.02.040 Resources and Options for Assistance

The university offers a wide variety of resources for individuals who experience discrimination, discriminatory harassment, and sexual or gender-based misconduct. Resources for immediate assistance may include:

- Trained on-and-off campus advocates and counselors
- Campus and/or community law enforcement
- Campus and/or community medical assistance (including Sexual Assault Response Teams in some communities)

Resources for ongoing assistance may include trained on-and-off campus counselors, advocates, and other support resources. The university may also provide academic accommodations and other interim measures as appropriate.

P01.02.050 Coordination of Compliance Activities Covered Under this Policy

Each Chancellor will designate an individual responsible for compliance activities under this policy, to include Title IX coordination. For the purposes of this policy, this individual will be referred to as “the Coordinator.” The Coordinator is charged with overseeing compliance, ensuring appropriate education and training, coordinating implementation and administration of the university’s procedures for resolving complaints, and ensuring appropriate actions to eliminate prohibited conduct, prevent its recurrence, and remedy its effects. Good faith actions taken by university officials in response to a report of prohibited conduct are not considered adverse actions. The Coordinator acts with independence and authority free of conflicts of interest.

P01.02.060 Prohibited Conduct

This policy prohibits discrimination, discriminatory harassment, and sexual and gender-based sexual misconduct. Specific definitions and terminology associated with these forms of prohibited conduct can be found in university regulation.

P01.02.070 Responsible Employees

To enable the university to respond effectively and to stop instances of sexual misconduct, all university employees must promptly report information about alleged or possible sexual misconduct. Employees, such as licensed health-care professionals and victim advocates, who have a statutory privilege under Alaska law are exempt from these reporting requirements.

P01.02.080 Reporting Violations of this Policy

There are multiple channels for reporting, as outlined in regulation. A reporting party or a third party may choose to report to the university, to law enforcement, to both, or to neither. These reporting options are not exclusive. Reporting parties may simultaneously pursue criminal and university resolution. The university has the right to pursue notice of violation of this policy on its own behalf and initiate investigation, regardless of whether or not a formal allegation is submitted by a reporting party.

Anonymous reporting is permitted, however doing so may limit the university's ability to investigate and respond to a complaint.

There is no time limit for reporting prohibited conduct to the university under this policy. If the responding party is no longer a student or employee at the time of the complaint or report, the university may not be able to take disciplinary action against the responding party, but it will still seek to meet its obligations by providing support for the reporting party and taking steps to end the prohibited behavior, prevent its recurrence, and address its effects.

Individuals who have filed a complaint with the university and believe the university's response was inadequate, or otherwise believe they have been discriminated against by the university on the basis of a protected status, may file a complaint with the appropriate federal or state office.

P01.02.090 Amnesty

The university may provide amnesty from policy violations, depending on the circumstances, to individuals who report misconduct or who otherwise may be hesitant to report because they fear being accused of policy violations that may become known as a result of reporting.

P01.02.100 Retaliation

The university will not tolerate retaliation in any form against any student, staff, faculty, or third party who files an allegation, serves as a witness, assists a reporting party, or participates in an investigation of discrimination, discriminatory harassment, or sexual misconduct. University policy and state and federal law prohibit retaliation against an individual for reporting discrimination, discriminatory harassment, or sexual misconduct or for participating in an investigation. Retaliation is a serious violation that can subject the offender to sanctions independent of the merits of the allegation.

P01.02.110 Inquiry and Investigation

The investigative process is initiated when the Coordinator receives a complaint or report of a violation of this policy. The Coordinator will conduct an initial assessment and determine any appropriate interim measures. Following the initial assessment, the Coordinator may take any of the following actions:

- If the Coordinator determines that the complaint, even if substantiated, would not rise to the level of a policy violation, the Coordinator may dismiss the complaint.
- If the reporting party chooses not to participate, the Coordinator may dismiss the complaint or initiate an investigation.
- If all parties agree that an informal resolution should be pursued, the Coordinator will attempt to facilitate a resolution of the conflict that is agreeable to all parties. Informal resolution, such as mediation, is not allowed in incidences of sexual assault. A party always has the option to request a formal investigation.
- If the Coordinator determines that the complaint is outside the scope of this policy, the Coordinator may refer the complaint to another office for review.
- If the Coordinator determines that the complaint or report would, if substantiated, constitute a violation of this policy, the Coordinator will initiate an investigation.

The university is committed to providing a prompt and impartial investigation of all alleged violations of this policy. The reporting and responding parties have equivalent rights throughout the process. Due process rights include: a) notification of investigation, b) the opportunity to present evidence, c) the ability to identify individuals who may possess relevant information, d) the right to be accompanied by an advisor of their choice, and e) the opportunity to address each allegation and review information pertaining to those allegations with the investigator. The university will provide both parties with written notification of investigative findings, including appeal rights.

P01.02.120 Standard of Evidence

The university uses a preponderance of evidence standard to determine responsibility during investigations of prohibited conduct. When a preponderance of evidence (i.e., more likely than not) is found to substantiate a complaint, sanctions or corrective actions may be taken.

P01.02.130 Sanctions, Corrective Action, and Appeal

Findings of violations of prohibited conduct under this policy will be shared with the appropriate disciplinary authority: the Student Conduct Office for student violations; the Human Resources office for employee violations. For responding parties who are both students and employees, the Coordinator may engage both disciplinary authorities.

The appropriate disciplinary authority is responsible for administering sanctions or corrective actions. The disciplinary authority may, or may not, choose to meet with the responding party before imposing sanctions or corrective actions. Both the reporting and responding parties will receive written notice of relevant sanctions or corrective actions as defined by law. Both parties have the right to appeal or comment per university policy, regulation, and state law.

Both parties have the right to appeal a finding of no violations of prohibited conduct, under conditions laid out in university regulations.

P01.02.140 Training, Prevention, and Education

Students, staff, faculty, and identified third parties are required to complete training on non-discrimination, anti-harassment, and the prevention of sexual misconduct in the educational and work environment.



Coalition of Student Leaders

Resolution 2016-03

Recommending that the University of Alaska adopt Alaska Native Studies as part of the General Education Requirements

Whereas, The University of Alaska is currently revising the General Education Requirements (GER) that must be taken by all baccalaureate students before graduation, and;

Whereas, The University of Alaska Major Academic Units (MAUs) of UAF, UAA, and UAS all require students to take some cultural learning courses in subjects like art, world history, or language, and;

Whereas, Alaska's population includes a significant percentage of Alaska Native peoples, and;

Whereas, The University of Alaska ought to endeavor to increase outreach and accessibility for Alaska Native peoples, and;

Whereas, Alaska Native culture and history is integral to the understanding of Alaska's past, present, and future, and;

Whereas, Students of all ethnic and geographic backgrounds would benefit from a better comprehension of Alaska Native Studies, and;

Whereas, The University of Alaska offers at least some Alaska Native Studies courses at all campuses, either in-person or via distance education, and;

Whereas, Student governments for the University of Alaska Anchorage, the University of Alaska Southeast, and the University of Alaska Fairbanks have passed resolutions supporting including Alaska Native Studies as part of the GER, indicating widespread student support, now;

Therefore be it resolved, That the Coalition of Student Leaders recognizes the importance of understanding Alaska Native culture and history, and;

Therefore be it further resolved, That the Coalition of Student Leaders recommends that the University of Alaska require all baccalaureate students to take at least one 3-credit Alaska Native Studies course as part of the GER.

Adopted by the Coalition of Student Leaders the 22ND DAY OF MARCH, 2016

Mathew Carrick, Chair

Voting members' results as attested by Morgan Dufseth, Executive Officer:

Yes:

No:

Absent:

Vacant:



Coalition of Student Leaders

Resolution 2016-04

Recommending that the University of Alaska require campus safety classes for all degree-seeking students

Whereas, The University of Alaska has identified campus safety and Title IX compliance as priorities, and;

Whereas, Students at the University of Alaska often face unsafe situations, and are especially at risk of sexual assault or harassment, and;

Whereas, Alaska has the highest rate of sexual assault in the United States, and;

Whereas, Students living, working, and studying in unsafe conditions are deprived of the educational opportunity afforded to those in better circumstances, and;

Whereas, Protecting at-risk students and changing the unsafe culture of Alaska requires focused and sustained changes, including improving education, now;

Therefore be it resolved, That the Coalition of Student Leaders recognizes campus safety and Title IX compliance as a critical issue facing the University of Alaska, now;

Therefore be it further resolved, That the Coalition of Student Leaders supports the University of Alaska leadership in their prioritization of campus safety and Title IX initiatives, now;

Therefore be it further resolved, That the Coalition of Student Leaders recommends that all degree-seeking students be required as part of the General Education Requirements (GER) to take a free or low-cost course on campus safety, sexual violence, and violence prevention.

Adopted by the Coalition of Student Leaders the 22ND DAY OF MARCH, 2016

Mathew Carrick, Chair

Voting members' results as attested by Morgan Dufseth, Executive Officer:

Yes:

No:

Absent:

Vacant: