

Contact: Brock Ascher

MINUTES OF FEBRUARY 24, 2021 VIRTUAL BOARD MEETING

**ORIGINATED FROM BOARD OF REGENTS OFFICE
URBANDALE, IOWA**

Board Members

February 24, 2021

| | |
|---------------------------------|---------|
| Michael Richards, President | Present |
| Patty Cownie, President Pro Tem | Present |
| David Barker | Present |
| Sherry Bates | Present |
| Nancy Boettger | Present |
| Milt Dakovich | Present |
| Nancy Dunkel | Present |
| Zack Leist | Present |
| Jim Lindenmayer | Present |

Board Office

Brock Ascher, Brad Berg, Mark Braun, Aimee Claeys, Stephanie Griffin.

SUI

Bruce Harreld
Von Stange

ISU

Wendy Wintersteen
Pete Englin

UNI

Mark Nook
Michael Hager

ISD

Steve Gettel

The corresponding memorandum for each agenda item, an integral component of the minutes, is available on the Board of Regents website: <http://www.iowaregents.edu>. Copies of these memoranda can also be obtained from the Board Office by calling 515-281-3934. Video of the meeting is also available on the website.

Virtual Meeting

Due to the ongoing COVID-19 Pandemic and resulting social distancing directives from the Centers for Disease Control and Prevention and the Iowa Department of Public Health, the Board held its February 24 meeting virtually, using web conferencing software.

Committee Meetings

The Academic and Campus and Student Affairs, Property and Facilities, and Investment and Finance Committees met virtually on February 17, 2021.

Call to Order for February 24, 2021

President Richards called the meeting to order at 10:30 a.m.

Roll Call:

| | Barker | Bates | Boettger | Cownie | Dakovich | Dunkel | Leist | Lindenmayer | Richards |
|---------|--------|-------|----------|--------|----------|--------|-------|-------------|----------|
| Present | x | x | x | x | x | x | x | x | x |
| Absent | | | | | | | | | |

The University of Iowa Hospitals and Clinics Committee met at 10:30 a.m.

The Audit and Compliance Committee met at 11:14 a.m.

Consent Agenda

- ✓ MOVED by BOETTGER, SECONDED by BATES, to approve and receive the following CONSENT AGENDA items:
 - a) Minutes of November 18, 2020 Board Meeting
 - b) Minutes of January 12, 2021 Board Meeting
 - c) Meeting of February 17, 2021 Property and Facilities Committee
 - d) Meeting of February 17, 2021 Academic Affairs Committee
 - e) Meeting of February 17, 2021 Investment and Finance Committee
 - f) Meeting of February 24, 2021 Audit and Compliance Committee
 - g) Meeting of February 24, 2021 University of Iowa Hospitals and Clinics Committee
 - h) Personnel Appointments
 - i) Span of Control Report
 - j) Annual Human Resources Report
 - k) Annual Diversity Report
 - l) Semi-Annual Claims Activity Reports: July 1, 2020 - December 31, 2020
 - m) Proposed University Parking Rates for FY 2022
 - n) SUI Request for Honorary Degree
 - o) Advisory Group Recommendations

| | Barker | Bates | Boettger | Cownie | Dakovich | Dunkel | Leist | Lindenmayer | Richards |
|-----|--------|-------|----------|--------|----------|--------|-------|-------------|----------|
| Aye | x | x | x | x | x | x | x | x | x |
| Nay | | | | | | | | | |

MOTION APPROVED BY ROLL CALL

Board President Report

President Richards read a statement:

Our public universities are points of huge pride for our state. They are among the best in the nation. As members of the Board of Regents our charge is to do everything we can to allow the University of Iowa, Iowa State University, and the University of Northern Iowa to continue their excellence in the areas of education, research and public service.

There are two areas that I wish to address today, free speech on campus, and tenure of our faculty.

The Board will not tolerate the violation of anyone's free speech on our campuses. This constitutional right must be sacred on our campuses. The Board of Regents and our universities absolutely support free speech and open dialogue on our campuses.

Every faculty, staff and student must feel confident that their constitutional rights are protected on our campuses, and that they will not face retribution for exercising their rights.

We must also be honest and recognize that there have been times when this expectation has not been met. In these cases, we have and will continue to act quickly to recognize what has occurred, take corrective action, and educate those involved.

The recommendations brought forth by the Free Speech committee will deal with free speech in the classroom, preventing punishment for expressing a certain viewpoint, and annual training for all faculty staff and students on free speech. In particular, we will be creating a permanent free speech committee of the Board where complaints about the infringement of free speech from faculty staff and students can be submitted and reviewed by the Board.

Everyone has the right to express their own opinion. Disagreeing on issues and having a respectful debate about those issues should happen on our university campuses. What should not happen is preventing another person or group's opinion from being expressed or threatening those opinions with possible repercussions. This is not who we are, and it is not right.

There has been a lot of focus on tenure lately.

The tenure system allows universities to employ faculty who create new knowledge through their scholarship, share that knowledge with students in the classroom, and apply it in ways that benefit our state and society. Tenure enables faculty to explore all avenues of their discipline without administrative interference or political influence, in order to follow the data, facts and evidence.

Tenure is not granted to all faculty, and to receive it one must go through a rigorous multi-year process. It is not a "job for life," as all faculty, including tenured faculty, are evaluated annually. Poor performance, violations of policy, and other misconduct could be grounds for discipline up to and including termination.

Tenure allows our institutions to recruit and retain the best faculty to teach, do research, and provide service to advance their institutional missions. The Board fully supports tenure at Iowa's Regent universities.

Education. Research. Public Service. These are the pillars on which the University of Iowa, Iowa State University, and the University of Northern Iowa are built. The protection of free speech and tenure are critical components of these pillars.

This Board is fully committed to doing all it can to ensure to the protection of free expression on our campuses, and the continuation of the tenure system. These two core components of higher education must be safeguarded and strengthened, and we are committed to this process. By doing this, Iowa's Regent Universities will continue to be among the best public universities in the nation.

Free Speech Committee Recommendations

Regents Boettger, Leist and Barker presented recommendations on free speech policies at Iowa's public universities.

- ✓ **MOVED** by BOETTGER, **SECONDED** by BATES, to approve the following free speech committee recommendations:
 1. Each syllabus will have a statement comparable to the ISU statement: Iowa State University supports and upholds the First Amendment protection of freedom of speech and the principle of academic freedom in order to foster a learning environment where open inquiry and the vigorous debate of a diversity of ideas are encouraged. Students will not be penalized for the content or viewpoints of their speech as long as student expression in a class context is germane to the subject matter of the class and conveyed in an appropriate manner.
 2. The syllabus free speech statement will be reviewed at the beginning of each course. Reaffirm that university resources will not be used for partisan activities. Registered student organizations and individual students will still be able to utilize university facilities and email.
 3. The universities may only take an institutional position on policy matters, in conjunction with the Board. This includes presidents, vice presidents, deans and department directors.
 4. Universities will not permit discrimination or denial of educational benefits because of the viewpoint of a student organization or a student.
 5. Establish the Free Speech Committee as a permanent committee of the Board of Regents to review free speech complaints passed along by the Executive Director, annually review all free speech policies of the Board and universities, review the university training for improvements and every two years do a survey on free speech to all faculty, staff and students.
 6. Universities will be required to post the Board's and university policies and procedures on their webpage, including how to appeal to the Board regarding violations of free expression.
 7. Universities will be charged with adding policies and procedures, including penalties for violations of free expression to its current process for violations of university or Board policies.
 8. The Board of Regents will review and compile data from the most recent campus climate surveys and national surveys regarding free speech. The Free Speech Committee will determine if additional survey of all members of each university regarding free speech is warranted during the fall semester 2021. Once completed this information will be presented to the Board.

9. Universities will be required to provide training on the free speech to all students, faculty and staff on an annual basis. The presidents will appoint the appropriate campus members to assist the Free Speech Committee to develop a common module for free speech at all three universities.

| | Barker | Bates | Boettger | Cownie | Dakovich | Dunkel | Leist | Lindenmayer | Richards |
|-----|--------|-------|----------|--------|----------|--------|-------|-------------|----------|
| Aye | x | x | x | x | x | x | x | x | x |
| Nay | | | | | | | | | |

MOTION APPROVED BY ROLL CALL

Reports from Institutional Heads

ISU President Wendy Wintersteen, UI President Bruce Harreld, UNI President Mark Nook and Special Schools Superintendent Steve Gettel provided updates on their respective institutions.

Residence System Governance Report

Board of Regents Chief Business Officer Brad Berg introduced Michael Hager, UNI SVP of finance and operations, UI VP for Student Life Von Stange, and Pete Englin, ISU assistant VP and director residence to discuss the residence systems on their respective campuses.

Graduation and Retention Report

Board of Regents associate chief academic officer Jason Pontius presented the annual graduation and retention report.

Closed Session

- ✓ MOVED by BARKER, SECONDED by LEIST, to enter into closed session In accordance with Iowa Code section 21.5.1.c, to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent and premature disclosure would likely prejudice or disadvantage the position of the Board.

| | Barker | Bates | Boettger | Cownie | Dakovich | Dunkel | Leist | Lindenmayer | Richards |
|-----|--------|-------|----------|--------|----------|--------|-------|-------------|----------|
| Aye | x | x | x | x | x | x | x | x | x |
| Nay | | | | | | | | | |

MOTION APPROVED BY ROLL CALL

The Board convened in closed session at 3 p.m.

The Board reconvened in open session at 3:52 p.m.

Adjourn

President Richards adjourned the meeting at 3:55 p.m.