

**MEMORANDUM**

**To:** Board of Regents  
**From:** Board Office  
**Subject:** Revisions to the Board of Regents Policy Manual  
**Date:** September 1, 2004

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**Recommended Actions:**

Approve, as first reading, revisions to Chapter IV -- Personnel of the Board of Regents Policy Manual:

**Executive Summary:**

First Reading                      Revisions to Chapter IV – Personnel are presented for first reading. The proposed revisions are detailed in Attachment A.

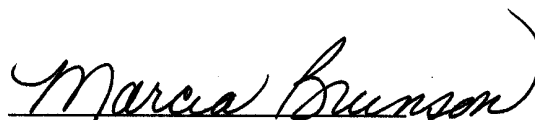
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**Background and Analysis:**

Standard revision process takes two Board meetings                      Changes are proposed to the Policy Manual as a result of editorial review and Regent comments. The traditional revision process for substantive revisions involves initial review and comment by the institution and the Board (the “first reading”) and then providing final Board approval for publication at a subsequent Board meeting.

Revisions to the Policy Manual that have been approved by the Board to date are listed in **Attachment B**.

First Reading                      Revisions to Chapter IV -- Personnel are presented for first reading. The revisions are mainly editorial in nature and will bring the language in the policy to reflect current practice. The policy for educational assistance in the Board Office (§4.42) is a new addition. The revisions appear in **Attachment A**.

  
Marcia R. Brunson

Approved:   
Gregory S. Nichols

**PROPOSED REVISION:**

**FIRST READING**

**IV. Personnel**

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**4.04 Appointment and Review of Presidents, Superintendents, and Executive Director**

The Board of Regents, State of Iowa, is responsible under Iowa Code § 262 for the selection and review of institution heads and the Executive Director. The following guidelines describe the general process to conduct searches for institution heads and for the Executive Director, as well as their appointment. The specific procedures to be used in a given search will be determined by the Board and will reflect the unique environment of the institution or the Board Office.

**4.05 Other Board Appointments Recommended by Institution Heads**

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- B. Provosts, vice presidents, and directors of major units shall be nominated by the institution head for appointment by the Board. Appointments to these positions become effective on the date designated by the Board.

The institutional head shall inform the Board of an impending vacancy in any of these positions and shall apprise the Board of plans for a search for a successor. The Board shall be kept fully informed of the progress of the search and the institution head shall inform the Board of the finalists before a nomination is made. If the compensation or duties of the successful candidate are to be substantially different from those of the previous person in the position, the Board shall be informed.

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**4.06 Register of Personnel Changes**

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- B. The Executive Director of the Board shall ~~docket~~ place on the Board agenda the registers of personnel changes from each institution and the Board Office. Approval of the registers shall constitute confirmation of the personnel changes contained therein.

. . .

**4.07 Appointment to Positions with Tenure and Other Personnel**

- A. Recommendations for aAppointments or promotions to positions of with tenure and those not covered in Section 4.05 shall be made by the institution heads.
- B. All personnel appointments and promotions made under the authority of this section shall be reported to the Board in the monthly Register of Personnel Changes for Board approval.

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**4.16 Holidays**

The following holidays are granted annually to employees:

- 1. New Year's Day
- 2. Martin Luther King, Jr. Day or other holiday designated by institutional head and approved by the Board
- 3. Memorial Day
- 4. Independence Day
- 5. Labor Day
- 6. Veterans' Day or other holiday designated by institutional head and approved by the Board.
- 7. Thanksgiving Day
- 8. Friday after Thanksgiving
- 9. Christmas Day

**4.17 TIAA CREF Retirement Program**

A. Eligibility

- 1. Each Regent institution and the Board Office will set its own eligibility requirements for participation in its basic retirement program with TIAA-CREF or in a plan substituted in accordance with each institutional policy.
- 2. Permanent employees of Iowa School for the Deaf and Iowa Braille and Sight Saving School will have the option of selecting between IPERS and TIAA-CREF for their retirement program. The rate of contribution will be at the current IPERS rate.

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**4.22 Appeals by Employees to Board**

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B. Requests for review shall be in writing and shall state the specific reasons. Requests shall be submitted to the institutional head of the institution concerned who will forward the request, with the comments of the institutional head, to the Executive Director of the Board. Requests for review of a grievance or hearing determination must be submitted to the institutional head within 20 days after the employee receives notice of the order. Requests for review of a rule or policy of the institution may be submitted at any time after all institutional remedies have been exhausted. The employee may ask for an evidentiary hearing before the Board. Such a request must be supported by a statement of reasons for requesting the hearing. Supporting documents may be submitted with the request. The Executive Director shall ~~docket~~ place the request on the agenda for consideration by the Board as soon as practicable.

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D. If an evidentiary hearing is granted by the Board, the Board shall determine who shall hear the matter, and the procedures to be used. In any case, technical rules of evidence shall not apply at any hearing, and the Board or its delegate shall determine the admissibility of all evidence. The Executive Director shall promptly notify the employee and the institutional head, by letter, of the Board's decision and of the time and place of any subsequent hearing.

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#### **4.28 Changes in Insurance Benefits, Contributions, and Providers**

Changes in benefits, contributions, and providers for all insurance benefits provided by the Board require Board approval. To facilitate changes in benefits, contributions, and providers, the Executive Director is authorized to determine if such changes should be ~~docketed~~ placed on the agenda for Board approval. The Executive Director is authorized to approve changes in benefits, contributions, and providers on behalf of the Board unless the changes involve new programs, major changes in policies, or unusual circumstances. Changes approved by the Executive Director on behalf of the Board shall be reported to the Board president and shall be contained in the Board's annual fringe benefit report.

#### **4.29 Special Assignment, Institutional Heads**

The Board of Regents may, in its discretion, place an institutional head on special assignment for up to one semester with full pay and benefits. An institutional head who has served in that capacity for the Board of Regents for at least five years is eligible to apply for such an assignment. The assignment may be for the purpose of advanced study, for research, for creative work, and for other worthwhile projects. Such assignment must be requested in writing to the Board of Regents with a copy to the Executive Director and will be ~~docketed~~ placed on the agenda for formal Board approval.

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**4.32 Evaluation**

A. Evaluation of Institutional Heads and Executive Director

1. Institutional heads and the Executive Director will be evaluated annually between the months of June and September. ~~The institutional head~~ They will be provided with an opportunity to submit a self-evaluation as determined by the Board from time to time. Other evaluation sessions may be conducted by the Board with the institutional head at any time the Board deems appropriate.
2. The evaluation shall address such issues as the operations and management of the institution, effectiveness of the planning process, external relationships, and other issues selected by the Board.

B. Evaluation of Institutional Officials and Other Administrators

1. The institutional head is responsible for ensuring that all institutional officials and other administrators who report to the institutional head receive an annual written evaluation that reflects the individual's accomplishments relative to the goals and mission of the institution as related to the individual's areas of responsibility. A written evaluation shall be completed at least once during each fiscal year. Other evaluations of an individual may be conducted at the discretion of the institutional head.
2. All other administrators who do not report directly to the institutional head shall receive an annual written evaluation by the administrator to whom each reports.

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**4.39 Conflict of Interest of Public Officers and Employees – Gifts (see Iowa Code § 68B)**

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B. Lobbyist Registration

Lobbyists are required to register annually with that branch or branches of state government with which they expect to lobby. For the Executive Branch they are required to provide a list of applicable agencies or offices. The Campaign Finance Disclosure Commission requires each individual lobbyist to report campaign contributions or gifts on a monthly basis when the General Assembly is in session and thereafter on or before July 31, October 31 and January 31. and the sponsoring organization or agency for each lobbyist is to submit a report of salaries and expenditures for lobbying activities for each lobbyist on January 31 and July 31 of each calendar year.

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D. Guidelines for Regent Institutions

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8. Institutional heads can accept gifts only on behalf of the institutions and then direct them appropriately to a charitable organization such as a museum.

**4.40 Inclement Weather**

The Board of Regents recognizes that inclement weather may create emergency conditions that make it difficult or unreasonable to conduct normal business and educational activities at the Regent institutions. Therefore, the Board delegates decisions on temporary closings, cancellations or curtailing of normal institutional functions due to inclement weather to the institutional head and central administration of each Regent institution, according to their individual policies. The Executive Director and/or the Board Office should be notified immediately whenever such decisions are made.

**4.41 Policy on Interinstitutional Staff Sharing**

From time to time various emergency and other situations may occur at one or more of the Regent institutions requiring additional, temporary, assistance from outside the campus. The institutional heads are hereby authorized and encouraged, to provide assistance to the extent possible and to send and receive volunteer employees and resources from other Regent institution(s) under such circumstances. It is understood that the receiving institution will reimburse the sending institution(s) for the cost of such assistance or other arrangements as agreed to by the parties.

**4.42 Policy on Board Office Educational Assistance**

Educational Assistance

Educational assistance includes reimbursement for tuition, fees, books, or other expenses incurred by a Board Office employee in taking coursework for credit at an educational institution. The employee is expected to maintain everyday job responsibilities while taking this coursework.

1. Eligibility/Criteria

Any permanent employee of the Board Office who has completed the equivalent of one year of full-time continuous service is entitled to consideration for the benefits provided under this program. (For example, an employee budgeted one-half time would be required to have been employed for at least two years in order to be eligible for the program.)

## Attachment A

An employee receiving other financial assistance, such as scholarship aid, GI funds, etc., will be eligible to receive educational assistance to the extent that the sum total of all methods of reimbursement does not exceed 100 percent of tuition and fees.

Employees are required to first seek enrollment into evening and Saturday classes; tuition reimbursement may be granted for a maximum of four credit hours at one time.

If the necessary courses are not available during evenings and Saturdays, flex time and tuition reimbursement may be granted for a maximum of four credit hours at any one time.

When flex time is granted, the individual's work schedule will be modified to the extent feasible to accommodate class hours. However, merit staff employees may be expected to make up the time missed from work, and professional employees are expected to meet project deadlines.

### 2. Acceptable Courses of Study

This program is exclusively designed for school-related courses of study. Any course of study must be in an area that has a relationship to the tasks accomplished within the office, the requirements of the position the individual currently holds and/or requirements for the learning of skills for which the office has need.

The course must be taken from an accredited institution approved by the U.S. Department of Education. Short courses, workshops, CEU courses, etc., will not qualify unless they carry credit toward a degree or certificate.

### 3. Educational Institutions

A staff member may, under this program, attend any institution of higher learning within the state that is accredited by an organization approved by the United States Department of Education. In the statement, "accreditation" refers to a specific program of study that is approved or accredited by the profession, if any.

### 4. Reimbursement

An employee will be reimbursed for tuition and fees upon submission of an original paid receipt from the academic institution to the designated agency representative.

Prior to reimbursement, the employee must provide proof of successful completion of the course.

Successful completion of undergraduate course shall require attainment of at least a "C" grade, a "complete" or a "pass".

Successful completion of a graduate course shall require attainment of at least a "B" grade or "pass".

Successful completion of a vocational or correspondence course shall be recorded by submittal of an official certificate.

5. Termination of Employment

Any staff member who receives reimbursement for tuition shall agree to remain in the active employment of the Board Office after the receipt of such benefit for a period of one month for every unit of credit earned or to repay to the state of Iowa such compensation as the staff member shall have received. Months shall be counted beginning with the first full month of active employment following the official semester closing date of the institution wherein the employee is enrolled.

**POLICY AFTER REVISION**

**FIRST READING**

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**Board approved revisions of sections of the Policy Manual**

- Chapter V. Equal Opportunity, in January 2002.
- Chapter II. Meetings and Chapter IV: Personnel, in March 2002.
- Chapter IV. Personnel -- §4.04: Appointment of Presidents, Superintendents, and Executive Director and §4.11: Employment and Supervision of Immediate Family Members, in April 2002.
- Chapter III. Board Office, in April 2002.
- Chapter VI. Academic Policies and Procedures (with the exception of §§6.03 and 6.04), in April 2002.
- Chapter I. Board of Regents, in May 2002.
- Chapter VI. Academic Policies and Procedures, §§6.03 and 6.04, in May 2002.
- Chapter VIII. Charges and Fees, in May 2002.
- Chapter IV. Personnel -- §4.37: Regent Employees Representing the Board of Regents and the Regent Enterprise, and §4.38: Regent Employees Serving on State Committees as Regent Employees, in June 2002.
- Chapter I. Board of Regents -- §1.07(A)(2)(b) (amended to include a community college president as a representative on the Committee on Educational Coordination), in June 2002.
- Chapter VII. Business Procedures -- §7.04: Purchasing, in July 2002.
- Chapter IV. Personnel -- §4.39: Conflict of Interest of Public Officers and Employees – Gifts, §4.40: Conflict of Interest – Duty of Loyalty, and §4.41: Inclement Weather, in January 2003.
- Chapter VII. Business Procedures -- §7.01: Authority, §7.02: General Practices, §7.04: Financing, §7.06: Risk Management, §7.07: Compliance and Reporting, and §7.08: Audits, in January 2003.
- Chapter IX. Property and Facilities -- §9.03: Register of Capital Improvement Business Transactions, §9.04: Permission to Proceed with Project Planning, §9.05: Program Statement, §9.06: Project Descriptions and Budgets, §9.07: Consultant Agreements and Amendments, §9.08: Construction Contracts and Change Orders, §9.09: Acceptance of Completed Construction Contracts, and §9.10: Final Reports, in January 2003.
- Chapter I. Board of Regents -- § 1.03: Report of Special Schools Advisory Committees; §1.04, subsections C and E; and §1.06I: Regent Advisory Committees on Iowa School for the Deaf and Iowa Braille and Sight Saving School, in April 2003.
- Chapter IV. Personnel -- §4.42: Interinstitutional Staff Sharing, in April 2003.
- Chapter VI. Academic Policies and Procedures -- §6.05: Academic Review and Program Approval and subsection 6.05B(3), in April 2003.
- Chapter IX. Property and Facilities -- §9.07: Consultant Agreements and Amendments, in April 2003.
- Chapter I. Board of Regents -- §1.03: Governance, subsection E: Governance Reports – Banking Committee, in May 2003.
- Chapter I. Board of Regents -- §1.05: Board of Regents Committee, in May 2003.
- Chapter VII. Business Procedures -- §7.09: Printing, in July 2003.
- Chapter VII. Business Procedures -- §7.02: General Policies, A. Budgets, 6. Reallocation, in October 2003.

## Attachment I

- Chapter I. Board of Regents - §1.06E: Economic Development and Technology Transfer, in October 2003.
- Chapter III. Board Office -- §3.03: Responsibilities of the Executive Director and Board Office, emeritus status for Board Office staff, in November 2003.
- Chapter IV. Personnel -- §4.16: Holidays, in December 2003.
- Chapter IV. Personnel -- §4.31: Drug-Free Environment and Controlled Substances, Subsection C, in December 2003.
- Chapter VI. Academic Policies and Procedures -- §6.05: Academic Review and Program Approval, in December 2003.
- Chapter V. Equal Opportunity -- §5.06: Affirmative Action Committee, in December 2003.
- Chapter VII. Business Procedures -- §7.09: Printing, Subsection D-4, in December 2003.
- Chapter I. Board of Regents -- §1.09, Affiliated Organizations, in January 2004.
- Chapter VII Business Procedures -- §7.04B, Master lease drawdowns, in January, 2004.
- Chapter VII Business Procedures -- §7.04C, Assistance in reporting, in January, 2004.
- Chapter VII Business Procedures -- §7.04I, Purchasing report, in January, 2004.
- Chapter VIII Fees and Charges -- §8.06A, Residence system reporting, in January, 2004
- Chapter I Board of Regents -- §1.03E, Governance Reports, in February 2004
- Chapter I Board of Regents -- §1.02, Strategic Plan, in April, 2004
- Chapter I Board of Regents -- §1.01C, Orientation of Board Members, in May, 2004
- Chapter IV. Personnel -- §4.40: Conflict of Interest, in May, 2004.
- Chapter I Board of Regents -- §1.04, Board Officers, in May, 2004
- Chapter I Board of Regents -- §1.05, Board of Regents Committees, in May, 2004
- Chapter I Board of Regents -- §1.06, Interinstitutional Committees, in May, 2004
- Chapter I Board of Regents -- §1.07, Special Committees, in May, 2004
- Chapter VII Business Procedures – A number of non-substantive editorial corrections were implemented to ensure that the Policy Manual conformed to the revisions in the Board’s committee structure (e.g., “Banking Committee” references were removed or revised) in May, 2004
- Chapter I Board of Regents -- §1.05b, Board Committee responsibilities, in June, 2004
- Chapter I Board of Regents -- §1.05d, Standing Committees of the Board, in June, 2004
- Chapter VI. Academic Policies and Procedures -- §6.01: Admissions Requirements (application fees), in June, 2004.
- Chapter VI. Academic Policies and Procedures -- §6.20: Admission Requirements (Iowa Braille and Sight Saving School) Approval, in June, 2004.
- Chapter VII Business Procedures -- §7.05B.12, Definition of “movable equipment, in January, 2004.
- Chapter 1 Board of Regents -- §1.02 Strategic Plan, August 24, 2004.
- Chapter 3 Board Office -- §3.01 Board Office Statement of Mission, August 24, 2004.
- Chapter 3 Board Office -- §3.03 Responsibilities of the Executive Director and the Board Office, August 24, 2004.