

# Annual Notifications and Disclosures

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Notice of Nondiscrimination (BOR Policy & Regulation 01.02.020 (<http://alaska.edu/bor/policy-regulations/>))

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 Anchorage  
 Director, Office of Equity and Compliance  
 3190 Alumni Drive, Suite 352  
 Anchorage, AK 99508  
 Phone: 907-786-6086  
 E-mail: [uaa\\_titleix@alaska.edu](mailto:uaa_titleix@alaska.edu)  
 UAA Office of Equity and Compliance Web Page (<https://www.uaa.alaska.edu/about/equity-and-compliance/>)

University of Alaska Fairbanks  
 Director, ADA/504 Coordinator, Department of Equity and Compliance

355 Duckering Building, 1760 Tanana Loop  
 PO Box 756910  
 Fairbanks, AK 99775-6910  
 Phone: 907-474-7300  
 E-mail: [uaf-deo@alaska.edu](mailto:uaf-deo@alaska.edu)  
 UAF Department of Equity and Compliance Web Page (<https://www.uaf.edu/equity/>)

University of Alaska Southeast  
 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)  
 UAS Title IX Web Page (<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, or both:

UAA Title IX Coordinator  
 3190 Alumni Drive, Suite 352  
 Anchorage, AK 99508  
 Phone: 907-786-6086  
 E-Mail: [uaa\\_titleix@alaska.edu](mailto:uaa_titleix@alaska.edu)  
 UAA Office of Equity and Compliance Web Page (<https://www.uaa.alaska.edu/about/equity-and-compliance/>)

UAF Title IX Coordinator  
 355 Duckering Building, 1760 Tanana Loop  
 Fairbanks, AK 99775-6910  
 Phone: 907-474-7300  
 E-Mail: [uaf-tix@alaska.edu](mailto:uaf-tix@alaska.edu)  
 UAF Department of Equity and Compliance Web Page (<https://www.uaf.edu/equity/>)

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)  
 UAS Title IX Web Page (<http://www.uas.alaska.edu/titleix/>)

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)  
 U.S. Department of Education Office of Civil Rights Web Page (<http://www2.ed.gov/about/offices/list/ocr/docs/howto.html>)

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)  
U.S. Department of Education Office of Civil Rights Web Page (<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  
U.S. Equal Employment Opportunity Commission Website (<https://www.eeoc.gov/filing-charge-discrimination/>)

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)  
U.S. Department of Justice Civil Rights Division 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 Commission for Human Rights  
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  
Alaska State Commission for Human Rights Website (<https://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: [CRCEXternalComplaints@dol.gov](mailto:CRCEXternalComplaints@dol.gov)  
U.S. Department of Labor Office of External Enforcement Web Page (<https://www.dol.gov/agencies/oasam/centers-offices/civil-rights-center/external/>)

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 Avenue (<https://maps.google.com/?q=2415+Eisenhower+Avenue+%0D%0A+Alexandria,+VA+22314&entry=gmail&source=g>)  
Alexandria, VA 22314 (<https://maps.google.com/?q=2415+Eisenhower+Avenue+%0D%0A+Alexandria,+VA+22314&entry=gmail&source=g>)  
Phone: 703-292-8020  
E-mail: [ProgramComplaints@nsf.gov](mailto:ProgramComplaints@nsf.gov)  
National Science Foundation Office of Diversity and Inclusion Web Page (<https://www.nsf.gov/od/odi/>)

UA's grievance procedures and grievance process under Title IX, including how to report or file a formal complaint of sex discrimination, how to report or file a formal complaint of sexual harassment, and how UA will respond are located in UA Board of Regents' Policy and Regulation Chapter 01.04. (<https://alaska.edu/bor/policy/01.04-Sex%20and%20Gender-Based%20Discrimination%20Under%20Title%20IX.pdf>) This chapter defines prohibited behavior and details the administrative grievance procedures and grievance process for inquiries, investigations, hearings, and appeals which apply when prohibited behavior is alleged to have occurred.

## Biographic/Demographic Information

UAA must comply with state and federal reporting requirements and therefore requires that students provide specific biographic or demographic information on registration or admission forms. The University uses the information for statistical purposes and as an identifier for University records. This information is relevant to the University's admission and enrollment policies. The University is careful to guard private information and does not discriminate on the basis of this information.

## Social Security Number

The University of Alaska has established student identification numbers and does not use Social Security numbers for student identification. The University is still required to collect a valid Social Security number

from each student for IRS, employment and federal financial aid purposes. The last four digits of the Social Security number are included on official transcripts for identification matching purposes.

## Campus Diversity and Compliance

Through the institution's Affirmative Action Plan, UAA recognizes its responsibility to provide education and employment opportunities for all qualified individuals. UAA also operates an Office of Equity and Compliance that monitors civil rights, federal and state laws, orders and decisions to ensure that access, inclusion and equity are practiced at UAA. Students and prospective students are afforded educational services, such as admission decisions, financial aid, access to academic programs and health and counseling services, without regard to race, color, religion, national origin, age, sex, sexual orientation, gender identity, veteran status, physical or mental disability, marital status, genetic information, pregnancy, or parenthood, except as necessary and permitted by law.

## Annual Security and Fire Safety Report

The Annual Security and Fire Safety Report (<https://www.uaa.alaska.edu/safety/>) contains information regarding campus safety and security including topics such as: campus law enforcement authority; crime reporting policies; campus alerts (Timely Warning and Emergency Notifications); fire safety policies and procedures; programs to prevent dating violence, domestic violence, sexual assault and stalking; the procedures the University will follow when one of these crimes is reported; and other matters of importance related to security on campus. The report also contains information about crime statistics for the three most recent calendar years concerning reported crimes that occurred on campus; in On-Campus Student Housing Facilities; in Noncampus buildings or property owned or controlled by the University or a recognized student organization; and on public property within, or immediately adjacent to and accessible from, the campus. The report also contains fire statistics for any fires occurring in an On-Campus Student Housing Facility during the three most recent calendar years.

If you would like to receive a paper copy of the Annual Security and Fire Safety Report, you can stop by the UAA Police Department Office at Room 114 of Eugene Short Hall on the Anchorage campus or request a copy be mailed to you by calling 907-786-1120 or emailing [police@uaa.alaska.edu](mailto:police@uaa.alaska.edu). You may also stop by the UAA Dean of Students Office in Room 122 of Rasmuson Hall on the Anchorage campus or request a copy be mailed to you by calling 907-786-1214 or emailing [uaa\\_deanofstudents@alaska.edu](mailto:uaa_deanofstudents@alaska.edu).

## Computer Use and Software Copyright Policy

All faculty, staff, and students who use any computer at the University are responsible for using computer resources in an ethical and legal manner. For detailed information see the Acceptable Use Policy (<http://www.uaa.alaska.edu/informationtechnologyservices/>).

## Copyright and Intellectual Property

### Summary of Civil and Criminal Penalties for Violation of Federal Copyright Laws

Copyright infringement is the act of exercising, without permission or legal authority, one or more of the exclusive rights granted to the copyright owner under section 106 of the Copyright Act (Title 17 of

the United States Code). These rights include the right to reproduce or distribute a copyrighted work. In the file-sharing context, including peer-to-peer file sharing, downloading or uploading substantial parts of a copyrighted work without authority constitutes an infringement.

Penalties for copyright infringement include civil and criminal penalties. In general, anyone found liable for civil copyright infringement may be ordered to pay either actual damages or "statutory" damages affixed at not less than \$750 and not more than \$30,000 per work infringed. For "willful" infringement, a court may award up to \$150,000 per work infringed. A court can, in its discretion, also assess costs and attorneys' fees. For details, see Title 17, United States Code, Sections 504, 505.

Willful copyright infringement can also result in criminal penalties, including imprisonment of up to five years and fines of up to \$250,000 per offense. For more information, please see the website of the U.S. Copyright Office (<http://www.copyright.gov>).

## Drug-Free Schools Notification

The Drug-Free Schools Notification (<https://www.uaa.alaska.edu/students/drug-free-schools-notification.cshhtml/>) contains UAA's alcohol and other drug policies and behavioral expectations for students and employees, disciplinary actions for violations of these policies, and resources available for assistance with alcohol and other drug issues. This notification contains physiological effects, risks and criminal penalties associated with alcohol and other drug use. Request a paper copy from the UAA Dean of Students Office in Room 122 of Rasmuson Hall on the Anchorage campus.

## Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act (FERPA) affords eligible students certain rights with respect to their education records. An "eligible student" under FERPA is a student who is 18 years of age or older or who attends a postsecondary institution, regardless of age. These rights include:

1. The right to inspect and review the student's education records within 45 days of the day the University receives a request for access. A student should submit to the Office of the Registrar a written request (email or letter) that identifies the record(s) the student wishes to inspect. The registrar will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the registrar, registrar-designated staff shall advise the student of the correct official to whom the request should be addressed.
2. The right to request the amendment of the student's education records that the student believes is inaccurate, misleading or otherwise in violation of the student's privacy rights under FERPA.

A student who wishes to ask the University to amend a record should write the University official responsible for the record, clearly identify the part of the record the student wants changed, and specify why it should be changed.

If the University decides not to amend the record as requested, the University will notify the student in writing of the decision and the

student's right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

3. The right to provide written consent before the University discloses personally identifiable information from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

The University discloses education records without a student's prior written consent under the FERPA exception for disclosure to school officials with legitimate educational interests. A school official is a person employed by the University in an administrative, supervisory, academic, research or support staff position (including law enforcement unit personnel and health staff); a person serving on the Board of Regents; or a student serving on an official committee, such as a disciplinary or grievance committee. A school official also may include a volunteer or contractor outside of the University who performs an institutional service or function for which the University would otherwise use its own employees and who is under the direct control of the University with respect to the use and maintenance of personally identifiable information from education records, such as an attorney, auditor, or collection agent or a student volunteering to assist another school official in performing their tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill their professional responsibilities for the University.

Upon request, the University also discloses education records without consent to officials of another school in which a student seeks or intends to enroll.

The University also discloses information without a student's prior written consent under the FERPA exception for disclosure of information that it has designated as "directory information."

See the list below of the other disclosures that the University may make without consent.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the University to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

*Student Privacy Policy Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-8520*

The following information is designated as directory information by the university:

1. Names of students
2. Dates of attendance at the University
3. Program/major field(s) of study
4. Degrees and certificates received, including dates
5. Participation in officially recognized University activities
6. Academic and co-curricular awards, honors and scholarships received and dates received

7. Weight and height of students on athletic teams
8. Students' electronic mail addresses
9. Hometown city, state/province and country
10. Enrollment status (e.g. full time, part time)

The following information is designated as limited directory information by the university and will only be used by university officials for verification purposes and only in conjunction with a legitimate educational interest:

1. Student ID (UA ID)
2. Date of birth

A student may inform the Office of the Registrar in writing that they do not give permission for the University to release their directory information or may submit the request (<https://www.alaska.edu/uonline/>) through UAOnline. The request is valid until a subsequent request to release directory information is received in writing or through UAOnline.

FERPA permits the disclosure of personally identifiable information from students' education records, without consent of the student, if the disclosure meets certain conditions found in §99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the student, §99.32 of FERPA regulations requires the institution to record the disclosure. Eligible students have a right to inspect and review the record of disclosures.

A postsecondary institution may disclose personally identifiable information from the education records without obtaining prior written consent of the student:

- To other school officials, including teachers, within the University whom the University has determined to have legitimate educational interests. This includes contractors, consultants, volunteers or other parties to whom the University has outsourced institutional services or functions, provided that the conditions listed in §99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(2) are met. (§99.31(a)(1))
- To officials of another school where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of §99.34. (§99.31(a)(2))
- To authorized representatives of the U.S. comptroller general, the U.S. attorney general, the U.S. secretary of education, or state and local educational authorities, such as a state postsecondary authority that is responsible for supervising the University's state-supported education programs. Disclosures under this provision may be made, subject to the requirements of §99.35, in connection with an audit or evaluation of federal- or state-supported education programs, or for the enforcement of or compliance with federal legal requirements that relate to those programs. These entities may make further disclosures of personally identifiable information to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. (§§99.31(a)(3) and 99.35)

- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§99.31(a)(4))
- To organizations conducting studies for, or on behalf of, the University, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction. (§99.31(a)(6))
- To accrediting organizations to carry out their accrediting functions. ((§99.31(a)(7))
- To parents of an eligible student if the student is a dependent for IRS tax purposes. (§99.31(a)(8))
- To comply with a judicial order or lawfully issued subpoena. (§99.31(a)(9))
- To appropriate officials in connection with a health or safety emergency, subject to §99.36. (§99.31(a)(10))
- To a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense, subject to the requirements of §99.39. The disclosure may only include the final results of the disciplinary proceeding with respect to that alleged crime or offense, regardless of the finding. (§99.31(a)(13))
- To the general public, the final results of a disciplinary proceeding, subject to the requirements of §99.39, if the University determines the student is an alleged perpetrator of a crime of violence or non-forcible sex offense and the student has committed a violation of the University's rules or policies with respect to the allegation made against them (§99.31(a)(14))
- To parents of a student regarding the student's violation of any federal, state, or local law, or of any rule or policy of the University, governing the use or possession of alcohol or a controlled substance if the University determines the student committed a disciplinary violation and the student is under the age of 21. (§99.31(a)(15))

The University does not provide information pertaining to student records to parents or guardians unless the student has provided written permission to do so or when there is a health or safety emergency which warrants such disclosure.

The University does not provide copies of student lists to groups or organizations outside the University except in cases outlined above.

## Free Speech and Academic Inquiry

In the pursuit of knowledge, any member of the University community shall be free to investigate and question any fact, context, action, purpose or belief that is encountered in any discipline. Any member shall be free to articulate discoveries, opinions and judgments that are found or formed in the process. UAA enables and encourages this activity and creates a culture of inquiry that is open to the expression and debate of ideas, whether or not they are popular, judicious or refined.

## Gender-Based and Sexual Misconduct Policy

Members of the University of Alaska Anchorage community and visitors have the right to be free from all forms of gender and sex-based discrimination, including sexual violence, sexual harassment,

domestic violence, dating violence and stalking. Gender-based and sexual misconduct has a negative impact on victims and other members of our community. UAA expects all members of the community to conduct themselves in a manner that does not infringe upon the rights of others. Therefore, UAA has a zero-tolerance policy for gender-based and sexual misconduct.

UAA prohibits rape, acquaintance rape, sexual assault, sexual harassment, stalking, dating violence and domestic violence. In the event that a sexual assault, or act of stalking, dating violence, or domestic violence does occur, UAA takes the matter very seriously. UAA will take steps to stop the behavior, prevent its recurrence and provide remedies for victims. Individuals with questions about this policy may call the Office of Equity and Compliance at (907) 786-0818.

## Harassment

UAA is a community that cherishes the free and open exchange of ideas in the pursuit of knowledge. Maintaining this freedom and openness requires the presence of safety and trust; it requires the absence of coercion, intimidation and exploitation. Harassment subjects its victims to pressures that destroy the conditions necessary for true learning. Faculty, supervisors and the leadership are principally responsible for creating a harassment-free community at UAA and all campus constituents are expected to help maintain a positive working and learning environment. Additionally, all members of the campus community are expected to conduct themselves in a manner that does not infringe upon the rights of others.

Anyone who believes they have been a victim of harassment should contact the following:

UAA Office of Equity and Compliance	(907) 786-0818
Office of the Dean of Students, if alleged harasser is a student	(907) 786-1214
Human Resource Services	(907) 786-4608
U.S. Department of Labor (Office of Federal Contract Compliance Programs, Seattle District Office)	(206) 757-3803
U.S. Department of Education, Office of Civil Rights	(206) 607-1601

UAA takes all matters of sexual harassment, sexual assault and sexual violence seriously. Title IX prohibits gender discrimination in all programs and activities. In accordance with Title IX regulations, UAA has designated the director of the Office of Equity and Compliance as the University's Title IX coordinator responsible for overseeing UAA's Title IX compliance effort. If you have concerns or need to report an incident, please contact the Title IX Coordinator at [uaa\\_titleix@alaska.edu](mailto:uaa_titleix@alaska.edu) or visit the Title IX website (<http://www.uaa.alaska.edu/equity-and-compliance/>) to file an online report.