

Contact: Aimee Claeys

RATIFICATION OF EMERGENCY AUTHORIZATIONS

Action Requested: Ratify the March 18, 2020 Declaration of a State of Emergency issued by Board President Michael Richards, and all actions taken pursuant to the March 18, 2020 Declaration of a State of Emergency. The Declaration of a State of Emergency and Emergency Authorizations are included as attachment A.

Executive Summary: The World Health Organization declared COVID-19 a pandemic on March 11, 2020. On March 13, President Donald J. Trump proclaimed that the COVID-19 outbreak in the United States constituted a national emergency. In addition, on March 17, Iowa Governor Kim Reynolds issued a State of Public Health Disaster Emergency due to COVID-19.

Pursuant to Regent Policy Manual section 1.1.E, Board of Regents President Michael Richards declared a State of Emergency at all of the institutions under the jurisdiction of the Board of Regents effective March 18, 2020. This State of Emergency shall remain in effect until President Richards declares it has passed. Additionally, on March 18 and 23, President Richards issued emergency authorizations waiving or suspending certain provisions of Board of Regents administrative rules and policy manual.

In accordance with Iowa Administrative Code section 681-19.18 and Board Policy Manual section 1.1.E, the Board is requested to ratify the Declaration of a State of Emergency and the Emergency Authorizations included as Attachment A and further summarized below. Given the exceptional circumstances related to COVID-19, compliance with the following provisions would result in undue hardship for the institutions or would be unnecessarily and unreasonably costly and serve no public benefit. Waiver of the following provisions will not harm other persons and will not adversely affect the public interest.

HUMAN RESOURCES

1. Iowa Administrative Code 681—3.82 limits temporary workers to 780 hours per fiscal year. By temporarily waiving this limitation, it will allow temporary appointments to work more than 780 hours per fiscal year to the extent needed to help with the state of emergency related to COVID-19. Iowa Code § 20.4(5) was waived by the Governor to the extent it limits the period of time a temporary employee may work in state agencies as an excluded public employee.
2. Iowa Administrative Code 681—3.148 limits an employee to 40 hours of accrued sick leave to use for the care or necessary attention of ill or injured immediate family member. By temporarily waiving this limitation, employees would be able to use more than 40 hours of their accrued sick leave to care for family members in addition to using it for minor dependents when care is required as a consequence of the closure of a K-12 school or a childcare center due to COVID-19.
3. Board Policy Manual subsection 2.1.4.A allows eligible employees to donate vacation leave to be used as sick leave for a bridge to long-term disability or during a maternity leave medical recovery period. By waiving this limitation, it will allow employees to donate vacation leave to be used as sick leave for purposes directly related to COVID-19.

ACADEMIC AFFAIRS

1. Board Policy Manual section 3.5 requires approval for new academic programs, as well as various changes made to existing programs. The waiver to this section pertains to any requirements related to moving programs to a distance delivery format.
2. Board Policy Manual section 3.6.A requires the institutions to conduct a review of all academic programs on a seven-year cycle. Modifying this section will allow the institutions an additional 12 months to conduct the reviews required under 3.6.A if they are either pending or planned during the period that the State of Emergency is in effect.
3. Board Policy Manual subsection 3.15.A prohibits a person from registering for a course(s) at a Regent institution until delinquent accounts owed by the person to a Regent institution or an affiliated organization have been paid. By waiving this subsection for the Summer 2020 and Fall 2020 registration periods, students may register for these terms, but they will retain responsibility for the full amount due in their account.

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University of Iowa
Iowa State University
University of Northern Iowa
Iowa School for the Deaf
Iowa Braille and Sight Saving School
Lakeside Laboratory Regents Resource Center
Western Iowa Regents Resource Center



Michael J. Richards, MD, President, *West Des Moines*
Patty Cownie, President Pro Tem, *Des Moines*
David R. Barker, PhD, *Iowa City*
Sherry Bates, *Scranton*
Nancy Boettger, *Harlan*
Milt Dakovich, *Waterloo*
Nancy Dunkel, *Dyersville*
Zack Leist, *Clarion*
Jim Lindenmayer, PhD, *Ottumwa*

Mark J. Braun, Executive Director

3-18-20

Contact: Josh Lehman
515-450-7068

**STATEMENT FROM BOARD OF REGENTS PRESIDENT MIKE
RICHARDS DECLARING REGENTS STATE OF EMERGENCY**

Recently, the spread of COVID-19 has been declared a pandemic by the World Health Organization. Both the President and the Governor have declared States of Emergency.

Confirmed community spread has been identified in our state, and government and medical professionals are recommending social distancing measures. To help minimize the spread at our public universities, the Board of Regents has been following guidance provided by the Centers for Disease Control and Prevention, the Iowa Department of Public Health, the Governor's Office, and others. The Board has already taken several steps at our public universities to assist in the effort to help mitigate the spread of the virus and will continue to monitor the situation and provide additional guidance when warranted.

However, the threat is continuing to grow, and as such, in accordance with Board of Regents Policy, I am declaring that a State of Emergency exists at all institutions under the jurisdiction of the Board of Regents, as there are current circumstances that pose an imminent threat to the health and safety of persons or property at our institutions.

This State of Emergency will remain in effect until I declare the emergency has passed.

Therefore, I am waiving the following Board policies and administrative rules, effective immediately and extending so long as this State of Emergency remains in effect or as otherwise subsequently ratified by the Board:

1. The provisions of Iowa Administrative Code 681-3.148 are waived to the extent they place a limitation on the number of hours of accrued sick leave an employee is permitted to use for the care and necessary attention of an employee's immediate family member. The provisions of Iowa

Administrative Code 681-3.148 are further waived to the extent they preclude an employee from utilizing family leave to provide care for minor dependents when such care is required as a consequence of the closure of a K-12 school or a childcare center due to COVID-19.

2. The provisions of Board of Regents Policy Manual subsection 2.1.4.A are waived to the extent they would prohibit an employee from donating or receiving vacation under this subsection to be used as sick leave for any otherwise permitted purpose directly related to COVID-19.
3. The Office of the Board of Regents and the institutions under the jurisdiction of the Board of Regents are authorized to permit employees to utilize up to an additional eighty (80) hours of paid sick leave for any otherwise permitted purpose directly related to COVID-19. The provisions of any applicable Board of Regents policy or administrative rule are hereby waived, but only to the extent necessary to give effect to this paragraph 3.
4. The institutions under the jurisdiction of the Board of Regents are authorized to provide instruction for all academic programs virtually. The provisions of any applicable Board of Regents policy or administrative rule regarding academic program changes are hereby waived, but only to the extent necessary to give effect to this paragraph 4.
5. The Executive Director of the Board of Regents, and/or his designee(s), are hereby authorized to work with the institutions under the jurisdiction of the Board of Regents to develop processes for implementing these actions for all or any individual institution.

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Mark J. Braun, Executive Director

To: Regent Institutions
Fr: Michael J. Richards, President
Re: Waiver of Policies
Date: March 23, 2020

Pursuant to Board of Regents Policy Manual section 1.1.E and the Declaration of State of Emergency, issued on March 18, 2020, I am waiving the following Board policies and administrative rules effective immediately and extending so long as the State of Emergency is in effect or as otherwise subsequently ratified by the Board of Regents:

HUMAN RESOURCES

1. The provisions of Iowa Administrative Code 681-3.82 are waived to the extent they place a limitation on the number of hours employees appointed on a temporary basis may work in a fiscal year.

ACADEMIC AFFAIRS

1. The provisions of Board of Regents Policy Manual section 3.5 are waived to the extent they apply to or regulate distance education, but only to the extent such distance education is necessitated by circumstances related to COVID-19.
2. The provisions of Board of Regents Policy Manual section 3.6.A are modified to permit the institutions an additional 12 months to conduct reviews required under section 3.6 that are either pending or planned during the period that the State of Emergency is in effect.
3. The provisions of Board of Regents Policy Manual subsection 3.15.A are waived for the Summer 2020 and Fall 2020 registrations.

The Executive Director of the Board of Regents, and/or his designee(s), are hereby authorized to work with the institutions under the jurisdiction of the Board of Regents to develop processes for implementing these actions for all or any individual institution(s).