

Submit original with signatures + 1 copy + electronic copy to Faculty Senate (Box 7500).  
See <http://www.uaf.edu/uafgov/faculty-senate/curriculum/course-degree-procedures/> for a complete description of the rules governing curriculum & course changes.

**TRIAL COURSE OR NEW COURSE PROPOSAL**  
(Attach copy of syllabus)

**SUBMITTED BY:**

<b>Department</b>	<b>Homeland Security &amp; Emergency Management</b>	<b>College/School</b>	<b>School of Management</b>
<b>Prepared by</b>	<b>Anita Hughes</b>	<b>Phone</b>	<b>Ext. 4622</b>
<b>Email Contact</b>	<b>Alhughes2@alaska.edu</b>	<b>Faculty Contact</b>	<b>Cameron Carlson, cdcarlson@alaska.edu</b>

**1. ACTION DESIRED**

(CHECK ONE):

Trial Course

New Course

XX

**2. COURSE IDENTIFICATION:**

Dept

**HSEM**

Course #

**F601**

No. of Credits

**3**

Justify upper/lower division status & number of credits:

This is a graduate-level course requiring critical thinking and analytic skills

**3. PROPOSED COURSE TITLE:****Legal Aspects of Homeland Security and Emergency Management****4. To be CROSS LISTED?**  
YES/NO

No

If yes,  
Dept:

Course #

NOTE: Cross-listing requires approval of both departments and deans involved. Add lines at end of form for additional required signatures.

**5. To be STACKED?\***  
YES/NO

No

If yes,  
Dept.

Course #

How will the two course levels differ from each other? How will each be taught at the appropriate level?:

\* Use only one Format 1 form for the stacked course (not one for each level of the course!) and attach syllabi. Stacked course applications are reviewed by the (Undergraduate) Curricular Review Committee and by the Graduate Academic and Advising Committee. Creating two different syllabi (undergraduate and graduate versions) will help emphasize the different qualities of what are supposed to be two different courses. The committees will determine: 1) whether the two versions are sufficiently different (i.e. is there undergraduate and graduate level content being offered); 2) are undergraduates being overtaxed?; 3) are graduate students being undertaxed? In this context, the committees are looking out for the interests of the students taking the course. Typically, if either committee has qualms, they both do. More info online - see URL at top of this page.

**6. FREQUENCY OF OFFERING:****Fall**

Fall, Spring, Summer (Every, or Even-numbered Years, or Odd-numbered Years) - or As Demand Warrants

**7. SEMESTER & YEAR OF FIRST OFFERING**  
(Effective AY2015-16 if approved by 3/31/2015; otherwise AY2016-17)**Fall 2015****8. COURSE FORMAT:**

NOTE: Course hours may not be compressed into fewer than three days per credit. Any course compressed into fewer than six weeks must be approved by the college or school's curriculum council. Furthermore, any core course compressed to less than six weeks must be approved by the Core Review Committee.

COURSE FORMAT:  
(check all that apply)

1

2

3

4

5

XX

6 weeks to  
full semester

OTHER FORMAT  
(specify)

Mode of delivery  
(specify lecture,

**Lecture**

field trips, labs,  
etc)

**9. CONTACT HOURS PER WEEK:**

13/15

LECTURE  
hours/weeks

LAB  
hours /week

PRACTICUM  
hours /week

Note: # of credits are based on contact hours. 800 minutes of lecture=1 credit. 2400 minutes of lab in a science course=1 credit. 1600 minutes in non-science lab=1 credit. 2400-4800 minutes of practicum=1 credit. 2400-8000 minutes of internship=1 credit. This must match with the syllabus. See <http://www.uaf.edu/uafgov/faculty-senate/curriculum/course-degree-procedures-guidelines-for-computing/> for more information on number of credits.

OTHER HOURS (specify  
type)

**10. COMPLETE CATALOG DESCRIPTION including dept., number, title, credits, credit distribution, cross-listings and/or stacking (50 words or less if possible):**

**Example of a complete description:**

**FISH F487 W, O Fisheries Management**

**3 Credits Offered Spring**

Theory and practice of fisheries management, with an emphasis on strategies utilized for the management of freshwater and marine fisheries. *Prerequisites:* COMM F131X or COMM F141X; ENGL F111X; ENGL F211X or ENGL F213X; ENGL F414; FISH F425; or permission of instructor. Cross-listed with NRM F487. (3+0)

**HSEM F601 Legal Aspects of Homeland Security and Emergency Management**  
**3 credits Offered Fall**

Homeland security and emergency management (HSEM) are heavily regulated by US Code, executive agency guidelines and various federal and state laws and regulations. Participants in emergency planning and execution, are, themselves, subject to myriad laws and regulations while executing their response functions but also in the way they coordinate and interact with other responders whose authorities may differ from their own. This course examines the applicable statutory, regulatory and policy aspects regulating HSEM. It begins with an overview of the Constitution, Separation of Powers and Federalism—the foundation that defines the legal basis for federal, state, tribal and local action before, during and after emergency and contingency management. With this background, the course focuses on relevant statutes such as the Stafford Act, the Economy Act Insurrection Act, Posse Comitatus Act, and those relating to governmental and individual liability/defenses while performing emergency and contingency management. *Prerequisite:* Must be admitted to the MSDM program; or permission of the HSEM Program Director. (3+0)

**11. COURSE CLASSIFICATIONS:** Undergraduate courses only. Consult with CLA Curriculum Council to apply S or H classification appropriately; otherwise leave fields blank.

H = Humanities

S = Social Sciences

Will this course be used to fulfill a requirement for the baccalaureate core? If YES, attach form.

YES:

NO:

XX

IF YES, check which core requirements it could be used to fulfill:

O = Oral Intensive,  
Format 6

W = Writing Intensive,  
Format 7

X = Baccalaureate  
Core

**11.A Is course content related to northern, arctic or circumpolar studies? If yes, a "snowflake" symbol will be added in the printed Catalog, and flagged in Banner.**

YES

NO XX

**12. COURSE REPEATABILITY:**

Is this course repeatable for credit?

YES

NO XX

Justification: Indicate why the course can be repeated (for example, the course follows a different theme each time).

How many times may the course be repeated for credit?

TIMES

If the course can be repeated for credit, what is the maximum number of credit hours that may be earned for this course?

CREDITS

If the course can be repeated with variable credit, what is the maximum number of credit hours that may be earned for this course?

CREDITS

13. **GRADING SYSTEM:** Specify only one. Note: Changing the grading system for a course later on constitutes a Major Course Change - Format 2 form.

LETTER: ☒ XX

PASS/FAIL: ☐

**RESTRICTIONS ON ENROLLMENT (if any)**

14. **PREREQUISITES**

Must be admitted to the MSDM program; or permission of the HSEM Program Director

These will be required before the student is allowed to enroll in the course.

15. **SPECIAL RESTRICTIONS, CONDITIONS**

16. **PROPOSED COURSE FEES**

\$

Has a memo been submitted through your dean to the Provost for fee approval?

Yes/No

17. **PREVIOUS HISTORY**

Has the course been offered as special topics or trial course previously?

No

Yes/No

If yes, give semester, year, course #, etc.:

18. **ESTIMATED IMPACT**

WHAT IMPACT, IF ANY, WILL THIS HAVE ON BUDGET, FACILITIES/SPACE, FACULTY, ETC.

There will be little to no impact. This is an online course so no space is required. Adjuncts will be used for teaching but students will be generating additional revenue in tuition. SOM has received a funding allocation for FY 15 to cover the expenses of developing courses and hiring adjuncts.

19. **LIBRARY COLLECTIONS**

Have you contacted the library collection development officer (kljensen@alaska.edu, 474-6695) with regard to the adequacy of library/media collections, equipment, and services available for the proposed course? If so, give date of contact and resolution. If not, explain why not.

No

☒ XX

Yes

Generally library resources are not necessary for this topic. Current literature and events will be used in addition to texts.

20. **IMPACTS ON PROGRAMS/DEPTS**

What programs/departments will be affected by this proposed action? Include information on the Programs/Departments contacted (e.g., email, memo)

The Veterinary Medicine program is interested in partnering with HSEM on this graduate program. They believe this graduate program of courses will benefit their doctoral students and, therefore, would bring students to the MSDM program. Beyond this positive impact on both Ved Med and MSDM there should be no impacts on other departments.

21. **POSITIVE AND NEGATIVE IMPACTS**

Please specify **positive** and **negative** impacts on other courses, programs and departments resulting from the proposed action.



This is part of a new program for which there is interest from around the country in addition to the Vet Med program. New students will be brought into the department and into contact with UAF which gives all University programs additional exposure. It meets a student need. These students will not generally be on campus or in Fairbanks so they generate no additional competition for student services or housing. No other impacts on other departments are anticipated.

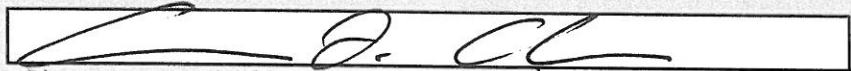
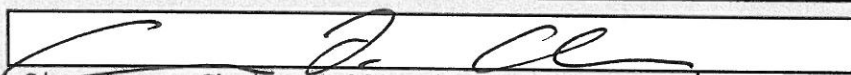
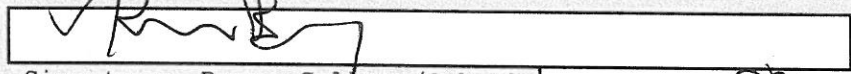
**JUSTIFICATION FOR ACTION REQUESTED**

The purpose of the department and campus-wide curriculum committees is to scrutinize course change and new course applications to make sure that the quality of UAF education is not lowered as a result of the proposed change. Please address this in your response. This section needs to be self-explanatory. Use as much space as needed to fully justify the proposed course.

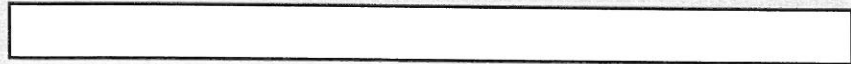
This course is part of the proposed new graduate program; Master of Security and Disaster Management. As indicated in the program proposal, there is increasing demand in this program from around the country as nothing like it exists.

The program and the courses proposed add to the level of critical thinking and analysis in topics that are important to leaders and managers in Homeland Security and Emergency Management fields across the board. Leaders and managers in HSEM agencies and organizations work within a framework of federal, state and local laws. Often they are implementing or interpreting changes to laws. The legal environment is of critical importance to how they implement policy or coordinate with others to do so.

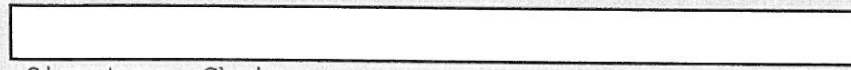
**APPROVALS:** Add additional signature lines as needed.

	Date	2021/4
Signature, Chair, Program/Department of: HS EM Program		
	Date	2021/4
Signature, Chair, College/School Curriculum Council for: HSEM Program		
	Date	10/2/14
Signature, Dean, College/School of: SOM		

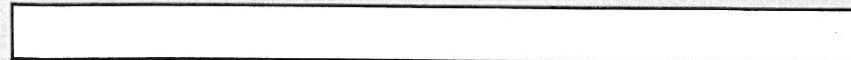
Offerings above the level of approved programs must be approved in advance by the Provost.

	Date	
Signature of Provost (if above level of approved programs)		

**ALL SIGNATURES MUST BE OBTAINED PRIOR TO SUBMISSION TO THE GOVERNANCE OFFICE**

	Date	
Signature, Chair		
Faculty Senate Review Committee: <input type="checkbox"/> Curriculum Review <input type="checkbox"/> GAAC		
<input type="checkbox"/> Core Review <input type="checkbox"/> SADAC		

**ADDITIONAL SIGNATURES:** (As needed for cross-listing and/or stacking)

	Date	
--	------	--

Signature, Chair,  
Program/Department of:

--

--

Date

--

Signature, Chair, College/School  
Curriculum Council for:

--

--

Date

--

Signature, Dean, College/School  
of:

--

## **Legal Aspects of Homeland Security and Emergency Management HSEM F601**

### **3 Credits**

**Class Location:** Online via Adobe Connect /Blackboard

**Class Meeting Time:** TBD

### **Instructor Information**

**Instructor:** Kurt A. Didier  
**Office Hours:** By appointment; hours and days of email availability to be published  
**Office Location:** Virtual Office  
**Work Telephone:** (916) 554-2750  
**E-mail:** [kdidier@alaska.edu](mailto:kdidier@alaska.edu)

### **Class Textbooks/Materials**

- ☐ Nicholson, William C. (2012) 2<sup>nd</sup> edition, Emergency Response and Emergency Management Law, Charles C. Thomas Publisher, LTD  
ISBN-13: 978-0398088323 ISBN-10: 0398088322 (required)
- ☐ CNA Military Advisory Board Report (2014) *National Security and the Accelerating Risks of Climate Change* online: <http://www.cna.org/reports/accelerating-risks>
- ☐ The Department of Defense's Strategy for Homeland Defense and Defense Support of Civil Authorities (2013) online: <http://www.defense.gov/news/homelanddefensestrategy.pdf>
- ☐ \*Additional Reading: Case studies / handouts as assigned. Be prepared to discuss the readings during the week assigned. Readings and links to readings will be available on Blackboard.
- ☐ Students are expected to stay on top of current events and debates by reading national and international news via the reputable sources on the internet.

### **Course Description**

Homeland security and emergency management (HSEM) are heavily regulated by the US Constitution and various federal and state laws and regulations. Participants in emergency planning and execution, are, themselves, subject to myriad laws and regulations while executing their response functions but also in the way they coordinate and interact with other responders whose authorities may differ from their own. This course examines the applicable statutory, regulatory and policy aspects regulating HSEM. It begins with an overview of the Constitution, Separation of Powers and Federalism—the foundation that defines the legal basis for federal, state, tribal and local action before, during and after emergency and contingency management. With this background, the course focuses on relevant statutes such as the Stafford Act, the Economy Act Insurrection Act, Posse Comitatus Act, and those relating to governmental and individual liability/defenses while performing emergency and contingency management (see diagram 1).

### **Course Goals**

Students in this course will learn, analyze, apply and assess applicable HSEM legal authorities. The legal domain governing HSEM is both expansive and narrow—depending frequently on the status of the HSEM responder and their assigned role(s) in contingency scenarios. This means analyzing interagency cooperation and the “whole of Government approach” to HSEM. This course introduces the legal aspects of HSEM within this construct and will help students develop an understanding of the multiple legal authorities and how they operate together—sometimes as a force multiplier and sometimes as a

constraint with severe consequences for their violation. From this foundation, students will apply their knowledge in case studies to analyze and assess how the effectiveness of previous operations. Students will have the opportunity to advocate for change to the present HSEM process in their term paper.

### **Student Learning Outcomes**

- ☐ Recognize and explain how and when the various statutory and regulatory authorities apply in contingency planning and response management execution.
- ☐ Recognize the interagency process and "whole of Government" approach to planning and executing emergency response actions.
- ☐ Analyze and properly apply the legal aspects of HSEM to a particular scenario.
- ☐ Differentiate the lawful scope of action based on the responder's status and in coordination with our responders within the interagency process.
- ☐ Propose and support change, or enhancements to the current HSEM planning, coordination and execution effort.
- ☐ Evaluate and predict how climate, conflict or other factors may influence American security strategy in the future.

### **Instructional Methods**

Instructional methodologies, including lectures, case studies, small group activities, student presentations and open and directed discussions, will be used to actively involve each student in the learning process. When possible and practical, learning activities will be processed to include not only "what" was learned, but the "so what" and "now what" in order to complete the learning cycle. This course requires a computer with internet access, as we will be utilizing Blackboard. Additionally, students will need internet access for assigned discussions involving online research, as well as access to their UA email accounts and a PowerPoint viewer. Classes will be structured with lectures on Tuesday of each week, and class discussion and case studies on Thursday. Readings will supplement lecture materials, and are vital to the success of the discussion portion.

### **Course Policies**

Students are expected to remain up to date with the scheduled lesson plans on a weekly basis. Students will be penalized for the late submission of class assignments or should they fall behind by more than two weeks (outside of emergency or mutually agreed upon circumstances). Each late assignment will be docked 10% for every day it is late. If you miss an exam due to an excused absence you will have one week to schedule a make-up during the instructor's office hours. Additionally, each student is expected to attend class and participate in the classroom debates. If you have more than 3 unexcused absences throughout the semester you will lose 10% of your final grade.

Students are expected to observe academic honesty. Dishonest practices including giving or receiving assistance in any manner or form during an examination, unauthorized possession of exam questions, and plagiarism (willfully presenting another person's writings, opinions or thoughts as one's own, without proper credit and documentation) will not be tolerated. Violations of the UAF Student Code of Conduct will be referred to the appropriate authority for possible disciplinary actions including removal of violator from this course.

### **Evaluation**

**40% Term Paper Outline and Term Paper Draft (400 points):** Each student will choose an appropriate topic (25 points) prepare and submit an outline of their term paper (50 points), submit a draft of their term paper (125 points), and turn in the final paper (200 points).

**30% Tests (300 points):** There will be 2 tests given throughout the semester. Each test will be worth 150 points and have a combination of multiple choice, true/false, and essay questions.

**10% Participation (100 points):** Each student is expected to attend class and participate in the classroom debates. If you have more than 3 unexcused absences throughout the semester you will lose 10% of your final grade.

**10% Student led discussions, Small group activities (100 points):** Participation is important in this class. Student led discussions will be assigned and conducted on a weekly basis. There will also be small group activities used to supplement the discussions through the use of group/individual research and analysis.

**10% Final Project (100 points):** Individuals are to develop and deliver, through independent research, a presentation based on the final paper. The paper, which will be developed in consultation with the instructor, is to be between 8 and 10 pages in length with an accompanying presentation (15 minutes in length). Both products will be due in week 15. More information will be provided during week 4, with topics due in week 5.

Please note the following points breakdown:

Tests	300		
Term Paper and Development	400	A =	90-100% (900-1000 points)
Participation	100	B =	80-89% (800-899 points)
Discussion and Activities	100	C =	70-79% (700-799 points)
Presentation	100	D =	60-69% (600-699 points)
<b>Total</b>	<b>1000</b>	F =	59 % or less (599 points or less)

### **Support Services**

Students are encouraged to utilize the UAF Writing Center in 801 Gruening (Phone # 474-5314) as needed to assist in the development and refinement of their written products. Students are also encouraged to use the UAF Speaking Center for coaching and practice. The Center is located in 507 Gruening. Call 474-5470 for Speaking Center hours and to schedule an appointment. Please contact me as required should you need to contact other subject matter support services relevant to the development of your leadership or class projects/topics.

### **Students with Disabilities:**

Students with learning or other disabilities who may need special accommodations are encouraged to make an appointment with the Office of Disability Services, <http://www.uaf.edu/disability/> (907 474-5655 or TTY at 907 474-1827). Please inform me of any impediments to meeting course objectives which cannot be fully addressed by the Office of Disability Services. I will work with the Office of Disabilities Services (208 Whitaker Bldg) to provide reasonable accommodation to students with disabilities.



# Class Schedule and Assignments

Class Schedule and Assignments				
	Week	Date	Item	Topics
	Week 1	4-Sep		Class Overview
Code Authority & Role of	Week 2		Lecture	Posse Comitatus Act (PCA) & Title 18 Section 1385
			Reading	<i>Posse Comitatus Act &amp; Homeland Security</i> by Col. (Ret.) John R. Brinkerhoff
			Reading	Joint Publication 3-27 <i>Homeland Defense</i> (29 July 2013), Appendix A
	Week 3		Lecture	Federal Forces
			Reading	Title 10 - Armed Forces, Subtitles A, B, C, D
			Reading	Class Discussion: <i>The Role of Federal Military Forces in Domestic Law Enforcement Title</i> by COL (Ret) John R. Brinkerhoff
	Week 4		Lecture	Reserve Forces
			Reading	Title 10 - Armed Forces Subtitle E
				Class Discussion
	Week 5			<b>Term Paper Topic Due</b>
			Lecture	National Guard Forces
			Reading	Title 32, Chapter 9 - Homeland Defense Activities
			Reading	<i>State Defense Forces and Homeland Security</i> by Tulak, Kraft, and Silbaugh <i>The Role of the National Guard in National Defense &amp; Homeland Security</i> by Lowenberg
	Week 6		Lecture	U.S. Coast Guard
			Reading	Title 14 - U.S. Coast Guard. Chapters 1 & 7
			Reading	Class Discussion:
Force Organization: Structuring & Deploying	Week 7			Midterm Review
				<b>Midterm</b>
	Week 8			<b>Term Paper Outline Due</b>
			Lecture	Force Organization: Structuring
			Reading	Stringer: Chapters 1 & 2 - Intro and Definitions & Classifications for MOOTW
	Week 9		Reading	Stringer: Chapter 3 - The Challenge: Domestic Homeland Defense
			Lecture	Force Organization: Deploying
			Reading	<i>The DOD Role in Homeland Security</i> by Adrian A. Erckenback and Aaron Scholer
	Week 10		Reading	Joint Publication 3-28 <i>Defense Support of Civil Authorities</i> , Chapter II Supporting a Comprehensive All Hazards Response
			Lecture	Force Organization: Deploying
			Reading	Stringer Chapter 4: The State Territorial Brigade
	Week 11		Reading	<i>Deployed in the U.S.A: The Creeping Militarization of the Home Front</i> by Gene Healy
			Lecture	Systemic Failure
				Frontline Documentary: Katrina
Operational	Week 12		Reading	<i>The History of Military Assistance for Domestic Natural Disasters: The Return to a Primary Role for the Department of Defense in the Twenty-First Century</i> by Osborne
			Reading	Stringer Chapter 6 - Federal Disaster Relief Brigade
				<b>Term Paper Drafts Due</b>
	Week 13		Lecture	Civil Disorder
			Reading	<i>Handbook of Military Administration</i> , Weber & Eliasson, Chapter 11 "Military & HS"
				Ferguson, MO Crisis
	Week 14		Lecture	Border Security
			Reading	Stringer: Chapter 5 - The State Frontier Brigade
				No Class – Thanksgiving Holiday
	Week 15		Lecture	Public Health Emergencies
			Reading	DoD Instruction 6200.03 with Change 2 (Oct 2013)
			Reading	Discussion: Pathogen Outbreak
	Week 16			<b>Presentations &amp; Term Papers Due /Final Exam Prep</b>
				Final Exam