

Contact: Aimee Claeys

RATIFICATION OF EXPIRATION OF STATE OF EMERGENCY

Action Requested: Ratify the May 20, 2021 Declaration lifting the State of Emergency issued by Board President Michael Richards. The Declaration is included as attachment A.

Executive Summary: On March 17, 2020, Iowa Governor Kim Reynolds issued a State of Public Health Disaster Emergency due to the COVID-19 pandemic. On March 18, Board President Michael Richards declared a State of Emergency at all of the institutions under the jurisdiction of the Board of Regents due to the COVID-19 pandemic. In addition, President Richards issued emergency authorizations waiving or suspending certain provisions of Board of Regents administrative rules and policy manual.

In consideration of significant improvements in the management of COVID-19 both in the State of Iowa and nationally and recently released national guidance from the Centers for Disease Control and Prevention (CDC), Board President Michael Richards lifted the State of Emergency at the Board of Regents institutions effective May 20, 2021 and provided expiration dates on the previously ratified Emergency Waivers and Authorizations.

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, including the expiration of certain Iowa Administrative Code and Board Policy Manual provisions. A summary of rule and policy manual waivers and date of expiration is included in the following chart.

Administrative Rule or Board Policy	Emergency Waiver	Date Ratified by the Board of Regents	Date of expiration/sunset
Iowa Administrative Code 681—3.148 (Family Care Leave)	Waived the 40 hour limit on accrued sick leave to use for the care or necessary attention of 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 childcare center due to COVID-19.	April 1, 2020	August 31, 2021
Board Policy Manual § 2.1.4.A (Catastrophic Illness Policy)	Waived to allow eligible employees to donate vacation leave to be used as sick leave for purposes directly related to COVID-19.	April 1, 2020	July 1, 2021
	Provided Board Office and institutions under the jurisdiction of the Board of Regents to provide an additional 80 hours of paid sick leave for any otherwise permitted purpose directly related to COVID-19.	April 1, 2020	July 1, 2022
	Allowed institutions to provide instruction for all academic programs virtually.	April 1, 2020	Summer 2021

Iowa Administrative Code 681—3.82 (Temporary Appointments)	Waived the 780 hour limit for temporary workers to allow them to work more than 780 hours per fiscal year to the extent needed to help with the state of emergency related to COVID-19.	April 1, 2020	July 1, 2022
Board Policy Manual § 3.5 (Academic Program and Planning Approval)	Waived the provisions relating to distance education, only to the extent such distance education is necessitated by circumstances of COVID-19.	April 1, 2020	July 1, 2022
Board Policy Manual §3.6.A (Academic Program Review)	Permitted the institutions an additional 12 months to conduct reviews required under §3.6 that are either pending or planned during the State of Emergency.	April 1, 2020	July 1, 2021
Board Policy Manual § 3.15.A (Withholding Student Transcripts)	Waived delinquent account payment requirement for the summer 2020 and fall 2020 registrations	April 1, 2020	Fall 2020
Iowa Administrative Code 681—3.39(10) (Pay for Exceptional Performance)	Waived limitations for merit employees to allow pay for exceptional performance from 5% to 10% of an employee's annual salary.	September 23, 2020	July 1, 2022
Iowa Administrative Code 681—1.1(1) and Board Policy Manual § 3.2.B (Admission Requirements)	Waived the requirement for applicants to Regent university's to submit SAT reasoning or ACT scores. Limited to applications submitted during 2020-2021 admissions cycle.	September 23, 2020	2020-21 admissions cycle
Iowa Administrative Code 681—1.1(1) and Board Policy Manual § 3.2.B (Admission Requirements)	Waived the requirement for applicants to Regent university's to submit SAT reasoning or ACT scores. Limited to applications submitted during 2021-2022 admissions cycle.	November 18, 2020	2021-22 admissions cycle
Iowa Administrative Code 681—3.39(10) (Pay for Exceptional Performance)	Waived the limitation on providing merit employees with pay for exceptional performance on a fiscal year basis to allow the institutions to consider these awards on a calendar year basis.	November 18, 2020	July 1, 2022

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Mark J. Braun, EdD, Executive Director

On March 17, 2020, Governor Kim Reynolds issued a State of Public Health Disaster Emergency due to the COVID-19 pandemic. Consistent with Governor Reynolds' proclamation, on March 18, 2020, I declared a State of Emergency at all of the institutions under the jurisdiction of the Board of Regents due to the COVID-19 pandemic. At that time, and in the months that followed, community spread of the virus nationally was increasing, and adherence to social distancing, mask-wearing, and isolation recommendations was needed to mitigate the spread of the virus.

In recent months, highly effective vaccines have become widely available to adults and older children. The Iowa Department of Public Health (IDPH) currently reports that over 1.2 million Iowan's have been fully vaccinated against COVID-19. Positivity and hospitalization rates continue to decline, and the Centers for Disease Control and Prevention (CDC) recently revised guidance with regard to social distancing, mask-wearing, and isolation for individuals who are fully vaccinated.

In consideration of significant improvements in the management of COVID-19 both in the State of Iowa and nationally, I am lifting the State of Emergency at the Board of Regents institutions effective immediately. In order to facilitate the transition, I am implementing the following guidelines. This guidance is subject to change based on recommendations from the CDC, IDPH, Executive Orders, or further direction from the Board of Regents.

Return to Campus (Faculty and Staff) – Effective July 1, 2021, all faculty and staff are required to return to campus to the extent their traditional (pre-pandemic) employment responsibilities require. The Presidents and Superintendent are authorized to approve continued remote or hybrid work arrangements in circumstances when there is a legitimate business rationale that serves the best interests of the institution (including, pilot projects in targeted areas), or as may otherwise be permitted or required by law or established institutional policy.

Return to Campus (Students) – Effective for the Fall 2021 semester, the institutions are required to return to offering in-person academic coursework and educational experiences to the same extent such academic coursework or educational experiences were offered in-person prior to the pandemic. The institutions may continue to explore hybrid or distance learning academic coursework and educational experiences in consultation with the Board office and in accordance with applicable Board of Regents policy. The institutions are expected to resume traditional student life activities and opportunities effective for the Fall 2021 semester.

Mask Requirements – Effective immediately, faculty, staff, students, and visitors to campus will not be required to wear a mask or other face covering. This guideline shall not apply to campus transportation (i.e. buses), the University of Iowa Hospitals and Clinics (UIHC), veterinary medicine facilities, research laboratories, or any other healthcare operation, setting, or service.

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Unvaccinated individuals are strongly encouraged to continue to wear a mask or other appropriate face-covering while on campus.

Physical Distancing Requirements – Effective immediately, classrooms and other campus spaces will operate at their normal (pre-pandemic) capacity. Faculty, staff, students, and visitors to campus will not be required to maintain physical distancing. This guideline shall not apply to UIHC, veterinary medicine facilities, research laboratories, or any other healthcare operation, setting, or service. Unvaccinated individuals are strongly encouraged to continue to physically distance from others when possible.

Vaccinations – All members of the campus community are strongly encouraged to receive a vaccination against COVID-19. The Universities will continue to ensure vaccine availability to faculty, staff, and students either through vaccination opportunities on campus or in partnership with external providers. The institutions shall make information regarding COVID-19 vaccines easily available to all members of the campus community. However, the institutions under the jurisdiction of the Board of Regents (with the exception of University of Iowa Healthcare) may not impose any requirement that students, faculty, or staff receive or provide evidence of having received a vaccination for COVID-19.

Expiration of Emergency Waivers – The Emergency Waivers and Authorizations previously ratified by the Board of Regents shall expire in accordance with the following timeline:

- Effective August 31, 2021:
 - Iowa Administrative Code 681-3.148 (Family Care Leave)
- Effective July 1, 2021:
 - Board Policy Manual §2.1.4.a (Catastrophic Illness Policy)
 - Board Policy Manual § 3.6.A (Academic Program Review)
- Effective July 1, 2022:
 - Iowa Administrative Code 681-3.39(10) (Pay for Exceptional Performance)
 - Iowa Administrative Code 681-3.82 (Temporary Appointments)
 - Board Policy Manual § 3.5 (Academic Program and Planning Approval)
 - Board of Regents 80 additional hours of sick leave

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 implement these actions.

DocuSigned by:
Michael Richards
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Michael Richards Date
President