

# University of Alaska Southeast Annual Security and Fire Safety Report

**2022** Statistics for Calendar Years 2019-2021

October 1<sup>st</sup>, 2022

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Office of Equity & Compliance

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Printed copies available upon request.

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# 2022 Annual Security Report

## THE JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICY & CRIME STATISTICS

The University of Alaska Southeast (UAS) Annual Fire, Safety and Security Report is published in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act”) and Violence Against Women Act (VAWA). This report includes statistics for the previous three years concerning reported crimes that occurred on campus; in certain off-campus buildings or property owned or controlled by UAS and on public property within, or immediately adjacent to and accessible from university property. The report also includes institutional policies on campus security policies concerning alcohol and drug use, crime prevention, the reporting of crimes and other matters.

The full text of this report is available online at [UAS Annual Security Report \(http://www.uas.alaska.edu/policies/crime-fire-stats.html\)](http://www.uas.alaska.edu/policies/crime-fire-stats.html). This report is prepared in cooperation with local law enforcement agencies and various campus departments. These entities provide updated information on their educational efforts and programs to comply with the Clery Act. Campus crime, arrest and referral statistics include those reported to designated campus security officials as defined under the Clery Act and local law enforcement agencies. Each year, notification is sent to all enrolled students, faculty, and staff. The notification provides information on how to access the Annual Security Report online. Copies of this report may also be obtained at the Title IX/Clery Compliance Office located at 11066 Auke Lake Way Suite 202 Juneau, AK 99801.

The policies in the report apply to all locations of UAS, which include Juneau, Ketchikan, and Sitka, and are included unless otherwise stated in a particular section of the report. The crime statistics in this report are presented in separate crime statistics charts for each campus, as required by law. Where appropriate, information unique to a particular campus is also included. UA Board of Regents Policies and University Regulations are applicable to all campuses. The information in this report may be updated throughout the year.

### **This report is published by:**

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## **CAMPUS SECURITY POLICIES**

### **REPORTING A CRIME**

UAS students, faculty, staff, guests and community members are highly encouraged to report all campus crimes and public safety related incidents to local police departments in a timely manner. UAS does not have on-campus police services at any of our campuses, but works closely with local law enforcement agencies. Below is a list of local police department contacts:

- All communities/emergency line: 911
- Juneau Police non-emergency: 907-586-0600
- Ketchikan Police non-emergency: 907-225-6631
- Sitka Police non-emergency: 907-747-3245

Reports involving students may be forwarded to the UAS conduct office for review and potential action through the student disciplinary process. Reports involving faculty and staff may be forwarded to Human Resources.

Crimes should be reported to enable the university to provide assistance to victims, ensure inclusion in the annual crime statistics, and to aid in providing emergency notification and/or timely warning notices to the community when appropriate. Please see the list of Campus Security Authorities you may contact to report a crime.

### **CAMPUS SECURITY AUTHORITIES**

Campus security authorities (CSAs) are individuals and organizations at the university who, because of their function for the university, have an obligation under the Clery Act to notify the university of alleged clery act crimes that are reported to them in good faith, or alleged clery act crimes that they may personally witness.

- "In good faith" means there is a reasonable basis for believing that the information is not simply rumor or hearsay. That is, there is little or no reason to doubt the validity of the information.
- Under the Clery Act, a crime is "reported" when it is brought to the attention of a campus security authority or local law enforcement personnel by a victim, witness, other third party or even the offender. It doesn't matter whether or not the individuals involved in the crime, or reporting the crime, are associated with the university.

### **REPORTING A CRIME CONFIDENTIALLY**

UAS has professional counselors on staff, considered confidential employees. The term "professional counselor" is defined as, "an employee whose official responsibilities include providing psychological counseling to members of the institution's community and who is functioning within the scope of his or her license or certification." UAS professional counselors are not considered to be Campus Security Authorities and are not required to report crimes for

inclusion into the annual crime statistics report, however, are encouraged to share procedures to report on a voluntary basis. UAS counseling staff are based on the Juneau campus and are available to all UAS students. 907-796-6000.

## **REPORTING A CRIME ANONYMOUSLY**

Individuals may file anonymous reports regarding crimes on the UAS campuses. The University of Alaska offers [Ethics Point](https://secure.ethicspoint.com/domain/media/en/gui/40174/index.html) (<https://secure.ethicspoint.com/domain/media/en/gui/40174/index.html>), an anonymous online reporting system.

Sexual assault, dating and domestic violence may be reported anonymously at Ethics Point or the [Title IX](http://www.uas.alaska.edu/titleix/) (<http://www.uas.alaska.edu/titleix/>) website.

Juneau Police Department [Crime Line](http://juneaucrimeline.com) (<http://juneaucrimeline.com>)

Sitka Police Department: 907-747-8980

Ketchikan Police Departments [Crime Stoppers](https://www.ktn-ak.us/crime-stoppers) (<https://www.ktn-ak.us/crime-stoppers>)

## **TIMELY WARNINGS**

Timely warnings are issued when: 1) a Clery crime that occurs within our Clery geography is reported to a Campus Security Authority and 2) it is considered to represent a serious or continuing threat to students and employees. A timely warning may also be issued for other nonClery crimes that occur within or near campus when they have the potential to be serious or a continuing threat to students and employees.

Timely warnings are issued by members of the UAS Incident Management Team (IMT). Members of the IMT are outlined in the Emergency Response and Evacuation section below.

Timely warnings may be communicated through Rave, a versatile system allowing for messages to be sent on phone/voicemail, SMS, and email platforms. Students and employees may sign up to receive timely warnings through the [UA Alerts](https://uaalert.alaska.edu/) (<https://uaalert.alaska.edu/>) notification system which allows participants to choose to be contacted via text message, phone, or email.

Sign up to receive alerts or to update your contact information at UA alerts. Anyone with information warranting a timely warning should report the circumstances to a Campus Security Authority.

## **EMERGENCY RESPONSE, EVACUATION, & NOTIFICATION**

UAS students, employees, and members of the community are encouraged to report campus emergencies as quickly as possible to the local police departments or to any university employee. 911 is the emergency number in all campus communities.

UAS uses an Incident Management Team (IMT) to manage emergency response, communication activities, and emergency notifications. When an emergency or dangerous situation occurs, the IMT is tasked with assessing the situation, setting immediate objectives to manage the emergency, and communicating relevant information with the appropriate stakeholders: students, staff, faculty, and/or community. Membership on the IMT includes but is not limited to:

- UAS Chancellor and Chancellor's Office staff, including the Public Information Officer
- Vice Chancellors for Administration and Student Affairs
- Director of Facilities and designated Facilities Staff on each campus
- Campus Directors in Sitka and Ketchikan
- Campus Life Staff

The UAS IMT may also elect to establish an Incident Command System (ICS), which is a common strategy under the National Incident Management System (NIMS). The ICS is staffed by personnel appropriate to the needs of the emergency, so may include some if not all of the IMT and/or other personnel who support the work of designated IMT members. In the event emergency notification is required, or in the event the IMT decides to send out an informational notice, UAS has several options for notification.

- 1) InformaCast enables anyone on campus to use a campus phone to record a brief emergency message that will be immediately broadcasted to every phone on our phone system on campus. Instructions are posted on phones in public areas and classrooms, and distributed broadly throughout the year.
- 2) Rave is a versatile system, allowing for messages to be sent on phone/voicemail, SMS, and email platforms. It allows the IMT to communicate with each other as well as other internal and external stakeholders. Rave can support short, timely messages as well as longer, more detailed messages.

While any member of the IMT is trained to use systems to deliver emergency notifications, external and campus-wide communications are primarily handled by the Chancellor or Public Information Officer (PIO). UAS does not have campus security or police services, but does partner with the local police departments in each community.

UAS will, without delay, and taking into account the safety of the community, determine the content of the emergency notification and initiate the notification system, unless issuing an emergency notification will, in the professional judgment of the IMT, compromise efforts to assist a victim or to contain, respond, or otherwise mitigate the emergency.

In the event that a building needs to be evacuated, occupants will be directed to an emergency assembly area. In the event that the entire campus needs to be evacuated, the IMT may close that campus. The IMT will assist with finding alternative housing for on-campus residents of the Juneau campus. Shelter-in-place may also be a viable solution for response, depending on the type of emergency. Instructions for evacuation or shelter-in-place, including periodic updates, would be communicated to the campus community through the IMT. When it is safe to leave the shelter, University officials will either send out a notification or clear the building.



UAS conducts one major scheduled test of the emergency response system at each campus annually, with the possibility of several smaller drills and exercises throughout the year to test the efficacy of specific training efforts or equipment. After-action and debrief activities are conducted for emergencies, tests, drills, and exercises. Each test is documented.

## **BUILDING ACCESS, SAFETY & MAINTENANCE**

Most non-residential campus buildings on all three campuses are open to the public Monday through Friday for normal business hours and in the evenings during scheduled classes or events. All non-residential campus buildings are closed and locked during holiday breaks, and access is greatly reduced during semester breaks.

UAS Facilities Services locks and unlocks buildings as scheduled. Room scheduling is managed differently on each campus. In Ketchikan, call 907-228-4513. In Sitka, call 907-747-7701. In Juneau, visit [UAS Room Scheduling \(http://www.uas.alaska.edu/registrar/roomscheduling.html\)](http://www.uas.alaska.edu/registrar/roomscheduling.html).

Maintenance staff respond to all requests for repairs. In Juneau, call 907-796-6496 during business hours. After hours call 1-866-999-1822. In Ketchikan, call 907-228-4533. In Sitka, call 907-747-7724.

Only the Juneau campus provides on-campus housing. Traditional residence halls are secured 24-hours a day and are accessible only by swiping an authorized key card. Apartments also remain locked at all times; only current residents are provided keys or key cards to access their rooms or apartments. Access to residential community living spaces is restricted to residents and their escorted guests. Residents must escort guests at all times.

The Juneau campus Housing and Residence Life staff are available to address student, faculty, or staff concerns during normal business hours. Outside of normal business hours, at least one Resident Advisor (RA) and one Administrator is on duty every night. Outside of normal business hours, Residence Life staff can be reached at 907-209-6539.

## **CRIMINAL ACTIVITY OFF CAMPUS**

The University of Alaska Southeast operates no off-campus housing or off-campus student organization facilities. However, students may live in neighborhoods nearby their campus. Local law enforcement has primary jurisdiction in all areas off-campus. Students living off-campus who experience an emergency/crisis should call 911.

## **SECURITY AWARENESS PROGRAMS**

All new students at each campus receive campus safety awareness information at new student orientation each semester. New employees receive safety information during the hiring process. Safety information is also located on the UAS website, available year-round to all students and employees. The Juneau campus residential facilities offers safety awareness programs through

the year, including but not limited to: programming on emergency response, bear safety, healthy relationships, sexual assault prevention, and safe and healthy substance use. All of our campuses partner with local law enforcement agencies and other organizations (local domestic violence/sexual assault shelters) to raise student and employee awareness about safety.

### **CRIME PREVENTION PROGRAMMING**

Crime prevention strategies are shared with the university community (students and employees) through the UAS website and through periodic programs, including but not limited to: ALICE active shooter training, emergency alert notification processes, and bystander intervention. All students, faculty, and staff receive the updated security report annually.

### **MISSING STUDENTS POLICY**

Every student who lives in on-campus student housing, regardless of age, may register one or more individuals to be a contact strictly for missing persons purposes. A student's contact information will be registered confidentially and be accessible only to authorized campus officials. It may not be disclosed, except to law enforcement personnel in furtherance of a missing persons investigation.

It is the policy of UAS to investigate any report of a missing student who lives in residential facilities. If campus officials determine that a student for whom a missing person report has been filed has been missing for more than 24 hours, then within the next 24 hours they must:

- Notify the individual (in case of an emergency, please contact) to be contacted in case of an emergency;
- If the student is under 18 years old, notify a parent or guardian; and
- Notify appropriate law enforcement officials, if the student is over 18 and has not otherwise identified a person to be contacted.
- UAS officials may act sooner than the 24 hour mark if they determine they should do so.

University officials will gather information about the missing student to aid in the search (description, photos, class schedule, etc.). Residence Life staff may also take additional action such as visiting the resident's room, contacting roommates or friends, checking the resident's vehicle, and attempting to contact the resident.

### **Juneau Campus Important Housing Numbers:**

- Housing Office: 907-796-6445
- Housing Lodge: 907-796-6443
- Apartment/Banfield After Hours: 907-209-6539
- John R. Pugh Hall After Hours: 907-209-6534

### **ALCOHOL & ILLEGAL DRUG POLICY, INCLUDING STUDENT CODE OF CONDUCT**

Use, possession, manufacturing, distribution, or being under the influence of alcoholic beverages, illegal drugs or other controlled substances on property owned or controlled by the University is against University policy; except as expressly permitted by law, Regents' Policy, University Regulation, or UAS rules and procedures. UAS considers itself "Drug-Free", with the exception of legal use of prescription medications, as recommended by the individual who prescribed the medication. The alcohol policy for the UAS residential community permits some residents 21-years old or older to possess and consume limited quantities of alcohol in certain apartments in accordance with Housing/Residence Life policies.

Disciplinary action may be initiated by the University and disciplinary sanctions imposed against any student or student organization found responsible for committing, attempting to commit, or intentionally assisting in the commission of any category of conduct prohibited by the Student Code of Conduct, including misuse of alcohol and drugs.

## **ALCOHOL & DRUG EDUCATION AND RESOURCES**

Students are encouraged to participate in health education seminars, workshops, and events offered annually by the University. Additionally, personal counseling is available for all students, and referrals can be made to local resources.

Students found in violation of alcohol and/or drug policies may be required to participate in educational alcohol and/or other drug sanctions. UAS requires ALCOHOLEDU, an online sanction for students found responsible for low-level alcohol or drug violations. In addition, students may be subject to local, state, and federal legal sanctions.

UAS employees experiencing substance abuse-related issues are encouraged to seek counseling services. The University of Alaska's employee health insurance program contains benefits for some in-patient and out-patient treatment. Employees should contact their local Human Resource office for details. In addition, the University of Alaska contracts [Deer Oaks](#) (<http://www.uas.alaska.edu/hr/docs/eap-services.pdf>) to provide an Employee Assistance Program. The program can be accessed by contacting the Human Resources office or Deer Oaks directly at (888) 993-7650.

### **Resource Summary**

- UAS Counseling Services (students): 907-796-6000
- Juneau Alcoholics Anonymous: 907-586-1161
- Ketchikan Alcoholics Anonymous: 907-225-5154
- Sitka Alcoholics Anonymous: 907-747-8866
- Juneau Narcotics Anonymous: 907-790-4567
- Ketchikan Narcotics Anonymous: 907-225-5171
- Sitka Narcotics Anonymous: 907-747-3977

## **DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, & STALKING**

### Domestic Violence, Dating Violence, Sexual Assault and Stalking

#### *Introduction*

The University of Alaska Southeast prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking (as defined by the Clery Act), and reaffirms its commitment to maintaining a campus environment that emphasizes the dignity and worth of all members of the University community. Toward that end, the University of Alaska Southeast issues this statement of policy to inform the campus community of our programs to address domestic violence, dating violence, sexual assault, and stalking, as well as the procedures for University administrative action in cases of alleged domestic violence, dating violence, sexual assault, or stalking, which will be followed regardless of whether the incident occurs on- or of-campus when it is reported to a University official.

#### *Federal Clery Act Definitions*

The Clery Act defines the crimes of domestic violence, dating violence, sexual assault, and stalking as follows:

- **Domestic Violence:**
  1. A Felony or misdemeanor crime of violence committed:
    - By a current or former spouse or intimate partner of the victim;
    - By a person with whom the victim shares a child in common;
    - By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
    - By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
    - By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
  2. For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

- **Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.
  1. The existence of such a relationship shall be based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
  2. For the purposes of this definition—
    - Dating violence includes, but is not limited to, sexual or physical abuse, or the threat of such abuse.
    - Dating violence does not include acts covered under the definition of domestic violence.
  3. For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.
  
- **Sexual Assault:** An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is "any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent."
  - **Rape** is defined as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
  - **Fondling** is defined as the touching of the private parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
  - **Incest** is defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
  - **Statutory Rape** is defined as sexual intercourse with a person who is under the statutory age of consent.
  
- **Stalking:**
  1. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to-
    - Fear for the person's safety or the safety of others; or
    - Suffer substantial emotional distress.

2. For the purposes of this definition-
  - Course of conduct means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property.
  - Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
  - Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily require medical or other professional treatment or counseling.
3. For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

### *State of Alaska Legal Definitions*

The State of Alaska defines the crimes of domestic violence, dating violence, sexual assault, and stalking.

- **Domestic Violence:** Alaska State law defines domestic violence and a crime involving domestic violence to mean one or more of the following offenses, or an attempt to commit one of these offenses, by a household member against another household member: murder, manslaughter, criminally negligent homicide, assault, reckless endangerment, stalking, kidnapping, custodial interference, human trafficking, sexual offenses including, among others, sexual assault and sexual abuse of a minor, robbery, extortion, coercion, burglary, criminal trespass, arson or criminally negligent burning, criminal mischief, terrorist threatening, violating a protective order, harassment, and cruelty to animals.

Household members to which the Alaska domestic violence laws apply include:

- A current or former spouse;
- A person who lives, or has previously lived with you, in the same household;
- A person you have dated, or are presently dating;
- A person with whom you have or have had a sexual relationship;
- A parent, stepparent, grandparent, child or grandchild, aunt, uncle, cousin, second cousin or children of any of these persons.

The complete definition of domestic violence is found in Alaska Statute AS 18.66.990 as noted below.

**(3)** "domestic violence" and "crime involving domestic violence" mean one or more of the following offenses or an offense under a law or ordinance of another jurisdiction having elements similar to these offenses, or an attempt to commit the offense, by a household member against another household member:

**(A)** a crime against the person under AS [11.41](#);

**(B)** burglary under AS [11.46.300-11.46.310](#);

**(C)** criminal trespass under AS [11.46.320-11.46.330](#);

**(D)** arson or criminally negligent burning under AS [11.46.400-11.46.430](#);

**(E)** criminal mischief under AS [11.46.475-11.46.486](#);

**(F)** terrorist threatening under AS [11.56.807](#) or [11.56.810](#);

**(G)** violating a protective order under AS [11.56.740](#) (a)(1); or

**(H)** harassment under AS [11.61.120](#) (a)(2)-(4) or (6); or

**(I)** cruelty to animals under AS 11.61.140(a)(5) if the animal is a pet;

**(4)** "domestic violence program" means a program that provides services to the victims of domestic violence, their families, or perpetrators of domestic violence;

**(5)** "household member" includes

**(A)** adults or minors who are current or former spouses;

**(B)** adults or minors who live together or who have lived together;

**(C)** adults or minors who are dating or who have dated;

**(D)** adults or minors who are engaged in or who have engaged in a sexual relationship;

**(E)** adults or minors who are related to each other up to the fourth degree of consanguinity, whether of the whole or half blood or by adoption, computed under the rules of civil law;

**(F)** adults or minors who are related or formerly related by marriage;

(G) persons who have a child of the relationship; and

(H) minor children of a person in a relationship that is described in (A)-(G) of this paragraph;

- **Dating Violence:** Alaska State law does not currently include a specific legal definition of dating violence. However, Alaska's definition of domestic violence covers individuals who are in current and former dating relationships and therefore incorporates acts of dating violence into the general definition of domestic violence.
- **Sexual Assault:** Under Alaska state law, sexual penetration and sexual contact of another person without consent is sexual assault and can occur under a variety of circumstances, including:
  - Engaging in sexual penetration or contact with someone without consent of the person;
  - Attempting to engage in sexual penetration with someone without consent of the person, causing serious physical injury as a result;
  - Engaging in sexual penetration or contact with someone known to be mentally incapable or unaware, or while in certain legal or professional relationships with the person;
  - Engaging or attempting to engage in sexual penetration or sexual contact with someone who is incapacitated, or temporarily incapable of appraising the nature of one's own conduct or physically unable to express unwillingness to act.

The Alaska Statutes on sexual assault are found in AS 11.41.410 - 11.41.470 as noted below.

**AS 11.41.410 – Sexual Assault in the First Degree**

(a) An offender commits the crime of sexual assault in the first degree if

(1) the offender engages in sexual penetration with another person

(A) without consent of that person by

(i) the use of force or the express or implied threat of force against any person or property; or

(ii) causing the person to become incapacitated;

(B) by impersonating someone known to the person for the purpose of obtaining consent;



- (2) the offender attempts to engage in sexual penetration with another person without consent of that person and causes serious physical injury to that person;
- (3) the offender engages in sexual penetration with another person
  - (A) who the offender knows is mentally incapable; and
  - (B) who is in the offender's care
    - (i) by authority of law; or
    - (ii) in a facility or program that is required by law to be licensed by the state; or
- (4) the offender engages in sexual penetration with a person who the offender knows is unaware that a sexual act is being committed and
  - (A) the offender is a health care worker; and
  - (B) the offense takes place during the course of professional treatment of the victim.
- (b) Sexual assault in the first degree is punishable as provided in AS [12.55](#) and is
  - (1) an unclassified felony if the offender violates (a)(1)(A), (2), (3), or (4) of this section;
  - (2) a class A felony if the offender violates (a)(1)(B) of this section.

**AS 11.41.420 – Sexual Assault in the Second Degree**

- (a) An offender commits the crime of sexual assault in the second degree if
  - (1) the offender engages in sexual contact with another person
    - (A) without consent of that person by
      - (i) the use of force or the express or implied threat of force against any person or property; or
      - (ii) causing the person to become incapacitated;
    - (B) by impersonating someone known to the person for the purpose of obtaining consent;
  - (2) the offender engages in sexual contact with a person
    - (A) who the offender knows is mentally incapable; and

(B) who is in the offender's care

(i) by authority of law; or

(ii) in a facility or program that is required by law to be licensed by the state;

(3) the offender engages in sexual penetration with a person who the offender knows is

(A) mentally incapable;

(B) incapacitated; or

(C) unaware that a sexual act is being committed; or

(4) the offender engages in sexual contact with a person who the offender knows is unaware that a sexual act is being committed and

(A) the offender is a health care worker; and

(B) the offense takes place during the course of professional treatment of the victim; or

(5) under circumstances not proscribed under AS 11.41.410, the offender engages in sexual penetration with another person without consent of that person.

(b) Sexual assault in the second degree is a class B felony.

**AS 11.41.425 – Sexual Assault in the Third Degree**

(a) An offender commits the crime of sexual assault in the third degree if the offender

(1) engages in sexual contact with a person who the offender knows is

(A) mentally incapable;

(B) incapacitated; or

(C) unaware that a sexual act is being committed;

(2) while employed in a state correctional facility or other placement designated by the commissioner of corrections for the custody and care of prisoners, engages in sexual penetration with a person who the offender knows is committed to the custody of the Department of Corrections to serve a term of imprisonment or period of temporary commitment; or

(3) engages in sexual penetration with a person 18 or 19 years of age who the offender knows is committed to the custody of the Department of Health and Social Services under AS [47.10](#) or AS [47.12](#) and the offender is the legal guardian of the person;

(4) while employed in the state by a law enforcement agency as a peace officer, or while acting as a peace officer in the state, engages in sexual penetration with a person with reckless disregard that the person is in the custody or the apparent custody of the offender, or is committed to the custody of a law enforcement agency;

(5) while employed by the state or a municipality of the state as a probation officer or parole officer, or while acting as a probation officer or parole officer in the state, engages in sexual penetration with a person with reckless disregard that the person is on probation or parole; or

(6) while employed as a juvenile probation officer or as a juvenile facility staff, engages in sexual penetration with a person 18 or 19 years of age with reckless disregard that the person is committed to the custody or probationary supervision of the Department of Family and Community Services; or

(7) under circumstances not proscribed under AS 11.41.420, the offender engages in sexual contact with another person without consent of that person; in this paragraph, “sexual contact” does not include an offender knowingly causing a person to come into contact with semen.

(b) Sexual assault in the third degree is a class C felony.

#### **AS 11.41.427 – Sexual Assault in the Fourth Degree**

(a) An offender commits the crime of sexual assault in the fourth degree if

(1) while employed in a state correctional facility or other placement designated by the commissioner of corrections for the custody and care of prisoners, the offender engages in sexual contact with a person who the offender knows is committed to the custody of the Department of Corrections to serve a term of imprisonment or period of temporary commitment; or

(2) the offender engages in sexual contact with a person 18 or 19 years of age who the offender knows is committed to the custody of the Department of Health and Social Services under AS [47.10](#) or AS [47.12](#) and the offender is the legal guardian of the person.

(b) Sexual assault in the fourth degree is a class A misdemeanor.

**AS 11.41.432 – Defenses**

(a) It is a defense to a crime charged under AS [11.41.410](#) (a)(3), [11.41.420](#)(a)(2), [11.41.420](#)(a)(3), [11.41.425](#), or 11.41.427 that the offender is

(1) mentally incapable.

(b) Except as provided in (d) or (e) of this section, in a prosecution under AS [11.41.410–11.41.427](#), it is not a defense that the victim was, at the time of the alleged offense, the legal spouse of the defendant.

(c) It is an affirmative defense to a crime charged under AS 11.41.425(a)(5) or 11.41.427(a)(4) that

(1) the offender and the person on probation or parole had, before the person was placed on probation or parole, a dating relationship or a sexual relationship that continued until the date of the alleged offense; and

(2) the person on probation or parole consented to the act for which the offender is charged.

(d) It is a defense to a crime charged under AS 11.41.425(a)(2)--(6) or 11.41.427 that the offender is married to the person, neither party has filed with the court for separation, divorce, or dissolution of the marriage, and the person consented to the act for which the offender was charged.

(e) It is an affirmative defense for a crime charged under AS 11.41.410(a)(3), 11.41.420(a)(2), 11.41.420(a)(3)(A), or 11.41.425(a)(1)(A) that the offender is married to the person, neither party has filed with the court for separation, divorce, or dissolution of the marriage, and the person consented to the act for which the offender is charged while capable of understanding the nature or consequences of the offender's conduct.

**AS 11.41.434 – Sexual Abuse of a Minor in the First Degree**

(a) An offender commits the crime of sexual abuse of a minor in the first degree if

(1) being 16 years of age or older, the offender engages in sexual penetration with a person who is under 13 years of age or aids, induces, causes, or encourages a person who is under 13 years of age to engage in sexual penetration with another person;

(2) being 18 years of age or older, the offender engages in sexual penetration with a person who is under 18 years of age, and the offender is the victim's natural parent, stepparent, adopted parent, or legal guardian; or

(3) being 18 years of age or older, the offender engages in sexual penetration with a person who is under 16 years of age, and

(A) the victim at the time of the offense is residing in the same household as the offender and the offender has authority over the victim; or

(B) the offender occupies a position of authority in relation to the victim.

(b) Sexual abuse of a minor in the first degree is an unclassified felony and is punishable as provided in AS [12.55](#).

### **AS 11.41.436 – Sexual Abuse of a Minor in the Second Degree**

(a) An offender commits the crime of sexual abuse of a minor in the second degree if

(1) being 17 years of age or older, the offender engages in sexual penetration with a person who is 13, 14, or 15 years of age and at least four years younger than the offender, or aids, induces, causes or encourages a person who is 13, 14, or 15 years of age and at least four years younger than the offender to engage in sexual penetration with another person;

(2) being 16 years of age or older, the offender engages in sexual contact with a person who is under 13 years of age or aids, induces, causes, or encourages a person under 13 years of age to engage in sexual contact with another person;

(3) being 18 years of age or older, the offender engages in sexual contact with a person who is under 18 years of age, and the offender is the victim's natural parent, stepparent, adopted parent, or legal guardian;

(4) being 16 years of age or older, the offender aids, induces, causes, or encourages a person who is under 16 years of age to engage in conduct described in AS [11.41.455](#) (a)(2) - (6);

(5) being 18 years of age or older, the offender engages in sexual contact with a person who is under 16 years of age, and

(A) the victim at the time of the offense is residing in the same household as the offender and the offender has authority over the victim; or

(B) the offender occupies a position of authority in relation to the victim.

(6) being 18 years of age or older, the offender engages in sexual penetration with a person who is 16 or 17 years of age and at least three years younger than the offender, and the offender occupies a position of authority in relation to the victim; or

(7) being under 16 years of age, the offender engages in sexual penetration with a person who is under 13 years of age and at least three years younger than the offender.

(b) Sexual abuse of a minor in the second degree is a class B felony.

#### **AS 11.41.438 – Sexual Abuse of a Minor in the Third Degree**

(a) An offender commits the crime of sexual abuse of a minor in the third degree if being 17 years of age or older, the offender engages in sexual contact with a person who is 13, 14, or 15 years of age and at least four years younger than the offender.

(b) Except as provided in (c) of this section, sexual abuse of a minor in the third degree is a class C felony, punishable as provided in AS 12.55.125(e).

(c) Sexual abuse of a minor in the third degree is a class C felony.

#### **AS 11.41.440 – Sexual Abuse of a Minor in the Fourth Degree**

(a) An offender commits the crime of sexual abuse of a minor in the fourth degree if

(1) being under 16 years of age, the offender engages in sexual contact with a person who is under 13 years of age and at least three years younger than the offender; or

(2) being 18 years of age or older, the offender engages in sexual contact with a person who is 16 or 17 years of age and at least three years younger than the offender, and the offender occupies a position of authority in relation to the victim.

(b) Sexual abuse of a minor in the fourth degree is a class A misdemeanor.

#### **AS 11.41.445 – General Provisions**

(a) In a prosecution under AS [11.41.434](#) - [11.41.440](#) it is an affirmative defense that, at the time of the alleged offense, the victim was the legal spouse of the defendant unless the offense was committed without the consent of the victim.

(b) In a prosecution under AS [11.41.410](#) - [11.41.440](#), whenever a provision of law defining an offense depends upon a victim's being under a certain age, it is an affirmative defense that, at the time of the alleged offense, the defendant

(1) reasonably believed the victim to be that age or older; and

(2) undertook reasonable measures to verify that the victim was that age or older.

(c) In a prosecution under AS 11.41.410—11.41.427, where consent is at issue,

(1) an expression of lack of consent through words or conduct means there is no consent; an expression of lack of consent under this paragraph does not require verbal or physical resistance and may include inaction;

(2) a current or previous dating, social, or sexual relationship between the defendant and the person involved with the defendant in the conduct at issue may not by itself constitute consent;

(3) a person cannot consent if the person is fraudulently made to believe that the sexual act serves a professional purpose; in this paragraph, “professional purpose” means an act the defendant has represented as a necessary part or component of a provided service, part of the routine course of a procedure, or a component of the defendant's profession that would occur if a person sought services from another practitioner in the same field as the defendant.

#### **AS 11.41.450 – Incest**

(a) A person commits the crime of incest if, being 18 years of age or older, that person engages in sexual penetration with another who is related, either legitimately or illegitimately, as

(1) an ancestor or descendant of the whole or half blood;

(2) a brother or sister of the whole or half blood; or

(3) an uncle, aunt, nephew, or niece by blood.

(b) Incest is a class C felony.

#### **AS 11.41.452 – Enticement of a Minor**

(a) A person commits the crime of enticement of a minor if the person, being 18 years of age or older, knowingly communicates with another person to entice, solicit, or encourage the person to engage in an act described in AS [11.41.455](#)(a)(1)-(7) and

(1) the other person is a child under 16 years of age; or

(2) the person believes that the other person is a child under 16 years of age.

(b) In a prosecution under (a)(2) of this section, it is not a defense that the person enticed, solicited, or encouraged was not actually a child under 16 years of age.

(c) In a prosecution under this section, it is not necessary for the prosecution to show that the act described in AS [11.41.455](#) (a)(1) - (7) was actually committed.

(d) Except as provided in (e) of this section, online enticement is a class B felony.

(e) Enticement is a class A felony if the defendant was, at the time of the offense, required to register as a sex offender or child kidnapper under AS [12.63](#) or a similar law of another jurisdiction.

#### **AS 11.41.455 – Unlawful Exploitation of a Minor**

(a) A person commits the crime of unlawful exploitation of a minor if, in the state and with the intent of producing a live performance, film, audio, video, electronic, or electromagnetic recording, photograph, negative, slide, book, newspaper, magazine, or other material that visually or aurally depicts the conduct listed in (1) - (7) of this subsection, the person knowingly induces or employs a child under 18 years of age to engage in, or photographs, films, records, or televises a child under 18 years of age engaged in, the following actual or simulated conduct:

(1) sexual penetration;

(2) the lewd touching of another person's genitals, anus, or breast;

(3) the lewd touching by another person of the child's genitals, anus, or breast;

(4) masturbation;

(5) bestiality;

(6) the lewd exhibition of the child's genitals; or

(7) sexual masochism or sadism.

(b) A parent, legal guardian, or person having custody or control of a child under 18 years of age commits the crime of unlawful exploitation of a minor if, in the state, the person permits the child to engage in conduct described in (a) of this section knowing that the conduct is intended to be used in producing a live performance, film, audio, video, electronic, or electromagnetic recording, photograph, negative, slide, book, newspaper, magazine, or other material that visually or aurally depicts the conduct.

(c) Unlawful exploitation of a minor is a

(1) class A felony; or

(2) an unclassified felony



(A) if the person has been previously convicted of unlawful exploitation of a minor in this jurisdiction or a similar crime in this or another jurisdiction; or

(B) minor who is exploited is under 13 years of age at the time the exploitation occurs.

(d) In this section, "audio recording" means a nonbook prerecorded item without a visual component, and includes a record, tape, cassette, and compact disc.

#### **AS 11.41.458 – Indecent Exposure in the First Degree**

(a) An offender commits the crime of indecent exposure in the first degree if the offender violates AS [11.41.460](#)(a) and

(1) while committing the act constituting the offense, the offender knowingly masturbates; or

(2) the offender has been previously convicted under

(A) this section;

(B) AS [11.41.460](#)(a); or

(C) a law or ordinance of this or another jurisdiction with elements similar to a crime listed under (A) or (B) of this paragraph.

(b) Indecent exposure in the first degree

(1) is a class C felony; or

(2) is a class B felony if the offense occurs within the observation of a person under 16 years of age.

#### **AS 11.41.460 – Indecent Exposure in the Second Degree**

(a) An offender commits the crime of indecent exposure in the second degree if the offender knowingly exposes the offender's genitals in the presence of another person with reckless disregard for the offensive, insulting, or frightening effect the act may have.

(b) Indecent exposure in the second degree before a person under 16 years of age is a class A misdemeanor. Indecent exposure in the second degree before a person 16 years of age or older is a class B misdemeanor.

#### **AS 11.41.468 – Forfeiture of Property Used in Sexual Offense**

(a) Property used to aid a violation of AS [11.41.410](#) - [11.41.458](#) or to aid the solicitation of, attempt to commit, or conspiracy to commit a violation of AS [11.41.410](#) - [11.41.458](#) may be forfeited to the state upon the conviction of the offender.

(b) In this section, "property" means computer equipment, telecommunications equipment, photography equipment, video or audio equipment, books, magazines, photographs, videotapes, audiotapes, and any equipment or device, regardless of format or technology employed, that can be used to store, create, modify, receive, transmit, or distribute digital or analog information, including images, motion pictures, and sounds.

### **AS 11.41.470 – Definitions**

For purposes of AS [11.41.410](#) - [11.41.470](#), unless the context requires otherwise,

(1) "health care worker" includes a person who is or purports to be an acupuncturist, advanced practice registered nurse, anesthesiologist, certified direct-entry midwife, chiropractor, dentist, health aide, hypnotist, massage therapist, mental health counselor, midwife, nurse, osteopath, naturopath, physical therapist, physical therapy assistant, physician, physician assistant, psychiatrist, psychological associate, psychologist, radiologist, religious healing practitioner, surgeon, x-ray technician, or a substantially similar position;

(2) "incapacitated" means temporarily incapable of appraising the nature of one's own conduct or physically unable to express unwillingness to act;

(3) "juvenile facility staff" has the meaning given in AS 11.41.425(b);

(4) "legal guardian" means a person who is under a duty to exercise general supervision over a minor or other person committed to the custody of the Department of Health and Social Services under AS [47.10](#) or AS [47.12](#) as a result of a court order, statute, or regulation, and includes Department of Health and Social Services employees, foster parents, and staff members and other employees of treatment institutions, group homes, or youth facilities where the minor or other person is placed as a result of a court order or the action of the Department of Health and Social Services, and police officers, juvenile and adult probation officers, and social workers when those persons are exercising custodial control over a minor or other person.

(5) "mentally incapable" means suffering from a mental disease or defect that renders the person incapable of understanding the nature or consequences of the person's conduct, including the potential for harm to that person;

(6) "position of authority" means one of the following, or a person in a substantially similar position: an employer, youth leader, scout leader, coach, teacher, counselor, school administrator, religious leader, doctor, nurse, psychologist, guardian ad litem, babysitter, police officer, correctional employee, juvenile facility staff, staff member of a treatment institution, or juvenile or adult probation officer other than when the officer is exercising custodial control over a minor;

(7) "sexual act" means sexual penetration or sexual contact;

(8) "treatment institution" has the meaning given in AS 47.14.990;

(9) "victim" means the person alleged to have been subjected to sexual assault in any degree or sexual abuse of a minor in any degree;

(10) "without consent" means that, under the totality of the circumstances surrounding the offense, there was not a freely given, reversible agreement specific to the conduct at issue; in this paragraph, "freely given" means agreement to cooperate in the act was positively expressed by word or action.

**Consent:** Alaska State law does not currently include a definition for consent. However, Alaska defines the following terms including "incapacitated," "mentally incapable," and "without consent" as related to sexual assault:

- *Incapacitated:* temporarily incapable of appraising the nature of one's own conduct or physically unable to express unwillingness to act;
- *Mentally Incapable:* suffering from a mental disease or defect that renders the person incapable of understanding the nature or consequences of the person's conduct, including the potential for harm to that person;
- *Without Consent:* that a person, under the totality of the circumstances surrounding the offense, there was not a freely given, reversible agreement specific to the conduct at issue; in this paragraph, "freely given" means agreement to cooperate in the act was positively expressed by word or action.

The complete definitions of the above terms are found in Alaska Statute 11.41.470, as noted above.

**Age of Consent:** Under Alaska state law, the age of consent for sexual activity depends on the age of both partners. Generally, an individual 16 years old or older can engage in sexual activity with an older participant provided the older participant is not in a position

of authority over the younger participant and is not the younger participant's legal guardian. In addition, depending on the age and relationship of the participants, teenagers may not be able to provide legal consent. In summary, an individual who agrees with any of the following statements may not be capable of providing consent, and a crime may have occurred:

- I am under 18 and the other person has authority over me (coach, teacher, boss).
- I am a teen and there is a 3-year or more age difference between us.

The complete provisions regarding the age of consent are found in Alaska Statutes 11.41.434 – 11.41.445 and 11.41.455, as listed immediately above.

- **Stalking:** Under Alaska law, it is illegal for another person to knowingly engage in a course of conduct that recklessly places you or someone else in fear of death or physical injury to either yourself or a member of your family. A course of conduct is repeated acts of "non-consensual contact" that is initiated or continued without that person's consent, or after someone has expressed a desire to cease contact, or is outside of the scope of consent given by that person. Some examples include:

- following or appearing within the sight of that person;
- approaching or confronting that person in a public place or on private property;
- appearing at the workplace or residence of that person;
- entering onto or remaining on property owned, leased, or occupied by that person;
- contacting that person by telephone;
- sending mail or electronic communications to that person;
- placing an object on, or delivering an object to, property owned, leased, or occupied by that person;
- utilizing social media to monitor an individual via false pretenses;
- following or monitoring that person with a global positioning device or similar technological means; or
- using, installing or attempting to use or install a device for observing, recording, or photographing events occurring in the residence, vehicle, or workplace used by that person, or on the personal telephone or computer used by that person.

The complete definition of stalking is found in Alaska Statutes 11.41.260 – 11.41.270, as noted below.

### **11.41.260 – Stalking in the First Degree**

(a) A person commits the crime of stalking in the first degree if the person violates AS [11.41.270](#) and

(1) the actions constituting the offense are in violation of an order issued or filed under AS [18.66.100](#) - [18.66.180](#) or issued under former AS [25.35.010](#) (b) or 25.35.020;

(2) the actions constituting the offense are in violation of a condition of probation, release before trial, release after conviction, or parole;

(3) the victim is under 16 years of age;

(4) at any time during the course of conduct constituting the offense, the defendant possessed a deadly weapon;

(5) the defendant has been previously convicted of a crime under this section, AS [11.41.270](#), or AS [11.56.740](#), or a law or ordinance of this or another jurisdiction with elements similar to a crime under this section, AS [11.41.270](#), or AS [11.56.740](#); or

(6) the defendant has been previously convicted of a crime, or an attempt or solicitation to commit a crime, under (A) AS [11.41.100](#) - 11.41.250, [11.41.300](#) - 11.41.460, AS [11.56.807](#), [11.56.810](#), AS [11.61.118](#), AS [11.61.120](#), or (B) a law or an ordinance of this or another jurisdiction with elements similar to a crime, or an attempt or solicitation to commit a crime, under AS [11.41.100](#) - 11.41.250, [11.41.300](#) - 11.41.460, AS [11.56.807](#), [11.56.810](#), AS [11.61.118](#), or AS [11.61.120](#), involving the same victim as the present offense.

(b) In this section, "course of conduct" and "victim" have the meanings given in AS [11.41.270](#) (b).

(c) Stalking in the first degree is a class C felony.

### **11.41.270 – Stalking in the Second Degree**

(a) A person commits the crime of stalking in the second degree if the person knowingly engages in a course of conduct that recklessly places another person in fear of death or physical injury, or in fear of the death or physical injury of a family member.

(b) In this section,

(1) "course of conduct" means repeated acts of nonconsensual contact involving the victim or a family member;

(2) "device" includes software;

(3) "family member" means a

(A) spouse, child, grandchild, parent, grandparent, sibling, uncle, aunt, nephew, or niece, of the victim, whether related by blood, marriage, or adoption;

(B) person who lives, or has previously lived, in a spousal relationship with the victim;

(C) person who lives in the same household as the victim; or

(D) person who is a former spouse of the victim or is or has been in a dating, courtship, or engagement relationship with the victim;

(4) "nonconsensual contact" means any contact with another person that is initiated or continued without that person's consent, that is beyond the scope of the consent provided by that person, or that is in disregard of that person's expressed desire that the contact be avoided or discontinued; "nonconsensual contact" includes

(A) following or appearing within the sight of that person;

(B) approaching or confronting that person in a public place or on private property;

(C) appearing at the workplace or residence of that person;

(D) entering onto or remaining on property owned, leased, or occupied by that person;

(E) contacting that person by telephone;

(F) sending mail or electronic communications to that person;

(G) placing an object on, or delivering an object to, property owned, leased, or occupied by that person;

(H) following or monitoring that person with a global positioning device or similar technological means;

(I) using, installing, or attempting to use or install a device for observing, recording, or photographing events occurring in the residence, vehicle, or workplace used by that person, or on the personal telephone or computer used by that person;

(4) "victim" means a person who is the target of a course of conduct.

(c) Stalking in the second degree is a class A misdemeanor.

## *University of Alaska Definitions*

### **Definitions Under BOR Chapter 01.04**

Regents' Policy and University Regulation (BOR) Chapter 01.04 defines various terms used to identify forms of prohibited conduct under the University's Sex and Gender-Based Discrimination Under Title IX Policy.

**Domestic violence** includes verbal or physical assault, violating a protective order, terroristic threatening, burglary, criminal trespass, criminal mischief, harassment, arson, criminally negligent burning committed by a current or former spouse or intimate partner of the complainant, by a respondent with whom the complainant shares a child in common, by a respondent who is cohabitating with or has cohabitated with the complainant as a spouse or intimate partner or as a roommate, by a respondent similarly situated to a spouse of the complainant, or by any other respondent against an adult or youth complainant who is protected from that respondent's acts under the domestic or family violence laws of Alaska.

**Dating violence** is violence committed by a respondent: a. who is or has been in a social relationship of a romantic or intimate nature with the complainant; and b. where the existence of such a relationship shall be determined based on a consideration of the following factors:

1. The length of the relationship;
2. The type of relationship; and
3. The frequency of interaction between the persons involved in the relationship

**Sexual assault** means an offense that meets any of the following definitions:

1. "Rape" is non-consensual vaginal or anal penetration, no matter how slight, of a person with any body part or object, or oral penetration by a sex organ of another person, including instances where the victim is incapable of giving consent because of their age or incapacitation.
2. "Fondling" is the touching of the breasts, buttocks, or genitals of another person for the purpose of sexual gratification without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of incapacitation. Fondling can occur over or under clothing.
3. "Incest" is nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law of the state or territory where the act occurred.
4. "Statutory Rape" is nonforcible sexual intercourse with a person who is under the statutory age of consent in the state or territory where the conduct occurred.

**Consent\*** is the voluntary, informed, un-coerced agreement through words or actions freely given, that a reasonable person would interpret as a willingness to participate in mutually agreed-upon sexual acts. Consensual sexual activity happens when each partner willingly and affirmatively chooses to participate. A person who is incapacitated cannot consent.

The following terms relate to the University of Alaska definition of Consent:

**Coercion** is the use of pressure to compel another person to engage in any sexual activity against that person's will. Coercion may include express or implied threats of physical, emotional, or other harm. Coercion invalidates consent.

**Force** is the unwelcome use or threat (whether express or implied) of physical violence to compel another person to engage in any sexual activity against that person's will. Force invalidates consent.

**Incapacitation** is when an individual is in a state or condition in which they are unable to make sound decisions. This can be due to sleep, age, unconsciousness, alcohol, drug use, or mental and/or other disability. For example, someone who is unable to articulate what, how, when, where, and/or with whom the person desires a sexual act to take place is incapacitated.

**Stalking** means engaging in a course of conduct directed at a specific person that would cause a reasonable person to either fear for their safety or the safety of others; or suffer substantial emotional distress.

*\*The University of Alaska defines Consent for purposes of making a determination if the University's policy prohibiting sexual misconduct, including sexual assault, has been violated.*

For additional offenses and definitions of applicable gender-based and sexual misconduct terms, please see BOR 01.04 (specifically R01.04.010.A and R01.04.010.C).

#### **Definitions Under BOR Chapter 09.02**

BOR 09.02 outlines Student Rights and Responsibilities. It provides a non-exhaustive list of conduct prohibited by the Student Code of Conduct that includes definitions of stalking and relationship violence, covering both domestic violence and dating violence.

**Domestic violence** is a pattern of coercive, controlling behavior in which one intimate partner uses physical violence, coercion, threats, intimidation and emotional,



psychological, electronic media or economic abuse to control and change the behavior of the other partner.

**Dating violence** is behavior(s) used to exert power and control over a dating partner. Examples of power and control may come in the form of emotional, verbal, financial, physical, or electronic media abuse.

**Stalking** is the repetitive and/or menacing pursuit, following, or interference with the peace and/or safety of an individual(s).

**Relationship violence** is violence or abuse by a person on another person with whom they are engaged in an intimate relationship, including domestic violence and dating violence.

## HOW TO BE AN ACTIVE BYSTANDER

If you or someone else is in immediate danger, dial 911.

The University encourages the UAS community to become active bystanders throughout campus. The University wants members of the community to step in or speak up to defuse potentially harmful situations of potential sexual or relationship violence.

### **Active Bystander Process:**

- Identify situations where sexual violence may occur.
- Recognize that you can help.
- Intervene in situations where consent cannot be given.

### **Questions to Ask During the**

**Situation:** ● How can I keep myself safe?

- Are there others I can call upon for help?
- Are resources available: people, phone, information?

### **Decisions to Take Action:**

- If you see something – do something.
- You can make a difference.
- Choose a safe intervention that matches your skill set.

### **How to Intervene Safely:**

- Use **DELEGATION**: Call the police or someone else in authority.
- Tell another person. Being with others is a good idea when a situation looks dangerous.
- Cause a **DISTRACTION** by asking for the time, pretending you know the person, or making something up.
- Get involved with **DIRECT ACTION**. Ask a person in a potentially dangerous situation if they want to leave and then make sure that they get home safely.
- Another strategy is to **DELAY**. If you can't intervene in the moment, you can check in with the person being harassed afterwards to see if you can do anything to support them after the fact.
- One final strategy is to **DOCUMENT** the situation by recording it or saving copies of social media communications. Remember to always ask the person targeted what they want to do with the footage and never post it online or use it without their permission.
- Ask a friend to join you to check on the situation.
- Believe someone who discloses sexual assault, abusive behavior, or experienced with stalking. Ask a victim if they are okay. Provide resources and a listening ear.
- Refer to on or off campus resources listed in this document for support in health, counseling, or with legal assistance.

In sum, there are many ways to be an active bystander. Know your style of communication and make the determination of how you can be an active bystander with what is right for you.

If you or someone else is in immediate danger, dial 911.

Bystanders play a critical role in the prevention of sexual and relationship violence. They are “individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it.”[1]

We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm.[2] We may not always know what to do even if we want to help. Following is a list of some ways to be an active bystander.

1. Feel responsible to act. Educate yourself on how to be an active bystander.
2. Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are alright.
3. Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
4. Speak up when someone discusses plans to take sexual advantage of another person.
5. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
6. Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance.

The University of Alaska Southeast has implemented *Green Dot*, a research-informed and culturally responsive primary prevention program aimed at changing cultural norms around interpersonal violence and teaching participants how to safely and actively engage and interrupt violence. Green Dot training for students is offered annually, and information sessions for employees are offered on-demand.

[1] Burn, S.M. (2009). A situational model of sexual assault prevention through bystander intervention. *Sex roles*, 60, 779-792

[2] Bystander intervention strategies adapted from Stanford University’s Office of Sexual Assault & Relationship Abuse

### **RISK REDUCTION**

With no intent to victim blame, and recognizing that only abusers are responsible for their abuse, the following are some strategies to reduce one’s risk of sexual assault or harassment (adapted from Rape, Abuse, & Incest National Network, [www.rainn.org](http://www.rainn.org))

1. **Be aware** of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Try to **avoid isolated areas**. It is more difficult to get help if no one is around.
3. **Walk with purpose**. Even if you don’t know where you are going, act like you do.

4. **Trust your instincts.** If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
5. **Try not to load yourself down** with packages or bags as this can make you appear more vulnerable.
6. **Make sure your cell phone is with you** and charged and that you have cash money.
7. **Don't allow yourself to be isolated** with someone you don't trust or someone you don't know.
8. **Avoid putting music headphones in both ears** so that you can be more aware of your surroundings, especially if you are walking alone.
9. **When you go to a social gathering, go with a group of friends.** Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
10. **Watch out for your friends, and vice versa.** If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
11. **Don't leave your drink unattended** while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
12. **Don't accept drinks from people you don't know or trust.** If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
13. **If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).** Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
14. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
  - **Remember that being in this situation is not your fault.** You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
  - **Be true to yourself.** Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
  - **Have a code word with your friends or family** so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
  - **Lie.** If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.

15. **Try to think of an escape route.** How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?

16. **If you and/or the other person have been drinking,** you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

17. **Drink responsibly.** If you choose to drink, know your limits. Low-risk choices include drinking no more than three drinks per day. When going out, utilize a sober buddy.

### **PREVENTION PROGRAMS**

The University engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault, and stalking that:

1. Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome; and
2. Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal levels.

Educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students and employees and that includes:

1. A statement that the University prohibits the crimes of domestic violence, dating violence, sexual assault, and stalking (as defined by the Clery Act);
2. The definitions of domestic violence, dating violence, sexual assault, and stalking according to any applicable jurisdictional definitions of these terms;
3. What behavior and actions constitute consent, in reference to sexual activity, in the State of Alaska and the University of Alaska and the purposes for which that definition is used;
4. A description of safe and positive options for bystander intervention. Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene;
5. Information on risk reduction. Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence;

6. An overview of information contained in the annual security report in compliance with the Clery Act. Such information includes information regarding:
- a) procedures victims should follow if a crime of domestic violence, dating violence, sexual assault and stalking occurs (as described in “Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs” elsewhere in this document)
  - b) how the institution will protect the confidentiality of victims and other necessary parties (as described in “Assistance for Victims: Rights and Options” elsewhere in this document);
  - c) existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the institution and in the community (as described in “Assistance for Victims: Rights and Options” elsewhere in this document); and
  - d) options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures (as described in “Assistance for Victims: Rights and Options” elsewhere in this document);
  - e) procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking (as described in “Adjudication of Violations” elsewhere in this document);

## **PRIMARY PREVENTION AND AWARENESS PROGRAMS**

UAS offers a number of primary prevention programs. UA Safe is an online program addressing the critical issues of sex or gender-based discrimination prevention and response including sexual assault, harassment, stalking, domestic violence, and dating violence. All students who are degree seeking, living in campus housing, students on national/international exchange, and middle college students enrolled at the University are annually required to complete UA Safe training. UA Safe promotes a safe and inclusive environment by educating students about their rights on campus, as well as different support systems set in place. The program also encourages bystander intervention, by providing students with the necessary tools to intervene in certain situations. All UA employees are also required to annually complete Title IX training, offered both online and in person, which addresses many of the same things as the student training. The employee training platform addresses the importance of responsible employees and how to respond if someone discloses they have experienced some form of sex or gender-based discrimination.

Specifically, the University offered the following **primary prevention and awareness programs** for all **incoming students** in 2021:

Name of Program	Date Held	Location Held	Which Prohibited Behavior* Covered?
UA Safe Title IX Training	August -October 2021	Online and in person (Both years)	DoV, DaV,SA, & S
Title IX Training (Res Life)	August 2021	In-Person	DoV, DaV, SA, & S

\*DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking

The University offered the following **primary prevention and awareness programs** for all **new employees** in 2021:

Name of Program	Date Held	Location Held	Which Prohibited Behavior* Covered?
Title IX Training	Upon Hire	Online or in-person as requested	DoV, DaV, SA, & S

\*DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking

### **ONGOING PREVENTION AND AWARENESS CAMPAIGNS**

All new students and employees are required to complete the Title IX training during the fall semester. In addition to the online course, UAS has an ongoing series of prevention and awareness campaigns. Following are a list of programs taking place at UAS:

The University offered the following **ongoing awareness and prevention programs** for **students** in YEAR:

Name of Program	Date Held	Location Held	Which Prohibited Behavior* Covered?
Introduction to Title IX and nondiscrimination at Faculty Convocation and New Student Orientation	August 2021	UAS Campus Online	DoV, DaV, SA, & S
National Campus Safety Awareness Month: programming on topics such as civil and respectful behavior, consent, inclusivity, safety in navigating campus environments, bystander engagement training.	September 2021	UAS Campus	
Domestic Violence Awareness: to include themes around dating, domestic violence and stalking as well as LGBTQIA+ issues.	October 2021	UAS Campus	DoV, DaV, & S

\*DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking

The University offered the following **ongoing awareness and prevention programs** for **employees** in YEAR:



Name of Program	Date Held	Location Held	Which Prohibited Behavior* Covered?
Introduction to Title IX and nondiscrimination at Faculty Convocation and New Student Orientation	Ongoing/Annually	UAS Campus Online	DoV, DaV, SA, & S
National Campus Safety Awareness Month: programming on topics such as civil and respectful behavior, consent, inclusivity, safety in navigating campus environments, bystander engagement training.	Ongoing/Annually	UAS Campus	
Domestic Violence Awareness: to include themes around dating, domestic violence and stalking as well as LGBTQIA+ issues.	Ongoing/Annually	UAS Campus	DoV, DaV, & S
Healthy Relationship programming: including active events like the Vagina Monologues and tips for engaging in safe and healthy relationships.	Ongoing/Annually	UAS Campus	DaV

Sexual assault awareness: including active events like Take Back the Night, The Clothesline Project, film screenings, etc.	Ongoing/Annually	UAS Campus	SA
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\*DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking

\*\* Trainings for 2020 were affected by restrictions on in person gatherings due to the COVID 19 Pandemic

**PROCEDURES COMPLAINTS SHOULD FOLLOW IF AN INCIDENT OCCURS**

After an incident of sexual assault, the complainant should consider seeking medical attention as soon as possible. The following locations offer medical treatment and support services after sexual assault incidents including sexual assault nurse practitioners, access to forensic nurse examiners, and physical evidence recovery kit/collection services.

- Juneau
  - Bartlett Regional Hospital 907-796-8900
- Sitka
  - SEARHC Mt. Edgecumbe Medical Center 907-966-2411
- Ketchikan
  - Peace Health 907-225-5171

Complainants can speak with a STAR (Standing Together Against Rape) advocate for resources and available options in the state of Alaska by calling the 24 hour hotline: (907) 276-7273.

In addition to the resources listed above, complainants can seek medical attention at these locations for cases of dating violence and domestic violence:

- Juneau
  - Bartlett Regional Hospital 907-796-8900
- Sitka
  - SEARHC Mt. Edgecumbe Medical Center 907-966-2411
- Ketchikan
  - Peace Health 907-225-5171

In Alaska, evidence may be collected even if you choose not to make a report to law enforcement [1]. It is important that a complainant of sexual assault not bathe, douche, smoke, change clothing, or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours so that evidence may be preserved that may assist in proving that the alleged criminal offense occurred/or is occurring or may be helpful in obtaining a protection order. In circumstances of sexual assault, if complainants do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted infections. Complainants of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to University adjudicators/investigators or police.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, administrative proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a complainant chooses not to make a complaint regarding an incident, they nevertheless should consider speaking with University Police or other local law enforcement to preserve evidence in the event that the complainant decides to report the incident to law enforcement or the University at a later date to assist in proving that the alleged criminal offense occurred or that may be helpful in obtaining a protection order.

### **INVOLVEMENT OF LAW ENFORCEMENT AND CAMPUS AUTHORITIES**

Although the University strongly encourages all members of its community to report violations of this policy to law enforcement (including local police), it is the complainant's choice whether or not to make such a report, unless the University is obligated by law to report the behavior. Furthermore, complainants have the right to decline to notify local law enforcement. However, the Office of Equity & Compliance will assist any complainant with notifying law enforcement if the complainant so desires. Following is the contact information for local police:

Juneau Police Department  
6255 Alaway Avenue  
Juneau, AK 99801  
Non-emergency #907-586-0600  
Emergency # 911  
Fax #907-463-4808

Ketchikan Police Department  
361 Main Street  
Ketchikan, AK 99901  
Non-emergency #907-225-6631  
Emergency#911

Sitka Police Department  
304 Lake Street #102

Sitka, AK 99835  
Non-emergency #907-747-3245  
Emergency #911  
Fax #907-747-1075

*The Division of Alaska State Troopers (AST) serves the entire state, and works with local law enforcement, when they are present, to provide services. If a situation occurs in an area of coverage for their detachment, AST will respond when 911 is called. It should be noted that many communities in Alaska are not accessible from the road system and require significant coordination to respond.*

In addition to reporting requirements as Campus Security Authorities (CSAs) under Clery, CSAs remain responsible employees who by University policy must report any gender-based discrimination to the Title IX Coordinator. For a definition of employees designated as responsible employees, please see BOR P01.04.060.D. When reporting as a responsible employee, the reporter must provide the complainant's name to the Title IX Coordinator. Additional information about the role and responsibilities of responsible employees under Title IX may be found [here](#).

### **REPORTING INCIDENTS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING**

If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you are able to report the incident promptly to the Title IX Coordinator and University Police or local law enforcement (if the victim so desires). Anonymous reporting is available through the UA Ethicspoint website and hotline and online reporting forms on the Office of Equity & Compliance website. Following is contact information for the University Title IX Coordinator:

UAS Office of Equity & Compliance Director & Title IX Coordinator  
Novatney Building, Room 103  
11066 Auke Lake Way  
Juneau, AK 99801  
907-796-6371  
[uas.title9@alaska.edu](mailto:uas.title9@alaska.edu)

Reports of all domestic violence, dating violence, sexual assault, and stalking made to University Police will automatically be referred to the Title IX Coordinator for assessment, and investigation when deemed appropriate, regardless of whether there is a criminal investigation or proceeding.

### **COMMON PROCEDURES THE UNIVERSITY WILL FOLLOW WHEN AN INCIDENT IS REPORTED**

The University has procedures in place that serve to be sensitive to parties who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health,

victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other services on and/or off campus as well as additional supportive measures to prevent contact between a complainant and a respondent, such as changes to housing, academic, transportation, protective orders and working adjustments, if reasonably available. The University will provide such supportive measures, if the parties request them and if they are reasonably available, regardless of whether the party chooses to report the crime to University Police or local law enforcement. Complainants and respondents should contact the Office of Equity & Compliance at 907-786-0818 for more information about these supportive measures.

If a report of domestic violence, dating violence, sexual assault, or stalking is reported to the University, below are the procedures that the University will follow:

1. The University will assess immediate safety needs of the parties and broader University community.
2. In cases of sexual misconduct, the University may communicate a brief summary of the known allegation(s), without the use of names, to senior leadership.
3. Depending on when reported (immediate vs delayed report), the University will provide the complainant with access to medical care, as appropriate.
4. The University will provide referrals to on and off campus mental health providers, if available.
5. The University will provide the complainant with contact information for local law enforcement AND assist the complainant with contacting local police, if the complainant requests.
6. The University will provide written information to the complainant on how to preserve evidence.
7. The University will provide the complainant and the respondent, when applicable and appropriate, with a written explanation of their rights, information about services within the University and in the community, and the availability and procedure for requesting supportive measures.
8. The University will assess the need to implement interim or long-term protective measures, if appropriate.
9. The University may initiate an interim removal, interim restriction or other supportive measures when deemed appropriate and consistent with University policies. For more information on interim removals, please see P01.04.090. For more information on interim restrictions, please see P09.02.050.E. Other interim and supportive measures, including no contact orders are specified in R01.04.070.A.
10. The University will provide contact information for advocate services that can assist with how to apply for a protective order, as appropriate.
11. If the reported behavior falls within the jurisdiction of the University, the University will investigate the report.
12. If there is an investigation under BOR 01.04 or BOR 01.02, the University will provide a copy of the applicable policy to the complainant and the respondent and inform them regarding timeframes for inquiry, investigation, and resolution.
13. If there is an investigation, the University will make a determination under the appropriate policy to determine whether the respondent is responsible for the alleged conduct.

14. If there is an investigation, the University will inform the complainant and the respondent of the outcome of the investigation, appeal rights and processes, whether there are any changes to the result, and when such results become final, whether disciplinary action was taken.

15. The University will enforce its anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for reporting sex or gender-based discrimination or for participating in the investigation.

### **ASSISTANCE FOR VICTIMS: RIGHTS AND OPTIONS**

Regardless of whether an individual elects to pursue a criminal complaint or whether the offense is alleged to have occurred on- or off-campus, the University will assist the individual and provide them with a written explanation of their rights and options. Such written information will include:

- the procedures an individual should follow if a crime of dating violence, domestic violence, sexual assault, or stalking has occurred;
- information about how the University will protect the confidentiality of complainants and other necessary parties;
- information about services within the University and in the community;
- options for, available assistance in, and how to request supportive measures and protective measures; and
- an explanation of the procedures for University administrative action.

### **SUPPORTIVE MEASURES AVAILABLE**

Upon receipt of a report of domestic violence, dating violence, sexual assault, or stalking, the University will provide written notification to complainants and respondents about supportive measures available to them, including academic, living, transportation, University no-contact orders, and working situations. The written notification will include information regarding the supportive measure options, available assistance in requesting supportive measures, and how to request supportive measures and protective measures (i.e., the notification will include the name and contact information for the individual or office that should be contacted to request the supportive measures).

At the complainant's request, and to the extent of the complainant's cooperation and consent, University offices will work cooperatively to assist the complainant in obtaining supportive measures. If reasonably available, a complainant may be offered changes to academic, living, working, protective orders or transportation situations regardless of whether the complainant chooses to report the crime to University police or local law enforcement. Examples of options for a potential change to the academic situation may be to transfer to a different section of a class, withdraw and take a class at another time if there is no option for moving to a different section, assistance with requesting an appeal for late withdrawal and refund, etc. Potential changes to living situations may include moving to a different room, floor, or residence hall. Possible changes to work situations may include changing working hours or changing workspace location. Possible changes in transportation may include having the student or

employee park in a different location, assisting the student or employee with a safety escort, etc.

To request changes to academic, living, transportation and/or working situations or protective measures, a complainant should contact the Office of Equity & Compliance, on the Juneau campus. If the complainant wishes to receive assistance in requesting these supportive measures, they should contact the Office of Equity & Compliance at [907-796-6371](tel:907-796-6371) or visit Suite 202 of the Hendrickson Building. The University is obligated to comply with a student's reasonable request for a living and/or academic situation change following an allegation of sex or gender-based discrimination.

**UNIVERSITY’S RESPONSIBILITIES FOR PROTECTIVE ORDERS (ALSO CALLED RESTRAINING ORDERS) OR SIMILAR LAWFUL ORDERS ISSUED BY A CRIMINAL, CIVIL, OR TRIBAL COURT OR “NO CONTACT” OR “NO TRESPASS” ORDERS ISSUED BY THE UNIVERSITY**

The University recognizes protective orders entered by the Alaska Court System or out-of-state protective orders that meet Alaska statutory requirements. See AS 18.66.140. Any person who obtains a protective order should provide a copy to the Office of Equity & Compliance. The individual with the protective order can meet with the Office of Equity & Compliance to discuss safety concerns and the Office of Equity & Compliance can provide supportive measures in an attempt to reduce risk of harm while on campus or coming and going from campus. These supportive measures may include, but are not limited to: safety escorts, special parking arrangements, providing a temporary cell phone, changing classroom location, or allowing a student to complete assignments from home, etc. The University cannot apply for a legal protective order on behalf of an individual. The University can issue a "no contact" order against a person who is affiliated with UAS and can issue a "no trespass" order against any person.

Type of Order	Rights of Petitioner	University's Responsibilities
Domestic Violence Protective Order (20-day ex-parte orders and long-term protective orders, which can last up to 1 year)	Protection from contact by the respondent in cases of domestic violence; respondent is a "household member," including relatives and dating partners	Honor and enforce
Stalking Protective Order (20-day ex parte orders and long-term protective orders, which can last up to 1 year)	Protection from contact by the respondent in cases involving stalking, which consists of repeated acts of non-consensual contact involving the complainant or a family member of the complainant	Honor and enforce

Sexual Assault Protective Order (20-day ex parte orders and long-term protective orders, which can last up to 1 year)	Protection from contact by the respondent who has committed a crime of sexual assault, including illegal sexual contact or penetration	Honor and enforce
Similar lawful orders issued by a criminal, civil, or tribal court	Protection from contact by a respondent, who can be anyone covered by the order	Honor and enforce
University "no contact" orders or "no trespass" orders by the University	Protection from contact by a University-affiliated respondent and/or protection from a respondent's (need not be affiliated) presence on University property or at a University sponsored event	Impose on respondent; enforce against respondent

Except for the University-issued orders listed above, an individual must apply for a court protective order directly from the Alaska Court System for these services. An individual may request a no-contact order or a no-trespass order through the Office of Equity & Compliance.

The University may issue a University no-contact order, if reasonable. Prior to issuing a written no-contact order (also called a no-contact directive), a University representative will make a reasonable attempt to meet with the complainant and respondent:

- To explain the reason for the no-contact directive;
- To discuss what no-contact means;
- To determine any contact that both individuals may still need to have with one another (in classes, in clubs, through employment, on athletic teams, etc.);
- To inform students that no-contact directives are enforced through the Student Code of Conduct and are not criminal matters; and
- To share what they should do if the no-contact directive is violated.

No-contact directives will be tailored in each case. The length of time for a no-contact directive will be commensurate with the reason that it is being requested. If the University receives a report that such a University no-contact order has been violated, the University will initiate administrative proceedings appropriate to the status of the respondent (student, employee, etc.) and will impose sanctions if the respondent is found responsible for violating the no-contact order.

**ON AND OFF CAMPUS SERVICES FOR ASSISTANCE**

Upon receipt of a report of domestic violence, dating violence, sexual assault, or stalking, the University will provide written notification to complainants and respondents, as appropriate, about existing assistance with and/or information about obtaining resources and services including counseling, health, mental health, victim advocacy, legal assistance, visa and



immigration assistance, student financial aid, and assistance in notifying appropriate local law enforcement. These resources include the following:

**On Campus Resources and Contact Information:**

● **Counseling, Health, and Mental Health**

Students at the Juneau, Ketchikan, and Sitka campus may contact:  
Student Health & Counseling Center  
(907) 796-6000  
Mourant Bldg., 1st Floor

- **Victim Advocacy:** UAS campuses do not offer on-campus victim advocacy
- **Legal Assistance:** UAS campuses do not offer on-campus legal assistance.
- **Visa and Immigration Assistance:** UAS campuses do not offer on-campus visa and immigration assistance

● **Student Financial Aid**

Office of Financial Aid  
907-796-6255  
Novatney Bldg.  
[https://www.uas.alaska.edu/financial\\_aid/](https://www.uas.alaska.edu/financial_aid/)

**Off Campus Resources and Contact Information:**

● **Counseling, Health, Mental Health, and Victim Advocacy**

The University of Alaska has compiled a list of off-campus locations where students may seek counseling, health, mental health and victim advocacy services:

AWARE–Aiding Women in Abuse and Rape Emergencies  
P.O. Box 20809  
Juneau, AK 99802  
Office: 907-586-6623  
Crisis: 800-478-1090 /907-586-1090

WISH–Women in Safe Homes  
P.O. Box 655  
Ketchikan, AK 99901  
Office: 907-228-4099  
Crisis: 800-478-9474 /907-225-9474

SAFV–Sitkans Against Family Violence  
P.O. Box 6136

Sitka, AK 99835

Office: 907-747-6511 Crisis: 800-478-6511 /907-747-6511

- **Legal Assistance**

The Alaska Legal Services Corporation (ALSC) provides civil legal services to low income and disadvantaged people and communities to protect their safety, their health, and to promote family stability. The ALSC has 12 locations, including offices in Juneau and Ketchikan. For contact information for each location, go to:

[www.alsclaw.org/contact-us](http://www.alsclaw.org/contact-us)

- **Visa and Immigration Assistance**

The Alaska Institute for Justice's (AIJ) mission is to promote and protect the human rights of all Alaskans, including immigrants, refugees, and Alaska Native communities, by providing critical services to these underserved populations, including legal representation, language interpretation services, training, and educational programs.

The AIJ provides services to immigrant victims of domestic violence and sexual assault.

For contact information for the Juneau office, go to: <http://www.akijp.org/who-we-are/>

- **Student Financial Aid**

The Alaska Commission on Postsecondary Education & Alaska Student Loan Corporation provides financial aid for college and career planning. For contact information, go to: <https://acpe.alaska.gov/Contact-Us>

Additional Resources:

- [Alaska Network on Domestic Violence and Sexual Assault](#)
- [National Domestic Violence Hotline](#)
- [Rape, Abuse and Incest National Network](#)
- [Stalking Resource Center](#)
- [Department of Justice](#)
- [Department of Education, Office of Civil Rights](#)

### **CONFIDENTIALITY**

The Family Educational Rights and Privacy Act (FERPA), a Federal law, requires that educational institutions, including higher educational institutions, with certain exceptions, obtain written consent prior to the disclosure of personally identifiable information from student education records. However, an institution may disclose appropriately designated "directory information" without written consent, unless the institution has been advised to withhold such information in accordance with FERPA compliant procedures. Parties may request that directory information on file with the University be withheld by going to UAOnline, then clicking

on “Personal Information,” and clicking on “Change Student Directory Hold Information,” and select “Enable,” and then click on “Update Confidentiality.”

A directory hold applies to all elements of directory information on a student’s record. The University of Alaska does not apply a directory hold differentially to the various directory information data elements. As a result, a directory hold will prevent the University from releasing information to verify a student’s enrollment or earned degrees to scholarship organizations, loan agencies, and future employers. The directory hold will also prevent us from listing or releasing a student’s name related to Dean’s and Chancellor’s lists, as well as the commencement program or any other University publication.

Regardless of whether a complainant has opted-out of allowing the University to share "directory information," personally identifiable information about the complainant, respondent, and other necessary parties will be treated as private and only shared with persons who have a specific need-to-know, i.e., those who are involved in the investigation and adjudication of the report or those involved in providing supportive measures to the parties. Absolute confidentiality may not be maintained in all circumstances, especially in cases where the University must take action to protect the safety of others. By only sharing personally identifiable information with individuals on a need-to-know basis, the University will maintain as confidential, any supportive measures provided to the parties to the extent that maintaining such confidentiality would not impair the ability of the University to provide the supportive measures.

The University does not publish the names of crime victims or other identifiable information regarding complainants in the Daily Crime Log or in the annual crime statistics that are disclosed in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. Furthermore, if a Timely Warning Notice is issued on the basis of a report of domestic violence, dating violence, sexual assault, or stalking, the name of the complainant and other personally identifiable information about the complainant will be withheld.

## **ADJUDICATION OF ALLEGATIONS**

The University’s administrative process includes a prompt, fair, and impartial investigation and resolution. In all instances, the process will be conducted in a manner that is consistent with the institution’s policy and that is transparent to the complainant and respondent.

Typically, the resolution of domestic violence, dating violence, sexual assault, and stalking complaints that constitute sex or gender-based discrimination are completed within 180 days of the report. However, each proceeding allows for extensions of timeframes for good cause with written notice to the complainant and the respondent of the delay and the reason for the delay.

University officials involved in the investigation and adjudication of domestic violence, dating violence, sexual assault, and stalking complaints that constitute sex or gender-based discrimination are trained annually on the issues related to domestic violence, dating violence, sexual assault, and stalking. Training for these officials will address but will not be limited to the following topics:

- Relevant evidence and how it should be used during a proceeding;
- Proper techniques for questioning witnesses;
- Basic procedural rules for conducting a proceeding; and
- Avoiding actual and perceived conflicts of interest.

On October 14, 2020, the University hosted a virtual training presented by Grand River Solutions to address all of these topics and more. The training was recorded and is available for individuals who want to watch the training again or who need to receive the training later in the academic year. The recording can be accessed on the website of the Office of Equity & Compliance.

University policy relating to the investigation and adjudication of complaints that concern sex or gender-based discrimination provides that:

1. The complainant and the respondent will have timely notice for meetings at which the complainant or respondent, or both, may be present;
2. The complainant, the respondent, and appropriate officials will have timely and equal access to any information that will be used during formal and informal administrative meetings and hearings;
3. The institutional administrative procedures will not be conducted by officials who have a conflict of interest or bias for or against the complainant or the respondent;
4. The complainant and the respondent will have the same opportunities to have others present during any institutional administrative proceeding. The complainant and the respondent each have the opportunity to be advised by an advisor of their choice, including an advisor they choose at their own expense, at any stage of the process, and to be accompanied by that advisor to any related meeting or proceeding. The advisor may be a friend, relative, student, faculty, or staff member, advocacy organization staff member or volunteer, union representative, or attorney. A witness in the grievance process may also be an advisor, and any perceived “conflict of interest” will be taken into account by the decision-maker. The University will not limit the choice of advisor or presence of the advisor for either the complainant or the respondent in any meeting or institutional administrative proceeding. For live hearings held under Title IX policy, parties who do not have an advisor will be assigned an advisor by the University.
5. The complainant and the respondent will be notified simultaneously, in writing, of any initial, interim, and final decision of any administrative proceeding; and
6. Where an appeal is permitted under the applicable policy, the complainant and the respondent will be notified simultaneously in writing of the procedures for the respondent and the complainant to appeal the result of the institutional disciplinary proceeding. When an appeal is filed, the complainant and the respondent will be notified simultaneously in writing of any change to the result prior to the time that it becomes final, as well as of the final result once the appeal is resolved.

## **HOW TO FILE A COMPLAINT**

Whether or not criminal charges are brought, an individual or the University [2] may file a complaint of sex or gender-based discrimination using the following procedures.

1. Notify the UAS Title IX Coordinator by phone 907-796-6371 or in person in suite 202 of the Hendrickson Building on the Juneau campus. Reports can also be made online at [https://cm.maxient.com/reportingform.php?UnivofAlaska&layout\\_id=85](https://cm.maxient.com/reportingform.php?UnivofAlaska&layout_id=85) If you would prefer to report the incident by phone or in person to someone on your campus, see the list of Title IX representatives for each UA campus located online at <https://www.uas.alaska.edu/titleix/contact.html>

2. Tell UAS about the incident by using the UA Confidential Hotline. If you wish to remain anonymous and report, you can either report through this form or utilize the UA Confidential Hotline at 855-251-5719 or online: <https://secure.ethicspoint.com/domain/media/en/gui/40174/index.html> When you use the UA Confidential Hotline, you have the choice of disclosing who you are, remaining semi-anonymous, or completely anonymous.

*\*For allegations which meet the definition of sexual harassment under Title IX, including some forms of sexual assault, domestic violence, dating violence, and stalking, an investigation will not commence without a formal written complaint from either the complainant or the Title IX Coordinator. The requirements of a formal complaint are detailed in University Regulation 01.04.060.B.3.*

With the limited exception of counselors, clergy, or other persons with a professional license requiring confidentiality who are working within that license, all staff, all faculty, and Residence Life student employees are considered responsible employees and are required to report incidents to the Title IX Coordinator.

## **RANGE OF SUPPORTIVE MEASURES AVAILABLE WHEN SEX OR GENDER BASED DISCRIMINATION IS ALLEGED**

The University may offer supportive measures including, but not limited to:

- Rescheduling of exams and assignments;
- Changing class schedules or assisting in withdrawal without penalty;
- Changing University work schedule or job assignments;
- Changing campus housing;
- Making transportation arrangements or arranging a safety escort;
- Imposing an on-campus "no contact order," an administrative action designed to stop contact and communications between two or more individuals; and
- Fully or partially restricting the respondent's access to the University or University services or functions.

**TYPES OF PROCEEDINGS UTILIZED IN CASES OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING**

UAS has four policies that address student or employee conduct in cases of domestic violence, dating violence, sexual assault, and stalking, depending on the nature of the case and the role of the individuals involved:

<p>1. Regents' Policy and University Regulation Chapter 01.04</p>	<p>Applies to complaints of sex and genderbased discrimination, including domestic violence, dating violence, sexual assault, and stalking that:</p> <ul style="list-style-type: none"> <li>● Occurred within a University program or activity; AND</li> <li>● Involves a complainant participating or attempting to participate in a University educational program or activity at the time the complaint is filed; AND</li> <li>● Involves a respondent participating or attempting to participate in a University educational program or activity; AND</li> <li>● Involves conduct occurring within the United States; AND</li> <li>● Meets the definitions of Title IX prohibited conduct under R01.04.010.</li> </ul>
<p>2. Regents' Policy and University Regulation Chapter 01.02</p>	<p>Applies to complaints involving discriminatory behavior including domestic violence, dating violence, sexual assault, and stalking that:</p> <ul style="list-style-type: none"> <li>● Is not covered by R01.04;</li> <li>● Involves a respondent who is affiliated with the University; AND</li> <li>● Creates an intimidating, hostile or offensive learning or working environment on campus.</li> </ul>

<p>3. Regents' Policy and University Regulation Chapter 09.02</p>	<p>Applies to conduct prohibited under the Student Code of Conduct including any allegations of domestic violence, dating violence, sexual assault, and stalking that:</p> <ul style="list-style-type: none"> <li>• Is not covered by R01.04 or R01.02;</li> <li>AND</li> <li>• Involves a respondent who is a student or student organization</li> </ul>
<p>4. Regents' Policies and University Regulations Chapters 04.02, 04.07, 04.08, 04.10, &amp; 09.05</p>	<p>Applies to misconduct by employees, including any accusations of domestic violence, dating violence, sexual assault, and stalking that:</p> <ul style="list-style-type: none"> <li>- Is not covered by R01.04 or R01.02;</li> <li>AND</li> <li>- Involves a respondent who is an employee</li> </ul>

Sex and gender-based misconduct may result in a single University policy violation or a combination of multiple University policy violations, dependent on the fact pattern and the circumstances. Reported behavior which, after assessment, appears to meet the jurisdictional requirements and definitions of prohibited conduct under BOR 01.04 (Title IX) will be addressed first under BOR 01.04. However, if information is discovered which changes the coverage assessment, the BOR 01.04 process will be ended and the reported behavior should be addressed under any other applicable chapter(s).

The following sections describe each Chapter.

Note: All references to “day” in this document will refer to one business day.

**REGENTS’ POLICY AND UNIVERSITY REGULATION 01.04**

A full version of this policy is located at: [www.alaska.edu/bor/policy/01-04.pdf](http://www.alaska.edu/bor/policy/01-04.pdf)

**How the University Determines Whether This Policy Applies and Whether to Proceed with an Investigation; Supportive Measures**

Upon receiving a report of sex or gender-based discrimination, the Title IX Coordinator determines if there is sufficient basis and jurisdiction to initiate an investigation under BOR 01.04. Sex and gender-based misconduct that does not meet the requirements of BOR 01.04 are addressed under other applicable chapters (see table at the beginning of this document).

The Title IX Coordinator engages with the complainant in the interactive process to discuss supportive measures, determine whether the complainant wants to proceed with an investigation or whether the circumstances require the University to proceed with an investigation, and explains the process for filling out a formal complaint. The Equity & Compliance staff also evaluates the risk, if any, the respondent presents to the complainant or University community and takes appropriate steps in response to that assessment.

## **Steps in the Process**

### **1. Anticipated Timelines**

A reasonably prompt timeframe for conclusion of the grievance process, including time for filing and resolving appeals and participation in any informal resolution processes, is defined as 180 days. See the following for additional timelines applicable to specific steps in the process.

### **2. Decision-Making Process and Outcomes**

#### **o Informal Resolution**

As detailed in BOR 01.04.120, any party may request to use the University's informal resolution process (which may involve, for instance, mediation, training, restorative justice, developmental opportunities, or apologies) to resolve a formal complaint any time after the formal complaint is filed but before a determination of responsibility has been made. Informal resolution is not available in cases alleging sex or genderbased discrimination by an employee against a student. As long as all parties agree in writing to attempt the informal resolution process, the formal grievance process will stop and the informal resolution process will begin. If any party no longer wishes to use informal resolution, the informal resolution process will end and the formal grievance process will resume.

#### **o Investigation**

A formal complaint is required to proceed with an investigation under Title IX. Sex and gender-based allegations that do not meet the requirements of Regents' Policy and University Regulation 01.04 must be dismissed and are addressed under different chapters of policy. A complainant or respondent can appeal the dismissal of a formal complaint within 5 days of receipt of the dismissal. A complainant or



respondent must submit a written appeal to the chancellor or the president, in the case of statewide employees. The president, chancellor, or their designee will review the appeal and render a prompt, written decision either upholding the dismissal, overturning the dismissal and returning it for additional investigation to the original Title IX coordinator, or to another Title IX coordinator if a conflict of interest exists for or with the original Title IX coordinator, or seeking more information.

If a formal complaint is received, the Title IX investigator(s) will conduct an investigation that provides an objective evaluation of all relevant evidence, including both inculpatory and exculpatory evidence, and does not make credibility assessments based on a person's status as a complainant, respondent, or witness. The burden of gathering evidence rests on the University and not on the parties; however, the parties may present relevant witnesses and evidence to the investigator.

The Title IX investigator(s) will provide the parties with an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including any evidence which the University does not intend to rely upon in reaching a determination regarding responsibility. The parties will have at least 10 days to submit a written response to the evidence, which the investigator will consider prior to completion of the investigative report.

The Title IX investigator(s) will write an investigative report that does not make a finding but fairly summarizes relevant evidence, makes relevant credibility assessments, and considers each party's written response to the evidence and, at least 10 days prior to a hearing, send a copy of the investigative report to each party and the party's advisor, if any, in an electronic format or a hard copy, for review and written responses.

○ **Hearing and Determination of Responsibility**

Once the investigative report has been distributed, the University Office of General Counsel will timely appoint a decision-maker to conduct a hearing. The decisionmaker shall not be the campus Title IX coordinator or the investigator of record, but may be a Title IX coordinator or investigator from another campus or any other qualified person.

A live hearing will be held with either in person or virtual attendance of parties, witness, and other participants. Hearings will last no longer than two days with the option of an extension at the decision-maker's discretion upon request by the University, the complainant or the respondent.

The decision-maker shall have discretion for the following additional determinations:

- i. To allow or restrict attendance of non-parties at the hearing, including restriction of attendance of all persons other than the

University's representatives, the parties, their advisors, and a union representative, if applicable;

ii. To allow the University, complainant, and respondent, or an advisor, to make a brief opening and/or closing statement, provided no party shall be compelled to make any such statement; and

iii. To ask questions during the hearing of any party or witness, including the right to be the first person to ask questions of any party or witness.

The Title IX investigator will present the relevant evidence gathered during the investigation. The decision-maker may not consider or rely upon any statements not made or affirmed in the hearing. Statements may be made or affirmed in various mediums and means, including video, written, email or other form or format.

The decision-maker shall allow each party's advisor, whether selected or appointed, to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility of any party or witness. Questioning and cross-examination shall not be permitted by any party personally. Determinations of relevancy of any question asked by any advisor shall be made by the decision-maker prior to any response by a party or witness. A decision-maker may require the parties and their advisors, or the parties may elect, to pre-submit their questions in advance of the hearing to enable the relevancy determination to be pre-established.

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior is not relevant unless provided to prove either that someone other than respondent committed the conduct alleged by complainant or if it concerns specific instances of the complainant's prior sexual behavior with respect to the respondent that are offered to prove consent to the conduct alleged by complainant.

If a party or witness is unwilling to submit to cross-examination, or to respond to any question that the decision-maker has determined is relevant, the decisionmaker may not rely on any statement of that party or witness in reaching a determination about responsibility.

The decision-maker must issue a written determination regarding responsibility within 30 days, and this deadline may be extended for good cause with written notice to both parties.

The written determination regarding responsibility will include any disciplinary sanctions the University imposes on the respondent and the date sanctions take effect, absent any appeal. Possible sanctions are outlined under R01.04.160.

○ **Appeal**

The complainant and respondent each have a right to appeal a determination regarding responsibility. To appeal, a complainant or respondent must submit a written request to appeal within 5 days of receipt of the determination. The request must identify the finding being appealed and the ground(s) for appeal per Regulation 01.04.180. The appeal authority will be the chancellor at the separately accredited universities within the University system — UAA, UAF, and UAS — or the system president for statewide employees.

Upon receipt of a request to appeal a decision under this chapter, the chancellor or president shall allow the complainant and respondent to have 15 days to submit a written statement in support of, or challenging, the outcome, but no party is obligated to submit a statement, nor shall a party's decision not to file a statement be held against them.

The chancellor or president will issue a written decision describing the result of the appeal and the rationale for the result and will provide the decision to the complainant and respondent simultaneously.

An appeal of sanctions for a finding of responsibility against non-represented (non-bargaining unit) individuals is handled under Regents' Policy and University Regulation 09.02 and 04.08 as outlined in those sections.

Bargaining unit employees who have been found responsible and disciplined pursuant to this sex and gender-based discrimination chapter must resolve any dispute regarding the findings of responsibility or sanctions through the dispute resolution processes provided in their collective bargaining agreement.

### **3. Standard of Evidence**

Findings are made using the preponderance of the evidence standard.

## **REGENTS POLICY AND UNIVERSITY REGULATION 01.02**

A full version of this policy is located at:

<https://www.alaska.edu/bor/policy/01.02General%20Provisions.pdf>

### **How the University Determines Whether This Policy will be Used**

An Equity & Compliance investigator reviews reported allegations to determine whether the alleged conduct constitutes discrimination and falls within jurisdiction of applicable policies; the investigator gives consideration to: the record as a whole, the totality of the circumstances, and, where applicable, regulatory guidelines.

## Steps in the Process

### 1. Anticipated Timelines and General Procedures

- The Equity & Compliance investigator(s) will conduct a timely investigation that includes making a determination of responsibility.
- A copy of the written findings are distributed to the complainant and the respondent and the following parties, if appropriate: the respondent's supervisor, the Office of General Counsel, the UA Labor and Employee Engagement Office in Human Resources, and office of Student Conduct.
- A non-represented (non-bargaining unit) complainant or respondent who disputes the written findings of the investigation report may request a formal review of the findings within 5 days of the release of the findings.
  - The requested formal review will be conducted by one or more trained individuals appointed by the chancellor or, in the case of statewide employees, the president. The purpose of this review is to provide an opportunity for the chancellor or president to obtain an objective review of the investigation findings when those findings are disputed by one of the involved parties
  - The review is scheduled as soon as practicable and the written recommendation resulting from the review will be forwarded to the chancellor, or in the case of a statewide employee, to the president for a decision.
  - If a party is dissatisfied with the decision of a chancellor resulting from a formal review, that party may request a discretionary review by the president within 5 days of the decision.
  - If the president elects to review a chancellor's decision, the president's decision will be the final decision of the University. If the president does not elect to accept a review within 15 days, the decision of the chancellor then becomes the final decision of the University. In the case of Statewide Administration employees, the decision of the president is the final decision of the University.
- Employees covered under collective bargaining agreement may dispute decisions, including findings and sanctions pursuant to P01.02, using the processes provided in the applicable collective bargaining agreement.

### 2. Decision-Making Process and Outcomes

#### ○ Informal Resolution Process

The purpose of informal resolution is to educate and inform individuals of their offensive behavior and to allow individuals the opportunity to voluntarily correct inappropriate behavior without administrative action. A complainant generally should try to inform the person directly that his or her behavior is unwelcome,

harmful or offensive. The complainant is also encouraged to request assistance from other University employees (supervisors), UA Human Resources, advisors or affirmative action officers in the informal resolution of a complaint. These assistants will promptly attempt to resolve the complaint through consultation and guidance of the complainant or, as appropriate, mediation between all concerned parties. Informal resolution may include informing the person about the behavior and/or writing a letter concerning the behavior and requesting that the behavior be stopped. If informal resolution efforts fail to achieve satisfactory results, or if informal resolution is inappropriate in consideration of the circumstances or the egregious nature of the alleged behavior, the complainant may file a formal complaint with the affirmative action officer or the regional personnel officer as the initial action.

- **Investigation**

Investigations are conducted by a University investigator who makes findings of responsibility or no responsibility and forwards these findings to the appropriate office, such as Student Conduct or Human Resources, based on the parties' roles, regarding the assignment of sanctions.

- **Sanctions**

For student respondents, the office of Student Conduct imposes or recommends sanctions as defined in University Regulation 09.02.040. For employee respondents, the supervisor or the Human Resources office imposes sanctions according to Regents' Policy 04.07 and 04.08 and applicable collective bargaining agreements. For respondents that are both students and University employees, all applicable sanction procedures may be used. For third-party respondents, sanctions are imposed by campus leadership.

### **3. Standard of Proof**

Findings are made using the preponderance of the evidence standard.

### **Regents' Policy and University Regulation 09.02**

A full version of this policy is located at: [www.alaska.edu/bor/policy/09-02.pdf](http://www.alaska.edu/bor/policy/09-02.pdf)

### **How the University Determines Whether This Policy will be Used**

Any University student, faculty, staff member, or community member may report an alleged violation of the Student Code of Conduct to the appropriate student conduct administrator in accordance with MAU rules and procedures. The University has the right to pursue notice of

student misconduct on its own behalf and initiate a student conduct review, regardless of whether or not a formal allegation is submitted by a complainant.

The student conduct administrator will then review the allegations and conduct an appropriate preliminary investigation to determine:

- whether to dismiss the matter because insufficient information exists to support the accusation; or
- whether sufficient information exists to warrant further student conduct proceedings; and, if so,
- whether the allegations, if substantiated, will subject the student to a major or a minor sanction.

### **Steps in the Administrative Process**

#### **1. Anticipated Timelines and General Procedures**

- Upon making the initial determination that any allegation warrants a student conduct proceeding, the student conduct administrator will send the student written notification:
  - of the allegations of misconduct and the provisions of the Code which allegedly have been violated;
  - of the student conduct administrator's name, telephone number, and office location; and the time period in which the student should schedule a meeting to review the allegations with the student conduct administrator;
  - of whether a major or minor sanction is likely to be imposed should the allegations be substantiated by a preponderance of the evidence; and
    - that, should the student fail to schedule a meeting to review the allegations, the meeting will be scheduled by the student conduct administrator.
- The student conduct administrator schedules an administrative review with the respondent to review the allegations. Administrative reviews will ordinarily be scheduled between three and fifteen days after the student conduct administrator sends written notice of the allegations to the student.
- Barring extenuating circumstances, the student conduct administrator prepares written findings and conclusions and sends the decision to the complainant and respondent within ten days after the conclusion of the administrative review.
- If the case results in a finding of responsibility and the respondent is assigned minor sanctions, then:
  - The respondent may submit an appeal in writing within seven days of the day the decision is issued.

- Barring extenuating circumstances, the designated appeal reviewer will issue its written decision within seven days of receiving the notice of appeal.
- If the case results in a finding of responsibility and the student conduct administrator recommends the imposition of major sanctions on the respondent, then the student has seven days to submit written comments on the findings, conclusions, and recommendations of the administrative review.
  - The MAU senior student services professional or designee will review the record and render a decision within fourteen days of receipt of the recommendation, barring extenuating circumstances.
  - If the MAU senior student services professional has recommended a major sanction, the chancellor will review the record, and barring extenuating circumstances, render a decision within seven days of receipt of the recommendation.

### **3. Decision-Making Process** ○ **Investigation**

§ Investigations are conducted by a student conduct administrator who makes findings of responsibility or no responsibility and assigns or recommends sanctions. At the administrative review, the student conduct administrator reviews the allegations and available information regarding the matter. The student is given the opportunity to present relevant information, names of witnesses, relevant explanations, and/or mitigating factors for the alleged violation.

§ The University student conduct system is an administrative process and is not a court of law and is not held to standards applied in criminal proceedings. Formal rules of evidence do not apply. Testimony containing hearsay may be heard, and will be weighed appropriately, taking into account the reliability of the information. Findings and conclusions are based upon information obtained during the review. ○

#### **Sanctions**

§ In determining appropriate sanctions, the student's present and past disciplinary record, the nature of the offense, the severity of any damage, injury, or harm resulting from the prohibited behavior, and other factors relevant to the matter are considered.

### ○ **Appeals**

§ An appeal must be made in writing and identify the ground(s) for appeal. The designated appeal reviewer conducts a review of the record and issues a decision dismissing or upholding or altering or modifying the challenged decision, making a new decision, authorizing a new review, or referring the matter back for further review.

### **4. Standard of Proof**

A student conduct procedure is a review undertaken by the University to establish whether there is substantial information to determine whether it is more likely than not that a student violated the Code.

**fPOSSIBLE SANCTIONS IN CASES OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING**

<b>Student Sanctions</b>					
Possible Sanctions	Non-Consensual Sexual Contact	Sexual Assault	Stalking	Dating Violence	Domestic Violence
Letter of Expectations*	X	X	X	X	X
Warning**	X	X	X	X	X
Disciplinary Probation	X	X	X	X	X
Denial of Benefits	X	X	X	X	X
Restitution	X	X	X	X	X
Discretionary Sanction	X	X	X	X	X
Restricted Access	X	X	X	X	X
Suspension***	X	X	X	X	X
Expulsion	X	X	X	X	X
Revocation of a Degree	X	X	X	X	X

\*A letter of expectations is a possible sanction under R01.04.160.D.21, but it is not a possible sanction under R09.02.050.B.

\*\*A warning is not a possible sanction under R01.04.160.D.21 but it is a possible sanction under R09.02.050.B.

\*\*\*Suspensions can be one semester or longer in duration. A suspension less than one year is unlikely. Additional information about terms of re-enrollment for students who have been suspended are listed in the definition for suspension.

A letter of expectations or a warning are unlikely sanctions in allegations of sexual assault, stalking, dating violence, and domestic violence.



## **DEFINITION OF SANCTIONS FOR STUDENTS (AS DEFINED IN BOR 01.04 AND BOR 09.02)**

- **Letter of Expectations**: A letter of expectations indicates the deficiencies in a student's conduct and the standards a student is expected to meet.
- **Warning**: A notice that the student is violating or has violated University policy, and that further misconduct may result in more severe disciplinary action.
- **Disciplinary Probation**: A written warning that includes the probability of more severe disciplinary sanctions if the student is found to be engaged in specified conduct during a specified period of time (the probationary period).
- **Denial of Benefits**: Specific benefits may be denied a respondent for a designated period of time.
- **Restitution**: A respondent may be required to reimburse the University or other victims related to the misconduct for damage to or misappropriation of property, or for reasonable expenses incurred.
- **Discretionary Sanction**: Community service work or other uncompensated labor, educational classes, research papers, reflective essays, counseling, or other sanctions that may be seen as appropriate to the circumstances of a given matter. Costs incurred by the respondent in fulfilling a discretionary sanction will typically be the responsibility of the respondent.
- **Restricted Access**: A respondent may be restricted from entering certain designated areas and/or facilities or from using specific equipment for a specified period of time. For example, a respondent may be restricted from a classroom, a building, a floor of a residence hall, a residence hall, a residential community, an area of campus, or the entire campus.
- **Suspension**: Suspension is the separation of the respondent from the University for a specified period of time, after which the respondent may be eligible to return. During the period of suspension, the respondent may be prohibited from participation in any activity sponsored or authorized by the University and may be barred from all property owned or controlled by the University, except as stated on the notification. If a respondent who is suspended seeks to re-enroll at the University, the respondent must submit a written request for re-enrollment that includes a statement from a mental health professional who is not affiliated with the University of Alaska and who is licensed to practice psychotherapy or personal counseling. The statement must affirm the respondent participated in an assessment with that provider and complied with any recommendations for treatment. The respondent must also sign a release of information allowing University officials to speak to the provider. If a respondent receives permission to re-enroll, the respondent will be placed on disciplinary probation for a period of one year from the date of the respondent's re-enrollment.
- **Expulsion**: Expulsion is the permanent separation of the respondent from the University.  
The respondent may be prohibited from participation in any activity sponsored or

authorized by the University and may be barred from property owned or controlled by the University except as stated on the notice of expulsion.

- **Revocation of a Degree:** Any degree previously conferred by the University may be revoked if the student is found to have committed academic misconduct in pursuit of that degree, such as an education student who sexually harasses a minor K-12 student during a teaching internship or a nursing student who sexually harasses a patient during an externship placement.

Employee Sanctions					
Possible Sanctions	Non-Consensual Sexual Contact	Sexual Assault	Stalking	Dating Violence	Domestic Violence
Written Reprimand	X	X	X	X	X
Disciplinary Probation (not exceeding 6 months)	X	X	X	X	X
Suspension (10 or fewer days)	X	X	X	X	X
Termination for Cause	X	X	X	X	X

The above chart reflects the University’s sanctioning guidelines absent extenuating circumstances.

**DEFINITION OF SANCTIONS FOR EMPLOYEES**

- **Written Reprimand:** Written reprimand will describe the nature of the offense or deficiency, the method or methods of correction, and the probable action to be taken if the offense is repeated or the deficiency persists. The written reprimand will be placed in the respondent’s personnel file.
- **Disciplinary Probation:** Any respondent who fails to meet the performance standards or employment conditions of the supervising authority may, at the discretion of the University, be placed on disciplinary probation for a period not exceeding six months. Failure to meet the disciplinary performance standards or employment conditions may result in termination of employment for cause.

- **Suspension:** A respondent may be suspended without pay for not more than ten working days. Suspension may be used in circumstances which the University believes that by its use the respondent will correct their job-related behavior or performance and where discharge appears unwarranted. A suspended respondent will not receive holidays, wages, sick or annual leave accrual, or other benefits based on hours during the leave period, but will continue to be covered by the applicable group insurance program.
- **Termination for Cause:** A respondent may be terminated from employment for cause.

### **OTHER DEFINITIONS PERTAINING TO APPLICABLE STUDENT AND/OR EMPLOYEE POLICIES**

- **Amnesty:** The University will provide amnesty for conduct that would warrant minor sanctions under the Student Code of Conduct, such as underage drinking or prohibited drug use that is related to misconduct reported under Regents' Policy and University Regulation 01.04 and 09.02.
- **Retaliation:** The University expressly prohibits retaliation. Report incidents of retaliation immediately to the Title IX coordinator.

### **UNIVERSITY INITIATED PROTECTIVE MEASURES**

In addition to those protective measures previously described, the Equity & Compliance Director or their designee will determine whether supportive or protective measures should be implemented, and, if so, take steps to implement those measures as soon as possible. Examples of supportive and protective measures include, but are not limited to: a University order of no contact, residence hall relocation, adjustment of course schedules, a leave of absence, or reassignment to a different supervisor or position. These supportive or protective measures may be applied to one, both, or multiple parties involved but may not be punitive.[3] Violations of the Equity & Compliance Director's directives and/or protective measures will constitute related violations that may lead to disciplinary action. Protective measures imposed may be temporary pending the results of an investigation or may become permanent.

### **NOTIFICATION TO VICTIMS OF CRIMES OF VIOLENCE**

The University will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the results of any administrative proceeding the University conducted against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as the result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

### **SEX OFFENDER REGISTRATION**

The federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice, as required under State law, of each institution of higher education in that State at which the person is employed, carries on a vocation, volunteers services or is a student. In Alaska, convicted sex offenders must register with the Department of Public Safety (DPS). You can link to this information, which appears on the DPS website, by accessing <https://dps.alaska.gov/sorweb/>.

[1] Under the Violence Against Women and Department of Justice Reauthorization Act of 2005, starting in 2009, states must certify that they do not “require a victim of sexual assault to participate in the criminal justice system or cooperate with law enforcement in order to be provided with a forensic medical exam, reimbursement for charges incurred on account of such an exam, or both.”

[2] Federal guidance states that if a University knows or reasonably should know of sexual harassment, to include sexual violence, the University has a duty to investigate. Consequently, whether a complainant chooses to cooperate or not should not be the deciding factor for whether or not administrative charges are brought against a respondent. If an investigation determines that it is more likely than not that the University’s sexual misconduct policy was violated, then the “University” may assume the role of the complainant.

[3] Applicable law requires that, when taking such steps to separate the complainant and the accused, the University must minimize the burden on the complainant and thus should not, as a matter of course, remove the complainant from his or her job, classes or housing while allowing the accused to remain.

## **CAMPUS SECURITY INFORMATION**

### **CLERY DEFINITION OF TERMS**

The Clery Act statistics reported on the following pages use terms with federal definitions that allow comparability across campuses, regardless of the state in which the campus is located. Selected definitions are as follows:

#### *Clery Geography*

On Campus

1. Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and
2. Any building or property that is within or reasonably contiguous to paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

#### On Campus Student Housing Facilities

Any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility.

#### Non Campus

1. Any building or property owned or controlled by a student organization that is officially recognized by the institution; or
2. Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

#### Public Property

All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

#### *Clery Act Crimes*

##### Murder and Non-negligent Manslaughter

The willful (non-negligent) killing of one human being by another.

##### Manslaughter by Negligence

The killing of another person through gross negligence.

#### Robbery

The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

#### Aggravated Assault

An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

#### Burglary

The unlawful entry of a structure to commit a felony or a theft.

#### Motor Vehicle Theft

The theft or attempted theft of a motor vehicle.

#### Arson

Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

For the definitions of **Rape**, **Fondling**, **Statutory Rape**, and **Incest**, please see the Domestic Violence, Dating Violence, Sexual Assault, and Stalking section.

#### *Arrests and Disciplinary Referrals*

##### Drug Abuse Violations

The violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance.

Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs.

Liquor Law Violations

The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.

Illegal Weapons Possession

The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons.

*Violence Against Women Act (VAWA) Crimes*

For definitions of **Dating Violence**, **Domestic Violence**, and **Stalking**, please see the Domestic Violence, Dating Violence, Sexual Assault, and Stalking section.

*Hate Crimes*

A crime that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. The applicable categories of bias include the victim's actual or perceived race, gender, gender identity, religion, sexual orientation, ethnicity, national origin and disability.

KEY: C\* = On Campus / R = Residence Facilities / N = Non Campus Buildings / P = Public Property

*\*On-campus is the sum of Residence Facilities plus any other crimes reported on main campus.*

CRIMINAL OFFENSE	2019					2020					2021			
	C*	R	N	P		C*	R	N	P		C*	R	N	P
Manslaughter	0	0	0	0		0	0	0	0		0	0	0	0
Negligent Manslaughter	0	0	0	0		0	0	0	0		0	0	0	0
Sex Offenses - Rape	1	1	0	0		0	0	0	0		0	0	0	0

Sex Offenses - Fondling	2	1	0	0		0	0	0	0		0	0	0	0
Sex Offenses - Incest	0	0	0	0		0	0	0	0		0	0	0	0
Sex Offenses – Statutory Rape	0	0	0	0		0	0	0	0		0	0	0	0
Burglary	1	0	0	0		2	0	0	0		2	0	0	0
Robbery	0	0	0	0		0	0	0	0		0	0	0	0
Aggravated Assault	1	0	0	0		0	0	0	0		0	0	0	0
Motor Vehicle Theft	0	0	0	0		1	0	0	0		1	0	0	0
Arson	0	0	0	0		1	1	0	0					
<b>ARRESTS</b>	<b>2019</b>					<b>2020</b>					<b>2021</b>			
	<b>C*</b>	<b>R</b>	<b>N</b>	<b>P</b>		<b>C*</b>	<b>R</b>	<b>N</b>	<b>P</b>		<b>C*</b>	<b>R</b>	<b>N</b>	<b>P</b>
Liquor Law Violations	0	0	0	0		0	0	0	0		0	0	0	0
Drug Abuse Violations	0	0	0	0		0	0	0	0		0	0	0	0
Weapons: Carrying, Possessing, etc.	0	0	0	0		0	0	0	0		0	0	0	0
<b>DISCIPLINARY ACTIONS</b>	<b>2019</b>					<b>2020</b>					<b>2021</b>			
	<b>C*</b>	<b>R</b>	<b>N</b>	<b>P</b>		<b>C*</b>	<b>R</b>	<b>N</b>	<b>P</b>		<b>C*</b>	<b>R</b>	<b>N</b>	<b>P</b>
Liquor Law Violations	40	40	0	0		7	7	0	0		0	0	0	0
Drug Abuse Violations	1	1	0	0		5	3	0	0		0	0	0	0
Weapons: Carrying, Possessing, etc.	0	0	0	0		0	0	0	0		0	0	0	0
<b>VIOLENCE AGAINST WOMEN ACT (VAWA) OFFENSES</b>	<b>2019</b>					<b>2020</b>					<b>2021</b>			
	<b>C*</b>	<b>R</b>	<b>N</b>	<b>P</b>		<b>C*</b>	<b>R</b>	<b>N</b>	<b>P</b>		<b>C*</b>	<b>R</b>	<b>N</b>	<b>P</b>
Dating Violence	0	0	0	0		0	0	0	0		0	0	0	0



Domestic Violence	4	4	0	0		0	0	0	0		1	1	0	0
Stalking	0	0	0	0		0	0	0	0		0	0	0	0

KEY: C\* = On Campus / R = Residence Facilities / N = Non Campus Buildings / P = Public Property

\*On-campus is the sum of Residence Facilities plus any other crimes reported on main campus.

HATE CRIMES	2019					2020					2021			
	C*	R	N	P		C*	R	N	P		C*	R	N	P
Simple Assault	0	0	0	0		0	0	0	0		0	0	0	0
Intimidation	0	0	0	0		0	0	0	0		0	0	0	0
Destruction/Damage/Vandalism of Property	0	0	0	0		0	0	0	0		0	0	0	0
Bodily Injury	0	0	0	0		0	0	0	0		0	0	0	0

### Hate Crimes

A hate crime is a crime that manifests evidence that the victim was intentionally selected because of the perpetrators bias against the victim’s race, gender, religion, sexual orientation, ethnicity/national origin, or disability. Hate crime statistics include the crimes listed in the table above and includes additional categories: simple assault; intimidation; destruction, damage, or vandalism of property; or any other crime that involves bodily injury to any person.

### Ketchikan Campus Crime Statistics (2019-2021)

Ketchikan campus crime statistics were compiled in conjunction with Juneau and Ketchikan campus officials as well as the Ketchikan Police Department.

KEY: C = On Campus / R\*= Residence Facilities / N=Non Campus Buildings / P=Public Property

\* The Ketchikan Campus does not have Residential Facilities (na=not applicable)

CRIMINAL OFFENSE	2019					2020					2021			
	C*	R	N	P		C*	R	N	P		C*	R	N	P
Manslaughter	0	na	0	0		0	na	0	0		0	na	0	0
Negligent Manslaughter	0	na	0	0		0	na	0	0		0	na	0	0
Sex Offenses - Rape	0	na	0	0		0	na	0	0		0	na	0	0
Sex Offenses - Fondling	0	na	0	0		0	na	0	0		0	na	0	0
Sex Offenses - Incest	0	na	0	0		0	na	0	0		0	na	0	0
Sex Offenses – Statutory Rape	0	na	0	0		0	na	0	0		0	na	0	0
Burglary	0	na	0	0		0	na	0	0		0	na	0	0
Robbery	0	na	0	0		0	na	0	0		0	na	0	0
Aggravated Assault	0	na	0	0		0	na	0	0		0	na	0	0
Motor Vehicle Theft	0	na	0	0		0	na	0	0		0	na	0	0
Arson	0	na	0	0		0	na	0	0		0	na	0	0
ARRESTS	2019					2020					2021			
	C*	R	N	P		C*	R	N	P		C*	R	N	P
Liquor Law Violations	0	na	0	0		0	na	0	0		0	na	0	0
Drug Abuse Violations	0	na	0	0		0	na	0	0		0	na	0	0
Weapons: Carrying, Possessing, etc.	0	na	0	0		0	na	0	0		0	na	0	0
DISCIPLINARY ACTIONS	2019					2020					2021			
	C*	R	N	P		C*	R	N	P		C*	R	N	P
Liquor Law Violations	0	na	0	0		0	na	0	0		0	na	0	0
Drug Abuse Violations	0	na	0	0		0	na	0	0		0	na	0	0

Weapons: Carrying, Possessing, etc.	0	na	0	0		0	na	0	0		0	na	0	0
<b>VIOLENCE AGAINST WOMEN ACT (VAWA) OFFENSES</b>	<b>2019</b>					<b>2020</b>					<b>2021</b>			
	<b>C*</b>	<b>R</b>	<b>N</b>	<b>P</b>		<b>C*</b>	<b>R</b>	<b>N</b>	<b>P</b>		<b>C*</b>	<b>R</b>	<b>N</b>	<b>P</b>
Dating Violence	0	na	0	0		0	na	0	0		0	na	0	0
Domestic Violence	0	na	0	0		0	na	0	0		0	na	0	0
Stalking	0	na	0	0		0	na	0	0		0	na	0	0

KEY: C\* = On Campus / R = Residence Facilities / N = Non Campus Buildings / P = Public Property

\*On-campus is the sum of Residence Facilities plus any other crimes reported on main campus.

<b>HATE CRIMES</b>	<b>2019</b>					<b>2020</b>					<b>2021</b>			
	<b>C*</b>	<b>R</b>	<b>N</b>	<b>P</b>		<b>C*</b>	<b>R</b>	<b>N</b>	<b>P</b>		<b>C*</b>	<b>R</b>	<b>N</b>	<b>P</b>
Simple Assault	0	na	0	0		0	na	0	0		0	na	0	0
Intimidation	0	na	0	0		0	na	0	0		0	na	0	0
Destruction/Damage/Vandalism of Property	0	na	0	0		0	na	0	0		0	na	0	0
Bodily Injury	0	na	0	0		0	na	0	0		0	na	0	0

### Hate Crimes

A hate crime is a crime that manifests evidence that the victim was intentionally selected because of the perpetrators bias against the victim’s race, gender, religion, sexual orientation, ethnicity/national origin, or disability. Hate crime statistics include the crimes listed in the table above and includes additional categories: simple assault; intimidation; destruction, damage, or vandalism of property; or any other crime that involves bodily injury to any person.

### Sitka Campus Crime Statistics (2019-2021)

Sitka campus crime statistics were compiled in conjunction with Juneau and Sitka campus officials as well as the Sitka Police Department.

KEY: C = On Campus / R\*= Residence Facilities / N=Non Campus Buildings / P=Public Property

\* The Sitka Campus does not have Residential Facilities (na=not applicable)

CRIMINAL OFFENSE	2019					2020					2021			
	C*	R	N	P		C*	R	N	P		C*	R	N	P
Manslaughter	0	na	0	0		0	na	0	0		0	na	0	0
Negligent Manslaughter	0	na	0	0		0	na	0	0		0	na	0	0
Sex Offenses - Rape	0	na	0	0		0	na	0	0		0	na	0	0
Sex Offenses - Fondling	0	na	0	0		0	na	0	0		0	na	0	0
Sex Offenses - Incest	0	na	0	0		0	na	0	0		0	na	0	0
Sex Offenses – Statutory Rape	0	na	0	0		0	na	0	0		0	na	0	0
Burglary	0	na	0	0		0	na	0	0		0	na	0	0
Robbery	0	na	0	0		0	na	0	0		0	na	0	0
Aggravated Assault	0	na	0	1		0	na	0	0		0	na	0	0
Motor Vehicle Theft	0	na	0	0		0	na	0	0		0	na	0	0
Arson	0	na	0	0		0	na	0	0		0	na	0	0
ARRESTS	2019					2020					2021			
	C*	R	N	P		C*	R	N	P		C*	R	N	P
Liquor Law Violations	0	na	0	0		0	na	0	0		0	na	0	0
Drug Abuse Violations	0	na	0	0		0	na	0	0		0	na	0	0
Weapons: Carrying, Possessing, etc.	0	na	0	0		0	na	0	0		0	na	0	0
DISCIPLINARY ACTIONS	2019					2020					2021			
	C*	R	N	P		C*	R	N	P		C*	R	N	P
Liquor Law Violations	0	na	0	0		0	na	0	0		0	na	0	0

Drug Abuse Violations	0	na	0	2		0	na	0	0		0	na	0	0
Weapons: Carrying, Possessing, etc.	0	na	0	0		0	na	0	0		0	na	0	0
<b>VIOLENCE AGAINST WOMEN ACT (VAWA) OFFENSES</b>	<b>2019</b>					<b>2020</b>					<b>2021</b>			
	<b>C*</b>	<b>R</b>	<b>N</b>	<b>P</b>		<b>C*</b>	<b>R</b>	<b>N</b>	<b>P</b>		<b>C*</b>	<b>R</b>	<b>N</b>	<b>P</b>
Dating Violence	0	na	0	0		0	na	0	0		0	na	0	0
Domestic Violence	0	na	0	0		0	na	0	0		0	na	0	0
Stalking	0	na	0	0		0	na	0	0		0	na	0	0

KEY: C\* = On Campus / R = Residence Facilities / N = Non Campus Buildings / P = Public Property

*\*On-campus is the sum of Residence Facilities plus any other crimes reported on main campus.*

<b>HATE CRIMES</b>	<b>2019</b>					<b>2020</b>					<b>2021</b>			
	<b>C*</b>	<b>R</b>	<b>N</b>	<b>P</b>		<b>C*</b>	<b>R</b>	<b>N</b>	<b>P</b>		<b>C*</b>	<b>R</b>	<b>N</b>	<b>P</b>
Simple Assault	0	na	0	0		0	na	0	0		0	na	0	0
Intimidation	0	na	0	0		0	na	0	0		0	na	0	0
Destruction/Damage/Vandalism of Property	0	na	0	0		0	na	0	0		0	na	0	0
Bodily Injury	0	na	0	0		0	na	0	0		0	na	0	0

### Hate Crimes

A hate crime is a crime that manifests evidence that the victim was intentionally selected because of the perpetrators bias against the victim’s race, gender, religion, sexual orientation, ethnicity/national origin, or disability. Hate crime statistics include the crimes listed in the table above and includes additional categories: simple assault; intimidation; destruction, damage, or vandalism of property; or any other crime that involves bodily injury to any person.

## UNIVERSITY OF ALASKA NOTICE OF NONDISCRIMINATION

The University of Alaska does not discriminate on the basis of race, religion, color, national origin, citizenship, age, sex, physical or mental disability, status as a protected veteran, marital status, changes in marital status, pregnancy, childbirth or related medical conditions, parenthood, sexual orientation, gender identity, political affiliation or belief, genetic information, or other legally protected status.

When implementing this commitment, the University is guided by Title VI and VII of the Civil Rights Act of 1964 and Civil Rights Act of 1991; Title IX of the Education Amendments of 1972; Executive Order 11246, and Executive Order 11375, as amended; Equal Pay Act of 1963;

Age Discrimination in Employment Act of 1967 and Age Discrimination Act of 1975; Vietnam Era Veterans Readjustment Assistance Act of 1974; Americans with Disabilities Act (ADA) of 1990; the Americans with Disabilities Act Amendments Act of 2008; Genetic Information Nondiscrimination Act of 2008; Pregnancy Discrimination Act; Immigration Reform & Control Act; Vocational Rehabilitation Act of 1973 and other federal laws or Alaska Statutes which guarantee equal opportunity to individuals and protected classes within our society.

The University's commitment to nondiscrimination, including against sex discrimination, applies to students, employees, and applicants for admission and employment.

This policy therefore affects employment policies and actions, as well as the delivery of educational services at all levels and facilities of the University. Further, the University's objective of ensuring equal opportunity will be met by taking affirmative action: i.e., making intensified, goal-oriented efforts to substantially increase the participation of groups where their representation is less than proportionate to their availability; providing reasonable accommodations to employees and students with disabilities; and ensuring that employment opportunities are widely disseminated to agencies and organizations that serve underrepresented protected classes.

The following person has been designated to handle inquiries regarding the nondiscrimination policies:

### **University of Alaska Southeast**

Office of Equity and Compliance Director

11066 Auke Lake Way

Juneau, Alaska 99801

Phone: 907-796-6371

E-mail: [mrwark@alaska.edu](mailto:mrwark@alaska.edu)

Website: <http://www.uas.alaska.edu/titleix/>

For sex discrimination claims or other inquiries concerning the application of Title IX of the Education Amendments of 1972 and its implementing regulations, individuals may contact the University's Title IX Coordinator or the Assistant Secretary in the U.S. Department of Education Office of Civil Rights:

## **UAS Title IX Coordinator**

11066 Auke Lake Way, Juneau, AK 99801  
Phone: 907-796-6371  
E-Mail: [uas.titleix@alaska.edu](mailto:uas.titleix@alaska.edu)  
Website: <http://www.uas.alaska.edu/titleix>

For employment or educational discrimination, students, parents, employees and applicants for employment may file a complaint with the U.S. Department of Education within 180 calendar days of the alleged discriminatory act.

## **Office for Civil Rights, Seattle Office**

U.S. Department of Education  
915 Second Ave., Room 3310  
Seattle, WA 98174-1099  
Phone: 206-607-1600  
TDD: 800-877-8339  
E-mail: [OCR.Seattle@ed.gov](mailto:OCR.Seattle@ed.gov)  
Website: <http://www2.ed.gov/about/offices/list/ocr/docs/howto.html>

For employment discrimination, employees and applicants for employment may file a complaint with the Equal Employment Opportunity Commission at the below addresses within 180 calendar days of the alleged discriminatory act.

## **Equal Employment Opportunity Commission**

Federal Office Building  
909 First Avenue, Suite 400  
Seattle, WA 98104-1061  
Phone: 800-669-4000  
Fax: 206-220-6911  
TTY: 800-669-6820  
Website: <http://www.eeoc.gov/employees/charge.cfm>

For educational discrimination, individuals may file a complaint with the U. S. Department of Justice:

## **U.S. Department of Justice Civil Rights Division**

950 Pennsylvania Avenue, N.W.  
Educational Opportunities Section, PHB  
Washington, D.C. 20530  
Phone: 202-514-4092 or 1-877-292-3804 (toll-free)  
Fax: 202-514-8337  
E-mail: [education@usdoj.gov](mailto:education@usdoj.gov)  
Website: <http://www.justice.gov/crt/how-file-complaint#three>

For employment or educational discrimination, individuals may file a complaint with the State of Alaska:

### **Alaska State Human Rights Commission**

800 A Street, Suite 204  
Anchorage, AK 99501-3669  
Anchorage Area: 907-274-4692  
Anchorage Area TTY/TDD: 907-276-3177  
Toll-Free Complaint Hot Line (in-state only): 800-478-4692  
TTY/TDD Toll-Free Complaint Hot Line (in-state only): 800-478-3177 Website:  
[www.humanrights.alaska.gov](http://www.humanrights.alaska.gov)

For discrimination related to a Department of Labor funded grant, individuals may file a complaint with the U. S. Department of Labor within 180 calendar days of the alleged discriminatory act.

### **U.S. Department of Labor**

ATTENTION: Office of External Enforcement  
Director, Civil Rights Center  
200 Constitution Avenue, NW  
Room N-4123  
Washington, DC 20210  
Fax: 202-693-6505, ATTENTION: Office of External Enforcement (limit of 15 pages) E-mail:  
[CRCEExternalComplaints@dol.gov](mailto:CRCEExternalComplaints@dol.gov)  
Website: <http://www.dol.gov/oasam/programs/crc/index.htm>

For discrimination related to a National Science Foundation funded grant, individuals may file a complaint with the National Science Foundation within 90 calendar days of the alleged discriminatory act on the basis of race, sex (including sexual harassment), color, national origin and disability. Age discrimination complaints may be filed within 180 calendar days of the alleged discriminatory act.

### **National Science Foundation**

NSF Awardee Compliance Manager Office  
of Diversity & Inclusion (ODI) 2415  
Eisenhower Ave.  
Alexandria, VA 22314  
Phone: 703-292-8020  
Email: [ProgramComplaints@nsf.gov](mailto:ProgramComplaints@nsf.gov)  
Website: <https://www.nsf.gov/od/odi/>



# **2021 FIRE SAFETY REPORT**

## **CAMPUS FIRE SAFETY-RIGHT TO KNOW ACT**

The Campus Fire Safety Right-to-Know Act is an amendment to the Higher Education Opportunity Act of 2008. This act requires institutions maintaining on-campus student housing to issue an annual fire safety report. Signed into law on Aug. 14, 2008, this amendment requires

postsecondary institutions to publish fire safety information and statistics, much as is already done with other crime statistics, such as campus theft and assault.

Additionally, the National Student Loan Program requires all eligible Title IV institutions that maintain on-campus student housing facilities to publish an annual fire safety report that contains information about campus fire safety practices and standards of the institution. The statistics include the number, cause, related injuries and deaths, and property damages associated with each fire. In addition, each institution is required to report fire safety information to the U.S. Department of Education.

Collectively, this information provides prospective and current students information regarding the policies, concerns, and fire safety conditions that are present at the University of Alaska Southeast.

For a fire to be reportable, per the Higher Education Opportunity Act / Clery Act, it must be an actual fire, and it must meet the federal definition of a fire. The Higher Education Opportunity Act (HEOA) regulations define fire as, “any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.”

On campus, housing is available only at the Juneau campus. The Ketchikan and Sitka campuses do not have campus housing options therefore this content does not apply.

## FIRE SAFETY REPORT DEFINITIONS<sup>[1]</sup>

**Fire:** Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

**Fire Drill:** A supervised practice of a mandatory evacuation of a building for a fire.

**Fire-related Injury:** Any instance in which a person is injured as a result of a fire, including an injury sustained from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of the fire. The term person may include students, faculty, staff, visitors, firefighters, or any other individuals.

**Fire-related Death:** Any instance in which a person is killed as a result of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of a fire. Dies within 1 year of injuries sustained as a result of the fire.

**Fire Safety System:** Any mechanism or system related to the detection of a fire including-

- Sprinkler or other fire extinguishing systems;

- Fire detection devices;
- Stand-alone smoke alarms;
- Devices that alert one to the presence of a fire, such as horns, bells, or strobe lights;
- Smoke-control and reduction mechanisms;
- Fire doors and walls that reduce the spread of a fire.

**Value of Property Damage:** The estimated value of the loss of the structure and contents, in terms of the cost of replacement in like kind and quantity, including;

- Contents damaged by Fire;
- Related damages caused by smoke, water, and overhaul;
- Does not include indirect loss.

## **UAS FIRE SAFETY POLICY**

This philosophy follows the overall UAS safety and risk management philosophy that accidents can be prevented and that all levels of the university must be committed to and participate in achieving this ideal. At UAS, fire and the risks and effects of fire will be addressed by the commitment to the following:

### ***Prevention***

Prevention is always the best and most effective cure. UAS emphasizes daily practices and procedures to limit the risk of occurrence and/or lessen the severity of an occurrence to those identified risks to all staff, students and visitors of UAS.

### ***Engineering***

As with all things relating to humans and/or the natural world some occurrence of hazardous nature will happen. UAS continues to bring its facilities up to current design and code to limit the impact of such an event, e.g., fire sprinklers, earthquake resistant construction, emergency lighting, and lab ventilation systems.

### ***Exits***

Life safety is always a higher priority than property. The people of this university and community are its most important (and expensive) asset. Evacuation of the immediate area (safe refuge) and/or building may be necessary.

This policy, emphasizing prevention and individual responsibility, combined with the latest hazard reduction technology, gives the UAS community a high level of safety from injury or loss from a fire.

### ***Responsibility***

Each person has an individual responsibility to maintain a fire safe environment throughout campus. Faculty, staff, employees, and students are responsible for keeping their classrooms, labs, offices, residence hall rooms, or operating areas orderly and free of potential sources of ignition. Supervisors must ensure that employees understand and follow the guidance provided in the UAS safety manual. They should also notify the university [Health and Safety Manager \(http://www.uas.alaska.edu/facilities\\_services/health-safety.html\)](http://www.uas.alaska.edu/facilities_services/health-safety.html) of any operational changes

that alter the fire risk in their area so that protection can be adjusted accordingly. All UAS employees must perform their work in a way that minimizes the possibility of starting a fire.

For fire safety, information or assistance in any subject not covered in this manual contact the university Health and Safety Manager at 907-796-6077.

## **ON CAMPUS STUDENT HOUSING FACILITY FIRE SAFETY SYSTEM**

### **Smoke Detectors**

All university housing facilities have hardwired smoke detectors. Do not try to service or tamper with these detectors. Tampering with any piece of fire safety equipment is a violation of the UAS code of Student conduct.

### **Responsibility**

It is the responsibility of all students and their visitors to campus to maintain a fire-safe room. The most fire fatalities occur in sleeping areas. By following some simple fire safety guidelines, resident hall occupants can have a fire-safe school year.

### **Guidelines**

- Keep a clear and unobstructed exit path to your door. Clothing, books, boxes, etc., can obstruct an exit way and prevent someone from getting out of their room in a safe manner.
- Extension cords are for temporary use. Electrical appliances should be plugged directly into an outlet. If additional outlets are needed, use a plug strip with a breaker.
- No flammable or combustible liquids are allowed in residence halls. This includes lighter fluid, gasoline, motor oil, etc.
- No propane or other flammable gasses are permitted in residence halls. This includes propane tanks on barbecue grills. These must be stored outside.
- Smoke detectors cannot be removed or tampered with for any reason. Removing or tampering with a detector or any other life-safety equipment can result in criminal charges as well as numerous fines.
- Seasonal decorations must be noncombustible or fire-retardant treated.
- No decorations will be displayed in such a manner as to block or impede the ability of a fire safety device to operate, e.g., pull boxes, exit lights, sprinkler heads.
- No papers or combustibles are allowed inside the diffusers on the overhead lights.
- Excessive storage is not permitted inside the rooms. The sprinkler systems in the residence halls are designed to handle fires in rooms with standard furnishings, not in rooms with excessive storage.
- The use of candles or any open flame appliance is prohibited in residence halls.

- Additional lighting is permitted as long as the lights are UL or FM listed.
- Lights must be plugged directly into a wall outlet. No torch-style halogen lamps are allowed unless they are equipped with the protective device on the top of the lamp.
- Hot plates and cooking are not permitted in the residence hall rooms. Some low wattage microwaves may be allowed for heating up food. These must be approved by Residence Life prior to use in the individual rooms.

## **AUTOMATIC FIXED FIRE PROTECTION SYSTEMS**

### **Sprinkler Systems**

Most building on campus have automatic fire sprinklers. These systems are designed to the hazard that they protect per the National Fire Protection Association Standard 13. The minimum classification authorized on campus is the “ordinary class.” Fire sprinklers are designed so that the heat of an incipient fire will cause the closest head to open and discharge a fire-suppressing water spray that has been pre-calculated as part of the building and area use design. Fire sprinklers will initiate building evacuation and fire department response alarms automatically from alarms tied to the water flow through the system. Sprinkler system heads open individually, and most fires over 90% are extinguished with only one head discharging.

To ensure proper fire sprinkler system operation and effectiveness on campus, the following principles must be observed:

#### **Design and maintain for proper hazard and fuel loading**

Light-hazard systems such those in offices cannot protect higher-hazard used such as storage or laboratories.

#### **Maintain adequate water flow**

Sprinkler valves are never to be shut off. Only fire department and sprinkler maintenance personnel have the authorization to operate these valves. Most valves on campus are electronically monitored and will transmit a tamper alarm.

#### **Storage and building use must not block sprinkler heads**

Storage and or obstructions must not come within 18” below the sprinkler head.

#### **Protect from freezing**

Do not leave doors or windows open during the winter.

#### **Regular service and testing**

Regular testing and inspections are performed by trained and authorized Facilities Services personnel.

### **Fixed chemical systems and hoods**

Some special hazard areas on campus are protected by fixed chemical systems. Most commonly found on cooking grilles exhaust hoods, chemical process areas, and special electronic areas. The systems use one the following: water, foam, dry chemical, CO2 or Halon-type agent.

These systems are designed to automatically detect and suppress incipient fires in a defined area. Most also have a manual discharge feature. They are maintained by the Facilities Services department.

### **Building Standpipes**

Standpipes are normally located in the fire-rated stairwells of most building over four stories in total height or those with basements or other unusual access areas per the fire code. The systems assist the fire department in the delivery of fire suppression streams with an outlet located at every floor. This system is for fire department use only.

To ensure proper building standpipe system operation and effectiveness, the following principles must be observed:

- Discharge valves and access shall not be blocked
- No tampering or removal of discharge valves and caps.
- No parking, storage or piling of snow within 15' of the fire department connection, usually located on the ground floor on the outside of the building and labeled "fire department standpipe connection."
- Annual checks and service are done through the Facilities Services.

### **Fire Hydrants**

Fire hydrants are located throughout the campus for the primary purpose of fire protection and are to be used by the fire department. Placement and flow rates are based on building design and the Uniform Fire Code requirements for fire flow and hydrant location.

To ensure proper fire hydrant operation and effectiveness, the following principles must be observed:

#### **Maintain Clear Access**

No parking, storage, or piling of snow within 15' of any fire hydrant.

## **Hydrant Use**

Use of fire hydrants is to be by only authorized, trained users and only after permission has been received from authorized personnel. Improper operation will damage the hydrant, cause water fluctuation and potential damage in other areas on campus, and/or cause additional fire pumps to suddenly come online.

## **Testing**

Hydrants are flushed and flow tested twice a year by the fire department.

## **Fire Doors Responsibility**

All university staff, faculty, students and campus users are responsible for ensuring that all fire doors are kept closed at all times. Any problems with these doors are to be reported to Facilities Services at 907-796-6496 during business hours or 866-999-1822 after hours.

## **Requirements**

Exit doors and the routes to reach them must be properly identified and illuminated. Emergency lighting may also be required.

No locks or fastening devices that prevent escape from the building are permitted. The only exceptions are the magnetic locks that are installed in specific locations and that are tied directly into the fire alarm system. These doors will release whenever the fire alarm system is activated. A pull station is adjacent to each door. In a non-fire emergency activation of the pull station will cause the fire alarm system to activate and the doors will release. The locks also fail in the open position should there be a power failure.

Doors must be openable by a single operation. Locks requiring multiple operations or special knowledge or effort to open are not permitted except in single offices or authorized locations. These must be individually approved by the Health and Safety Manager.

The minimum door width shall not be less than 36 inches. This cannot be reduced with file cabinets, bookcases, etc.

Exit doors, including the exit path floor area on both sides of the exit door, must be kept clear and accessible at all times. This includes inside individual offices.

Doors on exit corridors or doors on stairwells cannot be wedged open.

Doors that need to be held open for any reason should be on magnetic hold opens and tied directly into the fire alarm system.

## **Fire Alarms**

Fire statistics indicate that deaths occur because people are apathetic toward early fire warning systems like fire alarms. This apathy usually consists of failing to react immediately upon activation of the fire alarm system.

All building occupants should evacuate any campus building upon activation of the building’s fire alarm system.

**Responsibility**

All university staff, faculty, students and campus users are responsible for ensuring that they are familiar with evacuation procedures in case of a fire alarm in any university building.

**FIRE SAFETY AND FIRE DRILLS**

A fire in a university housing facility can endanger the lives of hundreds of people and destroy thousands of dollars’ worth of property. Fire safety should not be taken for granted.

University housing facilities are equipped with several fire safety features with which you should be familiar. Fire alarms and smoke detectors are located throughout the building. Know where these are located and how they operate.

Fire Drills 2020	Supervised Fire Drills
John Pugh Residence Hall	November 2021 August 2021
Upper Housing Residence (Aurora Building, Bear Building, Coho Building, Deer Building, Eagle Building, Fireweed Building, Glacier Building, Banfield Hall  John Pugh Hall)	November 2021 August 2021

· Test of system only due to non-residency status of housing facilities due to the COVID 19 Pandemic

One fire drill per housing facility was conducted in 2021, during fall semester, for Banfield and John R. Pugh Halls and all apartment units (A-G). All fire safety systems worked well.

**Evacuation Procedures**

Prompt and complete evacuation of residential campus buildings and facilities is mandatory when a fire alarm sounds. Residents, employees and guests are directed to depart the building, using the nearest door and stairwell, avoid elevators, stand back a minimum of 100 feet from



the structure, and to make way for responding emergency personnel. For the purpose of including statistics in the annual fire safety report, fires should be reported to the [UAS Housing and Residence Life Administrator on Duty \(AOD\)](#) (<http://www.uas.alaska.edu/juneau/housing/contact.html>) or the [UAS Health and Safety Office](#) ([http://www.uas.alaska.edu/facilities\\_services/health-safety.html](http://www.uas.alaska.edu/facilities_services/health-safety.html)).

Residents may not re-enter the building unless instructed to do so by a professional staff member. During extreme weather or extended periods of time, temporary shelter will be offered.

## Portable Heaters

UAS discourages the use of portable space heaters in university interior locations. As sources of ignition, space heaters can create fire hazards; they are not as energy efficient as central heating; the electric cord creates a tripping hazard; and the heaters can overload circuits.

University personnel may use portable space heaters if the building heating system is inadequate, nonexistent, or temporarily out of order. Space heaters that have been tested and approved by FM, UL or any other nationally recognized testing lab; that automatically shut off if they are tipped over; and that use 1,500 watts or less of electricity have been approved use by university departments.

Heaters with electric elements that glow bright orange or red or that burn fossil fuels or alcohol are prohibited.

The use of portable heaters is the responsibility of the individual users. Damages caused by the misuse or improper use of any portable heater may result in the user being held liable for all damages.

## Heater Use

When it is necessary to utilize a portable heater in a university, building always follow these precautions:

- Place noncombustible material under the appliance
- Maintain a clearance of at least 3 feet between the appliance and any combustible material
- Ensure that the appliance is properly grounded or double-insulated
- Keep area immediately around an appliance clean and free of combustibles
- Do not use electric appliance near combustible or explosive vapors or dust
- Heaters should be plugged directly into wall outlets not into extension cords • Do not leave heaters unattended; turn them off when you leave

**Non-Smoking Policy**  
Smoking, including use of e-cigarettes, is not allowed in any University housing facility. This policy applies to the use of e-cigarettes and other vapor-like items. Littering an area with, or with the remains of, tobacco-related or smoking-related products is also prohibited. Violators are subject to disciplinary action.

## Open Flames

With the safety of students in mind, it is prohibited to have any device that has an open flame in a student room (this includes but is not limited to any candles or incense).

## Training

Supervisors and faculty are responsible for ensuring that employees and students are trained to safely use electrical equipment. This training should be part of the employee's safety orientation.

All personnel using electrical equipment are to know the locations of secondary electrical panels for the work or learning/research area.

## Inspection

As part of the periodic self-inspection, unit administrators and supervisors are to check the work or learning/research area for electrical hazards.

### Electrical Hazards

All students and employees should take the following steps when an electrical hazard exists.

1. Report hazards directly to the supervisor.
2. Immediately discontinue the use of hazardous electrical tools or appliances.
3. Wait until the equipment item has been declared safe to use by a supervisor or qualified electrician.
4. Do not use electrical equipment that has been determined to be unsafe.

## FIRE SAFETY IN CAMPUS LABS

### Fire Prevention

- Be aware of ignition sources in lab area (open flames, heat, electrical equipment).
- Purchase and store flammable reagents in the smallest quantities available.
- Store flammable liquids that require refrigeration in explosion-proof refrigerators.
- Store flammable liquids in appropriate safety cabinets and/or safety cans.
- Do not store incompatible reagents together (e.g., acids with flammables). Lists of incompatible reagents can be found in several source books (e.g., Handbook of Reactive Chemical Hazards).
- Do not store ethers or conjugated dienes for extended periods of time as explosive peroxides could form. Date ethers when received and opened.

- Make sure that all electrical cords are in good condition. All electrical outlets should be grounded and should accommodate a 3-pronged plug. Never remove the grounding prong or use an adapter to bypass the grounding on an electrical cord. Extension cords are for short-term use only. Permanent installation of extension cords is not permitted.
- Remain out of the area of a fire or personal injury unless it is your responsibility to meet the emergency responders. Meet responders at a safe location.
- Be aware of the condition of fire extinguishers. Report any broken seals, damage, low gauge pressure or improper mounting to Facilities Services at 907-796-6511. If the seal has been broken, assume that the fire extinguisher has been used and must be recharged. (NOTE: Do not use fire extinguishers unless you are trained and feel confident to do so.) Report ALL fires by calling 911.
- Automatic fire sprinklers must remain clear and unblocked to function properly. Do not store materials within 18" below the sprinkler head.

**Eliminate safety hazards by maintaining laboratory work areas in a good state of order.**

- Maintain at least two clear passages to laboratory exits.
- Always keep tables, fume hoods, floors, aisles and desks clear of material. Fume hoods are not chemical storage cabinets.
- Wipe down bench tops and other laboratory surfaces after each use with an appropriate cleaning or disinfecting agent.
- All equipment should be inspected before use.
- Use borosilicate glassware for laboratory work. If dichromate/sulfuric acid glass cleaner is used in your laboratory, make sure that cleaning is confined to the fume hood, as toxic chromyl chlorides are released from the dichromate/sulfuric acid solution. Better yet, switch to a non-chromate cleaning solution, which will also minimize hazardous waste generation.
- If experiments must be left unattended, place a note next to the experimental apparatus indicating the chemicals involved, your name and a number where you can be reached in case of an emergency.
- Keep the laboratory floor dry at all times. Immediately attend to spills of chemicals or water, and notify other lab workers of potential slipping hazards.
- All machinery under repair or adjustment should be properly tagged prior to servicing.
- All service work should be done by authorized personnel.
- Sink traps and floor drains should be flushed and filled with water on a regular basis to prevent the escape of sewer gases or the release of chemical odors in the event of an emergency. Drains that will not be routinely used may be "topped" with 20 - 30 ml of mineral oil to prevent evaporation of water in the trap.
- All compressed gas cylinders should be securely chained or clamped to a rack or fixed stationary piece of lab furniture. Mark empty cylinders, but use all safety precautions as if the cylinder were full.

## **FIRE SAFETY POLICIES FOR STUDENTS**

**Prohibited Items:** The following items are prohibited in residential halls: Hookahs, shishas, or similar pipes are prohibited within the residence halls and apartments. Marijuana may not be consumed/stored in a resident's room/apartment. Residents may not be knowingly present in a room/suite/apartment where someone is smoking. Smoking or carrying any lit smoking device, including but not limited to cigarettes, cigars, pipes, bidis, incense, and other inhalable burning substances, is prohibited in all residential facilities. Using smokeless tobacco or tobacco-containing products is prohibited in all residential facilities. For full details of what's allowed and not allowed please visit the [UAS Student Guide \(http://www.uas.alaska.edu/dean-ofstudents/guide/index.html?utm\\_campaign=redirect\\_depreca&utm\\_source=apache&utm\\_medium=web\)](http://www.uas.alaska.edu/dean-ofstudents/guide/index.html?utm_campaign=redirect_depreca&utm_source=apache&utm_medium=web).

**Prohibited Actions:** The following are prohibited actions because they can activate the fire systems: physical activities such as hockey or basketball in lounges and hallways, throwing water or other liquids in lounges or hallways, and spraying paint or water in lounges or hallways. Other prohibited actions include tampering with fire extinguishers, tampering or damaging control valves, smoking in campus facilities, removing smoke detectors or covers, disabling fire suppression systems, blocking exits with furniture or other items, tampering or damaging fire exit lights, pull stations notification devices or obstructing locking exit doors.

**Setting a Fire (Arson):** Any individual who sets a fire (commits arson) in or near a University building is subject to immediate and appropriate disciplinary action from the university, they may be charged a fine, and may be charged for repairing any damage caused by the fire.

**False Fire Alarm Sanctions:** Every effort will be made to identify the individual who causes a false alarm. When such person is identified they will be referred to campus conduct for disciplinary action.

## **FIRE SAFETY POLICIES FOR EMPLOYEES**

The Juneau campus conducts training for Resident Advisors and Residence Life staff. This training is conducted annually and covers many roles you play in an emergency situation. The types of emergencies covered in the training are threats of violence, fire emergencies, persons of harm, weather related issues, power outages, hazardous materials and natural disasters.

## **PROCEDURES FOR STUDENT HOUSING EVACUATION IN CASE OF FIRE**

### **Exit Routes**

Exit routes are an essential part of any plan designed to evacuate people from a building or other structure in the event of a fire and other emergency. Each workstation should have at least two routes from the work station to a location at least 75 yards from the structure. The work group should have a designated meeting place outside the structure.

In the event of a fire alarm or fire drill, all residents must evacuate the building, completely and immediately. Residents must remain outside, 100 yards away from the building in a designated area.

Residents may not re-enter until the "all clear" signal has been given by authorized personnel. Interference with or noncompliance with emergency evacuation procedures in a residential community is prohibited. Residents must exit the building within three (3) minutes of the alarm sounding. **DO NOT USE ELEVATORS.** Please remember to dress quickly and appropriately for Alaskan weather.

### **Responsibility**

The department's director is responsible for ensuring that exit routes are not obstructed.

### **Requirements**

- Any obstruction of the exit route is a serious violation of the International Fire Code (Section 1028, Maintenance of Exit Ways).
- No one may place items within the exit route that restrict or obstruct corridors, stairways, or other exit ways. The objective is to prevent accidents, to provide unobstructed exit routes and to comply with fire and safety regulations. For example, movers may not block exits with vehicles or dollies.
- Any material that may cause combustion, explosion, or the generation of toxic smoke and gases may not be placed in exit routes.
- Items placed, installed, or maintained any place within space assigned to an administrative unit must be consistent with the fire-resistive standards of the building or other structure.
- Personnel are not to place a door chock, wedge, or furniture item in a doorway that could prevent the door from automatically closing in the event of a fire.

Anyone who identifies a hazard should report the hazard to the appropriate dean or director of the area containing the hazard. If the hazard is not corrected, the [UAS Health and Safety Manager](http://www.uas.alaska.edu/facilities_services/health-safety.html) ([http://www.uas.alaska.edu/facilities\\_services/health-safety.html](http://www.uas.alaska.edu/facilities_services/health-safety.html)) should be notified.

## **REPORTING THAT A FIRE HAS OCCURRED AND REPORTING AN EMERGENCY**

### **Responsibility**

It is the responsibility of any campus user to properly report an emergency. Even though most of the campus buildings have fire alarm systems that are tied directly into an emergency dispatch center, it is still important to call 911 and report the incident. This follow-up phone call allows dispatchers to obtain additional information about the emergency and ensures that the proper

resources are responding to the incident.

### ***In an Emergency***

- Call 911
- Briefly state what happened and where it happened
- Provide your exact location or address as well as a room number if necessary
- Indicate if anyone was hurt and how badly
- Give your name and the extension you are calling from; do not hang up unless the dispatcher tells you to
- Wait in the area (if safe to do so) until the fire department, police department, or ambulance arrives
- In large facilities, have someone meet the fire department personnel at the entrance and guide them to the scene

The emergency dispatcher may need the following additional information for specific types of emergencies:

#### **Fires**

- What is burning?
- Is the fire small or large?

#### **Medical Emergencies**

- Is the person conscious or unconscious?
- How many people are injured?

#### **Hazardous Spills**

- The name of the material spilled, including the correct spelling, if known
- Is it a liquid, solid, or gas?
- Has anyone been exposed to the material?
- Has the flow been stopped?

Also report any actions that may have or are being taken (e.g., attempts to extinguish the fire, whether the area has been evacuated, or whether CPR has been started). This information will help emergency response personnel anticipate actions that may be required upon arrival.

**Fire Report 2019-2021**

Building Name	Address(Juneau , AK 99801)	Total Fires	Nature of Fire/Cause of the Fire	Property Damage	Number of Injuries	Deaths
Aurora Building	4300 University Dr	1 (September, 2020)	Arson/ Burning of supplies not in a designated area	\$0-99	0	0
Bear Building	4300 University Dr	0				
Coho Building	4300 University Dr	0				
Deer Building	4300 University Dr	0				
Eagle Building	4300 University Dr	0				
Fireweed Building	4300 University Dr	0				
Glacier Building	4300 University Dr	0				
Banfield Hall	4300 University Dr	0				
John Pugh Hall	11030 Auke Lake Way	0				

**FUTURE IMPROVEMENTS IN FIRE SAFETY**

UAS continuously seeks to improve its fire safety and fire prevention efforts to continue to evaluate current practices and look to implement new education opportunities to help ensure the safety of all students, faculty, and staff.

## STORAGE ON CAMPUS

Storage is an ongoing problem in offices, laboratories, corridors etc. Much of the storage consists of items that have not been used for years, or in some cases, equipment that does not even work. It is important that this type of storage be removed from the buildings and work areas. Excessive storage constitutes a fire hazards in any type of occupancy. The sprinkler systems in the campus buildings are not installed to protect tall piles.

Combustible rubbish stored in containers outside of a noncombustible vault or room shall be removed from buildings at least once each working day.

Dumpsters and containers with an individual capacity of 1.5 cubic yards or more shall not be stored in buildings or placed within 5 feet of combustible walls, openings or combustible roof eave lines.

### Storage inside of buildings

- Storage in buildings shall be orderly.
- Storage shall be maintained 2 feet or more below the ceiling in non-sprinklered areas of buildings. Storage shall be maintained 18 inches or more below sprinkler head deflectors in sprinklered areas of buildings.
- Combustible materials shall not be stored in exits or exit enclosures.
- Combustible material shall not be stored in boiler rooms, mechanical rooms or electrical equipment rooms.
- Fueled equipment, including but not limited to motorcycles, mopeds, lawn-care equipment and portable cooking equipment, shall not be stored, operated or repaired within a building unless the building or an area of the building is rated for such a use. Contact the [UAS Facilities Maintenance & Operations Manager](http://www.uas.alaska.edu/dir/azenger.html) (<http://www.uas.alaska.edu/dir/azenger.html>) if you have any questions in regards to parking or working on fueled equipment.
- Storage inside a building cannot be more than 12 feet (to top of storage — not top shelf). Storage in excess of 12 feet has additional code requirements.
- A clear space of at least 30" shall be maintained in front of each electrical or breaker panel.
- Excessive storage is not permitted inside offices. The sprinkler systems in office buildings are designed to handle fires in rooms with standard furnishings.

### Storage outside of buildings

- Outside storage of combustible material shall not be located within 10' of a property line.
- Combustible storage shall not be stored beneath a building or structure.



- Combustible materials stored or displayed outside of buildings that are protected by automatic sprinklers shall not be stored or displayed under non-sprinklered eaves, canopies or other projections or overhangs.
- Storage in the open shall not exceed 20 feet in height.

## **ADDITIONAL FIRE SAFETY RESOURCES (FIRE DEPARTMENT ACCESS AND FIRE EXTINGUISHERS)**

### **Fire Department Access**

Proper access to all UAS facilities is important to ensure a timely response to all emergencies.

### **Fire Lanes**

Fire lanes have been established throughout the campus to allow the fire department to gain access to buildings when responding to emergencies. These fire lanes are posted and must be kept clear at all times. No nonemergency vehicles are allowed to park on the fire lanes under any circumstances. UAS Facilities Services reviews all plans for building construction work areas, trailer locations and fencing changes to ensure proper access.

### **Building Access**

University facilities are equipped with Knox Boxes to allow the Fire Department access to the buildings after hours. The Knox Boxes are supposed to contain all the master keys necessary to enter every room in the building. It is the responsibility of all university personnel to ensure that the fire department has access to all areas. This means no special locks or keys being installed. If you need a lock or key change, contact Facilities Services (907-796-6496) for assistance. If the fire department does not have access to a room they will have to utilize forcible entry, which can cause a considerable amount of damage to the door. The occupant will be responsible for all costs associated with the repair and/or replacement of the door.

### **Fire Extinguishers**

The campus philosophy of prevention, automatic detection, exiting, automatic suppression, and a professional response to fire emergencies has diminished the role of manual fire suppression systems for general use, such as fire extinguishers, at UAS.

Automatic detection and suppression systems have an extremely effective record, and by allowing all occupants of a building to immediately exit, they do not place any life in danger to operate. Having fire extinguishers brings an expectation and in some cases a requirement to adequately train those who may feel the need to use them. This with the documented limited effectiveness of fire extinguishers and the fact use of fire extinguishers places one or more lives in danger, diminishes any advantages fire extinguishers may have had, especially when compared to automatic fire suppression systems. Therefore, whenever campus buildings are

fully protected by automatic fire systems, fire extinguishers will be limited to only high-hazard areas where properly trained personnel are available to use them. All non-sprinkled building shall have fire extinguishers whenever prudent and required by code.

When manual fire protection devices are removed due to the above policy all remnants (case, holder and sign) must be removed also. If not practical to do so, a sticker with the following will be placed:

*This facility has automatic fire detection, warning, and suppression systems for your safety. Manual systems have been removed.*

## Extinguisher Placement in Unprotected Buildings

One extinguisher (minimum rating of 2A10BC) within 75 feet travel distance from any point in the building, with additional extinguishers in areas of higher hazard (i.e. kitchens, shops, flammable liquid storage) per the Health and Safety Managers determination. Desired locations include kitchens and near exits or exit pathways.

## Use of Fire Extinguishers

Fire extinguishers are to be used by trained individuals only. At no time should anyone jeopardize their safety or that of others in an attempt to fight a fire. If in doubt, leave the area immediately, close the door behind you, activate the fire alarm (pull stations are located along exit pathways), and notify the fire department immediately by calling 911.

Look on the front of a fire extinguisher to determine what sort of fire the extinguisher will put out. Usually, extinguishers are labeled with the letters A, B, C or D. Each letter signifies a class of fires the extinguisher will suppress.

- A. Ordinary combustibles — Fires in paper, wood, drapes, and upholstery
- B. Flammable liquids — Fires in fuel oil, gasoline, paint, grease, solvents
- C. Electrical equipment — Fires in wiring, overheated fuse boxes, conductors and other energized electrical equipment
- D. Metals — Fires in certain metals, such as magnesium and sodium

An extinguisher marked “A, B, C” will put out fires involving ordinary combustibles (e.g., paper and wood), flammable liquids, and electrical equipment.

**IMPORTANT:** Do not use an inappropriate extinguisher on a given fire. Such a practice can make the fire worse and/or cause injury to the user. A common error is the use of a water extinguisher (A) on a grease or electrical fire (B or C).

To operate most fire extinguishers:

1. Pull the pin. Some units require the releasing of a lock latch, pushing a puncture lever, inverting or other motion.

2. Aim the extinguisher nozzle (horn, or hose) at the base of the fire.
3. Squeeze or press the handle. Shoot the retardant at the base of the fire, sweeping from side to side. Watch for re-flash.

Although the above instructions apply to most extinguishers, there are exceptions, e.g., foam and water extinguishers require slightly different actions.

**READ THE INSTRUCTIONS** on all extinguishers in or near the work area. Before attempting to fight an electrical fire, turn off the power to the involved electrical device. Turn off the circuit breaker or switch, or unplug the device.

## Fire Extinguisher Training

Fire extinguisher training is available for those employees and individuals that may be required to use them in the course of duty. Department heads and/or facility managers are to contact [UAS Facilities and Services](http://www.uas.alaska.edu/facilities_services/index.html) ([http://www.uas.alaska.edu/facilities\\_services/index.html](http://www.uas.alaska.edu/facilities_services/index.html)) for scheduling a class and details.

## Requesting a Fire Extinguisher

Equipment changes or remodeling may result in a need for additional fire extinguishers.

Request approval from the [UAS Facilities Maintenance & Operations Manager](http://www.uas.alaska.edu/dir/azenger.html) (<http://www.uas.alaska.edu/dir/azenger.html>) at 907-796-6511. After approval, a work order is to be submitted by the department head and/or facility manager to [UAS Facilities and Services](http://www.uas.alaska.edu/facilities_services/index.html) ([http://www.uas.alaska.edu/facilities\\_services/index.html](http://www.uas.alaska.edu/facilities_services/index.html)) (907-796-6496) to install the new fire extinguisher and to list it on the maintenance schedule.

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[1] Definitions from The Center For Campus Fire Safety

