

MEMORANDUM

To Board of Regents
From: Board Office
Subject: Amendments to Iowa Administrative Code
Date: September 1, 2004

Recommended Actions:

1. Approve adoption of amendments to the Iowa Administrative Code §681, Chapters 3 and 11.
 2. Approve emergency filing of amendments to Chapters 1 and 2.
 3. Authorize the Executive Director to file the appropriate documents.
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Executive Summary:

Iowa Administrative
Code Revisions

The Board is asked to approve the adopting of amendments proposed to Chapters 3 and 11. Previously, the Board approved filing notice to amend these rules. Additionally, as explained below the Board is asked to approve filing on an emergency basis amendments to Chapters 1 and 2.

Chapter 11 -- Board's
Organization

In May 2004, the Board approved the initial filing to amend Section 681, Chapter 11 – Board of Regents Organization and General Rules -- of the Regents administrative rules.

In general the revisions will do the following:

- Clarify the Board's authority to establish a variety of committees and task forces, and the Board's president's authority to appoint individuals to those bodies.
- Update references to the preparation and distribution of docket material and Board meeting information to reflect current practices.
- Clarify who is authorized to promulgate rules and policies and at what level.
- Continue the ongoing effort to remove specific references that may inhibit the Board's ability to do its work (in this case, removing reference to specific special committees).

The notice established a period for public comment. The comment period expired on August 10, 2004. No comments were received.

The current language with the proposed revisions is noted in Attachment A. The rule after the adoption of the revisions is shown in Attachment B.

Chapter 3 -- Regent
Merit System

In June 2004, the Board approved filing notice to amend Chapter 3 of the Regents Administrative Rules relating to the Regent Merit System.

The great majority of the revisions were editorial in nature and necessary due to changes in the Iowa Code. The statute governing the state personnel function was Chapter 19A. With the creation of the Department of Administrative Services which among other areas has oversight for the state personnel function, Chapter 19A was repealed and the language moved to Chapter 8A. It was necessary to change many references to 19A in Chapter 3 of the rules.

Since there is no longer a statutory requirement for public hearing for the merit system pay plan, language requiring such a hearing is removed. The revision is shown in Attachment C.

The notice established a period for public comment. The comment period expired on August 10, 2004. No comments were received.

Chapters 1 and 2 –
Admission Rules

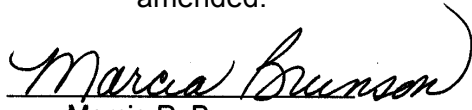
The Board approved filing notice to amend its administrative rules relative to application fees in May 2004. The rules contained references to specific dollar amounts for application fees. Given that these fees may be changed annually; and the administrative rulemaking process is quite lengthy, it was felt that it was impractical to state specific amounts in the rules.

Board policy requires that increases to fees must be taken to the Board twice before approval. Websites and various publications of the universities are available to provide prospective students with listings of the various application fees

When these changes were initially filed, a period for public comment was established. A public hearing was held at the conclusion of the comment period on April 20, 2004. No written or oral comments were received.

The Board approved filing of the amendments as adopted, and they were published. Subsequently, the Board's staff was asked to appear at a meeting of the Administrative Rules Review Committee. At that meeting the committee directed that the specific fee amounts not be removed from the rules due to requirements in Iowa Code, Chapter 17A. The committee directed that the amendment be filed as emergency under Administrative Procedures Act.

The proposed language which is shown in Attachment D contains a new subrule listing all the application fees. Attachment E shows the rule as amended.



Marcia R. Brunson

Approved: 

Gregory S. Nichols

H:(HR/DOCKET2004)0904_ITEM08

ATTACHMENT A
PROPOSED REVISIONS

CHAPTER 11
BOARD OF REGENTS ORGANIZATION AND GENERAL RULES

11.1(1) *President and President Pro Tem.* The president of the board of regents is elected by the board from its members at the ~~May~~ April meeting in even-numbered years for a two-year term and until a successor is elected and qualified. ~~If a vacancy occurs in the office prior to the end of the regular term, the board elects a president to fill out the unexpired term. A president pro tem shall be elected at the same meeting at which the board president is elected. If a vacancy occurs in the office of Board president, the president pro tem shall serve as president until such time as a new president is selected by the board.~~

11.1(2) *Duties of the president.* The duties of the president include presiding at all meetings of the board, appointing members of all ~~special committees~~ and task forces with the consent of the board of regents, executing, with the executive director, such instruments and contracts as may be ordered by the board, and performing such other duties as may be assigned by the board. The President of the board shall serve as an ex-officio, non-voting, member of all standing committees.

11.1(3) *Executive director.* The executive director is elected by the board. The duties of the executive director include recording proceedings of the board, preserving the documents and records of the board, providing a meeting agenda to the board, administering the board office, providing such staff work as may be necessary to assist the board in its planning and decision making, participating in budget preparation and presentation to the board, maintaining liaison between the board and other state agencies, providing information to the general assembly and the public, participating in the preparation and completion of matters relating to financing of capital improvements, and such other duties as may be assigned by the board.

Agendas containing matters to be brought before the board together with supporting material will be assembled by the executive director. Such agendas will be indexed and included in a binder for easy reference. ~~Each institution will prepare its own portion of the agenda and forward same, with necessary supporting material, to the executive director at least ten days prior to the date a board meeting is scheduled. Assembled agendas will be mailed forwarded to members of the board by the executive director at least six days~~ about a week prior to any scheduled meeting.

The agenda of board meetings also will be made available to students, faculty, staff, and the general public through the board office and the public information offices at each institution prior to the board meeting at which the agenda is to be considered.

11.1(4) *Submissions and requests.* Inquiries, submissions, petitions, and other requests directed to the board of regents may be made by letter addressed to the Executive Director, Board of Regents, ~~Old Historical Building, Des Moines,~~ 11260 Aurora Avenue, Urbandale, Iowa 50314 ~~922-7905.~~

Any person may petition for a written or oral hearing before the board. All requests for a hearing must be in writing and state the specific subject to be discussed and the reasons why a personal appearance is necessary if one is requested.

ATTACHMENT A

PROPOSED REVISIONS

Students, faculty, and other employees of institutions under the control of the board must route their petitions through the chief executive officer of the institution concerned. The chief executive officer will forward the petition, with the chief executive officer's comments, to the executive director of the board. The executive director of the board will place the item on the agenda for consideration by the board.

All other persons may request hearings by written petition directly to the executive director of the board. The executive director shall cause the subject matter of the petition to be investigated, and make a written report to the board. ~~The executive director of the board will~~ and place the item on the agenda for consideration by the board.

If the board grants a hearing, it shall be conducted in the manner prescribed by the board. The board may decide to grant a written hearing, an oral hearing, or both.

11.1(5) ~~Rule-making~~ Adoption of rules and policies. The board of regents adopts rules and policies having general application to the institutions subject to its governance. The president of each institution is delegated the authority to adopt ~~such rules~~ policies as may be appropriate ~~to~~ for the operation of the individual institution and which are not inconsistent with the general rules and policies adopted by the board. The board of regents retains the authority to rescind any ~~such~~ institutional rule policy.

11.1(6) ~~Meetings.~~ The board meets regularly ~~once each month except one month in the summer~~ throughout the year. The schedule of meetings is available from the executive director at the address given in 11.1(4). The advance schedule of meetings is shown in each ~~monthly~~ agenda that is distributed to the press and the public at the board meeting. The meeting schedule, ~~generally is to be set for about six~~ several months in advance, indicates the site at which ~~regent institution~~ the meetings will be held and the date(s) of the meeting. Formal notification of meeting details is given to the press about a week prior to each monthly board meeting.

Six members of the board shall constitute a quorum for a meeting of the full Board of Regents. The number of votes required to constitute a majority for a given purpose shall be a majority of those present, assuming a quorum. Except where otherwise required by statute or these rules, the board shall conduct its meetings according to Robert's Rules of Order.

11.1(7) ~~General role and scope of regent institutions.~~ The universities under the control of the board of regents, State University of Iowa, Iowa State University, and the University of Northern Iowa, strive to offer diversified and high quality programs of undergraduate and postgraduate study at reasonable cost to a major segment of those seeking postsecondary education in this state. Educational programs are designed to allow the individual student a wide range of subject selection and the greatest freedom to fulfill potentialities in pursuit of knowledge and in preparation for a role in society.

These universities are the primary Iowa training ground for the professions including medical doctors, dentists, pharmacists, nurses, lawyers, veterinarians, educators, architects, agriculturists, engineers and others who will achieve advanced degrees in various fields of the arts and sciences. The state universities are deeply committed to research which expands knowledge and benefits society. They make educational programs and the results of research available through extension services and will offer services to the public appropriate to the role of each university.

General role and scope of the two specialized schools under the board of regents, Iowa School for the Deaf and Iowa Braille and Sight Saving School, are to provide residential, educational, and training programs for the blind and the deaf through grade 12.

ATTACHMENT A

PROPOSED REVISIONS

The board of regents is the policymaking body representing the citizens of Iowa. It establishes goals and monitors progress toward those goals to ensure that the institutions under its governance accomplish their mission.

11.1(8) Committees. The board of regents ~~has~~ may established standing committees of the Board, interinstitutional committees of professional educators drawn from the institutions and staff under its governance, and special committees or task forces. Their function of all committees and task forces is to advise the board on matters related to development of policy,¹² and An additional goal of interinstitutional committees is to ensure cooperation among the several institutions, and promote efficiency of operation.

~~The committees include the committee on educational coordination, the registrar's committee on coordination, the subcommittee on library coordination, the information committee, the regent committee on educational relations, the state extension and continuing education council, the committee on equal employment opportunity, the coordinating council for international studies, and the regent advisory committees on Iowa School for the Deaf and Iowa Braille and Sight Saving School.~~

This rule is intended to implement Iowa Code section 262.12.

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11.1(2) *Duties of the president.* The duties of the president include presiding at all meetings of the board, appointing members of all committees and task forces with the consent of the board of regents, executing, with the executive director, such instruments and contracts as may be ordered by the board, and performing such other duties as may be assigned by the board. The President of the board shall serve as an ex-officio, non-voting, member of all standing committees.

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11.1(4) *Submissions and requests.* Inquiries, submissions, petitions, and other requests directed to the board of regents may be made by letter addressed to the Executive Director, Board of Regents, 11260 Aurora Avenue, Urbandale, Iowa 50322-7905.

Any person may petition for a written or oral hearing before the board. All requests for a hearing must be in writing and state the specific subject to be discussed and the reasons why a personal appearance is necessary if one is requested.

Students, faculty, and other employees of institutions under the control of the board must route their petitions through the chief executive officer of the institution concerned. The chief executive officer will forward the petition, with the chief executive officer's comments, to the executive director of the board. The executive director of the board will determine whether to place the item on the agenda for consideration by the board.

All other persons may request hearings by written petition directly to the executive director of the board. The executive director shall cause the subject matter of the petition to be investigated, make a written report to the board, and place the item on the agenda for consideration by the board.

If the board grants a hearing, it shall be conducted in the manner prescribed by the board. The board may decide to grant a written hearing, an oral hearing, or both.

ATTACHMENT B

RULE AFTER REVISIONS

11.1(5) *Adoption of rules and policies.* The board of regents adopts rules and policies having general application to the institutions subject to its governance. The president of each institution is delegated the authority to adopt policies as may be appropriate for the operation of the individual institution and which are not inconsistent with the general rules and policies adopted by the board. The board of regents retains the authority to rescind any institutional policy.

11.1(6) *Meetings.* The board meets regularly throughout the year. The schedule of meetings is available from the executive director at the address given in 11.1(4). The advance schedule of meetings is shown in each agenda that is distributed to the press and the public at the board meeting. The meeting schedule is to be set for several months in advance and indicates the site at which the meetings will be held and the date(s) of the meeting. Formal notification of meeting details is given to the press about a week prior to each monthly board meeting.

Six members of the board shall constitute a quorum for a meeting of the full Board of Regents. The number of votes required to constitute a majority for a given purpose shall be a majority of those present, assuming a quorum. Except where otherwise required by statute or these rules, the board shall conduct its meetings according to Robert's Rules of Order.

11.1(7) *General role and scope of regent institutions.* The universities under the control of the board of regents, State University of Iowa, Iowa State University, and the University of Northern Iowa, strive to offer diversified and high quality programs of undergraduate and postgraduate study at reasonable cost to a major segment of those seeking postsecondary education in this state. Educational programs are designed to allow the individual student a wide range of subject selection and the greatest freedom to fulfill potentialities in pursuit of knowledge and in preparation for a role in society.

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The board of regents is the policymaking body representing the citizens of Iowa. It establishes goals and monitors progress toward those goals to ensure that the institutions under its governance accomplish their mission.

11.1(8) *Committees.* The board of regents may establish standing committees of the Board, interinstitutional committees of professional educators drawn from the institutions and staff under its governance, and special committees or task forces. The function of all committees and task forces is to advise the board on matters related to development of policy. An additional goal of interinstitutional committees is to ensure cooperation among the several institutions, and promote efficiency of operation.

This rule is intended to implement Iowa Code section 262.12.

ATTACHMENT C

Amend subrule 681—3.37(19A) as follows:

The board of regents will adopt a pay plan for all the classes established in the classification plan. The pay plan will consist of a schedule or schedules of numbered grades with minimums and maximums for each grade. Each class will be assigned to a pay grade. The plan will be developed to reflect the relative difficulty and responsibility of the work involved in the various classes, what is paid for similar work by other employers in the pertinent labor market, and the availability of funds with due regard to the results of a collective bargaining agreement negotiated under the provisions of Iowa Code chapter 20. The plan will be uniformly applicable to all regents institutions except for variances approved on the basis of geographical differences. ~~Prior to final approval by the board of regents, the plan will be the subject of a public hearing conducted after reasonable and adequate notice at each board of regents institution. After approval by the board of regents, the plan will be submitted for approval to such other authority as required by law.~~

ATTACHMENT D

PROPOSED REVISIONS

681 – 1.1(262) Admission of undergraduate students directly from high school. Students desiring admission to the University of Iowa, Iowa State University, or the University of Northern Iowa must meet the requirements in this section and also any special requirements for the curriculum, school, or college of their choice.

Applicants must submit a formal application for admission, together with a ~~\$20~~ the appropriate application fee as approved by the state board of regents pursuant to Iowa Code subsection 262.9(18) and detailed in 681 – 1.7 for U.S. citizens or permanent residents for applicants to Iowa State University and the University of Northern Iowa or a \$30 application fee for applicants to the University of Iowa and a \$50 application fee for foreign students, and have their secondary school provide a transcript of their academic record, including credits and grades, rank in class, and certification of graduation. Applicants must also submit scores from the American College Test (ACT) or the Scholastic Aptitude Test (SAT), or the equivalent, as determined by each university. The Test of English as a Foreign language (TOEFL) is required of foreign students whose first language is not English. Applicants may be required to submit additional information or data to support their applications.

681—1.2(262) Admission of undergraduate students by transfer from other colleges. Students desiring admission to the University of Iowa, Iowa State University, or the University of Northern Iowa must meet the requirements in this section and also any special requirements for the curriculum, school, or college of their choice.

Applicants must submit a formal application for admission, together with a ~~\$20~~ the appropriate application fee as approved by the state board of regents pursuant to Iowa Code subsection 262.9(18) and detailed in 681 – 1.7 for U.S. citizens or permanent residents for applicants to Iowa State University and the University of Northern Iowa or a \$30 application fee for applicants to the University of Iowa and a \$50 application fee for foreign students, and request that each college they have attended send an official transcript of record to the admissions office. High school academic records and standardized test results may also be required. The Test of English as a Foreign language (TOEFL) is required of foreign students whose first language is not English.

ATTACHMENT D

PROPOSED REVISIONS

681—1.7(262) Application Fees. Application fees required for admission to the University of Iowa, Iowa State University and the University of Northern Iowa are as follows:

University of Iowa	
Undergraduate domestic student	\$40
Undergraduate international student	\$60
Graduate/professional domestic student	\$60
Graduate/professional international student	\$85
Re-Entry fee	\$20
Iowa State University	
Undergraduate domestic student	\$30
Undergraduate international student	\$50
Graduate domestic student	\$30
Graduate international student	\$70
Veterinary Medicine	\$60
University of Northern Iowa	
Undergraduate domestic student	\$30
Undergraduate international student	\$50
Graduate domestic student	\$30
Graduate international student	\$50

681—2.27(262) Graduate college.

2.27(1) *Admission.* Admission to the graduate college may be granted to a graduate of an institution in the United States which is accredited by a recognized regional association. For information concerning graduate study in a particular academic discipline, prospective students are invited to correspond with the head of the department in which they wish to study.

Application forms are available from the Office of Admissions, 7 Beardshear Hall at <http://www.admissions.iastate.edu/>. These forms, together with official transcripts, the appropriate application fee as approved by the state board of regents pursuant to Iowa Code subsection 262.9(18) and detailed in 681 – 1.7 and a statement of quartile rank, should be forwarded to the Office of Admissions at least one month prior to the opening of the quarter in which the student wishes to matriculate. An application fee of \$10 is charged each applicant formally applying for admission to the graduate college. If the undergraduate degree is from Iowa State University or if the student is applying for nondegree admission, no application fee is assessed.

~~2.27(6) *Nondegree admission.* A graduate of a university or college in the United States may be granted nondegree admission in order to: (1) transfer graduate credit earned at Iowa State University to other institutions, (2) enroll occasionally in off-campus graduate courses, or (3) take graduate courses without pursuing an advanced degree.~~

~~Transfer from nondegree admission to full admission requires submission of complete academic records, recommendation by the department head and the approval of the graduate dean, and payment of an application fee of \$10 by those who do not have an undergraduate degree from Iowa State University.~~

ATTACHMENT E

RULE AFTER REVISION

681 – 1.1(262) Admission of undergraduate students directly from high school. Students desiring admission to the University of Iowa, Iowa State University, or the University of Northern Iowa must meet the requirements in this section and also any special requirements for the curriculum, school, or college of their choice.

Applicants must submit a formal application for admission, together with the appropriate application fee as approved by the state board of regents pursuant to Iowa Code subsection 262.9(18) and detailed in 681 – 1.7 and have their secondary school provide a transcript of their academic record, including credits and grades, rank in class, and certification of graduation. Applicants must also submit scores from the American College Test (ACT) or the Scholastic Aptitude Test (SAT), or the equivalent, as determined by each university. The Test of English as a Foreign language (TOEFL) is required of foreign students whose first language is not English. Applicants may be required to submit additional information or data to support their applications.

681—1.2(262) Admission of undergraduate students by transfer from other colleges. Students desiring admission to the University of Iowa, Iowa State University, or the University of Northern Iowa must meet the requirements in this section and also any special requirements for the curriculum, school, or college of their choice.

Applicants must submit a formal application for admission, together with the appropriate application fee as approved by the state board of regents pursuant to Iowa Code subsection 262.9(18) and detailed in 681 – 1.7 and request that each college they have attended send an official transcript of record to the admissions office. High school academic records and standardized test results may also be required. The Test of English as a Foreign language (TOEFL) is required of foreign students whose first language is not English.

681—1.7(262) Application Fees. Application fees required for admission to the University of Iowa, Iowa State University and the University of Northern Iowa are as follows:

University of Iowa	
Undergraduate domestic student	\$40
Undergraduate international student	\$60
Graduate/professional domestic student	\$60
Graduate/professional international student	\$85
Re-Entry fee	\$20
Iowa State University	
Undergraduate domestic student	\$30
Undergraduate international student	\$50
Graduate domestic student	\$30
Graduate international student	\$70
Veterinary Medicine	\$60
University of Northern Iowa	
Undergraduate domestic student	\$30
Undergraduate international student	\$50
Graduate domestic student	\$30
Graduate international student	\$50

ATTACHMENT E

RULE AFTER REVISION

681—2.27(262) Graduate college.

2.27(1)*Admission.* Admission to the graduate college may be granted to a graduate of an institution in the United States which is accredited by a recognized regional association. For information concerning graduate study in a particular academic discipline, prospective students are invited to correspond with the head of the department in which they wish to study.

Application forms are available at <http://www.admissions.iastate.edu//>. These forms, together with official transcripts, the appropriate application fee as approved by the state board of regents pursuant to Iowa Code subsection 262.9(18) and detailed in 681 – 1.7 and a statement of quartile rank, should be forwarded to the Office of Admissions at least one month prior to the opening of the quarter in which the student wishes to matriculate. If the undergraduate degree is from Iowa State University or if the student is applying for nondegree admission, no application fee is assessed.