PROTECTION OF MINORS POLICY

May 23, 2013

1.0 Purpose

The University of Alaska Fairbanks (UAF), as part of its mission, promotes and engages in many programs, events and activities that involve Minors throughout all of its campuses. Protection and safety of Minors is of the highest priority for UAF and its departments. The purpose of this policy is to provide protection of Minors engaged in programs, events and activities provided or endorsed by UAF.

2.0 Scope

This policy covers UAF employees and volunteers at all UAF campuses and sites utilized by UAF that participate in or provide programs, events and activities for Minors. The policy also covers any contractors that engage with Minors at UAF campuses as required by their contracts, as well as outside parties that use UAF facilities. The policy does not cover employees that bring their children to work (see UA Risk Services Publication Minors in the Workplace at http://www.alaska.edu/risksafety/h_procedure-guide-library/).

3.0 Definitions

a) Abuse may include, but is not necessarily limited to, the following types and descriptions:
   - Physical Abuse: hitting, spanking, shaking, slapping, unnecessary restraints
   - Verbal Abuse: degrade, threaten, curse
   - Sexual Abuse: inappropriate touch, exposing oneself, sexually oriented conversations
   - Mental Abuse: shaming, humiliation, cruelty
   - Neglect: unreasonable withholding of food, water, shelter, and reasonable medical attention

b) Authorized Adults are individuals, paid or unpaid, who in their official capacity interact with, supervise, chaperone, act as a caregiver for or oversee and have responsibility for Minors in program activities, events, recreational activities and residential facilities. This includes but is not limited to faculty, staff, volunteers, graduate and undergraduate students, interns, temporary employees, and independent contractors and consultants.

c) Caregiver is someone who is responsible or intends to care for and actively controls a Minor when parents or legal guardians do not stay with the Minor during a UAF Sponsored Activity; Caregiver status does apply during to adults at public events where the expectations are for parental supervision.

d) Child is a person age 12 or under.
e) **Child abuse or neglect** is the negligent treatment or maltreatment, injury, sexual abuse, or sexual exploitation of a Minor by any person under circumstances which indicate that the child’s health, welfare and safety is harmed or threatened (AS 47.17.290)\(^1\). Abuse may be inflicted by any person and may include Minor-to-Minor abuse or Authorized Adult-to-Minor abuse.

f) **Contact** is the care, supervision, guidance or control of Minors or routine interaction with Minors.

g) **Mandated Reporters** are persons that are required to report child abuse. They are health practitioners or administrative officers of institutions; teachers and school administrators; child care providers; paid employees of domestic violence and sexual assault programs, crisis intervention and prevention programs, or organizations that provide counseling or treatment to individuals seeking to control their use of drugs or alcohol; peace officers or officers of the Department of Corrections; persons who process or produce visual or printed matter, either privately or commercially; members of a child fatality review team or the multidisciplinary child protection team (AS 47.17.020)\(^1\).

h) **Minor** is a person under the age of 18 years (A.S. 25.20.10)\(^1\).

i) **Program Leader** is a UAF employee that is providing a program for Minors.

j) **UAF Hosted Activity** is a program, event or activity occurring on a UAF campus offered by groups, organizations or agencies unaffiliated with and not sponsored by UAF.

k) **UAF Sponsored Activity** is a program, event or activity staffed by Authorized Adults and offered by various academic or administrative units of UAF, including student organizations, or in cooperation with outside entities on behalf of UAF.

l) **University Scheduled Classes** are classes that are part of the UAF class schedule that support college students’ goals for a degree. Does not include SRC Recreational Camps, Summer Sessions Summer Youth Programs, and Departmental Summer Programs for Minors.

m) **Visiting Minors** are Minors not participating in any program, event or activity that is sponsored by UAF and do not live on campus.

n) **Volunteers:** Requirements to meet the volunteer definition are found in the guidance document *SORS Guidelines for Departments Using Volunteer Services*.  

\(^1\) For actual language access [http://www.legis.state.ak.us/basis/folio.asp](http://www.legis.state.ak.us/basis/folio.asp) and search the most recent Alaska Statutes
4.0 **Roles and Responsibilities**

a) **Chancellor**: Establishes and communicates policy; is advised of any policy violation; ultimately responsible for incidents on campus; responsible for reporting incidents or concerns per established reporting procedures. Appoints the Protection of Minors Committee members. After consideration, the Chancellor may remove committee members at his or her discretion.

b) **Vice Chancellor**: Communicates policy to subordinates, enforces policy requirements; accountable for policy compliance; identifies high risk activities and events within their units; receives reports from subordinates on policy compliance; receives reports of any incidents, communicates incidents to Chancellor and risk management; responsible for reporting incidents or concerns per established reporting procedures.

c) **Deans and Directors**: Communicates policy to subordinates; identifies programs, events, and employees that have the potential for risk; enforces policy requirements, accountable for policy compliance; reports to Vice Chancellor or Provost on compliance; reports incidents to Vice Chancellor or Provost; responsible for reporting incidents or concerns per established reporting procedures.

d) **Protection of Minors Committee (Committee)**: Responsible for receiving and addressing reports or concerns of alleged abuse on any UAF facility or site utilized by UAF for any events, programs or activities; develops plans for investigation and works with the Police to determine criminal activity; helps ensure proper reporting has been complete to Office of Children’s Services (OCS) when appropriate; delegates administrative issues to appropriate UAF administrators.

The committee members shall be appointed by the Chancellor for a term of two years. The Committee shall include the following UAF Department Deans, Directors, Vice Chancellors or their designees: Police Department, Human Resources, Risk Management, University and Student Advancement, Community and Technical College, CRCD, Diversity and Equal Opportunity, a member of the teaching faculty, a member of the research faculty, and Residence Life.

All members of the Committee shall sign a confidentiality agreement, subject to applicable laws, prior to participating on the Committee.

e) **Police**: Responsible for reporting incidents or concerns per established reporting procedures, receives reports or concerns from all University personnel and appropriately investigates criminal activity or delegates administrative issues to appropriate UAF administrators.
f) **Environmental, Health, Safety and Risk Management (EHSRM):** Responsible for coordinating campus programs, events, and activities that include Minors to ensure compliance with training, background checks and designation of volunteers; track and report on training compliance. Provides guidance to supervising units.

g) **Office of Diversity and Equal Opportunity:** Responsible for advocacy of the employee that reported the alleged investigation and the reporter, if an employee. Provides information regarding the investigation to the reporter and the person being investigated.

h) **Sponsoring Unit:** Responsible for identification of Minor interaction within the activity, event or program and coordination with Risk Management to identify the requirements as they pertain to Minors.

i) **Supervisors:** Responsible for identification of high risk activities, events, programs; schedules and attends required training per policy; accountable for employee policy compliance and enforcement; responsible for reporting incidents or concerns per established reporting procedures.

j) **Employees:** Responsible for reviewing the Protection of Minors on Campus Policy and adhering to its requirements.

k) **Human Resources:** Responsible for policy enforcement, advising supervisors on discipline for employees who fail or refuse to comply with established policy; responsible for reporting incidents or concerns per established reporting procedures; responsible for establishing procedures for and monitoring criminal background checks; responsible for approving Authorized Adults.

l) **Program Leader:** Required to read and understand this policy, adhere to its requirements, and have a reporting process for incidents that may arise.

m) **Advisory Board for Alleged Incidents:** Oversight to review the investigation of any allegation of abuse involving Minors and any sanctions imposed on the alleged abuser. The board shall report to the Chancellor. Members of the board shall include three persons who are independent from the University and who shall serve without remuneration for their service. The Advisory Board has the ability to challenge the findings of the investigation or imposed sanctions and discusses the case with Chancellor and/or General Counsel.
5.0 Implementation

5.1 Protection of Minors Committee

The Committee shall meet, at a minimum, on a quarterly basis. The Committee shall oversee the
development of procedures to support implementation of this policy as well as update the policy when
necessary. The Committee shall support the development of a safe environment for events, activities
and programs that include Minors. The Committee shall be responsible for ensuring the investigation of
an alleged abuse involving a Minor is completed.

5.2 Program Registration

Departments shall notify EHSRM a minimum 60 days prior to the first scheduled date of participation of
Minors in any activity, program or classes or as soon as the program leader or sponsoring unit is aware
of the activity. For UAF Sponsored events, the UAF Events form shall be utilized to identify participation
of Minors. For other programs, activities or classes, including Summer Sessions, EHSRM should be
notified within the timeframe mentioned above either by phone or from the UAF Protection of Minors
website (www.uaf.edu/safety/minors).

Contact shall be made by the UAF Risk Manager or other appropriate member of the Committee to
discuss the activity, program or class with the program owner to determine training and other
requirements associated with Minor participation.

For University scheduled classes (see definition) that are open to Minors, no registration is required. If
special classes are held specifically for Minors, notification as discussed above is required.

5.3 Employee and Volunteer Screening

Human Resources shall establish procedures for background checks of employees and volunteers. All
Authorized Adults shall submit to a criminal history background check in advance of their participation in
events, programs or activities where Minors will be present and are under the care or control of the
Authorized Adult.

HR shall review background check results and approve Authorized Adult participation in the activity,
program, or event. Once a background check has been performed and participation approved, the
Authorized Adult may participate in any campus event involving Minors. At a minimum, the background
checks will include a national criminal background check, a county, borough or city background check in
any place in which the applicant has lived for the past seven years, and a national sex offender registry check.

Authorized Adults shall, at a minimum, be background checked every three years.

Volunteers who shall be in contact with Minors (under age 18) must be approved by Risk Management and Human Resources and may be subject to a criminal background check.

Background checks are not required for Authorized Adults and volunteers managing and participating in UAF events and activities where there is a reasonable expectation that parents or guardians will be responsible for their Minors during the event or activity. Also, UAF is not responsible for performing background checks for participants in UAF Hosted Events. Contractors’ responsibilities are outlined in section 5.5.

5.4 Employee and Volunteer Training

All UAF employees must take awareness training. This training shall, at a minimum, include a review of UAF’s Protection of Minors Policy; procedures for reporting suspected abuse; and awareness for prevention of Minor abuse. This training must be completed within 60 days of hire or before functioning as an Authorized Adult.

Additional training shall be required for Authorized Adults where Minors are under their care or control. This training will include, but not be limited to:

- Recognizing red flag behaviors in adults (i.e. grooming techniques)
- How to manage high-risk activities
- Establishing and maintaining appropriate boundaries with youth
- Preventing sexually acting out and abuse

Daycare workers shall complete all required UAF training under this policy as well as meeting the training requirements of the State of Alaska for Day Care facilities.

5.5 Program Requirements

Minor Safety/Security Measures
Every program/department should establish security and emergency measure for Minors, including but not limited to:
An Authorized Adult must provide every Minor with reasonable and appropriate supervision while that Minor is on campus. Unless otherwise approved by EHSRM, every program at which Minors are present must have a minimum Authorized Adult to Minor ratio of the following:

<table>
<thead>
<tr>
<th>Type</th>
<th>Ratio Note 1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Daycare Facilities</td>
<td>State of Alaska Administrative Code: 7 AAC 57.510²</td>
</tr>
<tr>
<td>UAF Sponsored Events with caregiver</td>
<td>State of Alaska Administrative Code: 7 AAC 57.510²</td>
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<tr>
<td>responsibilities</td>
<td></td>
</tr>
<tr>
<td>UAF Sponsored Events without caregiver</td>
<td>No required ratio, based on event</td>
</tr>
<tr>
<td>responsibilities</td>
<td></td>
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<tr>
<td>UAF Hosted Activities</td>
<td>State of Alaska Administrative Code: 7 AAC 57.510²</td>
</tr>
<tr>
<td>K-12 School Partnerships</td>
<td>See paragraph on page 9 of this policy</td>
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</tbody>
</table>

Note 1: The ratio for 13-17 year old Minors is established at a minimum of one Authorized Adult to 18 Minors, additional Authorized Adults should be added at the discretion of the program or EHSRM. Traditional classroom settings with instructors may require a different ratio.

Drop off and pick up procedures with a requirement that every Minor be checked-in and out daily from camps, programs and long term activities, with the exception of a Minor attending University scheduled classes. Minors under the age of 13 shall be released to only a parent or guardian unless 1) prior arrangements have been made; 2) a note with the parents’ signature naming the individual picking up the child is on-file; and 3) identification from the person named by the parent.

Safety briefings specific to the activity and this policy shall be provided to the Minors and their parents or legal guardian. Briefings can take the form of a meeting or memo, but must be documented. Included in the safety briefing must be information on where the Minor goes if they become lost or separated from the group, parent, or guardian.

A visiting child should be accompanied by a parent or guardian at all times. It is the parent or guardians responsibility to ensure the safety of the Minor. If it is determined that a child is left alone, they shall be escorted to a safe location until the parent is contacted. Safe locations will be documented on the Minors on Campus Website.

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² The ratio can be found by accessing the Alaska Administrative Code at [http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/aac/query=JUMP:'Title7Chap57I2C+aI2E+5'\doc/(@1)?firsthit](http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgi-bin/folioisa.dll/aac/query=JUMP:'Title7Chap57I2C+aI2E+5'\doc/(@1)?firsthit)
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- Alcohol consumption of Minor on campus is not allowed. Should a Minor be found with alcohol or inebriated, the parents or guardian of the Minor shall be called requesting that the Minor be removed from campus. In addition, the UAF police department will be notified.

- A child may accompany parent or guardian on a research trip only if another adult is along to provide care for the child. The researcher and research staff are not to be utilized for this function. In addition, the release of liability form for family/friend accompaniment must be completed and turned into the department and EHSRM prior to travel arrangements being made. EHSRM will review the trip for any additional requirements in regards to the child attending. http://www.alaska.edu/risksafety/g_forms-library/travelaccompanimentwaiver.pdf

- UAF Sponsored concert and movie activities that are open to the public shall use the following rating scales for age and content:
  - Concerts: Entertainment Software Rating Board [www.esrb.org](http://www.esrb.org)
  - Movies: Motion Picture Association of America [http://www.mpaa.org/ratings/what-each-rating-means](http://www.mpaa.org/ratings/what-each-rating-means)

  These ratings shall be placed on all advertisements, posters, and flyers and presented in radio and television ads.

Immunization, First Aid and Medical Care

Daycare facilities and UAF Sponsored Events with caregiver responsibilities shall require a signed Emergency Medical Release Consent form; a signed UAF Participant Medical Record form which includes documentation of immunizations; and proof of insurance. At least one on-site Authorized Adult shall be trained in basic first aid.

Parents shall be notified immediately of any serious or emergency medical care. First aid, to the extent that the staff is trained, shall be provided as needed by staff members and parents notified at next contact by staff.

Liability Waivers and Consent

Liability waivers and consent forms for all Minor activities that are associated with a UAF Sponsored Event may be required, dependent upon the activity. In general, all activities that require a higher level of skill, strength and/or endurance shall require a liability waiver; these include, but are not limited to: water sports, rock and rock/ice wall climbing; working with power tools or tools that produce flame or heat; working in the culinary program with professional kitchen equipment and knives; activities involving domesticated and wild animals, and skiing/snowboarding and mountain biking. Consultation with EHSRM Risk Manager shall determine what the activity requires after review of the event.
Liability concerns for UAF Hosted activities shall be addressed in the contract documents (see Contractors, Facilities Use Agreements, and Non-UAF Events below).

**K-12 School Partnerships**
UAF shall honor the ratio of Authorized Adult(s) to Minors established within the K-12 school or school district (referred to as School) when UAF provides activities for School attendance. However, the School shall be responsible for the care of the School’s Minors at all times. If the Minors attending UAF activities, field trips and other events sponsored through the School must be split into groups, the School shall provide a responsible person (teacher, chaperone, instructor) with all groups at all times.

**Contractors, Facilities Use Agreements, and Non-UAF Events**
Contractual agreements concerning personnel or facilities related to programs, activities and events including Minors must comply with this policy. The following shall be included as a term of the contract where contractors have responsibility for or interaction with Minors on UAF campuses as part of their contract.

If this contract involves contact with minors, the following provisions shall be in effect:

A. Contractor shall defend, indemnify and hold harmless the University, its Board of Regents, officers and employees, from and against any and all claims, causes of action, losses liabilities, damage or judgments directly or indirectly related to any mental or physical injury or death arising out of its contact or its conduct or the contact or conduct of its directors, employees, subcontractors, agents or volunteers with minors including sexual abuse of minors as defined by Alaska statute.

B. Contractor shall purchase an insurance rider that covers and protects the University from claims and losses for the abuse defined in A. above and provide the University with a copy of that rider prior to the commencement of work under this contract.

C. Contractor shall present the University with certification prior to the commencement of work under this contract that all employees, directors, subcontractors, agents or volunteers that may have Contact with children shall:

1. be trained and certified in the identification, prevention and reporting of the sexual abuse of minors;
2. receive a local and nation-wide criminal background check;
3. be prohibited from working under this contract involving Minors if they:
   i. have been convicted of a crime of violence, neglect, or abuse against a Minor,
ii. are a registered sex offender,
iii. have been convicted of an assault, reckless endangerment, neglect, or
iv. have been convicted of possession of child pornography.

 Contractors shall be held to the same standard as employees and volunteers of UAF and shall be provided a copy of this policy.

 D. Failure to satisfy A, B, C above may result, at the University’s sole discretion, with immediate termination of this contract, without regard to any other termination provision.

 Information Provided to Parents/Guardians of Minors
This policy and associated guidance shall be provided to parents/guardians of Minors on request. It shall also be available on the website for public view. All programs and activities that involve Minors shall provide information on the availability of the documents.

5.6 High Risk Locations and Activities

A variety of interactions with Minors occurs on UAF campuses. In general, activities at higher risk for abuse are found in the following areas:

- When faculty, staff or volunteers are alone with a Minor
- In bathing and bathroom areas
- In areas that afford privacy
- During activities that are associated with water use, including, but not limited to, pools, showers, bathing areas, swimming, river rafting
- During camps and programs where the Minors are housed overnight
- Transporting Minors
- Off-Campus activities and programs

As discussed in Section 5.1 of this policy, all programs, events and activities shall be registered to determine the requirements for all UAF Sponsored programs. Training, employee and volunteer screening requirements shall be based on the activity and interactions with the Minors.

5.7 Conduct Requirements

Employees, volunteers or any adult participating in programs, events and activities covered by this Policy:

- Shall not have secrets with Minors.
Shall avoid private displays of affection.

Shall not use or be under the influence of alcohol or illegal drugs in the presence of Minors or during such programs or activities.

Shall not discuss sexual encounters, have sexually oriented materials, or in any way involve Minors in their personal problems or issues.

Shall not abuse Minors in any way including physical abuse, verbal abuse, mental abuse, sexual abuse or neglect.

Shall not have one-on-one contact with Minors outside the presence of others; it is expected that activities where Minors are present shall involve two or more employees, Authorized Adults, or Volunteers.

Mentoring programs that involve private instruction of Minors (laboratory, music instruction, etc.): the parent or legal guardian should be asked to remain; otherwise when only one adult is present, the activity should take place in a room where a window is present to allow for outside visibility. If no window is present, then the door shall remain open if possible.

Shall not participate in an overnight activity under the auspices of a program, event or activity, unless (1) a parent or legal guardian has given their written consent; 2) are at least two Authorized Adults, employees or volunteers present and one must be an Authorized Adult; and 3) the Authorized Adults, employees or volunteers must be gender appropriate. Male and female Minors shall not be assigned to sleep in the same room overnight unless accompanied by their parents or legal guardian. No Authorized Adult, employee, or volunteer shall share a room, tent, or sleeping area with a Minor unless they are the Minor’s parent.

Shall not be alone with a Minor in the adult’s living quarters.

Shall not shower, bathe, or undress with or in the presence of Minors. If there is a need to bathe, separately assigned facilities for adults, male Minors and female Minors are made available. Authorized adults and Minors should NEVER use the same bathing facilities simultaneously.

Authorized Adults shall make sure suspicious or unknown individuals do not occupy the restroom before allowing a child to use the facilities. An Authorized Adult should stand outside the doorway while a child is using the restroom. If Authorized Adults must assist younger children, doors to the facility must remain open.

Shall not allow Minors into high-risk areas without review and permission from UAF Risk Manager. High risk areas/activities include machine shops containing power tools or machinery; use of motorized equipment including UAF boats, aircraft, snow machines, and grounds, heavy-duty or farm equipment; laboratories for Children (12 and under); kitchen areas where
professional kitchen equipment and knives are utilized. Minors ages 13-17 shall be supervised by an authorized adult in these areas unless they are a registered in a University scheduled class.

- Shall not engage in abusive conduct of any kind toward or in the presence of a Minor, nor strike, hit, or administer corporal punishment to, or touch in an inappropriate or illegal manner any Minor.
- Shall not pick-up or drop-off Minors from their homes.
- Shall not use an Authorized Adult’s personal vehicle to pick up or drop off Minors participating in the Program unless the parent or legal guardian of the Minor has provided written permission. Guidelines for transporting Minors are found in the University of Alaska Transportation Safety Guide and can be found at: [http://www.alaska.edu/risksafety/download/TransportationSafety.pdf](http://www.alaska.edu/risksafety/download/TransportationSafety.pdf).
- Shall not make pornography in any form available to Minors participating in programs, events and activities covered by this Policy or assist them in any way in gaining access to pornography.
- Shall not take any photographs or videos of Minors or posting photographs or videos on a digital, electronic, hosted media, web-based service or any other medium without first obtaining a release from the Minor’s parent or legal guardian.

### 6.0 Reporting/Notification

Any UAF employee or volunteer who reasonably suspects or observes Minor abuse or maltreatment is required to report the incident. Reporting procedures are to be made available on the UAF Protection of Minors website (www.UAF.edu/safety/minors). Violation of this policy by employees shall be reported as well. Procedures for reporting shall be developed by the Protection of Minors Committee and must include the following:

- Must provide more than one reporting chain; one of which will include the Protection of Minors Committee.
- Ability to report on-line.
- Ability to report anonymously.
- Mandated reporters (see definition) must report to the Office of Children Services (OCS) for any suspected sexual abuse of Minors and through the UAF reporting chain.

Failure to report by any member of the University community to make the appropriate report shall result in disciplinary actions.
7.0 Investigation

The Committee shall meet within 24 hours of notice of the alleged abuse. A minimum of three members must be present at the meeting. The Committee shall prepare a plan for investigation based on the alleged abuse which shall be based on the particulars of the abuse with the primary goal of ensuring the safety of the Minor. Once developed, the plan shall be reviewed by a minimum of five Committee members prior to implementation.

Committee members shall have the ability to remove themselves from the process due to conflict of interest. The Chancellor shall also have the ability to remove committee members for conflicts of interest or any other reason.

This Committee shall be responsible to ensure information regarding the investigation is provided to the reporter and the person being investigated. Once the investigation is closed, the reporter, the person accused, the Advisory Board, and the Chancellor shall be provided a report of the findings.

The Office of Children Services (OCS) is the local authority responsible for investigation of and intervention in cases of suspected sexual abuse in those situations in which the offender is in a caretaking role for the child. The UAF police shall collaborate with OCS in cases of sexual abuse of a Minor and report back to the Committee regarding the investigation.
8.0 Program Review

8.1 Review of Programs

Annually, the Protection of Minors Committee shall complete a spot check of programs, events and activities to determine if they have complied with the requirements in this policy. Programs, events and activities shall be chosen randomly, with a minimum of two summer camps or programs, five events, and two contracts with an outside entity. Results of this audit shall be provided to the Chancellor. Items that shall be audited include:

- Appropriate training completion
- Completion of background checks
- Contract language inserted in applicable contracts
- Waivers
- Safety and emergency procedures
- Packets presented to parents/guardians

8.2 Policy Review and Update

At a minimum, the Protection of Minors Committee shall review the policy annually. Updates shall be presented to the Chancellor for review and approval. If no updates are necessary, this shall be noted and presented.

8.3 Procedures Review and Update

Procedures that support this policy shall be updated as needed after input from the users and the Committee.

THIS POLICY IS EFFECTIVE AS OF MAY 28, 2013. THE POLICY IS APPROVED:

[Signature]

Brian D. Rogers, Chancellor
University of Alaska Fairbanks

Date: 5/28/13