

Contact: Aimee Claeys

REVISIONS TO BOARD POLICY MANUAL

Action Requested: Approve, as a second and final reading, revisions to the Board of Regents Policy Manual as further outlined in this memorandum.

Executive Summary: In the spring of 2021, staff of the Office of the Board of Regents initiated a comprehensive review of the Board of Regents Policy Manual. The Board Office last conducted a comprehensive review of the Policy Manual in 2016, which concluded with presentation to the Board for final approval during the meeting of July 18, 2016. Board Office staff were guided by two primary goals during this review: 1) update the Policy Manual to reflect concurrently-proposed amendments to the Board of Regents administrative rules, and 2) assure that the Policy Manual accurately captures current and best practices regarding governance of the Regent institutions.

The Board Office compiled the following summary of proposed revisions to the Policy Manual. One additional revision was made to provide clarity in the approval process in Section 2.3.2.D.ii. The detailed amendments are contained in Attachment A.

Chapter 1 – Board of Regents and Board of Regents Office

1.4 Meetings

1.4.F. Public Attendance at Board Meetings

- ii. Signs, placards and other display media may be permitted in the meeting room at the discretion of the President of the Board. For public safety reasons, signs shall not be mounted on sticks, posts or similar structures. Audience members may be asked to remove signs from the meeting room if they disrupt the meeting or interfere with the ability of others to observe the proceedings. Disruptive behavior will not be tolerated. The President of the Board reserves the right to have individual attendees removed from any board meeting if the attendee engages in behavior that materially interferes with the board's ability to conduct the meeting or other attendees' ability to observe or hear the proceedings. Individuals who engage in disruptive behavior will be removed from the meeting.

1.6. Fees and Charges

- A. The Board of Regents is responsible for establishing fees and charges at the Regent institutions, such as tuition, mandatory fees, miscellaneous charges, room and board rates for university residence systems, application fees, and parking rates. Certain exceptions do apply.

1.7 Appeals to the Board

1.7.1.A. Mandatory Appeals

- A. Mandatory Appeals. The Board will consider, as a matter of right, the following:
 - i. An appeal from an employee disciplinary matter where termination dismissal or suspension without pay is the final institutional sanction.

1.7.2. General Provisions and Definitions

- A. Standing. Any individual or entity who participated or had a right to participate as one of the Parties a party to a proceeding or action at an institution under the jurisdiction of the Board has standing to appeal the final institutional decision.
- C. Parties Defined. As used in these appeal procedures, "Parties" shall mean only the following, with their respective meanings stated below:
 - i. "Appellant" shall mean each person or entity initiating the appeal
 - ii. "Institution" shall mean the institution under the jurisdiction of the Board of Regents from which appeal is taken

- iii. "Respondent" shall mean each person or entity who participated or had a right to participate as one of the Parties ~~a party~~ during the institutional review process but is not the one initiating the appeal.
- E. Single Appeal. Only one appeal of the same or substantially similar subject matter and/or Parties ~~parties~~ shall be considered by the Board. The Executive Director may, in his/her sole discretion, reject or consolidate appeals that arise out of the same subject matter. The Executive Director may, in his/her sole discretion, sever multiple claims brought as a single appeal.
- H. Timeliness of Appeal. When one of the Parties ~~a party~~ fails to timely exercise the appeal rights under this policy, ~~the party is~~ they shall be deemed to have accepted the final institutional decision and to have waived the right to contest the matter further.
- I. Filing and Service. Documents may be filed with the Executive Director or such other person as designated by the Executive Director and simultaneously served on all ~~parties~~ Parties using any of the following methods: personal delivery, United States mail, fax, electronic mail, or any other method approved by the Executive Director. A document is considered filed on the date and time when it is received by the Office of the Board of Regents.
- J. Prohibited (Ex Parte) Communications. Except for inquiries regarding procedural or scheduling matters, ~~no party~~ none of the Parties shall communicate with a member of the Board of Regents or an employee of the Office of the Board of Regents regarding an appeal without notice to all ~~parties~~ Parties and an opportunity for all ~~parties~~ Parties to participate.
- K. Written Transcripts. If a hearing was conducted and audio recorded, any of the Parties ~~party~~ to an appeal may request that a written transcript be prepared. If a request is made, a written transcript will be prepared and copies will be provided to all Parties ~~parties~~ and the Office of the Board of Regents. Expenses shall be the responsibility of the one requesting ~~it~~ party, unless otherwise ordered by the Executive Director. The Executive Director may request that a transcript be prepared at the expense of the institution.
- L. Confidentiality. All submissions to the Board of Regents on appeal (including, but not limited to, written argument of the Parties and the record) are to be kept confidential. Dissemination of items submitted outside of this appeal process, other than as a part of another legal or administrative proceeding or process, is prohibited. The expectation of confidentiality shall not extend to documents that any party holds or has a right to access independent of the institutional and Board of Regents investigation, review, and appeal proceedings.

1.7.3. Appeals Other Than Tenure Appeals

- A. Notice of Appeal. An appeal may be initiated by filing a written Notice of Appeal with the Executive Director within ten (10) days of the date of the final institutional action from which appeal is taken. The Executive Director shall promptly forward a copy of the Notice of Appeal to the Institution and all ~~parties~~ Parties with a statement certifying the date the Notice of Appeal was filed.
- B. Filing of Written Responses to the Notice of Appeal. Within twenty (20) days of the date the Notice of Appeal is filed, the Institution and all Respondents may file a Response to the Notice of Appeal with the Executive Director, and shall serve a copy of the same on all ~~parties~~ Parties. Failure to submit a Response to the Notice of Appeal by either the Institution or a Respondent shall not be deemed a waiver of the right to participate in the appeal or contest the matter further.

The Response shall include the following:

- i. Identification of the Institution or Respondent(s), as applicable;
 - ii. Identification of Counsel for the Institution or Respondent(s), if any;
 - iii. If the appeal is discretionary, a statement as to why it should or should not be heard;
 - iv. A brief response to Appellant's stay request, if any. The Executive Director may, in his/her sole discretion, request that a response to a request for stay be submitted separately and in advance of the deadline for filing the Response;
 - v. A request for, or a response to Appellant's request for, consolidation or severance, with is-requested the reasons for the institution's position or against such a request;
 - vi. A request for oral argument, if desired.
- C. Filing of the Record. Within twenty (20) days of the date the Notice of Appeal is filed, the Institution shall file a complete copy of the Record with the Executive Director, and serve a copy of the same on all ~~parties~~ Parties.

The Record shall include the following:

- i. Copies of institutional policies and procedures directly relevant to the appeal;
- ii. All official communications between the Institution and the Appellant and/or Respondent(s) regarding the appeal, including all official decisions and recommendations issued at each stage of institutional review;
- iii. A statement of charges or complaint documents provided to Appellant, if applicable;
- iv. An audio recording or written transcript of any hearings, if available;

- v. Copies of all exhibits received by the hearing officer or reviewer at each stage of institutional review;
 - vi. All additional, non-privileged materials considered by the institutional ~~reviewer of~~ decision-maker at each stage of institutional review.
- G. Schedule for filing Written Briefs. The Executive Director shall issue a schedule for filing written briefs. Written briefs shall be limited to twenty ~~five~~ double spaced pages exclusive of attachments), unless an exception is granted in writing by the Executive Director.
- i. The Appellant shall have twenty (20) days from the date of the Executive Director's scheduling order to file a written brief with the Executive Director, with a copy served on the Institution and all Respondents.
 - ii. The Institution and all Respondents shall have twenty (20) days from the date Appellant's brief is filed to file a responsive brief with the Executive Director, with a copy served on all ~~parties~~ Parties.
 - iii. The ~~parties~~ Parties may not raise factual or legal issues or arguments before the Board that were not previously raised during any stage of institutional review.
 - iv. No further written arguments will be accepted from any of the Parties ~~party~~ unless requested or approved by the Executive Director.
- H. Docketing and Board Review. At the earliest practical time, the Executive Director shall notify the ~~parties~~ Parties in writing of the tentative date and location of the Board meeting at which the appeal will be considered and whether any request for oral argument is granted. Following review of the appeal, the Board may affirm, modify, remand or reverse all or any part of the final institutional decision. The Board shall give due regard to the fact finder's opportunity to observe witnesses and the ~~parties~~ Parties. The decision of the Board of Regents represents final agency action.
- 1.7.4. Tenure Appeals
- A. Tenure Appeal Defined. Tenure Appeals are faculty appeals related to the granting of tenure, non-renewal during the probationary period, promotion, and post-tenure review. The Board will accept as a Mandatory Appeal only: i) a final determination not to grant tenure arising out of a regularly scheduled tenure review that is required or mandated under institutional policies, ii) non-renewal during probationary period and iii) a dismissal resulting from a post-tenure review. Early consideration for tenure and a review occurring after the granting of tenure, including, but not limited to, promotion decisions, are considered discretionary appeals.
 - C. Filing of the Written Response and Record. Within twenty (20) days of the date the Notice of Appeal is filed, the Institution shall file a concise Response to the Notice of Appeal and

the Record with Executive Director, and shall serve a copy on the Appellant subject to the requirement in section 1.7.4D.

The Response shall include the following:

- i. Identification of the Institution;
- ii. Identification of Counsel for the Institution, if any;
- iii. If the appeal is discretionary, a statement as to why it should or should not be heard;
- iv. A brief response to Appellant's stay request, if any. The Executive Director may, in his/her sole discretion, request that a response to a request for stay be submitted separately and in advance of the deadline for filing the Response;
- v. A request for oral argument, if desired.

The Record shall include the following:

- i. Copies of all institutional policies and procedures directly relevant to the appeal;
 - ii. Copies of all materials contained in the Appellant's personnel file that is at issue (e.g., the tenure file in a tenure denial case);
 - iii. All recommendations or reviews that were part of the tenure-employment decision at issue;
 - iv. All official communications between the Institution and the Appellant regarding the tenure-employment decision and appeal, including all official decisions and recommendations issued at each stage of institutional review;
 - v. Copies of all exhibits and documents received by the reviewer or institutional decision-maker at each stage of institutional review;
 - vi. An audio recording or written transcript of any hearings, if available.
- D. Confidential or Privileged Records. The Board recognizes that given the nature of employment decisions, particularly tenure decisions, certain documents or materials contained in the Record may be considered confidential or privileged. The Institution must clearly identify records or documents, in whole or in part, for which a claim of privilege or confidentiality is made. The Institution may serve the Appellant with a copy of the Record from which confidential or privileged records or documents have been redacted or withheld. The Institution shall include with the Record a list of documents and records that have been redacted or withheld. The list must be written in a manner that provides Appellant with notice of the general nature of the documents or records for which a claim

of confidentiality or privilege is made, while preserving the confidential nature of the documents or records.

- H. Schedule for filing Written Briefs. The Executive Director shall issue a schedule for filing written briefs. Written briefs shall be limited to twenty-five pages, unless an exception is granted in writing by the Executive Director.
- i. The Appellant shall have twenty (20) days from the date of the Executive Director's scheduling order to file a written brief with the Executive Director, with a copy served on the Institution.
 - ii. The Institution shall have twenty (20) days from the date Appellant's brief is filed to file a responsive brief with the Executive Director, with a copy served on the Appellant.
 - iii. The ~~Parties parties~~ may not raise legal or factual issues or arguments before the Board that were not previously raised during any stage of institutional review.
 - iv. No further written argument will be accepted from either of the Parties party unless requested or approved by the Executive Director.
- I. Docketing and Board Review. At the earliest practical time, the Executive Director shall notify the ~~Parties parties~~ in writing of the tentative date and location of the Board meeting at which the appeal will be considered and whether any request for oral argument is granted.

Following review of the appeal, the Board may affirm, modify, remand or reverse all or any part of the final institutional decision. The Board shall give due regard to the fact finder's opportunity to observe witnesses and the ~~parties-Parties~~. The decision of the Board of Regents represents final agency action.

1.8 Appeals to the Merit System Director

- A. Merit Classification Appeals. If an employee or department head is not satisfied with the Merit System Director's decision on a position classification review (681 IAC 3.127), that person may appeal the decision in writing within seven days of the Merit System Director's decision to a qualified classification appeal committee appointed in accordance with the following procedure:
- i. The classification appeal committee is comprised of (i) a human resources professional who will serve as the chair, (ii) a human resources job analyst from another Regents institution, and (iii) a Merit employee from the requested classification. The classification appeal committee will conduct such investigation as it deems necessary to determine the proper allocation of the position and will notify the Merit System Director of its decision within 45 calendar days after the committee receives the appeal.
 - ii. An appeal will be considered on the basis of duties and responsibilities assigned at the time of the original classification review, and in no case will the assignment of additional

- duties and responsibilities following the resident director's investigation of the original request be considered during the process as outlined above.
- iii. A new classification review will not be allowed for one year following the final decision on a request for review unless there have been substantial changes in the duties and responsibilities of the position.

Chapter 2 – Operations

Chapter 2.1 Human Resources

1. Appointments

C. Other Board Appointments Recommended by Institution Heads

- ii. Provosts, vice presidents, and direct reports to the President ~~directors of major units~~ and comparable positions at the special schools shall be nominated by the institutional head for appointment by the Board. Appointments to these positions become effective on the date designated by the Board.

2. Wages and Benefits

H. Phased and Early Retirement

i. Phased Retirement Policy

~~f. Duration of Program: Subject to annual review, the program will expire on June 30, 2022, unless renewed by the Board prior to expiration.~~

~~g.f. Reporting Requirements: Annual report to the Board of Regents. Individual participants will be reported to the Board on the monthly Register of Personnel Transactions.~~

Chapter 2.2 Business Procedures

3. General Policies

E. Payroll Withholding

- i. Payroll withholding programs are permitted according to the following guidelines:

g. Insurance deductions in accordance with Iowa Code 70A.17 681-IAC 8-7.

4. Investment Policy

C. Roles and Responsibilities

ix. Other Provisions

c. Applicable State Laws/Regulations

~~I.A.C. 681-8.1(1)~~ I.A.C. 681-9.8(262)

Procurement Policy

5. Financing

D. Selection of Agents Utilized in the Issuance of Bonds or Notes (Iowa Code §262.9(18) ~~and 681 IAC 8.8~~)

i. ~~The IAC provides specific guidelines for the open~~ A competitive selection process of municipal advisors and bond counsel necessary to carry out the issuance of bonds or notes shall be held periodically as determined by the Board. Agreements shall be automatically renewed annually unless either party provides written intent not to renew at least 30 days prior to the expiration of the applicable renewal term. ~~are to provide for annual renewals during a period not to exceed five years.~~

6. Purchasing

A. Authority

ii. The Board delegates authority to approve agreements and contracts for all goods and services purchased by the institutions, except for capital improvements, fire protection, legal services, and engineers. ~~(681 IAC 8.2(3))~~

B. Organization

ii. The Executive Director or designee ~~Regents Chief Operations Officer (COO)~~ position will be responsible for setting the direction and prioritization of sourcing initiatives across the five Regents.

iv. The ~~COO~~ Executive Director or designee along with Procurement Council will be responsible for ensuring the coordination of regent strategic sourcing activities as well as the monitoring of compliance with campus utilization of the resulting master agreements.

C. Policies and Procedures

ii. Equipment Procurement:

b. Equipment with a unit cost greater than \$1,000,000 and less than \$2,000,000 will be submitted to the Executive Director or designee ~~COO~~ for approval.

c. Equipment costing more than \$2,000,000 will be submitted to the Executive Director or designee ~~COO~~ for approval. At the discretion of the Executive Director or designee ~~COO~~, the equipment purchase may be submitted to the Board for approval.

d. The Executive Director or designee ~~COO~~ will provide a summary of all equipment purchases of \$1,000,000 or more to the Board on a quarterly basis.

iii. Purchase Exempt From Competition: Purchases exempt from competition may be subject to other Board or institutional procurement policies and processes.

a. Emergency Purchase – An emergency includes but is not limited to one of these conditions:

6) Each institution will submit a quarterly summary of emergency purchases over \$50,000 to the Executive Director or designee ~~COO~~.

v. Withdrawal of Bids. Bids may be withdrawn prior to the time set for receipt of bids. Bids shall not be withdrawn after that time, except as noted herein, without penalty. Only in the

event of an obvious and documented error where it would be a manifest injustice to require the vendor to perform, can a vendor withdraw a bid after the time set for receipt of bids. Such withdrawal of bids can be done only upon the recommendation of the institution under procedures approved by the CPO/Executive Director or designee ~~COO~~.

ix. Targeted Small Business. It is the policy of the Board of Regents, State of Iowa to provide contract opportunities to targeted small businesses. All laws and rules pertaining to solicitations, bid evaluations, contract awards, and other procurement matters apply to targeted small businesses. ~~(681 IAC 7.7)~~

x. Professional Service Contracts.

b. Selection of a Provider. Professional service agreements for greater than \$50,000 must be selected through a competitive Request for Proposal (RFP) process unless the service is a sole source purchase that is appropriately documented and approved by the Executive Director or designee ~~COO~~. The \$50,000 threshold is not based on a one-time cost, but rather on a cumulative cost for on-going services under the terms of the project engagement or extension of the project engagement. Professional service agreements, which are less than \$50,000 over the course of service, may be entered into without using the required competitive bidding process. Total payment to a professional services provider for services provided to any one university department may not exceed \$50,000 in a fiscal year, unless subject to competitive bidding or review and approval by the institutional purchasing department and Executive Director or designee ~~COO~~. Selection of a professional service provider shall be based on a variety of criteria including, but not limited to, demonstrated competence, knowledge, references and unique qualifications to perform the services, in addition to offering a fair and reasonable price that is consistent with current market conditions. Additional criteria may be used as appropriate to the circumstances.

xi. Qualified Vendors of Goods and Services

c. Nonresponsive and Nonresponsible Vendors - Once a supplier is added to the master list, the name shall not be removed from the list by an institution except for good and sufficient reasons. Removal for cause is not to exceed three years, except upon specific authorization of the Executive Director or designee ~~COO~~. Each institutional purchasing designee shall report such vendors to the Executive Director or designee ~~COO~~. Reinstatement requires application to the institution. Such reasons shall include, but not be limited to, the following:

xii. Vendor Appeal Procedures

c. Appeal to University Administration

~~5) Copies of any written complaint received by the institution and any decision rendered pursuant to this procedure shall be forwarded to the Office of the Board of Regents.~~

d. Appeal to the Board of Regents

2) Upon receipt of an appeal to the Board of Regents, the Executive Director COO, or his/her designee, shall take steps to assist the Complainant and the Institution in resolving the issue(s)

3) If the issue(s) remain unresolved, and in the opinion of the Executive Director COO the complaint involves serious questions of law or allegations of procedural error having a material impact on the award process, the appeal may be forwarded to the Board of Regents for further review. ~~Reviewed by the Executive Director. The Executive Director shall notify the parties in writing of the date on which the appeal will be heard.~~

4) If a right of review is granted, the parties may submit additional written argument for review by the Executive Director Board of Regents. The Executive Director shall notify the parties of the deadline for submission of additional written materials. Oral argument before the Board of Regents Executive Director shall not be permitted.

5) ~~Following review and determination by the Executive Director and in consultation with the COO, the appeal may be docketed for the next regularly scheduled Board Meeting.~~ The Board, ~~if docketed~~, may affirm, reverse, modify or remand all or any part of the final institutional decision. The decision of the Board of Regents is considered final agency action.

xiv. Reporting

An annual report on purchasing shall be submitted by each institution to the Executive Director or designee COO.

7. Risk Management

D. Purchase of Insurance

~~Purchasing terms and bid requirements are provided in 681 IAC 8.4. The institutions are authorized to purchase insurance from a company offering the lowest net cost. When procuring insurance, the institutions shall utilize a competitive bid or quotation process unless circumstances exist that would justify a sole source purchase. Consideration shall be given to rates, dividend experience, and financial responsibility.~~

Chapter 2.3 Property and Facilities

2. Real Property

D. Disposal, Transfer, or Sale of Facilities

ii. Disposal, transfer or sale of facilities with an estimated fair market value under \$100,000 shall be approved by the ~~Board Office~~ institutions.

E. Leases

iv. Lease approval delegations to the institutions include:

b. Leases under 10,000 gross square feet, with less than \$150,000 in annual base rent

or for less than five years duration may be approved by the institutions. Leases over 10,000 gross square feet, more than \$150,000 in annual base rent or more than five years duration require Board approval.

The annual base rent does not include any other costs, including taxes, common area maintenance (CAM) fees, insurance or utilities. The Board Office may annually increase the \$150,000 threshold for annual base rent by the Consumer Price Index – All Urban Consumers (CPI-U).

3. Capital Improvement Projects – Definitions, Duties and Responsibilities

A. Definition of Capital Improvement Project, New Construction and Renovation

~~i. A capital improvement project is one, which provides for the construction, repair, or improvement of buildings an entirely new structure or major addition (“new construction”) or an upgrade to an existing building or system (“renovation”), including projects for utilities, grounds, razings, mechanical/electrical system upgrades, restroom modifications, roof replacements, exterior envelope repairs and equipment installation projects (“equipment project”). where the equipment cost is 50% or more of the total construction budget. Evaluation Criteria is not required.~~

~~ii. A major capital improvement project is defined as any new building, major addition or renovation project with an estimated project budget of \$2 million or more. Evaluation Criteria is required.~~

~~iii. ii. New construction is an entirely new structure or a major addition to an existing structure and/or systems.~~

~~iv. iii. A renovation is an upgrade to an existing building and/or systems, improving it to new or like new condition.~~

~~iv. Equipment Projects are projects, where the renovation of a space is required in order to accommodate new equipment or furniture. The equipment and furniture cost shall be included in the project budget.~~

~~Equipment Projects with equipment and furniture costs over 50% of the construction cost, the equipment and furniture cost are not required to be part of the project budget, when applying Policy Manual approval thresholds to the project.~~

- ~~• Equipment and furniture are items not heavily embedded into the facility. Examples include Computed Tomography (CT), Catherization Lab (CathLab), Linear Accelerator (LinAc), MRIs, PET scanners, Angiography Systems, microscopes, athletic scoreboards, audiovisual equipment, tables, chairs, desks and systems furniture.~~
- ~~• Examples of items heavily embedded into the facility include HVAC equipment, electrical panels, plumbing, telecommunications equipment, casework and access security panels.~~

B. ~~Special School Capital Project Requirements~~

~~The capital procedures/policies for the universities apply to the special schools, with the following exception:~~

~~Iowa State University shall manage be responsible for the administration of capital improvement projects at the Iowa School for the Deaf (ISD) and Iowa Braille and Sight Saving School (IBSSS). In conjunction with the Board Office, ISU shall plan the specific responsibilities for ISD, IBSSS and ISU in order to develop docket items for Board meetings, Project Descriptions and Budgets, selection of Alternative Delivery Methods and all other Board of Regents capital project procedures. Specific responsibilities may change depending on the project.~~

C. Duties and Responsibilities

iii. Duties and Responsibilities of the Institutions

- j. Notify the Board Office prior to solicitation of private and/or federal funds for ~~major~~ capital improvement projects by an affiliated organization or the institution.

D. Capital Project Evaluation Criteria

~~The institutions shall submit information to address the Board's Capital Project Evaluation Criteria for major capital improvement projects (new building, major additions or renovation projects with estimated project budgets of \$2 million or more), when Permission to Proceed with Project Planning is requested or when approval of the Schematic Design and Project Description and Budget are required.~~

To maintain alignment with university missions and strategic plans, Evaluation Criteria is required at Permission to Proceed with Project Planning, Schematic Design or Project Description and Budget approval for capital improvement projects with budgets over \$2 million, except projects not required for utilities, grounds, razings, mechanical/electrical system upgrades, restroom modifications, roof replacements, exterior envelope repairs and equipment installation projects, where the equipment cost is 50% or more of the total construction budget.

5. Permission to Proceed with Project Planning

- A. For project budgets of \$5,000,000 or more, Permission to Proceed with Project Planning shall be approved by the Board prior to initiating formal project planning. Institutions shall seek the approval of the Board prior to initiating formal planning for any project estimated to cost \$5,000,000 or more. Permission shall be requested in the docket an exhibit in the Register, which shall include with a description ~~of the need or identification~~ of the program ~~to be being~~ accommodated ~~by the project; and~~ a narrative ~~description~~ of the project, ~~if known; and of with~~ alternatives, if any, to the proposed ~~project. course of action.~~ The State the estimated cost of the project ~~expressed~~ as a range and the probable source of funds ~~should be provided.~~ ~~(Cost estimates provided at this time are tentative and are subject to~~

~~later revision. Use of the Design Professional Selection Process and/or any Alternative Delivery Method should also be requested at this time. Permission may be sought at this time to seek the assistance of a Design Professional or the use of a project delivery method other than the traditional design-bid-build process, including the services of a construction manager.) The institution must submit, at this time, information to respond to the Board's Evaluation Criteria for new buildings, major additions and renovation projects (see "Capital Project Evaluation Criteria" above).~~

6. Alternative Delivery Methods (ADMs)

C. For project budgets over \$5,000,000 using an ADM, submit a request to the Board to use the ADM with the request for Permission to Proceed, Schematic Design or Project Description and Budget. Include three ADM advantages over the traditional Design Bid Build method.

7. ~~Design Consultant (Design Professional)~~ Design Professional and Alternative Delivery Method Selections, Construction Manager Selection, Agreements and Amendments

C. ~~Construction Manager Services~~ Alternative Delivery Method Selection Process

i. When the institution proposes ~~to use~~ of an alternative delivery method construction management services in lieu of the traditional Design Bid Build delivery method a single stipulated sum prime construction contractor, the institution shall obtain approval from the Board or the Board Office.

10. Project Descriptions and Budgets

F. Project Budgets or Revised Project Budgets

i. Provide the estimated amount of deferred maintenance eliminated by restoration or renovation projects.

12. Bidding of Construction Contracts

B. Bid Security

~~iii. Other provisions related to the requirements for and provisions of bid security are detailed in Iowa Administrative Code.~~

Chapter 3 – Academic Policies and Procedures

3.2 Admission Requirements Common to the Three State Universities

3.2.B.ii.a

3) The ~~primary~~ Regent Admission Index (RAI) is calculated for each freshmen applicant using the following formula:

~~a) Regent Admission Index = (2 x ACT composite score) + (1 x high school rank) + (20 x high school grade point average) + (5 x number of high school courses completed in the core~~

subject areas)¹

~~b)a) The alternative Regent Admission Index which will be used for Iowa students from high schools that do not provide high school class rank is calculated using the following formula:~~ Regent Admission Index = (3 x ACT composite score) + (30 x high school grade point average) + (5 x number of high school courses completed in the core subject areas).¹

¹ For purposes of calculating the Regent Admission Index, ACT composite score has top value of 36 (SAT scores will be converted to ACT composite equivalents); ~~high school rank is expressed as a percentile with 99% as the top value;~~ high school GPA is expressed on a 4-point scale; and number of high school courses completed in the core subject area is expressed in terms of years or fractions of years of study.

3.2.B.ii.b

- 2) Transfer applicants with a minimum of 24 semester hours of grades acceptable for transfer credit from ~~regionally accredited~~ colleges or universities accredited by an entity recognized by the US Department of Education who have achieved the grade point required by each university for specific programs for all college work previously attempted, will be admitted, subject to the limitations of b4. Higher academic standards may be required of students who are not residents of Iowa.
- 5) Transfer applicants from colleges and universities not ~~regionally accredited~~ accredited by an entity recognized by the US Department of Education may be considered for admission on an individual basis, taking into account all available academic information. This rule is intended to implement Iowa Code § 262.9(3).

3.2.B.ii.c

- c. *Transfer Credit Practices*. The Regent universities endorse the *Joint Statement on Transfer and Award of Academic Credit* approved in 1978 by the American Council on Education (ACE) and the American Association of Collegiate Registrars and Admissions Officers (AACRAO). ~~The current issue of *Transfer Credit Practices of Selected Educational Institutions*, published by AACRAO, and the ACE publications are examples of references used by the universities in determining transfer credit.~~ The acceptance and use of transfer credit is subject to limitations in accordance with educational policies at each university.
 - 1) Students from ~~regionally accredited~~ colleges and universities accredited by an entity recognized by the US Department of Education.
 - a) Credit earned at ~~regionally accredited~~ colleges and universities accredited by an entity recognized by the US Department of Education is acceptable for transfer, except that credit in courses determined by the receiving university to be of a remedial, vocational, or technical nature, or credit in courses or programs in which the institution granting the credit is not directly involved, may be accepted ~~to a limited extent~~ at the discretion of the university.

- b) Of the coursework earned at a two-year college, students may apply up to one-half but no more than 65 hours of the credits required for a bachelor's degree toward that degree at a Regent university. Exceptions are allowed when part of an articulation agreement between the receiving university and the two-year college.
- 2) Students from colleges and universities that have candidate status with an regional accrediting agency.
- a) Credit earned at colleges and universities that have become candidates for accreditation by an regional accrediting-association is acceptable for transfer in a manner similar to that from regionally accredited-colleges and universities accredited by an entity recognized by the US Department of Education if the credit is applicable to the bachelor's degree at the receiving university.
- b) Credit earned at the junior and senior classification from an accredited two-year college that has received approval by a regional accrediting association for change to a four-year college may be accepted by a Regent university.
- 3) Students from colleges and universities not regionally accredited:
- a) Credit earned at colleges and universities not regionally accredited by an entity recognized by the US Department of Education shall be validated by satisfactory academic study in residence or by examination. Each university shall specify the amount of the transfer credit and the terms of the validation process at the time of admission.
- b) In determining the acceptability of transfer credit from colleges that are not regionally accredited by an entity recognized by the US Department of education in states other than Iowa, acceptance practices indicated in the current issue of *Transfer Credit Practices of Selected Educational Institutions* shall be used as a guide. For institutions not listed in the publication, guidance is requested from the designated reporting institution of the appropriate state.

3.3 Residency Classification for Tuition and Fee Purposes

Each university shall establish a system for classifying students as a resident or nonresident for tuition and fee purposes as described in 681 IAC 1.4. One of the primary considerations in determining residency is the student's state of domicile – the state where the student has a true and permanent home to which they intend to return. In determining the residency of a current or prospective student, the universities shall consider all information presented by a student that may be relevant to determining the student's state of domicile. This may include, but is not limited to:

- A. The student's primary source of financial support
B. For students who are legal dependents, the domicile of their parent(s) or legal guardian(s)

- C. Evidence of the student's connection to and residence in the State of Iowa (i.e. regular employment, lease or ownership of property, licensing documentation, voting or registration documentation, income tax filings, etc.)
- D. The location of the student's residence during periods when classes are not in session
- E. Any other information that could reasonably establish the student's state of domicile.

The process for determining the residency classification of a student or prospective student must take into consideration individual circumstances unique to the student. The university may request that the student provide sufficient document evidence supporting a request for classification as a resident. The failure or inability of a student to provide all the document evidence requested by the university shall not automatically cause the student to be classified as a nonresident. The universities shall consult with the Board office regarding interpretation and implementation of 681 IAC 1.4 and this policy.

3.33.4 Consideration of Prior Misconduct in Admission

3.43.5 Strategic Planning

3.53.6 Academic Program Planning Approval

3.6.A. New Program Approval

- ii. The Board Office shall maintain a program planning list that includes the name and educational level of proposed programs that are currently undergoing an institutional review and are likely to be submitted for program approval by the Board of Regents within the year. Proposed programs shall be on the program planning list for at least ~~six~~three months prior to the submission of [Form A](#) to the Board Office.
- v. ~~Following review of Form A by the Board Office, an An~~ institution planning a new or expanded academic program shall submit the appropriate information to the Iowa Coordinating Council for Post High School Education (ICCPHSE) using the prescribed format. All proposals submitted to the Board Office shall include the action taken by the ICCPHSE.

3.6.C. Academic Program and Academic Department Name Change

Requests to change the name of an academic program or an academic department shall be submitted to the Board Office for review and staff approval ([Form G](#)). The request shall include justification for the proposed change, including information relating to similar programs or departments and the effect of change on existing students. ~~Following review by the Board Office and approval by the Council of Provosts of a university's request to change the name of an academic program or an academic department, At the discretion of the Board Office~~ staff, the request can be shall ~~placed the request~~ on the agenda for the next appropriate meeting of the Board of Regents' ~~Academic Affairs Committee. The Committee shall review the request and recommend to review and take~~ action by the Board of Regents or take other action as it deems appropriate. The institution shall not announce the name change until it has been approved by the either the Board of Regents staff or the Board of Regents.

3.63.7 Academic Program Review

- C. The Board Office ~~shall~~may periodically and selectively identify programs from the reports submitted by the institutions to be audited on-site. The following are examples of programs that might be audited: (a) newly initiated programs, (b) programs with negative review recommendations and (c) those with significant enrollment declines. The Board Office shall determine if any matters resulting from the audits need Board action and place them on the agenda of the Board of Regents' Academic Affairs Committee.

3.73.8 Approval and Closing of New Centers and Institutes

~~A. Centers, institutes, and similar organizational units can make a major contribution to a university. Such units shall be well organized, adequately funded, and appropriately integrated into the university, to support the mission of the university, particularly in the areas of research and public service. However, a center or institute can detract from the teaching commitment of the institution by siphoning off faculty resources or by otherwise diverting attention and money from more appropriate purposes. Furthermore, such units are often easier to create than to discontinue, particularly when an ongoing commitment of internal financial and facility resources are involved.~~

~~B.~~A. Proposals to create new centers or institutes at the universities shall be submitted to the Board Office. Following review by the Board Office and the Council of Provosts, the Board Office shall place the request on the agenda for the next appropriate meeting of the Board of Regents' Academic Affairs Committee. The Committee shall review the proposal and recommend action by the Board of Regents or take other action as it deems appropriate. In general, the type of center or institute that requires Board approval shall be the one that focuses on faculty-driven research and that is expected to leverage individual research grants into larger institutional projects.

~~C.~~B. The proposals shall be submitted in a format developed by the Board Office ([Form C](#)).

~~D.~~C. The institutions shall conduct a review of Board-approved centers and institutes on a seven-year cycle and shall provide the Board Office with an annual list of centers and institutes that have been reviewed. A report on each center or institute reviewed shall be provided to the Board Office in a format developed by the Board Office ([Form D](#)).

~~E.~~D. The Board Office ~~shall~~may periodically and selectively identify centers and institutes from the reports submitted by the institution to be audited on-site. The Board Office shall determine if any matters resulting from the audits need Board action and place them on the agenda of the Board of Regents' Academic Affairs Committee.

~~F.~~E. The name of a proposed center or institute typically follows the function of the unit. However, the university may desire to honor an individual by naming a center or institute for that individual. All proposed honorary names of centers and institutes at the Regent universities, including UIHC, shall obtain specific Board of Regents approval prior to naming.

- i. Before proceeding with any naming, all circumstances surrounding the naming must be carefully considered, including the overall benefit to the institution, whether the

name is and will continue to be a positive reflection on the institution, and whether the name is consistent with the purpose and mission of the Board of Regents and its institutions.

- ii. The Board may name centers and institutes in honor of persons (living or deceased) or entities, such as a business or foundation. The following are examples of the categories of persons and entities eligible for naming:
 - a. Alumni with close ties to the institution.
 - b. Distinguished Iowans.
 - c. Persons who have made an outstanding contribution to a field of study, discipline, university, the State of Iowa, the nation, or the world.
 - d. Donors who have made significant contributions to the institution, especially to the college that houses the center or institute or to the center or institute.
 - e. Employees (president, superintendents, faculty, staff). However, no center or institute may be named for a current Regent or Regent employee. Naming cannot occur earlier than two years following the end of employment/appointment or upon death.
- iii. A center or institute cannot be named for an elected official until that individual is no longer in office.
- iv. The request to name the center or institute shall be submitted to the Board Office in the manner specified by the Board Office ([Form L](#)).

G.F. Requests to close a center or institute shall be reported to the Board Office on [Form H](#). After reviewing the request, the Board Office shall place the proposal on the agenda of the Academic Affairs Committee.

H.G. Institutional responsibilities regarding due diligence concerning the proposed naming are described in Chapter 2.3.19 in the Board of Regents Policy Manual.

3.83.9 Accreditation Reporting

B. Accreditation reports shall be sent to the Board Office no later than three months after final agency action; include required institutional response(s). The institutions shall submit complete documentation of the accreditation process, specific program(s) accredited, accreditation standards, site team report including strengths, concerns, weaknesses, and recommendations, institutional responses to the team's recommendations, and the final letter of approval or reaccreditation. The Board Office shall ~~schedule the accreditation report on the agenda of the Board of Regents' Academic Affairs Committee after completion of its review~~ annually provide a summary report to the Board of the accreditation actions taken.

3.93.10 Academic Freedom

3.103.11 Academic Calendars

3.113.12 Credit-by-Examination

3.123.13 Extension/Continuing/Distance education/e-Learning Services

3.133.14 Faculty Activity Analysis

3.143.15 Tenure Reports

3.153.16 Withholding Student Transcripts (681 IAC 1.5)

3.16 Distribution of Information

~~A. The institutions governed by the Board of Regents, State of Iowa, shall inform students, prospective students, and the general public of the opportunities that exist for on- and off-campus study and for participation in the programs and events open to them with or without charge.~~

~~B. To convey such information to the public, the institutions shall employ a variety of channels open to them for dissemination, including traditional and digital media. The cost of distribution of information is an important criterion.~~