

Contact: Aimee Claeys

NOTICE OF INTENDED ACTION TO AMEND
IOWA ADMINISTRATIVE CODE SECTION 681 — 13.8 (262)

Action Requested: Consider approval to file notice of intended action to amend Section 681-13.8(262) of the Iowa Administrative Code (IAC) to permit the President of Iowa State University (ISU) to delegate authority to sign contracts through ISU policy.

Executive Summary: The Board of Regents administrative rules are contained in 20 chapters of the IAC. Chapter 13 includes a general description of ISU; designates officials with authorization to enter into contracts; states policies regarding the use of grounds and facilities; and other policies regarding behavior on the campus.

The process to amend the IAC begins with approval by the Board of the intent to amend. The next step is filing the notice with the Code Editor for review and publication of the notice in the Iowa Administrative Bulletin (IAB). The notice will establish a period in which to solicit written public comments concerning the amendments. The amendments will be reviewed by the Administrative Rules Review Committee. After the end of the comment period, the comments received will be reviewed. The Board will be asked to adopt the amendments either unchanged from the original notice or changed based upon the comments received. The adopted amendments will again be published in the IAB and will be effective 35 days after the publication of the adopted amendments.

The proposed amendment to IAC Section 681-13.8 (262) still provides the Board has delegated its authority to the President of ISU to enter into contracts and agreements. However, rather than listing by specific title other administrators to whom the President has further delegated the authority to enter into contracts and agreements on behalf of ISU, the amendment would have the rule refer to ISU policy for information on the individuals to whom the President has delegated authority.

If amended as requested the result would avoid the necessity of revising IAC Section 681-13.8 (262) each time there was a title change to an administrator listed or a change in responsibilities for handling the different types of contracts. Furthermore, the proposed amendment would result in this section being nearly identical to IAC Section 681-12.5 (262) which addresses the contracting authority at the University of Iowa.

Amendment to IAC Section 681-13.8 (262) is proposed as follows:

681—13.8 (262) Contracting authority.

~~13.8(1) General delegation.~~ Except for authority retained by the board of regents in the rules adopted under [681] of the Iowa Administrative Code or in the regents policy manual, the board of regents has delegated to the president authority to enter into contracts and agreements. The president has further delegated authority for entering into such contracts and agreements as outlined in the university's contracting authority policy. This policy is available for review at the following website: <http://www.policy.iastate.edu/policy/contracting>. ~~to the senior vice president for business and finance in all cases except the following:~~

~~a. Employment contracts and agreements involving deans, directors, department chairs and faculty are signed by the senior vice president and provost.~~

~~b. Applications, proposals, grants, contracts and agreements relating to economic~~

~~development, research and sponsored projects are signed by the senior vice president and provost, vice president for research and economic development or the director of the office of sponsored programs administration.~~

~~c. Contracts and agreements relating to educational consortia, joint educational projects, cooperative education, service-learning and internship opportunities, and academic instruction provided to others are signed by the senior vice president and provost.~~

~~**13.8(2) Specific delegations.** Within the limits prescribed by the board of regents, the president, the senior vice president for business and finance, the senior vice president and provost, the vice president for research and economic development, and the director of the office of sponsored programs administration may delegate the authority they have received as provided by the ISU contracting authority policy found in the policy library.~~

~~[ARC 8070B, IAB 8/26/09, effective 9/30/09; ARC 1078C, IAB 10/2/13, effective 11/6/13]~~