

Contact: Andrea Anania

**REVISION OF THE BOARD OF REGENTS POLICY MANUAL – CHAPTER 7.08I**

**Action Requested:** Approve, as a first and final reading, proposed revisions to §7.08I of the Board of Regents Policy Manual "Conflict of Interest - Sales and Purchases and Prohibited Interest in Public Contracts (Iowa Code Chapter 68B)" to reflect Iowa Code §68B.3 (Government Ethics and Lobbying.)

**Executive Summary:** The Board's Administrative Rules §681-8.9 were revised to make Regents purchasing policy for conflict of interest vendors consistent with state government as outlined by Iowa Code §68B.3. That policy states that employees making a permissible sale under §68B.3 shall file a report with the Iowa Ethics and Campaign Disclosure Board within 20 days of making the sale. As such, potential vendors with conflicts of interest at the Regents institutions are no longer required to obtain Board of Regents approval.

Board policy as it currently exists is shown below with the proposed amendment following.

CURRENT CHAPTER 7.08I

Conflict of Interest - Sales and Purchases and Prohibited Interest in Public Contracts (Iowa Code Chapter 68B)

1. 681 IAC 8.9 details the Board's policy on conflict of interest in public contracts and identifies specific conditions for exceptions to those policies.
2. When requesting Board action on potential conflict of interest vendors, the Regent institutions shall submit, in addition to the information required by 681 IAC 8.9(3), that the institution has adequate internal controls in place to ensure that the individual is so precluded from decisions.
3. Employees, officers, and members of the Board of Regents also shall comply with the Iowa Code Chapter 68B, "Conflicts of Interest of Public Officers and Employees" and Chapter 4 of the Regent Policy Manual.

PROPOSED CHAPTER 7.08I

Conflict of Interest - Sales from Employees, Officers, and Board Members (Iowa Code Chapter 68B)  
Employees, officers, and members of the Board of Regents shall comply with Iowa Code Chapter 68B, "Conflicts of Interest of Public Officers and Employees" and Chapter 4 of the Regents Policy Manual.

**Background:**

- ◆ October 28, 2010 – The Board of Regents approved revisions to its Administrative Rules [681-8.9] on conflict of interest vendors.  
[http://www.regents.iowa.gov/Meetings/DocketMemos/10Memos/October2010/1010\\_ITEM06n.pdf](http://www.regents.iowa.gov/Meetings/DocketMemos/10Memos/October2010/1010_ITEM06n.pdf)
- ◆ December 1, 2010 – The proposed changes were published in the Iowa Administrative Bulletin.  
<http://www.legis.state.ia.us/asp/ACODOCS/DOCS/12-01-2010.Bulletin.pdf>
- ◆ February 3, 2011 – The Board adopted the amendments.  
[http://www.regents.iowa.gov/Meetings/DocketMemos/11Memos/February2011/0211\\_ITEM06h.pdf](http://www.regents.iowa.gov/Meetings/DocketMemos/11Memos/February2011/0211_ITEM06h.pdf)
- ◆ February 23, 2011 – The adopted version was published in the Iowa Administrative Bulletin with a March 30, 2011, effective date.  
<http://www.legis.state.ia.us/asp/BulletinSupplement/bulletinListing.aspx>