

The State Board of Regents met on Wednesday, April 20, 1994, at the Iowa Braille and Sight Saving School, Vinton, Iowa. The following were in attendance:

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Members of State Board of Regents

Mr. Berenstein, President	All sessions
Mr. Collins	All sessions
Mr. Dorr	All sessions
Ms. Furgerson	All sessions
Mrs. Hendricks	All sessions
Mrs. Johnson-Matthews	All sessions
Dr. Newlin	All sessions
Mrs. Pellett	All sessions
Dr. Tyrrell	All sessions

Office of the State Board of Regents

Executive Director Richey	All sessions
Deputy Executive Director Barak	All sessions
Director Specter	All sessions
Director Volm	All sessions
Associate Director Racki	All sessions
Minutes Secretary Briggie	All sessions

State University of Iowa

President Rawlings	Excused at 4:15 p.m.
Provost Nathan	Excused at 4:15 p.m.
Vice President Manasse	Excused at 4:15 p.m.
Vice President Rhodes	Excused at 4:15 p.m.
Vice President True	Excused at 4:15 p.m.
Associate Vice President Small	Excused at 4:15 p.m.
General Counsel Schantz	Excused at 4:15 p.m.

Iowa State University

President Jischke	Excused at 4:20 p.m.
Provost Kozak	Excused at 4:20 p.m.
Vice President Madden	Excused at 4:20 p.m.
Vice President Theilen	Excused at 4:20 p.m.
Associate to the President Adams	Excused at 4:20 p.m.
Director Jensen	Excused at 4:20 p.m.

University of Northern Iowa

President Curris	Excused at 4:25 p.m.
Provost Marlin	Excused at 4:25 p.m.
Vice President Conner	Excused at 4:25 p.m.
Vice President Follon	Excused at 4:25 p.m.
Executive Assistant to the President Stinchfield	Excused at 4:25 p.m.
Director Chilcott	Excused at 4:25 p.m.

Iowa School for the Deaf

Superintendent Johnson	Excused at 3:22 p.m.
Business Manager Heuer	Excused at 3:22 p.m.
Interpreter Green	Excused at 3:22 p.m.
Interpreter Seiler	Excused at 3:22 p.m.

Iowa Braille and Sight Saving School

Superintendent Thurman	All sessions
Director Hauser	All sessions
Director Utsinger	All sessions

GENERAL

The following business pertaining to general or miscellaneous business was transacted on Wednesday, April 20, 1994.

President Berenstein welcomed everyone to Vinton, noting that it was a wonderful Spring day. He then thanked Superintendent Thurman for hosting the meeting.

Superintendent Thurman responded that the Regents were welcome. He suggested they spend some time looking around the school. He noted with regret that Director Hauser would be leaving Iowa Braille and Sight Saving School. Superintendent Thurman said Mr. Hauser was leaving for an attractive professional opportunity.

President Berenstein stated, on behalf of the Board of Regents, that its association with Director Hauser had been wonderful. He wished Director Hauser Godspeed with his new venture.

APPROVAL OF MINUTES OF BOARD MEETING, MARCH 16, 1994. The Board Office recommended the Board approve the Minutes, as written.

President Berenstein asked for corrections, if any, to the Minutes.

ACTION: President Berenstein stated the Board approved the Minutes of its March 16, 1994, meeting, by general consent.

ELECTION OF BOARD PRESIDENT FOR TERM BEGINNING MAY 1, 1994. The Board Office recommended the Board elect the President of the Board of Regents for the term May 1, 1994, through April 30, 1996.

Section 262.9 of the Code of Iowa provides that the Board of Regents shall elect from its members a president of the Board in each even-numbered year, who shall serve for two years "and until a successor is elected and qualified".

President Marvin Berenstein was elected on May 1, 1993, for the remainder of the current term which will expire on April 30, 1994.

The President of the Board has customarily presided over the elections. Only when the position is vacant does the Board ask the Executive Director to preside over the election.

President Berenstein asked for nominations.

MOTION: Regent Furgerson moved that Marvin Berenstein be elected to serve as the President of the Board of Regents for the term May 1, 1994, through April 30, 1996. Regent Johnson-Matthews seconded the motion.

President Berenstein asked for any other nominations.

VOTE ON THE MOTION: Regent Collins moved that nominations cease and that a unanimous ballot be cast for Marvin Berenstein. Regent Hendricks seconded the motion, and the following voted:
AYE: Collins, Dorr, Furgerson, Hendricks, Johnson-Matthews, Newlin, Pellett, Tyrrell.
NAY: None.
ABSENT: None.
ABSTAIN: Berenstein.

MOTION CARRIED UNANIMOUSLY.

President Berenstein thanked the Regents for the vote of confidence and said this was very important to him. He said he appreciated the opportunity to serve the people of Iowa. He will continue to keep the Regents informed on issues as he ventures into the last year of his 6-year term.

President Berenstein welcomed Regent Collins and stated that the Senate had confirmed his appointment. Speaking for all of the Regents, he said they were

delighted he was with them today, and that Regent Collins had made great contributions his first year on the Board.

President Berenstein stated that he had recently met with Senators Boswell and Kibbie in Des Moines. Even though the day was cumbersome for them because of the lateness of the legislative session, President Berenstein arranged a meeting with Senator Boswell and Senator Kibbie joined them. They had a 50-minute meeting to discuss the perceived communication problems between the Regents and the leadership of the Senate. They talked about different ways in which to facilitate more open communication. The senators would like to be able to pick up the telephone and call any one of the Regents. They thought it would be a good idea to have a liaison, similar to the "Maytag repairman", in conjunction with Mr. Richey and the Regents' legislative liaisons. Periodic meetings after the close of the legislative session to keep the legislators apprised of what the Regents are doing on an ongoing basis was felt would be a positive step. The providing of campus tours for leaders of each subsequent year's legislature after the leaders have been elected would also help in this effort. The campus tours would include the special schools. Legislators could see firsthand, for example, the roof problems at Iowa School for the Deaf and the need for a wellness center at the University of Northern Iowa. He noted that was a joint idea.

President Berenstein suggested that another activity aimed at improving communications would be to have an informal meeting with all legislators and the Regents next year right after the legislative session starts, similar to the Meet the Regents sessions. There could be an informal dinner afterward (dutch treat!). President Berenstein noted that more informal dialogue could take place at the dinner.

President Berenstein summarized by stating that he was pleased with the meeting with Senators Boswell and Kibbie. He felt that they had made strides in bridging the gap. He told the senators that the Board appreciated the partnership it has with the legislature and the Governor.

CONSENT ITEMS. The Board Office recommended the Board approve the consent docket, as presented.

MOTION:

Regent Dorr moved, seconded by Regent Tyrrell, to approve the consent docket, as follows:

Receive the report of the March 15 meeting of the Iowa College Student Aid Commission;

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Receive the status report on the Board Office budget as of March 31, 1994;

Receive the Board Meetings Schedule;

Receive the report on the Rural Health Gerontological Nurse Practitioner Program subtrack to the Master's degree program in Nursing at the University of Iowa;

Receive the report on the Anesthesia Program subtrack to the Master's degree program in Nursing at the University of Iowa;

Refer the University of Northern Iowa's proposed program and curricular changes to the Interinstitutional Committee on Educational Coordination and the Board Office for review and recommendation;

Refer the University of Northern Iowa's proposed curricular changes, due to the separation of a department, to the Interinstitutional Committee on Educational Coordination and the Board Office for review and recommendation; and

Receive the Register of Capital Improvement Business Transactions for Iowa Braille and Sight Saving School.

MOTION CARRIED UNANIMOUSLY.

INTERINSTITUTIONAL COMMITTEE ON EDUCATIONAL COORDINATION. (a)

Name Change - Continuing Education, Iowa State University. The Board Office recommended the Board approve Iowa State University's request to change the name of the Continuing Education Unit from the Iowa State University Continuing Education to Iowa State University Extended and Continuing Education.

This requested change was a change of name; not a change in function nor a change of responsibility. The name change was prompted by the decision to define some of

the several off-campus, distance-education terms that are now in general use across the university.

This request was referred to the Interinstitutional Committee on Educational Coordination and the Board Office for review and recommendation. The Interinstitutional Committee on Educational Coordination and the Board Office recommended last month that the request be referred to the State Extension and Continuing Education Council. The review of the State Extension Council was to center on the use of common terms across institutions so that data can be compared over time on a constant and common basis.

An agreement was reached so that interinstitutional data can be compared in consistent and common basis.

MOTION:

Regent Hendricks moved to approve Iowa State University's request to change the name of the Continuing Education Unit from the Iowa State University Continuing Education to Iowa State University Extended and Continuing Education. Regent Furgerson seconded the motion.
MOTION CARRIED UNANIMOUSLY.

BIENNIAL REPORT ON FACULTY EFFORT, ACTIVITY AND WORKLOAD. The Board Office recommended the Board receive the reports.

The Regent universities submitted their biennial governance reports on faculty effort, activities, and instructional workload as required by section 6.17 of the Procedural Guide. The reports presented information on three basic topics: The average number of hours worked per week by faculty (effort), the percentage of time faculty devote to different kinds of tasks (activities), and the number of faculty-course credit hours taught per full-time equivalent faculty member and the number student credit hours generated per full-time equivalent faculty member (instructional workload).

Changes in methodology in this biennium's reports improved the accuracy of the data regarding faculty activities and workload and made it more uniform among the three universities. The changes in methodology create an improved baseline for comparison to future reports, but make valid comparisons to previous reports difficult.

FACULTY EFFORT

Average hours worked per week by faculty at the three Regent universities in 1992-93 and previous years is as follows:

	1986-87	1988-89	1990-91	1992-93
University of Iowa	57.4	58.1	57.8	58.1
Iowa State University	55.4	56.7	56.7	58.8
Univ. of Northern Iowa	56.4	59.4	56.2	59.3

These averages are determined by random sampling of faculty who report the number of hours worked in several different work weeks.

There are no statistically significant differences among the three universities 1992-93 averages, and the 1992-93 averages do not differ significantly from previous years.

A recent study showed a national average work week for college and university faculty of 52 hours per week.

FACULTY ACTIVITIES

The overall 1992-93 institutional average percentage of time devoted to different job-related activities are as follows:

	SUI	ISU	UNI
Teaching Activities	60.8%	49.5% 47.0%	67.0%
Administrative Activities	8.0%	5.6% 5.9%	4.0%
Nonsponsored Research	18.3%	20.1% 21.7%	11.0%
Sponsored Research	10.4%	10.5% 11.1%	3.0%
Other University Public and Professional Service	2.1%	13.0% 12.9%	9.0%
Other Sponsored Activity (SUI & ISU)	.5%	1.3%	
Other Organized Instructional Activity (UNI)			6.0%

The activity reports are generated from effort reporting systems designed to comply with Federal Office of Management and Budget (OMB) policies. Though each university's effort reporting system is in compliance with OMB requirements, they are designed to reflect each institution's unique mission and structure, and are not exactly alike.

The changes in methodology that have been made this year make the information in this biennium's report much more uniform across the three universities, but there are still significant differences in the way each university classifies faculty activities and

comparisons between universities should be done cautiously. The most valid comparisons are internally within each university, such as comparisons between faculty of different academic ranks, between male and female faculty, and between colleges within the university.

Since the three universities have unique missions and goals, the information on faculty activities is most useful for understanding how the different missions of the institutions are reflected in the different ways faculty divide their time among various kinds of activities.

Teaching is by far the largest area of faculty activity at all three universities, taking one-half to two-thirds of faculty time.

Faculty at the University of Iowa and Iowa State University, in keeping with the major research missions of those universities, devote 29-33 percent of their time to research.

A recent national study found that faculty at all types of institutions averaged 16 percent of their time on research and 56 percent of their time on teaching, while faculty at research universities spent 27-30 percent of their time on research and 39-43 percent on teaching.

In keeping with Iowa State University's land grant mission to provide extension and outreach services, Iowa State University faculty devote more time to service than the other two universities.

In keeping with its strong teaching mission, the University of Northern Iowa's faculty spend 73 percent of their time on teaching or other organized instructional activities, a significantly higher percentage than faculty at the University of Iowa or Iowa State University.

At the University of Iowa and Iowa State University female faculty spend slightly more of their time on teaching, service, and administration activities, and slightly less time on research than male faculty. At the University of Northern Iowa there is no clear pattern of differences between male and female faculty.

INSTRUCTIONAL WORKLOAD

There are two basic dimensions to instructional workload: (1) the amount of coursework taught by faculty and (2) the number of students taught.

Faculty Credit Hours per full-time equivalent faculty member measures the average total number of credit hours associated with the course sections taught by faculty in a regular semester and is a measure of course workload.

Student Credit Hours per FTE faculty measures the average total number of credit hours associated with the course sections taught by faculty in a regular semester multiplied by the number of students enrolled in the sections and is a measure of student workload.

Instructional workload data for Fall 1993, Fall 1991 and either Fall 1986 (for the University of Iowa and the University of Northern Iowa) or Fall 1987 (for Iowa State University) are given in two tables below:

Instructional Workload - Faculty Credit Hours per FTE Faculty

	1993	1991	1986-1987
University of Iowa	5.1*	8.1	7.9
Iowa State University	6.0	6.3	6.1
University of Northern Iowa	11.3	11.3	11.4

* A change in SUI's methodology occurred in 1993

University of Iowa officials stated that the decline in the number of Faculty Credit Hours per FTE from 1991 to 1993 is due almost entirely to a change in the way this measure is calculated rather than by any significant change in actual workload. The new methodology is more like that used by Iowa State University and the University of Northern Iowa, making the 1993 data more comparable across all 3 institutions.

Instructional Workload - Student Credit Hours per FTE Faculty

	1993	1991	1986-87
University of Iowa	170	187	191
Iowa State University	216	225	206
University of Northern Iowa	262	287	290

The workload data indicates that, overall, Regent faculty are teaching about the same number of classes per semester in 1993 as they did in 1991, but are teaching fewer students per class.

Like other faculty activities, differences in instructional workload at the Regent universities reflect differences in their missions and goals.

Instructional workloads are highest at the University of Northern Iowa, reflecting University of Northern Iowa's emphasis on teaching. The lower instructional workloads at the University of Iowa and Iowa State University are in keeping with their larger research missions and their broad array of graduate and professional programs with relatively small faculty/student ratios.

The percentage of Student Credit Hours taught by tenured/tenure-track faculty, non-tenure track faculty, and graduate teaching assistants is shown below.

	SUI			ISU			UNI		
	<u>1993</u>	<u>1991</u>	<u>1986</u>	<u>1993</u>	<u>1991</u>	<u>1987</u>	<u>1993</u>	<u>1991</u>	<u>1986</u>
Ten./Ten.-track	64%	46%	42%	63%	65%	61%	75%	76%	65%
Non ten.-track	15%	13%	21%	17%	16%	23%	24%	23%	34%
Grad. T.A.	21%	41%	37%	16%	19%	16%	1%	1%	1%
Others				5%					

The change at the University of Iowa in the percentage of credit hours taught by tenure-track faculty and graduate teaching assistants is due to the combined effects of:

1. A change in the way student credit hours are assigned to the two groups, and
2. A change in the teaching format used in many lower-level undergraduate courses in the College of Business Administration.

University of Iowa officials believe the current percentages are more accurate and that earlier reports had overstated the percentage of student credit hours taught by graduate assistants.

There has been little change in the distribution of student credit hours at Iowa State University, and the University of Northern Iowa continues to have less than 1 percent of its student credit hours taught by graduate assistants.

Female faculty at the Regent universities teach the same number of classes per semester as male faculty but appear to average fewer students per class.

Regent Hendricks showed the lengthy fax she received with a corrected docket memorandum for this item. President Berenstein noted that the corrections were in bold type so the Regents could easily determine what had been changed. He suggested that it might have been easier for the Regents to follow if only the corrections had been faxed.

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President Berenstein asked that each provost comment on their university's specific numbers and where they were headed.

Provost Marlin reviewed with the Regents the information for the University of Northern Iowa. She expressed her frustration about the stereotypes concerning faculty workload because she knows the faculty work hard. She was in her office on Sunday night reviewing the information contained in the docket book. As it got dark she noticed that there were many lights on and many cars in the parking lots. She said the methodology of self reporting can be criticized but the numbers in terms of the amount of time that University of Northern Iowa faculty work, 59.3 hours per week on average, is accurate.

President Berenstein asked Provost Marlin the following question and asked that the other provosts address the question, also, in their remarks. It was his feeling that faculty and staff are encouraged to participate in city and community activities including United Way and city council. He asked for some insight as to how university employees participate as community citizens and university citizens.

Provost Marlin responded that there is an extraordinary level of faculty activity within the community. Faculty are asked to consult with the public schools in their areas of knowledge as well as in areas not related to an individual's discipline.

President Berenstein stated that such activities are good for the institution and for the community. He felt that the importance should be stressed here.

Regent Furgerson stated that both the University of Iowa and the University of Northern Iowa have partnerships with Waterloo public schools for continuing staff development and curriculum development.

Provost Nathan stated that presenting this report was, for him, the highlight of the year. This year there was a good deal of which University of Iowa officials were proud. He said it was notable that a major research university should also have teaching faculty who spend a large amount of their time teaching. He noted that 18 percent of faculty time is spent on non-sponsored research. Faculty in certain disciplines, such as Music, are often far less able to secure funding awards for their research than faculty in the sciences. He stated that faculty underestimate the public and professional service they do. In response to President Berenstein's question, he said University of Iowa faculty and staff serve on school boards and in other educational activities.

Provost Nathan spoke to what he considers to be the most important data that was portrayed in this report. The percent of tenure and tenure-track faculty teaching

undergraduates has gone from 42 percent in 1986 to 64 percent in 1993. He said this significant change reflects the university's framework for instructional enhancement. He stated that special mention should be paid to faculty in Business Administration and Liberal Arts. In response to differential teaching loads, he said they have reduced the number of small enrollment courses. Students have noticed the changes and the figures in the report affirm the results of these efforts.

Regent Tyrrell asked that Provosts Nathan and Kozak talk about how the graduate teaching assistants are qualified. He said the Regents hear unpleasant examples of student experiences in classes taught by some teaching assistants.

Provost Nathan responded that he hoped the Regents had heard fewer such stories. The university utilizes an oral competency examination which teaching assistants must undergo. There has been a growth in preparation courses for teaching assistants. He said all major departments with large graduate programs offer 3 days of training the week before graduate teaching assistants enter the classroom. The university also has the initiative of the Center for Teaching Excellence which will provide the same kind of preparation for teaching assistants. He stated that teaching assistants are being far better prepared and selected. Increasing stipends will also play an important role in this effort. They will be able to bring students to campus who will be better able to share their knowledge with undergraduates.

Provost Nathan concluded by stating that the picture is encouraging but university officials are not yet where they want to be.

Director Donald Szeszycki explained the changes university officials made in the methodology for determining faculty workload. The changes allow for a clearer picture of the progress being made in attaining the university's goals.

Regent Dorr stated that it is becoming more difficult to delineate between aggressive research and teaching processes. He asked if there is any methodology in the industry to better quantify overhead hours and differentiate between pure teaching and research and other categories. He acknowledged that was what university officials were trying to do; however, unless they get a handle on it they will be more subject to criticism.

Provost Nathan responded that the problem in a research university is that when faculty are doing research they are doing it with students in an apprentice-master mode. The university is attracting numbers of students who are working with faculty in the health science center. He said that was one of the biggest problems in breaking out what is teaching, research and service. So many of the things faculty do involve teaching as well as research.

Regent Dorr stated that in the financial world there are federal accounting standards that govern the reporting of faculty workload data. He suggested that in the universities' strategic planning processes there needs to be developed a new method to approach the allocation of time for the sake of maintaining integrity of the reporting process relative to their primary functions as teachers. He explained that he was not necessarily saying that they should change how it is done but rather that the reporting process needed changed. They need to develop separate accounting systems for research and teaching aspects of faculty workloads. He said it would do wonders to improve the credibility of the amount of teaching and the amount of effort taking place with the students.

Provost Nathan stated that University of Iowa officials would redouble their efforts to determine if others are able to provide data more accurate than theirs and from which they can benchmark. He noted, however, that one of the best comparisons is each of the universities to itself. On that basis he felt pretty good about the data.

President Berenstein noted that the University of Iowa has made great strides in getting tenure-track faculty back into the classroom and said that effort had not gone unnoticed.

Regent Tyrrell noted that they were really comparing "apples" at the University of Northern Iowa, with its very small graduate program, with apple salad at the University of Iowa and Iowa State University. He asked if it would be possible to compare undergraduate programs at each of the three universities. He noted that there was also a very large service component at Iowa State University.

Provost Nathan responded that the University of Iowa could provide that information concerning student credit hours but the faculty are oriented differently at each campus. Iowa State University and the University of Iowa are research universities; University of Northern Iowa is mainly a teaching university. He said he would see whether that comparison could be done.

Provost Kozak stated that since the previous report, presented in March 1992, Iowa State University's entire system for reporting faculty activity has been redesigned. The new report, entitled "Employee Activity Summary of Effort" complies with federal requirements for effort reporting. He believes the results reflect more accurately the activities of university faculty and the dimensions of Iowa State University. The report indicated that 30 hours/week are devoted by faculty to teaching. The percentages

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under the category of "other sponsored activity" reflect the special character of the faculty at Iowa State. There is a significant outreach component.

With respect to the undergraduate program, Provost Kozak stated that Iowa State University officials are placing a special emphasis on having associate and full professors teaching the introductory courses. For the College of Liberal Arts, which has 24 major departments and which has the most difficult problem dealing with this issue, the number of senior faculty teaching introductory courses is nearly 70 percent.

With regard to community activities, Provost Kozak provided examples of Iowa State University employees' active participation. He said his son's baseball coach was the former head of the classics department.

Regent Collins asked if there was any national standard by which to compare the same data as that provided by Iowa State University.

Provost Kozak responded that faculty tend to not departmentalize their lives like is required in reporting data. Faculty review themselves in a holistic way. He noted that one activity never found in a report like this is out-of-classroom advising which is an extraordinary part of teaching. He cautioned that if they were to require that faculty do so, they would lose the emphasis that many faculty place in out-of-classroom help for students. Undergraduate research is also a very time-consuming activity.

Regent Collins stated that he was not criticizing how they keep track of faculty activities but rather was asking if it could be done in such a way as to compare to other schools, not just Iowa's Regent universities.

Provost Kozak responded affirmatively, stating that Iowa State University can be compared nationally to other land grant institutions.

Regent Newlin asked for the university's goal for the percent of tenure and tenure-track faculty credit hours. Provost Kozak responded that if they want to maintain an opportunity for graduate students to learn the teaching part of their professions, they will always want to put graduate students in laboratory situations and lecture environments. He said a number like 70 percent for the introductory courses would probably be a solid number.

With regard to the issue of preparation of graduate students, Provost Kozak stated that in addition to TOFOL scores and the communication skills of graduate students, they are not allowed to enter a classroom unless there is a certain level of proficiency. He

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said that is done to try to shield undergraduates from difficult accents and strange ways of expression.

President Berenstein noted that Director Barak had indicated that a national standard is being developed.

Regent Pellett stated that she hears from parents of students of their concerns about the large lectures and lack of student-instructor interaction. Will university officials be working on that problem now?

Provost Kozak said that what was needed to address those concerns were break-out sections that run in tandem with large lecture classes, which is what is done by the Ivy League schools. He said that is a model that can be used. Iowa State University officials are trying to work with very talented faculty and graduate students to get the right mix of experience and maturity in the classroom. He noted that to adequately respond to the concerns expressed by Regent Pellett was very expensive.

President Jischke commented on some work that is being done at Iowa State University to use technology to make classes more personal, more interactive. He said Professor Dolphin, in the zoology department, through a grant from the Howard Hughes Foundation, is pulling together data base information on computers that he and other faculty use to create lectures. The information is then made available to students. The students can literally go back through the lecture in detail, on their own time and in an environment where there is academic support. He said that not only can they gain personal interaction with the details of a lecture but it was his understanding that Professor Dolphin was developing opportunities for students to interact with people around the world over Internet. He concluded by stating that one of the ways to make the instruction more relevant, more interesting, more intensive and more versatile is through computer technology.

Regent Furgerson stated that the average size of high school classes that students come from can also be a factor causing problems for students. University officials need to determine how to personalize coursework to help students bridge that difference. Some of the strangeness of the very different environment could also cause problems.

ACTION: President Berenstein stated the Board received the reports, by general consent.

PRESENTATIONS ON SALARY POLICIES FOR FISCAL YEAR 1995. The Board Office recommended that the Board receive presentations concerning salary policy for

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FY 1995 from representatives of the faculties, professional and scientific staffs and merit system employees who are not covered under collective bargaining agreements.

Representatives of non-contract covered faculty, P&S staff and merit system employees requested to address the Board concerning salary policy for FY 1995.

A salary appropriations bill has not yet been passed by the Legislature.

Proposed legislation would provide funding for salary increases for Regent faculty, professional and scientific (P&S) staff and merit system employees who are not covered under a collective bargaining agreement. Their increases would be comparable to the increases negotiated for similar employees.

Negotiated increases for state and Regent employees covered by collective bargaining contracts for FY 1995 amount to 4 percent. The bonuses authorized for fiscal year 1994 would not be continued.

In FY 1994 full-time employees covered under the AFSCME collective bargaining contract received a non-recurring bonus of \$650 plus merit step increases.

University of Northern Iowa faculty received a one-time bonus of \$444 in FY 1994 which equated to 1 percent of average salary in addition to average base salary increases of 1.5 percent.

Under Board policy approved for non-contract university faculty and P&S staff for FY 1994 the 1 percent increase was made part of base pay, therefore, increases for FY 1995 will average 3 percent for those employees.

Salary policies approved by the Board for FY 1994 for Iowa School for the Deaf and Iowa Braille and Sight Saving School teachers and P&S staff for the two special schools and the Board Office included a non-recurring bonus. Therefore, those employees after deducting their bonus would be eligible for increases averaging 4 percent in FY 1995.

Mr. Richey stated that salary policies would be before the Board in May. The Board customarily asks representatives of non-organized Regent employees to make known their views on what they believe should be done regarding administration of salaries. He said appropriations for salaries were inadequate quite substantially; a net increase of 3 percent over FY 1994 assuming a continuation in some way of the bonuses provided last year. The employees who were about to speak to the Regents would be

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particularly affected by the lack of adequate salary funds because those employees are not covered by collective bargaining agreements.

President Berenstein recognized Jerald Schnoor, University of Iowa Faculty Senate President.

Professor Schnoor thanked the Regents for the opportunity to address them today. He said faculty appreciated the Board's great effort in keeping salaries commensurate with comparable institutions. He noted that the University of Iowa's ranking in the Big 10 had slipped a bit. They must be vigilant to keep their attention on the ranking.

Professor Schnoor stated that faculty are also concerned about graduate student expenses. He said those concerns rival faculty salary concerns. He addressed the public perception of what faculty do and what they actually do. Faculty care deeply about the education of students. He said the University of Iowa is an amazing and uplifting place. When else in life do we have the opportunity to focus only on learning?

President Berenstein thanked Professor Schnoor for the cooperation he had given the Board in his year of service as Faculty Senate President, and for the many telephone calls he had with Professor Schnoor. Speaking for the entire Board, he thanked Professor Schnoor for a job well done.

President Berenstein recognized H. Michael Stahr, Chair, Iowa State University Faculty Senate Budget Committee, representing Sandy McNabb.

Professor Stahr stated that faculty appreciated the monumental effort of the Board in recent years to address faculty salaries. Iowa State University faculty salaries were previously 20 percent lower than comparative universities' salaries. Today their salaries are nearly at the top and are very comparable with those of comparison institutions.

Professor Stahr said his message was that of faculty concerns about class size, improvement of expense funds budgets, building service and maintenance. Beyond that, as budget committee chairperson, he said the committee has discussed many of the things being discussed by the Regents and the legislature.

President Berenstein asked, on behalf of the Board, that Professor Stahr relay their thanks to Professor McNabb. He said this job becomes easier when people appreciate each other's industry. The schools have provided faculty who are able to express thoughts that the Regents do not necessarily want to hear in a way that they do not mind hearing.

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President Berenstein recognized Judy Hermsen, President, University of Iowa P&S Council.

Ms. Hermsen asked that the Regents bring to mind a picture of a jigsaw puzzle which would represent the university. The focal point is the students, the border is the faculty, and the background pieces are staff. She said staff of the University of Iowa are highly dedicated personnel who enrich the university. The university depends on their contributions. Professional and scientific employees provide a significant service to the State of Iowa. She stressed the importance of fair salaries and annual salary increases. She asked that the Regents keep these principles in mind as they prepare salary proposals.

Ms. Hermsen presented the following requests on behalf of University of Iowa P&S employees: 1) tuition waiver program for employees, 2) professional development opportunities, 3) recognition programs, 4) child care, 5) flexible scheduling and 6) committee representation. She concluded by thanking the Board for the opportunity to bring P&S staff needs to the foreground.

President Berenstein recognized Dan Woodin, President, Iowa State University P&S Council.

Mr. Woodin stated that staff appreciated these opportunities to meet with and make presentations to the Board. He said they appreciated the support of the Board in endorsement of the new P&S classification and compensation system at Iowa State University last year. Now that the system is in place, they need to ensure that the system maintains its integrity with respect to staying current with the market and addressing equity concerns. One of their concerns is to ensure that P&S employees move through the compensation system and reach a comparable market average in an appropriate amount of time. He said the compression situation which was created when people were slotted into job classifications in the new system needed to be addressed.

The Board of Regents was presented with data at its November 1993 meeting that showed salary comparisons for faculty salaries. Mr. Woodin stated that no comparable statistics are available for P&S staff. Can Iowa State University officials expect the university to become the premier land grant institution in the country with average paid employees? When they attain the #1 recognition, will they be able to maintain it?

Mr. Woodin stated that professional development opportunities encourage staff to perform up to and to exceed their expectations. To accomplish this, some funding and

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time commitment concerns must be addressed. He said businesses in the private sector encourage their professional employees to pursue higher education and professional development opportunities. He felt it was ironic that this same opportunity does not exist for all staff at the Regent institutions.

Mr. Woodin has served as P&S Council president for two 1-year terms. He expressed his appreciation for the conversations he has had with the Regents. He said he has learned a lot about what the Board does, what the university administration does and what the Board Office does.

Regent Dorr referred to Mr. Woodin's comment about the ongoing problems of compression. He said it was his impression that the new classification system of a year ago would remedy most of the problems of compression.

Mr. Woodin responded that the new system had corrected some of the problems of classifications of jobs over the years. Those under-classified got up to the lower- or mid-range of the new classification. However, it will be a gradual process to resolve all of the inequities.

President Berenstein thanked Mr. Woodin for his service.

President Berenstein recognized William McKinley, President, University of Northern Iowa P&S Council.

Mr. McKinley stated that employees at the University of Northern Iowa are very fortunate to work in an environment that is constantly challenging and stimulating. However, even paradise has some flaws. He said salaries of P&S staff at the University of Northern Iowa continue to lag by 18-24 percent salaries at the University of Iowa and Iowa State University. He stated that last fall he asked that the Board formally acknowledge the disparity and begin to address the situation. He reiterated that request today. Mr. McKinley presented a tuition remission proposal and discussed the estimated cost per employee.

President Berenstein recognized Jane Gradoville, Iowa School for the Deaf Faculty Senate.

Ms. Gradoville thanked the Regents for their past support and for providing the opportunity to submit their faculty salary proposal. She stated that during the past few years Iowa School for the Deaf had experienced an increase in enrollment. Faculty must be prepared to educate children not only with hearing impairments, but also with a

variety of additional handicapping conditions. Teachers must be bilingual -- English and signed communication.

Ms. Gradoville asked that the Board consider the following salary proposals for the 1994-95 school year: 1) a 5 percent increase in salaries with special concern for faculty at the top of their scale, 2) the maintenance of current health insurance coverage and employer contributions and 3) a 5 percent increase in supplemental pay for extracurricular program work.

President Berenstein recognized Jack Klein, Iowa Braille and Sight Saving School Faculty Association.

Mr. Klein thanked the Regents for their help in securing the funding necessary for renovation of the building in which they were meeting. He thanked Mr. Richey for the opportunity last fall to meet informally with the Regents. Mr. Klein then presented the following proposal: 1) accept the teacher's salary schedule proposed by Superintendent Thurman, 2) increase the number of personal leave days from 1 to 2 per year, 3) increase bereavement leave from 3 to 5 days for death of a spouse or child residing in residence, and 4) fund professional development for each teacher to attend a yearly conference. He noted that in the last few years nine employees had lost a spouse or a child in residence.

President Berenstein recognized Kathy Highland, Chair, Merit System Advisory Committee.

Ms. Highland stated that on March 31 Director Volm explained the proposed merit system salary increases for fiscal year 1995. She noted that the latest figures showed that 40 percent of Regent merit employees are at the top of their pay scale and are not eligible for step increases. Merit system employees greatly appreciate the Board's efforts to prevent supervisory/confidential employees from backsliding, as was the case for supervisory employees in fiscal years 1992 and 1993. She said the salary disparity that occurred at that time has never been fully addressed.

In fiscal year 1993 the Board of Regents committed itself to remedying the disparity described above and supervisory/confidential employees are interested in knowing what attempts and progress have been made toward that commitment. They are also interested in knowing what action has been taken to prevent future disparities.

Ms. Highland stated that as of July 1, 1994, merit system supervisory/confidential employees will lose the non-recurring payment which began July 1, 1993. For most, that means that even with the 2 percent increase, they will be taking home less than they have during this past year. She said that merit system supervisory/confidential

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employees are fully aware that the legislature has not provided the Regent institutions with the necessary funding to address this particular concern. She reminded the Regents of the level of responsibility of merit system supervisory/confidential employees and asked that they be treated equitably in relation to the contract merit employees, P&S staff and faculty with whom they work on a daily basis. They are concerned that unless the Board intercedes on their behalf, their group will continue to be lost in the political budgetary battleground.

Ms. Highland asked that as the Board members consider the fiscal year 1995 budget, they remember past difficulties and commit to preventing the same problems from occurring in the future.

Regent Dorr stated that he appreciated the opportunity to hear the various reports from Regent employees. He noted that he heard many of the same concerns from year to year particularly the concerns expressed by supervisory and confidential employee representatives. He would like something to be done to resolve the issues. He suggested the Board proceed to analyze the salary policies more in-depth than has been done in previous years. It is obviously a massive problem and he was not sure how exactly to proceed but that could be left up to the Board Office. He wants to get to the bottom of the concerns of supervisory and confidential employees.

President Berenstein asked that the Board Office prepare information for the Board to discuss next month at its meeting.

Regent Hendricks requested that the Board have an executive session at its next meeting to review the Board Office recommendations so the Regents can ask questions and decide whether or not they support some of the various components expressed here today.

Regent Tyrrell stated that in this day of finite resources, each employee group should have an opportunity to prioritize their requests so that over time as the Board develops salary policies it can give employees that which they consider most important.

Regent Hendricks said it would be helpful if each group costed a per employee cost of its salary proposal.

Regent Dorr stated that this was a large enough issue that the Regents need to take time to better understand the entire scope so that various groups do not continually have unresolved issues. However, he did not want to tackle each group's line-by-line problems.

President Berenstein stated that Mr. Richey suggested the Board review these matters at the May meeting. He will work out the arrangements with Regent Hendricks. He, also, has heard many of the same concerns for 5 years. They have not made enough progress.

ACTION: President Berenstein stated the Board received presentations concerning salary policy for FY 1995 from representatives of the faculties, professional and scientific staffs and merit system employees who are not covered under collective bargaining agreements, by general consent.

REPORT ON MEETING OF THE IOWA COORDINATING COUNCIL FOR POST-HIGH SCHOOL EDUCATION. The Board Office recommended the Board receive the report on the April meeting of the Iowa Coordinating Council for Post-High School Education.

The Iowa Coordinating Council for Post-High School Education held a meeting on April 6 over the Iowa Communications Network (ICN). Below is a summary of the major items discussed at the meeting:

Preliminary Approval of SPRE Rules

As the designated State Postsecondary Review Entity (SPRE) in Iowa, the Coordinating Council is required to adopt rules and procedures for review of postsecondary educational institutions identified by the U.S. Secretary of Education for review. A set of draft rules was developed and was the subject of hearings held around the state last month. Through the use of committees appointed by the Council, the various parts of the rules have been prepared in a preliminary draft form. The Council reviewed these preliminary drafts and gave approval to move forward in the development of final drafts to be presented to the Coordinating Council at its June 8 meeting. These items were approved with the provision that any changes occurring in the final federal rules to be released by May 1 will be incorporated in the final drafts.

Programs Approved

The Coordinating Council gave approval to the following new program requests:

- A. Independent Colleges and Universities

1. Drake University

Proposal for a new graduate degree program in Education to be offered in Le Mars, Iowa.

Proposal for new graduate classes in Education to be offered in Carroll, Iowa.

B. Proprietary and Specialized Schools

1. Hamilton Business College (locations of the following program requests will be held at Cedar Rapids, Des Moines, and Mason City).

Medical Executive Administration

Legal Executive Administration

Travel/Business Management

C. Board of Regent Universities

1. Iowa State University

Master of Family and Consumer Sciences

Non-Reporting of New Programs

It was brought to the Coordinating Council's attention that Teiko-Marycrest University did not provide a program proposal to the Iowa Coordinating Council for Post-High School Education for a new program that it is initiating. It was requested that the Coordinating Council send a letter to Teiko-Marycrest advising it of the Coordinating Council's procedures and requesting cooperation.

Regents Furgerson and Tyrrell participated in the April meeting. President Rawlings (Chair of the Coordinating Council) and President Curris participated in the meeting.

Regent Furgerson stated that the meeting was held electronically via the Iowa Communications Network at 6 to 7 different sites. She said it was an interesting process. It was nice that members did not have to spend a great amount of time traveling.

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President Rawlings stated that the meeting went very well without a lot of difficulty getting people around the state hooked up.

ACTION: President Berenstein stated the Board received the report on the April meeting of the Iowa Coordinating Council for Post-High School Education, by general consent.

REPORT ON STATE POSTSECONDARY REVIEW ENTITY (SPRE). The Board Office recommended the Board receive the report on the State Postsecondary Review Entity (SPRE).

In 1992, the U.S. Congress adopted amendments to the Higher Education Act of 1965 which, in part, created a program integrity requirement consisting of a "Triad" which includes the U.S. Department of Education, accrediting agencies, and a State Postsecondary Review Entity to be established in each of the states and territories. This legislation was adopted because of Congressional concerns about the high student loan default rates at certain institutions, the increasing costs of higher education, and the lack of accountability on the part of some states with respect to the policing of fraudulent institutions of postsecondary education.

Under this legislation, each state was to create a State Postsecondary Review Entity (SPRE) for the purpose of carrying out the state's responsibilities under the triad. The Iowa Coordinating Council for Post-High School Education was designated as the SPRE for the state of Iowa. During this first year which ends June 30, 1994, the Coordinating Council is required to develop four products:

A set of performance standards.

A complaint procedure.

A data collection scheme.

An overall review process.

Last fall the Coordinating Council entered into a contract with the National Center for Higher Education Management Systems (NCHEMS) to assist the Coordinating Council in developing these products (this activity with NCHEMS is being conducted along with a consortia of 10 states). The Council also established committees to review the products developed by NCHEMS (i.e., the standards, complaint procedure, and data collection scheme). The products developed by these various groups were the subject

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of hearings held around the state at three locations (Sioux City, Des Moines and Bettendorf) two weeks ago. The comments and concerns raised in the hearings were taken into consideration by the Coordinating Council's committees resulting in a redrafting of the proposed items into what is called the "preliminary drafts." On April 6, the Coordinating Council reviewed these preliminary drafts consisting of proposed performance standards, complaint procedure, data collection, and overall review process, and gave its initial approval.

In June, the Coordinating Council will adopt final rules and procedures and these will be forwarded to the U.S. Secretary of Education for approval. When final approval has been accomplished, the procedures would then be put in force for the state of Iowa and the process envisioned for the "Triad" would begin. Essentially, the process would work as follows:

The U. S. Secretary of Education would identify institutions in the state of Iowa to be reviewed by the SPRE based on eleven criteria that appear in the law or as a result of a "pattern of complaints" identified by the SPRE in its complaint procedure; the Coordinating Council would then establish a review team that would review the institution and eventually make recommendations to the Coordinating Council for action; the Coordinating Council would then develop a report with a proposed course of action and forward it to the U.S. Secretary of Education. The permissible recommendations that the Coordinating Council might adopt include: (1) discontinue eligibility for Title IV student financial aid; (2) continue eligibility for the federal student financial aid programs contingent upon completion of a plan of corrective action; and (3) continuance of federal student financial assistance to the institution and its students.

The program integrity law and especially the proposed rules developed by the U.S. Department of Education have been controversial. Record amounts of correspondence have been directed to various federal officials and to Congress regarding the proposed rules for carrying out the obligations of the "Triad." The proposed rules for each part of the "Triad" (i.e., the SPRE, accreditation organizations, and the U.S. Department of Education) appear to many to go beyond what is stated in the law and have the effect of creating a federal education system to replace a system that was largely the responsibility of the states and voluntary accrediting organizations. The proposed rules not only describe how the SPREs would operate, but also establish major changes in the way in which accrediting organizations do business and creating what some feel are excessive burdens on the institutions. The U.S. Department of Education is scheduled to release the final SPRE rules by May 1. Hopefully, the final rules will take into consideration many of the comments and concerns raised by the higher education

community. It is quite likely that legal challenges will be raised about the U.S. Department of Education's authority and rules for carrying out this responsibility.

Iowa is unique among the states and territories in that it has designated an organization composed of institutional and governing board representatives to carry out this responsibility. As a result, the Coordinating Council has had to walk a fine line between carrying out its responsibilities on behalf of the state of Iowa and maintaining the integrity and autonomy of the institutions. It is believed that the proposed rules and procedures are consistent with that mandate.

Director Barak provided an overview of SPRE which originated in the 1992 congressional session. The legislation addressed concerns about the high student loan default rates around the country as well as consumer complaints, escalating costs of higher education attendance, and authority and accountability of the states. It was felt that the states were not doing a good enough job policing the institutions within their borders. He said the 1992 legislation was aimed at restoring public confidence in Title IV programs by establishing a triad consisting of SPRE, the U.S. Department of Education and accreditation. The Iowa Coordinating Council for Post-High School Education was designated as Iowa's SPRE.

Director Barak stated that the law contains very specific statutes. Draft rules have been promulgated which are quite controversial. He said it was likely that before the year is over there will be legal challenges to the rules. On May 1 the final rules are due out. Dr. Barak reviewed the 11 criteria which would trigger a review by the U.S. Department of Education. He noted that termination of federal financial aid would be the "kiss of death" for some institutions. He stated that almost all of Iowa's Regent institutions at one time or another could meet one of the criteria which would trigger a review.

Regent Furgerson stated it was fortunate that Governor Branstad asked the Iowa Coordinating Council to be the SPRE in Iowa. In some states an entirely new group that does not involve any of the state's post-secondary institutions is established for that purpose.

Regent Dorr stated it was his observation that this legislation is an incredible waste of time and effort. Institutions that issue student loans should be responsible for repayment of student loans in excess of a certain amount of dollars. He resented the bureaucratic standards and costs.

Director Barak stated that there were at least 4,000 letters telling the federal government essentially what was just expressed by Regent Dorr.

ACTION: President Berenstein stated the Board received the report on the State Postsecondary Review Entity (SPRE), by general consent.

PRESENTATION BY LAURA DIEBOLD, IOWA DENTAL HYGIENISTS

ASSOCIATION. The Board Office recommended the Board receive the oral report by the president of the Iowa Dental Hygienists' Association.

Laura Diebold, President of the Iowa Dental Hygienists' Association, delivered an oral report on the results of a survey of Iowa dentists and dental hygienists regarding dental hygiene manpower needs and attitudes about dental hygiene education. The Iowa Dental Hygienists' Association believes that this information should be considered before any decisions are made regarding the initiation of new dental hygiene programs.

Ms. Diebold stated that the Iowa Dental Hygienists' Association had issued a position statement regarding baccalaureate and masters degree dental hygiene education at the University of Iowa. The association's official position includes the following statements:

The Iowa Dental Hygienists' Association is obligated to the people of Iowa to support the maintenance of the education of baccalaureate entry-level dental hygiene practitioners.

Supporting the maintenance of current dental hygiene programs at the University of Iowa will assure that tax dollars are not wasted.

Phasing out one program and initiating another program regardless of the degree granted would be expensive and without justification.

The Iowa Dental Hygienists' Association will continue to rigorously promote the maintenance of the masters degree and of entry-level baccalaureate dental hygiene education at the University of Iowa.

Ms. Diebold concluded by stating that the bachelor's degree should be the minimum entry-level educational requirement for dental hygiene. She asked that the Regents review the report and conclusions.

ACTION: President Berenstein stated the Board received the oral report by the president of the Iowa Dental Hygienists' Association, by general consent.

President Berenstein stated that at this point in time no one has requested reconsideration of the Board of Regents' action to terminate the dental hygiene program at the University of Iowa. He said a petition to reconsider the Board's action would have to be submitted to Provost Nathan who would submit it to the Board Office.

ACTION: President Berenstein stated the Board received the oral report by the president of the Iowa Dental Hygienists' Association, by general consent.

EXECUTIVE SESSION. President Berenstein requested the Board enter into closed session to hold a hearing pursuant to Code of Iowa section 279.15(2).

MOTION: Regent Hendricks moved to enter into closed session. Regent Newlin seconded the motion, and upon the roll being called, the following voted:
AYE: Berenstein, Collins, Dorr, Furgerson, Hendricks, Johnson-Matthews, Newlin, Pellett, Tyrrell.
NAY: None.
ABSENT: None.

MOTION CARRIED UNANIMOUSLY.

The Board having voted at least two-thirds majority resolved to meet in closed session beginning at 11:43 a.m. on Wednesday, April 20, 1994, and recessed therefrom at 1:15 p.m.

REPORT ON IMPLEMENTATION OF AMERICANS WITH DISABILITIES ACT. The Board Office recommended the Board:

- (1) receive the report;
- (2) direct the institutions, as follows:

Iowa State University

Proceed with all due diligence to develop the Americans with Disabilities Act (ADA) required transition plan.

University of Northern Iowa

Include as a specific part of the self-evaluation necessary evaluations of the accessibility of programs, services and activities to determine any needed facility modifications.

Undertake a more systematic and detailed assessment of academic programs to determine accessibility problems and institute a process of systematic assessment of progress using objective measures.

Iowa School for the Deaf

Complete and submit to the Board Office a formal self-evaluation and transition plan as required.

Iowa Braille and Sight Saving School

Complete and submit to the Board Office a formal self-evaluation and transition plan as required.

- (3) Request in 6 months updated institutional reports addressing the above.

The Americans with Disabilities Act (ADA), an extension of the Civil Rights Act of 1964, was signed into law on July 26, 1990.

Two of the four titles of the law are directly applicable to the Board of Regents and its institutions: employment (Title I), and public services/transportation (Title II).

Title I includes many of the same requirements as Title VII of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973.

Employers cannot discriminate against any applicant or employee with a disability on the basis of that person's disability, if the person is qualified and able to perform the "essential functions" of the job with "reasonable accommodation."

Entities must provide "reasonable accommodations" to disabled applicants or employees unless it would be an "undue hardship."

Employers cannot refuse to hire someone because it might cause worker's compensation or health insurance rates to increase.

In most cases, employers cannot refuse to provide health insurance to disabled employees if insurance is provide to other employees.

Fringe benefits are provided to eligible employees at all Regent institutions in conformance with Board policy without regard to disability.

Title II extends to all activities of state and local governments the prohibition of discrimination on the basis of disability established by section 504 of the Rehabilitation Act of 1973.

Title II requires that each program, activity or service provided by an institution must be readily accessible to and usable by disabled persons.

Physical changes to existing facilities are required only when there is no other feasible way to make a program, activity or service accessible.

Nonstructural methods of providing program accessibility include acquisition or redesign of equipment, assignment of aides to beneficiaries, and provision of services at alternate accessible sites.

Title II requires all public entities to prepare a self-evaluation. In addition, public entities with 50 or more employees must: a) develop a grievance procedure; b) designate an individual to oversee Title II compliance, c) develop a transition plan if structural changes are needed to achieve program accessibility; and d) retain the self-evaluation for three years.

Key compliance dates are:

January 26, 1992 - accessibility of all state and local government programs to individuals with disabilities;

January 26, 1993 - completion of a detailed self-evaluation;

July 26, 1992 - completion of a transition plan for structural changes;

January 26, 1995 - completion of all structural changes no later than this date

Some of the institutions appear to have not complied with all of the required dates as specified in the law.

SUMMARIES OF INSTITUTIONAL REPORTS

Iowa State University

Since completing its self-evaluation, the university has made wider distribution of job information to attract a more diverse group of applicants.

Requests for reasonable accommodation are handled on a case-by-case basis.

The university has developed a set of very specific recommendations for addressing compliance issues associated with the Americans with Disabilities Act as it applies to academic program accessibility.

Activities are rescheduled into accessible spaces and/or provisions are made to accommodate disabilities.

The university's self-evaluation cites eight potential academic program problem areas, limiting the full participation and accessibility of persons with disabilities; these should be acted on as soon as possible.

The self-evaluation notes the need to expand greatly the availability of automatic door openers, especially in high student traffic areas.

Although not required by ADA, the university is developing a thorough and detailed assessment of the campus for compliance with the Americans with Disability Act Accessibility Guidelines for Buildings and Facilities (ADAAG).

After the survey is complete, the university will develop its transition plan; under federal guidelines this plan was to have been completed by July 26, 1992.

This plan needs to be completed with due diligence.

The Board Office expects that the next Iowa State University update on compliance with the Americans with Disabilities Act requirements will refer to specific issues raised in the self-evaluation.

University of Northern Iowa

The university widely distributes its vacancy announcements and each announcement includes a nondiscrimination statement.

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The university has embarked on a program to identify and validate essential functions as positions become vacant.

Requests for reasonable accommodation are evaluated on a case-by-case basis in a collaborative effort similar that used to identify essential functions.

The university's self-evaluation includes no systematic assessment of the accessibility of academic and other programs, services and activities.

The self-evaluation in general lacks comprehensiveness and depth.

Involvement of the disabled in identifying problems in each of the university's program areas, both academic and non-academic, is needed.

The Board Office recommends that the university undertake a systematic survey of all its academic programs to determine their accessibility to the disabled.

The university reports there are no current university programs which require facility modifications, as reasonable accommodations have been made where required.

However, some structural modifications to achieve more complete accessibility in heavily-used classroom buildings and student service centers are recommended by the university.

To provide access to programs currently housed in inaccessible facilities, classes are relocated to accessible facilities, and alternatives are provided for the delivery of information or services.

The university reports that a barrier inventory was taken of campus facilities and the only significant shortcoming noted was the lack of a convenient accessible pathway connecting the main campus north of University Avenue to those buildings and facilities south of the road.

Renovation of the pedestrian tunnel was identified as the top priority; this work has been completed.

Iowa School for the Deaf

The school widely distributes job vacancy announcements and is very interested in recruiting more deaf applicants.

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Essential functions are identified when positions become vacant and before recruitment is initiated.

The school provides accommodations to employees on a case-by-case basis.

No self-evaluation has been submitted to the Board office.

While the school has not completed a formal transition plan, it has completed a detailed survey of campus facilities.

This report was reviewed both internally and externally; needed modifications have been prioritized.

Iowa Braille and Sight Saving School

Advertising for faculty positions is done nationwide in specialized publications.

As positions become vacant and before recruitment begins, essential functions are identified.

No formal self-evaluation or transition plan has been submitted to the Board office.

The School retained a professional facilities consultant to analyze existing facility needs.

The report formed the basis for the school's FY 1995 capital budget request for ADA-related improvements.

DISCUSSION:

President Berenstein noted that the portion of this docket related to the University of Iowa would be deferred until next month and would not be discussed at this meeting.

Director Specter presented the Regents with a summary of the Americans with Disabilities Act and with on-campus processes and activities related to the law. He said that in general the institutions have demonstrated a strong commitment to the law and have begun efforts to address necessary changes.

Regent Furgerson noted that as public institutions they have to make the campuses accessible to the general public as well as to employees and students.

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President Jischke stated that Iowa State University is in the midst of a substantial survey consisting literally of curb-by-curb and door-by-door reviews. What will result is a transition plan laying out the priority of improvements to be undertaken. University officials are committed to fulfilling the letter and the spirit of the law.

President Jischke introduced David Torres, Iowa State University's newly-appointed Affirmative Action Officer.

Director Mixsell stated that he was addressing the Board in his capacity as chair of the University of Northern Iowa's ADA compliance committee. He said that notwithstanding what he felt was the somewhat negative cast of the docket report generated by the Board Office, University of Northern Iowa officials are proud of having an accessible campus. He noted that the ADA was another federally-mandated program that came with no resources.

The University of Northern Iowa ADA compliance committee first identified the "customer", which Director Mixsell termed the "arbiter of quality", as the students. If there were access problems, the students would be able to detect those problems and report them to the university. The committee invited a disabled student organization called RUN (Restrict Us Not) to participate in its first meeting. The committee established processes to deal with whatever issues surface to make sure that everyone who has a limitation has access to the university's facilities. The committee has been functioning for over 3 years. Committee members have had an opportunity to share ideas with officials at their peer institutions. Members of the Interinstitutional Committee on Equal Opportunity and Affirmative Action exchanged ideas for corrective action and resources. He noted that Regent Furgerson heard the committee members discuss some of the issues.

Director Mixsell said it came as a surprise when he read in the docket memorandum for this item that not everyone shared University of Northern Iowa officials' sense of success. He said they had some vindication in the Waterloo Courier. He distributed copies of an article that appeared in the previous night's newspaper.

Regent Furgerson stated that when she was still working as director of the Waterloo Human Rights Commission, the commission held a weekend workshop on the ADA. University of Northern Iowa representatives also attended. Individuals who have national reputations regarding responding to the Act and about working with people with disabilities facilitated the workshop.

Mr. Richey asked if University of Northern Iowa officials have, in fact, done a systematic assessment of accessibility of programs and services as required by law.

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Director Mixsell responded that the direct answer was no because he did not know what it meant. What University of Northern Iowa officials have done is set up a process that enables them to address concerns as they come up. It was his opinion that the university did not have a problem with access per se. University officials collectively were not aware of any program that has any limitations or access limitations as a precondition.

Mr. Richey said the Board Office recommended that University of Northern Iowa officials perform a systematic evaluation.

President Berenstein said the Board Office was not criticizing the university's commitment, but was indicating that the reporting was not in compliance with the law.

Director Mixsell said everyone is entitled to a difference of opinion. University of Northern Iowa officials said there were no programs that were considered not in compliance with the law.

President Berenstein asked if there had been any dialogue between the university and the Board Office. Director Mixsell responded that the first word he received indicating that University of Northern Iowa had a shortcoming was when he read the docket memorandum for this meeting.

Director Specter questioned how University of Northern Iowa officials could assure the Board that indeed their programs are accessible. There needs to be a comprehensive and systematic approach to determining accessibility because the law specifically requires it.

Director Mixsell responded that university officials were unable to find the methodology for performing a comprehensive survey. University of Northern Iowa officials believe they have accomplished the essence of the law. There are no access problems. If access problems are encountered, a mechanism is in place to deal with them quickly and effectively.

President Berenstein stated that was inconsistent with the language of the Act.

Regent Dorr said it seemed as though the University of Northern Iowa was using a common sense approach. He did not disagree with how they did it, and said they used a common sense low-cost approach in good faith.

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Regent Hendricks asked if university officials could provide documentation if a federal official were to ask for a checklist of every building indicating whether water fountains, etc., were accessible.

Regent Furgerson stated that in some instances the university could utilize signage to indicate where wheelchair accessible water fountains or building entrances were located.

Regent Hendricks asked whether university officials had done so.

Director Mixsell responded affirmatively, stating that in the Spring of 1991 University of Northern Iowa officials conducted a barrier inventory with blue prints of each floor of each building. They identified all of the technical shortcomings. They have the detailed information. Their assessment of that shouldn't be a surprise to this Board because those standards are pretty much the same as they were in 1978 when the Board approved the university's process for complying with the Voc Rehab Act of 1973. Some minor things like the water fountains are new but the bathroom and elevator requirements were already in place. University officials have that on file, if needed. Their review shows there are some minor deficiencies which they are addressing and which will be completed by January 1995.

President Berenstein said they had belabored this matter long enough. University of Northern Iowa officials should coordinate their reporting system with the Board Office and come to a common sense approach on how to report everything required by the law.

Superintendent Johnson stated that Iowa School for the Deaf officials needed to address with the Board Office those parts for which the Board Office believes they have not been given sufficient information.

Superintendent Thurman stated that six months ago Iowa Braille and Sight Saving School officials presented the Board with a plan to comply with the ADA. They will be coming back to the Board in the next couple of years to address the unfinished portion of the plan. He said the total cost is approximately \$120,000. Since that time an on-campus committee has been reviewing accessibility issues. He noted that there was a court decision in 1982 or 1983 concerning a family that attempted to use section 504 of the Rehabilitation Act to access their child into a special education program in opposition to the Individuals with Disabilities Education Act. The Supreme Court ruled that education issues are to be settled by the Individuals with Disabilities Education Act

and not by section 504. He said it was important to keep in mind as they address Americans with Disabilities Act requirements that education issues have their resolution through the IDEA.

MOTION: Regent Furgerson moved to (1) receive the reports for all institutions except the University of Iowa; (2) direct the institutions, as recommended; and (3) request that in 6 months updated institutional reports addressing the above be provided. Regent Tyrrell seconded the motion.
MOTION CARRIED UNANIMOUSLY.

APPROVAL OF RESIDENCE SYSTEM RATES. The Board Office recommended the Board:

- (1) Approve the proposed rates for residence halls and dining contracts for the 1994-95 academic year at the three Regent universities, as follows:

Double Occupancy Rooms with 20 Meals per Week

University	1993-94 Rate	Proposed 1994-95 Rate	\$ Incr.	% Incr.
SUI	\$3,266	\$3,423	\$157	4.8%
ISU	\$3,104	\$3,224	\$120	3.9%
UNI	\$2,777	\$2,960	\$183	6.6%

- (2) Approve the schedule of other rates for residence halls, apartments and dining contracts as presented (in Appendix B); and
- (3) Approve an academic year mandatory fee of \$41 (\$10 for the eight week summer session, \$5 for the four week summer session) for cable television service for students living in residence halls at the University of Northern Iowa.

The Board Office recommended in March that University of Northern Iowa double-occupancy residence hall rates (with 20 meals per week) increase by 7.7 percent (\$214) as compared to the university's request of 5.5 percent (\$153).

The Board Office has reviewed further the information provided by the university and has revised downward its recommended rate increase from 7.7 percent (\$214) to 6.6

percent (\$183). The Board Office recommended further that apartment rates increase by an average of 6.6 percent at the University of Northern Iowa. The university's proposed increase averages 4.9 percent.

The Board Office recommended approval of the rate increases requested by the University of Iowa and Iowa State University.

University of Northern Iowa

Board Office rationale for a higher rate increase:

An increase of 6.6 percent will generate approximately \$143,000 more than University of Northern Iowa officials projected based on current occupancy levels. (Rate increases for the projected 150 new occupants were not included.)

The additional revenue will be used for: 1) repair and maintenance funding and 2) utility funding. The added revenue would cushion the budget if anticipated occupancy goals are not met, which is likely.

Repair and maintenance:

The following table presents repair and maintenance expenditures (including maintenance staff salaries) for FY 1992 - FY 1995 as reported by University of Northern Iowa officials.

	<u>Actual</u> <u>FY 1992</u>	<u>Actual</u> <u>FY 1993</u>	<u>Estimated</u> <u>FY 1994</u>	<u>Projected</u> <u>FY 1995</u>
Expenditures	\$1,232,295	\$1,124,639	\$976,420	\$1,142,291
\$/GSF	\$.91	\$.83	\$.72	\$.78

Projected expenditures are less for FY 1995 than actually expended in FY 1992 and are only 1.6 percent more than FY 1993 expenditures. This compares unfavorably to the university's projection of a 4 percent cost increase for repairs and maintenance.

If repair and maintenance funding for all space were at the FY 1993 level of \$.83/GSF, the cost in FY 1995 would be \$1,208,480 or approximately \$66,000 more than projected by the university.

Though the Residence on the Hill (ROTH) is new, there are always maintenance expenditures associated with new space.

If FY 1993 repair and maintenance expenditures are used as a base (FY 1993 expenditures were lower than FY 1992 expenditures) and if a 4 percent annual cost increase factor is applied to these expenditures, FY 1995 expenditures would be \$1,216,400 or approximately \$74,000 more than university projections.

This amount would be \$15,895 less than expended in FY 1992.

Even if repair and maintenance expenditures increased to FY 1992 levels, the university would be spending far less for this function than the other two institutions.

Utility expenditures:

The university may have underestimated its utility expenditures for FY 1995 by approximately \$50,000. The utility budget was proposed to increase by only 3 percent (\$41,658 University of Northern Iowa's general inflation factor) from FY 1994 to FY 1995 although ROTH (100,000 GSF and a 7.4 percent increase in total space) will be on line for the entire year.

Compared with FY 1993, utility expenditures are estimated by University of Northern Iowa to be only 3.4 percent higher in FY 1995.

Additional flexibility:

The university's FY 1995 preliminary residence system budget is based upon an occupancy increase of 150 students. This 3.1 percent increase in residents is contrary to the three-year consistent loss in residence system occupancy.

If this level is not attained, additional revenue generated by the proposed 6.6 percent rate increase will help minimize cuts which would be needed to balance the budget.

In the bond offering statement to investors for the new residence hall (ROTH), the university committed to maintain rate increases of 7 percent per year over four years for room and board and apartment contracts.

For FY 1993 an average rate increase of 7.3 percent was approved; for FY 1994 the increase was 6 percent. An increase of 6.6 percent for FY 1995 will move toward meeting the commitment.

End-of-year voluntary reserve balances have declined from \$5.1 million in FY 1990 to an estimated \$2.0 million for FY 1994 and FY 1995.

Greater risk is associated with University of Northern Iowa's dollar numbers and percentages because these assume a significant occupancy increase while recent years have shown a counter trend.

University of Northern Iowa officials proposed initiation of a fee of \$41 per academic year, \$10 for the eight week summer session and \$5 for the four week summer session, for cable television service for students living in residence halls.

The residence systems are self-supporting activities and must generate sufficient revenues to pay for the operation of the system as well as repair and maintenance, renovations and remodeling.

Many of the building systems (mechanical, electrical, heating, ventilating and air conditioning) in the residence halls are reaching the end of their normal useful lives. Sufficient funds are needed to maintain, repair and eventually upgrade these systems.

Failure to provide adequately for this needed work will in the future make the residence system less attractive to students, thereby putting further stress on residence system bonding obligations.

The Board has an obligation under bond covenants to ensure that facilities are adequately maintained.

Appendix A compared the FY 1995 proposed revenues, expenditures, net revenues and voluntary reserves of the residence systems of the three universities.

President Berenstein asked that they not rehash what was discussed at last month's Board of Regents meeting concerning this subject.

Mr. Richey reviewed the Board Office recommendations.

Vice President Follon introduced Beth Krueger, President, University of Northern Iowa Student Government.

Ms. Krueger said she represented 13,000 University of Northern Iowa students. She spoke in support of the university administration's proposed residence system increase of 5.5 percent and asked that the Regents respect both the intellect and integrity of the University of Northern Iowa administration.

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President Berenstein told Ms. Krueger that he agreed with her position but that her rationale was faulty. He said the Board of Regents needs to review the recommendations of the Board Office as well as those of the university administrators.

MOTION: Regent Furgerson moved to approve the proposed rates for residence halls and dining contracts for the 1994-95 academic year at the University of Northern Iowa at 5.5 percent. Regent Johnson-Matthews seconded the motion.

Regent Tyrrell asked that the Board Office be given an opportunity to review the rationale for its recommendation. He felt that staff had presented some very valid arguments in support of their recommendation. They should give the Board Office the courtesy of reviewing the rationale used to reach its conclusion.

President Berenstein said these were the same arguments presented in Sioux City last month.

Regent Hendricks stated that she questioned reserves last month. Now that she understands the reserves issues she feels a little different about the recommendations.

Regent Tyrrell said he wanted everyone to be sure they understood the issues regarding reserves.

Regent Dorr asked how closely the Board Office had worked with University of Northern Iowa officials in developing their recommendation. Mr. Richey responded that he talked with President Curris about the Board Office review. He said no one was disputing the facts; the conclusion relative to the appropriate amount of reserves for financing budgets and the margin of safety was the difference.

Regent Dorr said it appeared that the university adhered to legal requirements for reserves. He felt they should offer some deference to the fact that University of Northern Iowa's repair and maintenance program is in much better shape than those of the other two Regent universities, and they have less current demand.

Mr. Richey responded that the statement about the condition of the repair and maintenance program for the general university was true but was not true for the residence system. He said there was no question that legally the institution can get through this year with the university's recommended rate of increase. The reserves were called so closely by the university that it may have some interesting problems next year that will require residence rates to increase dramatically.

Mr. Elmer stated there had been an aggressive response on the part of University of Northern Iowa residence officials regarding repair and maintenance of the residence system which caused them to draw down the reserve level. It is their intent to keep the buildings well maintained. The university was required to begin making full payments of principal and interest on the bonds for the new dormitory before the new dormitory was on line. He expects to have more funds available in the future for repair and maintenance of the residence system. He stated he felt strongly that the university's proposed 5.5 percent increase was an adequate amount. He has been at the university a long time. They have run the residence system budget consistently in the black.

Mr. Richey said the reserves were adequate to get through this year with no problem. There was no question that the Board could go with the university's recommended increase; however, there was a risk.

VOTE ON THE MOTION:

Upon the roll being called, the following voted:
AYE: Berenstein, Collins, Dorr, Furgerson,
Hendricks, Johnson-Matthews, Newlin, Pellett.
NAY: Hendricks, Newlin, Tyrrell.
ABSENT: None.

MOTION CARRIED.

MOTION:

Regent Furgerson moved to (1) approve the rates for the University of Iowa and Iowa State University, as presented; (2) approve the schedule of other rates for residence halls, apartments and dining contracts as presented; and (3) approve an academic year mandatory fee of \$41 (\$10 for the eight week summer session, \$5 for the four week summer session) for cable television service for students living in residence halls at the University of Northern Iowa. Regent Johnson-Matthews seconded the motion.
MOTION CARRIED UNANIMOUSLY.

REPORT ON LEGISLATIVE ACTIVITIES. The Board Office recommended the Board receive information on the Regents 1994 legislative program.

LEGISLATIVE ACTIVITIES:

On April 11, 1994, the Senate confirmed President Berenstein's appointment to the Higher Education Strategic Planning Council.

LEGISLATIVE ISSUES:

The House Education Appropriations Bill (HF 2411) as passed by the House is \$1,877,500 less than those appropriation levels recommended by the Governor: \$970,298 less for the University of Iowa, \$625,956 less for Iowa State University, and \$281,246 less for the University of Northern Iowa.

The appropriation levels of HF 2411 as amended and passed by the Senate are \$1,285,000 less than those recommended by the Governor: \$10,000 less for the University of Iowa and \$1,275,000 for Iowa State University.

The House Salary Appropriations Bill (HF 2429) provides salary increases of \$16.4 million for the Board of Regents. The Senate Salary Appropriations Bill (SF 2325) provides \$17.0 million. The House bill represents a \$1 million decrease and the Senate bill a \$400,000 decrease from the Governor's \$17.4 million recommendation.

The Economic Development Appropriations Bill (HF 2415) was amended and passed by the Senate. It includes \$2.6 million for Wallace Technology Transfer Foundation, \$0.5 million for the University of Iowa Advanced Drug Development, and \$5.0 million for Iowa State University's Institute for Physical Research and Technology and Small Business Development Center.

SF 2326 includes the Board's capital bonding program and renovations to capitol complex buildings. The proposed \$30,750,000 funding for the Board includes \$2,000,000 for fire safety and deferred maintenance in addition to the \$28,750,000 in capital projects. Funding of \$40 million is proposed for exterior and interior renovations to the Capitol and Old Historical Building.

SF 2326 permits the Board to issue up to 50 percent of its academic building revenue bonds (requested in SF 2326) as zero-coupon bonds for college education financing, as does SF 2199 which has passed both houses.

SF 2168 relates to additional lease-purchase contract reporting requirements. It stipulates that an agency shall not enter into a lease-purchase contract unless the contract is reported in accordance with other provisions of the subsection (relating to

inclusion in the Governor's budget), and initial funding for the contract is appropriated by the General Assembly. (OPPOSE)

SF 2089, which creates a governance structure for the Iowa Communications Network (ICN), has been assigned to a conference committee.

A detailed list of the bills which may potentially impact the Regents was being monitored by the Board Office and the legislative liaisons.

Mr. Richey reviewed with the Regents the update of legislative activities as of April 18, 1994. With regard to legislation concerning the Iowa Communications Network, he said that just about every other educational agency has more representation than that of the Regents. He concluded by stating that most of the proposed legislation which would have had a negative impact on the governance authority of the Board of Regents was either line item vetoed or dropped.

President Rawlings referred to proposed legislation concerning salary funding for the Regents. There seemed to be an odd notion that somehow the Regent institutions would be able to meet the salary obligations with less than the \$17.4 million recommended by Governor Branstad. He said it would actually take over \$23 million to meet salary policy. Institutional officials will have to work very hard to make the fiscal year 1995 budgets balance. The underfunding will require the use of tuition money and reallocations.

ACTION: President Berenstein stated the Board received information on the Regents 1994 legislative program, by general consent.

REPORT OF THE BANKING COMMITTEE. The Board Office recommended the Board adopt reports on current Banking Committee items.

Regent Hendricks stated that the Banking Committee received FY 1993 State Auditor's reports on the Board of Regents and the Iowa Braille and Sight Saving School. She said both audit reports were fine. With regard to the search for an international equity fund manager for the Regent institutions, she said two members of the Banking Committee reviewed recommendations for interviewing 10 fund managers. The list was narrowed to five finalists. Four of the five finalists will be interviewed by the Banking Committee on May 4 with the final candidate to be interviewed at the May 17 Banking Committee meeting.

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The Banking Committee members received the semi-annual master lease report. Regent Hendricks stated that they also recommended the Board approve the purchase of vehicles through the master lease for the Iowa Braille and Sight Saving School. She said action on the purchase of vehicles would be taken up under the school's docket.

MOTION: Regent Tyrrell moved to adopt reports on current Banking Committee items. Regent Collins seconded the motion. **MOTION CARRIED UNANIMOUSLY.**

ANNUAL REPORT ON COMPETITION WITH PRIVATE ENTERPRISES. The Board Office recommended the Board receive reports on competition with private enterprise from the institutions.

The Code of Iowa and Board of Regents' Administrative Rules limits competition by state agencies, and the Regents' institutions, with private businesses.

A number of exemptions from the limits are provided for the Regent institutions. Exemptions are permitted only to achieve their teaching, research, and service missions.

Each institution annually reports to the Board its policy, activities and complaints relating to competition with private businesses.

The University of Iowa's review committee received no complaints from area businesses during the year.

The University of Iowa undertook a detailed study of its in-house printing service with the assistance of a consultant and input from private sector printers.

One third of the University of Iowa's printing needs are met by the private sector.

The University of Iowa has established an ongoing process for review of the printing function, which includes some private sector input.

A review of administrative and support services to be conducted by the University of Iowa over the next several years as part of the University's long-range strategic planning process will include the feasibility of privatization in some operations or activities.

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Iowa State University's review committee received one written request for review regarding the University's recreational facilities and concluded that the facilities operations comply with State laws and are consistent with Board of Regents' policies.

As part of Iowa State University's long-range strategic planning process, the review of non-academic units and support services will be undertaken over the next several years including the possibility of privatization of some operations or activities.

Iowa State University has under review the possibility of a program to assist in starting automobiles on campus. Concerns have been raised by private tow truck operators and by a member of the Board of Regents.

Iowa State University is currently evaluating the quality of private vendor custodial services at the College of Design in order to determine whether to continue that arrangement, seek new competitive proposals, or consider the possibility of utilizing a re-engineering custodial service within the college.

Iowa State University currently is conducting a study of food service operations on campus as the University's contract with a private vendor for vending services expires this summer.

The sale of WOI-TV to Capital Communications has privatized the station's operations, according to Iowa State University's report.

The University of Northern Iowa received no complaints during the year.

The Iowa School for the Deaf and Iowa Braille and Sight Saving School state that none of their activities compete with area businesses. No complaints were filed.

Director Specter reviewed the information provided to the Regents in the docket materials.

President Jischke addressed Iowa State University's review of the possibility of a program to assist in starting automobiles on campus. He said he had written to Board members indicating the university's intention which was in response to requests by students and parents for safety and convenience. He believes it complies with the law. The university-provided service will cost less than the cost associated with the service provided by the private sector. University officials believe it is a customer-oriented proposal. He said Regent Dorr had raised concerns about intrusion on the private sector. Iowa State University officials plan to proceed and to let the normal complaint

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process take care of complaints that might arise unless the Board preferred that the matter be formally docketed.

Regent Dorr stated that he believes the private sector will get the money back in some other manner such as higher fuel costs. Jump starting was an area for which he believed there was no real necessity for the university to embark upon.

MOTION: Regent Dorr moved to delete the proposed jump starting from Iowa State University's proposal. Regent Collins seconded the motion. **MOTION WAS DEFEATED WITH REGENTS FURGERSON, HENDRICKS, JOHNSON-MATTHEWS, NEWLIN, PELLETT AND TYRRELL OPPOSED.**

ACTION: President Berenstein stated the Board received reports on competition with private enterprise from the institutions, by general consent.

BOARD OFFICE PERSONNEL TRANSACTIONS. The Board Office recommended the Board ratify personnel transactions, as follows:

Appointment of BRAEDI GLOSHEN, Clerk II, effective March 28, 1994, at an annual salary of \$16,078.40 plus the usual fringe benefits.

MOTION: Regent Furgerson moved to ratify personnel transactions, as presented. Regent Johnson-Matthews seconded the motion. **MOTION CARRIED UNANIMOUSLY.**

REPORT ON MEETING OF THE IOWA COLLEGE STUDENT AID COMMISSION. The Board Office recommended the Board receive the report.

The Iowa College Student Aid Commission met on March 15 in joint session with the Iowa Student Loan Liquidity Corporation. They discussed their common interests and concerns about a specific legislative bill relating to possible uses of the reserve funds for Iowa Guaranteed Student Loans. The two bodies agreed to work cooperatively to develop a common position with respect to use of the reserve funds.

The Commission conducted separately its regular monthly business. It took preliminary action relative to a contract with Deloitte Touche to review the implications of

restructuring the Iowa College Student Aid Commission because of the new national initiatives regarding direct student loans. The contract was awarded at a later telephonic meeting of the Commission.

The Commissioners received a report on Affirmative Action and Equal Opportunity, which was also provided to the Regents.

ACTION: This report was received by consent.

STATUS REPORT ON BOARD OFFICE BUDGET FOR FISCAL YEAR 1994. The Board Office recommended the Board receive the report.

The projected expenditures for the Board Office through June 30, 1994, have been increased by \$9,200 over the figures presented last month. The increase is for Regents travel. Other minor changes have been made in the individual categories of expenditure. For example, the office equipment category has been reduced by \$1,500 and data processing increased by \$1,500 to reflect a coding change for wiring of the new computer equipment.

The increase in expenditures will be covered by additional institutional reimbursements. Most of the additional travel for Board members has been for specific events at the campuses.

ACTION: This report was received by consent.

BOARD MEETINGS SCHEDULE. The Board Office recommended the Board approve the Board Meetings Schedule.

May 18-19, 1994	University of Northern Iowa	Cedar Falls
June 14-15	University of Iowa	Iowa City
July 20-21	Iowa State University	Ames
September 20-21	University of Northern Iowa	Cedar Falls
October 19-20	University of Iowa	Iowa City
November 16-17	Iowa State University	Ames
December 14-15	To Be Determined	Des Moines
January 18, 1995	Telephonic	
February 15-16	University of Northern Iowa	Cedar Falls
March 15-16	Iowa State University	Ames
April 19-20	University of Iowa	Iowa City
May 17-18	Iowa School for the Deaf	Council Bluffs
June 21-22	University of Northern Iowa	Cedar Falls

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ACTION: The Board Meetings Schedule was received by consent.

President Berenstein then asked Board members and institutional officials if there were additional general or miscellaneous items for discussion. There were none.

STATE UNIVERSITY OF IOWA

The following business pertaining to the State University of Iowa was transacted on Wednesday, April 20, 1994.

RATIFICATION OF PERSONNEL TRANSACTIONS. The Board Office recommended the Board ratify personnel transactions, as follows:

Register of Personnel Changes for the month of February 1994 which included promotion and tenure actions.

MOTION: Regent Furgerson moved to ratify personnel transactions, as presented. Regent Johnson-Matthews seconded the motion. **MOTION CARRIED UNANIMOUSLY.**

REPORT ON RURAL HEALTH GERONTOLOGICAL NURSE PRACTITIONER SUBTRACK TO MASTER'S DEGREE IN NURSING. The Board Office recommended the Board receive the report on the Rural Health Gerontological Nurse Practitioner program subtrack to the Master's degree program in Nursing at the University of Iowa.

University of Iowa officials provided a report on the Rural Health Gerontological Nurse Practitioner program subtrack to the Master's degree program in Nursing.

This is not a new program major or even a minor. It is a "subtrack" which will allow specialization in rural gerontological nursing. The program will prepare Gerontological Nurse Practitioners to provide additional primary health care to the elderly in predominately rural areas.

The subtrack will expand the currently-available Gerontological Nursing option to Rural Gerontological Nursing Practice. The subtrack, which is less than a minor area of concentration, is not duplicated elsewhere in the state.

Costs for the program will come from internal university sources and were estimated at \$531,000 for the first 3 years.

ACTION: This report was received by consent.

REPORT ON ANESTHESIA NURSING SUBTRACK TO MASTER'S DEGREE IN NURSING. The Board Office recommended the Board receive the report on the Anesthesia Nursing program subtrack to the Master's degree program in Nursing at the University of Iowa.

University of Iowa officials provided a request on the Anesthesia Nursing Program Subtrack (less than a major or minor). It was not a request for approval.

All start-up costs will be covered by a federal grant. Estimated first year incremental costs are \$153,000.

This program area does not duplicate existing offerings in Iowa.

ACTION: This report was received by consent.

REPORT ON POSITIONING THE HEALTH SCIENCE CENTER IN AN ERA OF HEALTH CARE REFORM. The Board Office recommended the Board receive the report which describes the potential effects of new health care initiatives and emerging trends on the University of Iowa Health Sciences Center.

University of Iowa officials delivered an oral report presenting a broad overview of current and pending changes in the nation's health care system. Specific proposals based on this report will be presented to the Board of Regents in future months, as needed.

The purpose of the report is to inform the Board of several initiatives underway and planned so that the university, particularly its Health Sciences Center, might be appropriately positioned in a changing environment. This report was intended to give Board members a "snapshot" of the several developments and issues that are shaping a reformed health care delivery system and accompanying trends. The report was not a strategic plan but presented a broader framework for specific planning.

Increasingly controlled and managed health care insurance plans shift more financial risk to service providers. Primary care physicians are critical to the success of managed care and control the flow of patients to specialist providers.

Any academic health care center wishing to participate in a managed care environment must be affiliated with a sufficiently large group of primary care providers to maintain a reasonable flow of referred patients to its organization.

Academic health care centers such as the University of Iowa Health Sciences Center are "endangered species" in the evolving market and must be assured protection. In order to prepare for anticipated changes, the University of Iowa Health Sciences Center has undertaken a number of initiatives to develop unique services and become more customer-oriented in provision of services.

University officials plan to carefully study the directions and trends of the marketplace and the legislative arena to effectively position its health care services and educational and research programs.

President Berenstein recognized President Rawlings.

President Rawlings stated that it was important to publicly update the Board on health care reform. He said the University of Iowa has a \$1.1 billion budget, more than 50 percent of which is in the health sciences. It was of paramount significance to stay on top of the changes in health care reform. He then asked Vice President Manasse to discuss the principal changes taking place now.

Vice President Manasse stated that today's discussion would be a continuation of the discussion in October about positioning the academic health science center in a very rapidly changing environment. He called this the dawn of a new era. Today's presentation was being made at the request of President Berenstein and Mr. Richey in order to provide the Regents with the "big picture".

Vice President Manasse said there were a number of serious questions being raised nationally concerning health care reform. He discussed the federal scene which included the Clinton plan, the Chafee plan and the Cooper plan and the issues that each plan deals with. He anticipated that the end product of the legislative process would be a combination of the good themes of each plan. In Iowa, the Health Care Reform Council's recommendations are the guiding principles for reform legislation. It includes individual responsibility, limited government involvement, choices with responsibility, quality, accountability and affordability. He said the Iowa Health Care Reform Council's recommendations emphasize balanced, fair-share financing. Rural hospitals in Iowa are significantly disadvantaged under the Medicare program. There is a need for a coordinated delivery system which would basically provide "one stop"

shopping. A totally integrated system would simplify the administration and reduce costs.

Vice President Manasse said the "fee for service" mechanism is a particular unit price times utilization. At the other end is health care which is directed and managed. Under the latter system freedom of choice is very limited. The more care is managed the more costs are reduced. He noted that quality and control are easier to manage in a constrained system. Current and future trends in the health care arena are moving away from indemnity and toward managed care options. He has studied what has happened around the country. The east and west coasts and the Twin Cities have highly-managed health care systems. The health care industry is undergoing a paradigm shift. Managed care organizations focus on cost efficiencies, accessible and available delivery system, high quality and reputation. The risk is transferred to providers. There are changing trends in utilization rates. HMOs focus on primary care versus specialists.

With regard to perspectives on managed care, Vice President Manasse cited Aetna and Prudential's PruCare plans. Those plans send patients and their families to various states for particular procedures. There is greater utilization of freestanding ambulatory surgery centers. Consolidation is taking place rapidly as health care providers position themselves for reform. Consolidation spreads risk, offers a wider range of services, and reduces excess capacity.

Vice President Manasse said he surveyed private sector businesses for their views on health care. Employers responded that they do not want to pay for teaching and research. The academic health centers require an adequate patient base. He said the University of Iowa Hospitals and Clinics cannot exist on limited tertiary referrals. While he did not want to "cry wolf", he said the Regents needed to know that this is a serious time for teaching hospitals. They have to make sure they are positioned appropriately in this time of dynamic changes in health care.

Regent Furgerson stated that the University of Iowa Hospitals and Clinics has a tremendous reputation in the African American community of Waterloo. Individuals are treated with dignity when they go to UIHC. An African American association has come out against some medical practices because of individuals' experiences of not being taken into practice groups or being granted hospital privileges. She suggested that UIHC could be of help to other organizations in addressing these problems experienced by African American doctors.

Vice President Manasse stated that most caregivers are greatly concerned about marketplace initiatives. They are concerned about being told what they can and when

they cannot do certain things because of policies that exist in a corporate office in another part of the country. They need to continue to focus on the relationship between the sick individual and the care giver.

Regent Furgerson stated that there is also a lack of organ transplants and open heart surgery for African American patients. A lesser quality of care is given to minority patients in different parts of the country. She is very concerned about institutional racism.

Vice President Manasse responded that for the last several years more studies have been published that validate what Regent Furgerson was saying especially the Veterans Administration system's quality of care for minority patients versus majority patients. Health care providers have the burden of responsibility to hold the flag up high and say there is a level of dignity that needs preserved.

Regent Collins stated that this will probably be the major issue for the Board to deal with in the near future. Health care reform is coming at warp speed and is an unending force. They need to address how to position the health sciences center within it. He discussed employers' options between cost of insurance and giving their employees more choices. He said Iowa's teaching hospitals' rates were remarkably low but not when compared to other hospitals in the community. The teaching hospital cannot subsist on tertiary care, alone. That, he said, was the crucial issue for the Regents to address.

Regent Newlin stated that the one-page summary with which the Regents were provided was a comprehensive summary and was very well done.

ACTION: President Berenstein stated the Board received the report which described the potential effects of new health care initiatives and emerging trends on the University of Iowa Health Sciences Center, by general consent.

APPROVE NAMING OF KAUTZ PLAZA. The Board Office recommended the Board approve the naming of the plaza area along the Cleary Walkway the Kautz Plaza.

University of Iowa officials requested approval to name a plaza along the Cleary Walkway the "Kautz Plaza." The naming will recognize Richard C. and Mary Elda Kautz and their children for extraordinarily generous support.

The Kautz' have provide gifts that have enabled the university to complete paving, landscaping, and architectural developments related to the College of Business Administration.

President Berenstein asked that naming requests be submitted more timely in the future.

MOTION: Regent Johnson-Matthews moved to approve the naming of the plaza area along the Cleary Walkway the Kautz Plaza. Regent Furgerson seconded the motion. **MOTION CARRIED UNANIMOUSLY.**

APPOINTMENT OF DIRECTOR AND CHIEF EXECUTIVE OFFICER OF THE UNIVERSITY OF IOWA HOSPITALS AND CLINICS. The Board Office recommended that the Board approve the appointment of R. EDWARD HOWELL as Director and Chief Executive Officer of the University of Iowa Hospitals and Clinics at an annual salary of \$199,000 effective August 1, 1994.

R. Edward Howell is a graduate of Muskingum College in New Concord, Ohio, and earned a Master's degree in Hospital and Health Administration from the Ohio State University in Columbus, Ohio. Since 1986, Mr. Howell has been Executive Director of the Medical College of Georgia Hospital and Clinic, a university-owned teaching hospital in Augusta, Georgia.

From 1970-1986, he was associate director of the University of Minnesota Hospitals and Clinics. Between 1977 and 1980, he served as administrative fellow, assistant to the director, and assistant director at the University of Minnesota Hospitals and Clinics.

In addition to his professional appointment, Mr. Howell has held academic appointments as an adjunct faculty member at the Medical Center of Georgia, the University of Alabama in Birmingham, and the University of Minnesota. He has authored over 20 papers, publications and presentations.

Mr. Howell is currently a member of the executive committee of the Association of American Medical Colleges (AAMC) and chair-elect of the AAMC Council of Teaching Hospitals. He serves as a member of the American Hospital Association Committee on Medical Education and the finance and audit committee of the University Hospital Consortium.

As Director and Chief Executive Officer, Mr. Howell will be responsible for the overall leadership, planning and management of the University of Iowa Hospitals and Clinics.

President Rawlings stated that this was a signal appointment for the university. He expressed his appreciation for Regent Newlin's hard work on the search committee. They worked many months on the extensive national search. He thanked President Berenstein for joining in interviewing the final candidates. President Rawlings brought the proposed appointment to the Board with a great deal of enthusiasm. He noted that Mr. Howell was president-elect of the National Council of Teaching Hospitals.

MOTION: Regent Tyrrell moved to approve the appointment of R. EDWARD HOWELL as Director and Chief Executive Officer of the University of Iowa Hospitals and Clinics at an annual salary of \$199,000 effective August 1, 1994. Regent Furgerson seconded the motion. **MOTION CARRIED UNANIMOUSLY.**

REGISTER OF CAPITAL IMPROVEMENT BUSINESS TRANSACTIONS. The Board Office recommended the Board approve the university's capital register.

PROJECT DESCRIPTIONS AND BUDGETS

University officials submitted seven new projects for approval by the Board.

Kinnick Stadium-Press Box Improvements \$1,756,950
Source of Funds: Gifts to the Men's Athletic Department

Preliminary Budget

Design, Inspection and Administration	
Consultants	\$ 127,100
Architect/Engineering Services	59,150
Construction	1,427,900
Contingencies	<u>142,800</u>
 TOTAL	 <u>\$1,756,950</u>

University officials requested approval of a project description and budget for improvements to the stadium press box. The project will add 1,500 square feet to the stadium level of the press box and 3,800 square feet of space to the press box roof.

Previously, minor additions were constructed on the roof, creating a partial fourth level. This project will fill out the fourth level.

The new construction will be developed into private viewing suites (13 on the fourth level and five at the stadium level). The project will also add rest rooms, lounges and food service facilities at both levels to serve the suites. Overall access to the press box will be improved by the addition of an elevator and stair at the south end of the structure.

Work will include demolition of the existing roof and construction of the new fourth floor, elevator and stair tower, reinforcement of the existing concrete foundations, and the installation of a fire sprinkler system to serve the newly constructed areas. The feeder pipe to these sprinklers will be sized to serve eventually the entire press box.

President Berenstein said he was troubled that the Board in Control of Athletics did not approve of the Kinnick press box project. It appeared that an important cog in the process was skipped before the project came to the Regents for approval. He hoped they could table this portion of the capital register until the Board in Control of Athletics' approval is received. If people are asked to serve in the capacity as athletic board members, they should be allowed to do so. He was very troubled about what he read in a newspaper article.

President Rawlings responded that the Board in Control of Athletics did review a first proposal and expressed concern about the possible elimination of some seats. The project was redone to take into account some of those concerns.

MOTION: Regent Tyrrell moved to table the Kinnick Stadium-Press Box Improvements portion of the capital register. Regent Pellett seconded the motion. MOTION CARRIED UNANIMOUSLY.

LATER IN THE MEETING THE FOLLOWING TOOK PLACE:

President Rawlings stated that University of Iowa officials checked on the information the Regents had asked for concerning the Kinnick Press Box project. He asked Vice President True to present the information.

Vice President True said he talked with Doug Trank, chair of the Board in Control of Athletics. Professor Trank indicated that the board had approved in concept the plan and did not intend to do any more than that except to receive periodic reports. The Board in Control of Athletics is highly supportive of the project. He said the Campus

Planning Committee was also presented with and held considerable discussion regarding the project. The planning committee is an advisory group to the university president. The committee did not act but did consider the project. He concluded by stating that the Board in Control of Athletics did not recommend approving the construction project but said university officials were free to do what they wished.

President Berenstein asked if it was common procedure for the group to not act. Vice President True responded that sometimes the Board in Control of Athletics does not act. They discussed the project but did not act at the end of the day.

President Berenstein asked whether that meant the group was for or against the project. Vice President True responded that the Board in Control of Athletics did not recommend for or against the project. It simply did not act.

President Berenstein said he had a problem with that. He then asked if someone would care to make a motion to take the project off being tabled and to vote on it today; otherwise it would continue to be tabled until next month.

MOTION: Regent Tyrrell moved to take the Kinnick Press Box project off being tabled. Regent Collins seconded the motion.

Regent Collins said it was his understanding that the Board in Control of Athletics had an opportunity to look at the project and passed on commenting. Unless the Regents want to find out why the Board in Control of Athletics made no comment they should act today to approve the project.

VOTE ON THE MOTION: Motion carried with Regents Berenstein, Collins and Hendricks opposed.

Regent Pellett asked why the project was brought to the Board in Control of Athletics initially. Vice President True responded that the group looks at projects of all sorts that are to be brought to the Board, not just athletic projects. The group meets a couple of times per month as part of its advisory function.

Regent Hendricks questioned whether the group takes action on most projects brought before it. She said one could assume there might have been enough contention that they chose to not act.

President Rawlings noted that the Board in Control of Athletics' advisory function is to the university president, not to the Board of Regents.

VOTE ON THE PRESS BOX PROJECT: The project was approved with Regents Berenstein and Hendricks opposed.

College of Medicine Administration Building Completion \$974,800

Preliminary Budget

Design, Inspection and Administration Consultants	\$ 55,800
Architect/Engineering Services	58,400
Construction	782,400
Contingency	<u>78,200</u>
TOTAL	<u>\$ 974,800</u>

Source of Funds:

Income from Reimbursed Indirect Costs	\$ 812,500
College of Medicine Gifts and Earnings	<u>162,300</u>
TOTAL	<u>\$ 974,800</u>

University officials requested approval of the project description and budget. When the College of Medicine Administration Building was completed in 1991, the third floor and a portion of the second floor were left unfinished for future development. This project will complete the unfinished space for use by the Vice President for Health Sciences, a research initiative in telemedicine, community-based health professions service and education programs and other health related programs requiring office space.

The schematic plans for the project have now been completed. The project will complete approximately 1,585 gross square feet on the second floor and 7,932 gross square feet on the third floor, for a total of 9,517 square feet. The space will be finished into a series of private offices, clerical spaces to be furnished with systems furniture, conference rooms, a reception area and office service and file rooms.

The third floor project will be financed through income from reimbursed indirect costs. The second floor project will be financed by College of Medicine earnings and gifts. The third floor completion was originally planned to be financed by Human Biology Research Facility construction fund balances. However, these funds were used (with the Board's authorization) to complete remodeling and utility improvements in the Medical Laboratories. This occurred with the university's understanding that

Treasurer's Temporary Investment Income or reimbursed indirect cost revenues would eventually be used for the third floor College of Medicine Administration Building completion.

University Hospitals and Clinics--Replace General Hospital and Boyd Tower Roofs \$592,000

Source of Funds: University Hospitals Building Usage Funds

Preliminary Budget

Construction	\$ 495,000
Architectural/Engineering Support	24,000
Planning and Supervision	24,000
Contingency	<u>49,000</u>
TOTAL	<u>\$ 592,000</u>

University officials requested approval of a project description and budget for the replacement of approximately 40,000 gross square feet of deteriorated single-ply membrane and rock ballast roof material on the General Hospital and built-up roof material on the Boyd Tower. The existing polyvinylchloride single-ply membrane on the General Hospital is over 20 years old, and the Boyd Tower roof material is approximately 18 years old. These roofs contain equipment which are accessed daily, and this high activity level has added to the deterioration of the roof systems. The roofs no longer provide a water-tight enclosure for the floors below, and water leaks have caused damage to interior spaces. Repair and maintenance costs are increasing significantly and will continue to do so until the roofs are replaced.

Agricultural Medicine Research Facility Inhalation Toxicology Suite Remodeling \$550,000

Preliminary Budget

Design, Inspection and Administration	
Consultants	\$ 7,100
Architect/Engineering Services	58,600
Construction	440,300
Contingencies	<u>44,000</u>
TOTAL	<u>\$ 550,000</u>

Source of Funds:

Grant from the National Institute of Health	\$ 150,000
College of Medicine Funds	<u>400,000</u>
TOTAL	<u>\$ 550,000</u>

University officials requested approval of a project description and budget for the reconfiguration and renovation of approximately 4,750 square feet of space in the Agricultural Medicine Research Facility located on the Oakdale Research Campus. The area to be renovated (rooms 170 through 194) will be converted into a research area for the Inhalation Toxicology and Environmental Biotechnology program. Work will include the replacement of interior partitions, doors, finishes, plumbing and electrical systems; installation of new casework, sinks and fume hoods; relocation of portions of existing casework and selected fume hoods; and extensive modifications to the existing HVAC system.

University Hospitals and Clinics--Replace Carver Pavilion \$495,000
Kathabar Air Handling Units

Source of Funds: University Hospitals Building Usage Funds

Preliminary Budget

Construction	\$ 398,000
Architectural/Engineering Support	39,000
Planning and Supervision	19,000
Contingency	<u>39,000</u>
TOTAL	<u>\$ 495,000</u>

University officials request approval of a project description and budget for the replacement of four kathabar humidification air handling units in the east sub-basement equipment room of Carver Pavilion. These existing units will be removed and replaced by two larger units connected by an air plenum system. The existing units, which are over 15 years old, have experienced significant deterioration and the humidification systems are inadequate. The project includes the phased removal of existing air handlers, installation of equipment, piping, controls and electrical services.

Bowen Science Building--Install Fire Alarm--Phase 2 \$393,525
Source of Funds: Building Renewal

Preliminary Budget

Design, Inspection and Administration	
Consultants	\$ 34,900
Architect/Engineering Services	17,325
Construction	310,300
Contingencies	<u>31,000</u>
 TOTAL	 <u>\$ 393,525</u>

University officials requested approval of a project description and budget for the replacement of the obsolete fire alarm system in the Bowen Science Building. Although the existing system is operational, it no longer meets the functional requirements of modern, code-complying fire alarm systems.

In November 1993 the first phase of this project was approved for construction in conjunction with the Microbiology Laboratory Remodeling, Cores 3-300 and 3-600. The current project will complete installation of the system in the remainder of the building.

The fire alarm system to be installed will include pull stations, smoke or heat detectors, visual and audible warning devices, and a control panel for the use of the fire department. The system will be programmable, with a voice package for communication with building occupants. Emergency controls for the building's ventilation system will also be included. The system will be equipped with a communicator for signaling the Department of Public Safety in case of a fire.

University Hospitals and Clinics--Dietary Dock Building \$284,500
Life Safety Code Renovation

Source of Funds: University Hospitals Building Usage Funds

Preliminary Budget

Construction	\$ 227,700
Architectural/Engineering Support	22,700
Planning and Supervision	11,400
Contingency	<u>22,700</u>
 TOTAL	 <u>\$ 284,500</u>

University officials requested approval of a project description and budget for the renovation and reconfiguration of a shipping and receiving dock and adjoining service elevator lobby utilized by University Hospitals Department of Dietary Services. The project is necessary to provide the code-required separation between an exit corridor and the elevator lobby. Correction of the code deficiency requires the reconfiguration of the dock facility.

The project will also enclose and climatize the dock and reestablish a staging area to enhance sanitation and provide a more comfortable environment for the receipt and distribution of bulk food items. In addition, the exterior of the dock facility will be cleaned and painted.

University officials presented the following revised budget for Board approval:

University Hospitals and Clinics--General Hospital Elevator Replacement--
Phase I

Original Budget \$511,600
Revised Budget \$588,164

Project Budget

	Original Budget <u>Dec. 1988</u>	Revised Budget <u>May 1989</u>
Construction	\$ 411,000	\$ 503,489
Architectural/Engineering Support	39,500	37,760
Planning and Supervision	20,000	17,600
Contingency	<u>41,100</u>	<u>29,315</u>
TOTAL	<u>\$ 511,600</u>	<u>\$ 588,164</u>

University officials requested approval of a revised project budget in the amount of \$588,164, an increase of \$76,564, to allow award of the construction contract for this project.

This project will provide for the replacement of elevators in two General Hospital elevator banks. This project was first bid on August 31, 1993. At that time, all bids exceeded the project budget and were rejected.

The project was re-bid on February 3, 1994. This resulted in the receipt of two bids which exceeded the engineering estimate of \$447,002 by at least 10.9 percent. The university now requests Board approval of the revised project budget and award of the construction contract to the low bidder in the amount of \$503,489, which is included in Section E of this capital register for Board approval.

University officials requested approval of the contract award since the two bids were within five percent of each other and the low bid is \$94,000 less than the August 1993 bid. The project engineer has indicated that the project cannot be redesigned to achieve a significant cost reduction, and the elevators would not be functional if the project scope was reduced.

The bids received on February 3 were valid for a period of 65 days. However, the university has extended this for an additional 45 days to allow Board approval of the construction contract.

The initial project budget was approved by the Board in December 1988. After the initial budget submission, the State Fire Marshal rejected the elevator door design. The State Building Code Advisory Council had rejected elevator door materials for state-owned construction. The code jurisdiction issues took three years to resolve.

Since the initial budget submission, the university estimates that inflation increases and recent code requirements would have increased the construction budget by \$94,650. Therefore, the university believes the bids are an accurate reflection of the work and that it is appropriate to revise the project budget accordingly.

University officials reported two new projects with budgets of less than \$250,000. The titles, source of funds and estimated budgets for the projects were listed in the register prepared by the university.

ARCHITECT/ENGINEER AGREEMENTS

<u>University Hospitals and Clinics--Southwing and Radiation Oncology Chiller Replacement</u> ZBA, Inc., Iowa City, Iowa	<u>\$50,632</u>
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University officials requested approval of an agreement with ZBA, Inc., to provide design services for the project. The agreement provides for a fee of \$50,632, including reimbursables.

<u>Bowen Science Building--Install Fire Alarm--Phase 2</u> Ament Engineering Associates, Cedar Rapids, Iowa	<u>\$33,900</u>
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University official requested approval of an agreement with Ament Engineering Associates to provide design services for the project.

<u>Schaeffer Hall--Remodeling and Renewal</u> Herbert Lewis Kruse Blunck, Des Moines, Iowa	
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University officials requested approval of the selection of Herbert Lewis Kruse Blunck to provide design services for the project. The university sought expressions of interest from Iowa architects via contact with the American Institute of Architects (AIA), direct

contact with firms which might be interested but were not members of the AIA, and a newspaper advertisement. Expressions of interest were received from 15 firms.

A group of staff, administrators and users of the building selected three firms for interviews with the Architectural Selection Committee. The three firms were Thorson Brom Broshar Snyder Architects, Waterloo; Baldwin White Architects, Des Moines; and Herbert Lewis Kruse Blunck, Des Moines.

The Architectural Selection Committee, augmented by representatives of the building users and a representative of the Board Office, interviewed the applicants on March 24, 1994. Based on the interviews, the committee is recommending the selection of Herbert Lewis Kruse Blunck, in association with Alvine and Associates of Omaha, Nebraska, who will provide mechanical and electrical engineering design.

The selection of Herbert Lewis Kruse Blunck was based on the firm's experience with large scale renovation projects and its established record on many other university projects.

Regent Hendricks expressed concern about this contract being presented with "the amount to be negotiated" and not with specific dollars attached to it.

Vice President True responded that typically on these large projects university officials go through the interview process to select an architectural firm which best meets the needs of the project. At that point university officials seek the Board's permission to negotiate a definitive agreement. If the Board so authorizes, university officials come back with the details of the agreement for Board approval.

President Berenstein asked if it was true that a contract is never entered into without a specific dollar amount. Vice President True said that was correct.

Regent Newlin suggested that university officials may wish to change the language of future requests to seek Board approval to enter into negotiations rather than to approve an agreement.

Amendments:

<u>Medical Education Building--Construct Undergraduate Teaching Laboratory</u>	<u>\$11,770</u>
Wehner, Pattschull and Pfiffner, Iowa City, Iowa	

CONSTRUCTION CONTRACTS

University Hospitals and Clinics--General Hospital Elevator \$503,489
Replacement--Phase I

Award to: McComas-Lacina Construction Company, Inc., Iowa City, Iowa

University officials requested award of the construction contract to the low bidder as follows:

Award to: McComas-Lacina Construction Company, Iowa City, Iowa

Base Bid of \$495,589, plus Alt. #2 of \$7,900 =

TOTAL AWARD OF: \$503,489

(2 bids received)

Electrical Distribution Improvements--West Campus \$998,397

Award to: McComas-Lacina Construction Company, Inc., Iowa City, Iowa

(3 bids received)

Phillips Hall Remodeling \$753,698

Award to: McComas-Lacina Construction Company, Inc., Iowa City, Iowa

(3 bids received)

Slater Hall--Replace Windows \$414,534

Award to: Robinson Energy Efficient Products, Inc., Baxter, Iowa

(3 bids received)

Domestic Water Distribution Upgrade--West Campus and Pharmacy \$359,950

Building Chilled Water Distribution

Award to: Sulzberger Excavating, Inc., Muscatine, Iowa

(5 bids received)

West Campus Chilled Water Plant Expansion--Final Phase-- \$269,352
Ceramic Cooling Tower

Award to: Tower Engineering, Inc., Fort Worth, TX

(2 bids received)

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<u>University Hospitals and Clinics--Surgery Faculty Office Consolidation--Phase II</u>	<u>\$362,916.74</u>
<u>University Hospitals and Clinics--Neurology Clinic Expansion and Renovation</u>	<u>\$360,348.78</u>
<u>Art Building--Fire Safety Deficiencies Corrections</u>	<u>\$322,069.74</u>
<u>University Hospitals and Clinics--Department of Psychiatry Faculty Offices</u>	<u>\$291,936.69</u>
<u>University Hospitals and Clinics--HVAC Expansion--Colloton Pavilion Lower Level</u>	<u>\$269,193.29</u>
<u>University Hospitals and Clinics--Electrical Power Monitoring System</u>	<u>\$198,848.36</u>

MOTION: Regent Collins moved to approve the university's capital register, as presented. Regent Pellett seconded the motion. MOTION CARRIED UNANIMOUSLY.

APPROVAL OF LEASE. The Board Office recommended the Board approve the following lease:

With RONALD C. FUNK for the university's use of 15,000 square feet of space located at the Inner City Industrial Park, North Liberty, Iowa, at the rate of \$7,000 per month, for the period commencing September 1, 1994, through August 31, 1996.

MOTION: Regent Hendricks moved to approve the lease, as presented. Regent Furgerson seconded the motion, and upon the roll being called, the following voted:
AYE: Berenstein, Collins, Dorr, Furgerson, Hendricks, Johnson-Matthews, Newlin, Pellett, Tyrrell.
NAY: None.
ABSENT: None.

MOTION CARRIED UNANIMOUSLY.

TRANSFER OF PROPERTY TO IOWA DEPARTMENT OF TRANSPORTATION FOR HIGHWAY RIGHT-OF-WAY AND STORM SEWER EASEMENT. The Board Office recommended that the Board approve the following (subject to approval of the Executive Council of Iowa):

- (1) The interagency transfer of jurisdiction for a strip of property, as legally described in the transfer document, to serve as additional right-of-way for U.S. Highway 6;
- (2) The assigning, conveying and sharing of rights and privileges acquired in an existing university easement dated August 8, 1975, to the Cities of Coralville and Iowa City;
- (3) The expansion of the August 8, 1975, easement area to accommodate the construction, operation and maintenance of storm sewer facilities, to be acquired by and shared with the Cities of Coralville and Iowa City.

University of Iowa officials requested approval of the transfer of property to the Iowa Department of Transportation for roadway widening and streetscape improvements along a portion of U.S. Highway 6.

University officials requested approval of the assignment of its easement located adjacent to the roadway project to the Cities of Coralville and Iowa City to allow the Department of Transportation to upgrade drainage facilities from the athletic complex.

University officials requested approval of the expansion of this easement area an additional 37 feet in width to accommodate the new drainage facilities.

The transfer document and easement agreements were reviewed by the Attorney General's Office and were recommended for approval.

Approval of the Executive Council is required following Board approval.

MOTION:

Regent Furgerson moved to approve the following (subject to approval of the Executive Council of Iowa): (1) The interagency transfer of jurisdiction for a strip of property, as legally described in the transfer document, to serve as additional right-of-way for U.S. Highway 6; (2) The assigning, conveying and sharing of rights and privileges acquired in an existing university easement dated

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August 8, 1975, to the Cities of Coralville and Iowa City; and (3) The expansion of the August 8, 1975, easement area to accommodate the construction, operation and maintenance of storm sewer facilities, to be acquired by and shared with the Cities of Coralville and Iowa City. Regent Dorr seconded the motion, and upon the roll being called, the following voted:

AYE: Berenstein, Collins, Dorr, Furgerson, Hendricks, Johnson-Matthews, Newlin, Pellett, Tyrrell.

NAY: None.

ABSENT: None.

MOTION CARRIED UNANIMOUSLY.

President Berenstein then asked Board members and institutional officials if there were additional items for discussion pertaining to the University of Iowa. There were none.

IOWA STATE UNIVERSITY

The following business pertaining to Iowa State University was transacted on Wednesday, April 20, 1994.

RATIFICATION OF PERSONNEL TRANSACTIONS. The Board Office recommended the Board approve personnel transactions, as follows:

Register of Personnel Changes for the month of March 1994 which included promotion and tenure recommendations, four requests for early retirement and two requests for phased retirement.

MOTION: Regent Furgerson moved to approve the university's personnel transactions, as presented. Regent Johnson-Matthews seconded the motion.
MOTION CARRIED UNANIMOUSLY.

REGISTER OF CAPITAL IMPROVEMENT BUSINESS TRANSACTIONS. The Board Office recommended the Board approve the Register of Capital Improvement Business Transactions for Iowa State University.

PROJECT DESCRIPTIONS AND BUDGETS

University officials submitted three new projects for approval by the Board.

<u>Parking Lots 28 & 29 Improvements</u>	<u>\$540,000</u>
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Initial Project Budget

Reserved for Future Contracts	\$390,640
Design Services	84,000
Construction Administration	19,360
University Services	6,000
Miscellaneous	3,000
Utility Extensions	10,000
Project Reserve	<u>27,000</u>
TOTAL	<u>\$540,000</u>

Source of Funds:

FY 1994 Parking Systems	\$ 30,000
FY 1995 Parking Systems	250,000
FY 1996 Parking Systems	<u>260,000</u>

TOTAL **\$540,000**

University officials requested approval of a project description and budget to provide full depth patching and overlay to Parking Lots 28 and 29. The parking lots, which are located north of the Molecular Biology Building, were constructed in the mid-1960s and provide parking for approximately 950 automobiles. Although the lots have received routine maintenance over the past 30 years, the surface has deteriorated badly due to traffic patterns and adjacent building construction activity. University officials proposed to phase the work over the next two fiscal years as funding becomes available.

Utilities-Northwest Campus 13,800 Volt Feeder \$700,000
Source of Funds: Utility Repairs

Initial Project Budget

Reserved for Future Contracts	\$540,000
Design Services	68,000
Construction Administration	4,000
University Services	5,000
Miscellaneous	2,000
Landscaping	1,000
Utility Extensions	20,000
Project Reserve	<u>60,000</u>
 TOTAL	 <u>\$700,000</u>

University officials requests approval of a project description and budget for the construction of a 13,800 volt feeder from the North Campus substation to the Electrical Engineering substation. This project will provide an alternate source of service to the west portion of campus

The main electrical service to the west portion of campus is supplied by two existing feeders routed in a common raceway system originating from the heating plant. Loads have increased on the system such that if a failure occurred in one of cables the other cable would not have capacity to support the required service area. The result would be sustained power outage affecting over one quarter of campus until repairs could be made.

This project will include design, engineering, and installation of additional high voltage equipment in the Electrical Engineering and North Campus substations and a 13,800 volt electrical system separated from the existing feeders to increase reliability. The project will be completed over a three year period as funding is available.

Science Hall-Rooms 107 and 109 Remodeling \$259,200

Initial Project Budget

Contracts	\$ 158,000
Design Services	19,200
Construction Administration	5,966
University Services	1,000
Miscellaneous	1,000
Movable Equipment (Media Equipment)	51,000
Building Automation	2,500
Telecommunications	500
Project Reserve	<u>20,034</u>
TOTAL	<u>\$259,200</u>

Source of Funds:

FY 1994 Block Grant Funds	\$190,200
FY 1995 Block Grant Funds	<u>69,000</u>

TOTAL	<u>\$259,200</u>
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University officials requested approval of a project description and budget to upgrade approximately 2,528 square feet of teaching laboratory facilities in rooms 107 and 109 of Science Hall. The remodeling of this space will improve teaching functions and environmental control in these rooms.

FY 1994 and FY 1995 Block Grant Funds are being committed to the project in accordance with provisions of Section 8.33 of the Code of Iowa.

University officials presented for the following revised project budgets for Board approval:

<u>Meats Laboratory Addition-Phase 1</u>	Dec. 1988 Budget <u>\$6,000,000</u>
	Revised Budget <u>\$6,041,950</u>

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	<u>Dec. 1988 Budget</u>	<u>Revised Budget April 1994</u>
Contracts	\$ 2,100,000	\$ 2,469,867
Design Services	844,950	1,032,201
Construction Administration	48,000	82,211
University Services	10,000	14,865
Miscellaneous	5,000	15,546
Landscaping	10,000	392
Utility Extensions	240,000	112,474
Fixed Equipment	2,500,000	2,218,366
Art Work	30,000	38,098
Building Automation	10,000	57,254
Telecommunications	2,000	676
Project Reserve	<u>200,050</u>	<u> </u>
TOTAL	<u>\$ 6,000,000</u>	<u>\$ 6,041,950</u>
 Source of Funds		
72nd General Assembly Academic Revenue Bonds	\$ 1,000,000	\$ 1,000,000
Department of Energy Grant	4,200,000	4,994,812
Future Department of Energy Grant	800,000	
Overhead Reimbursement for Use of Facilities	<u> </u>	<u>47,138</u>
TOTAL	<u>\$ 6,000,000</u>	<u>\$ 6,041,950</u>

According to university officials, the design services fees are higher than usual due to the difficulties of designing around the experimental electron beam accelerator. Additional services were required as problems developed and were solved. Additional information was requested from the university and was presented at the Board meeting.

University officials requested approval of a revised project budget in the amount of \$6,041,950, an increase of \$41,950 over the budget approved in December 1988. The budget was being revised to allow payment of Amendment #1 to the engineering agreement with CH2M Hill Central in the amount of \$79,658.

Gilman Hall Renovation-Phase 3

Oct. 1992 Budget \$7,255,471
 Revised Budget \$7,599,481

	<u>Oct. 1992 Budget</u>	<u>Revised Budget April 1994</u>
Contracts	\$ 5,264,982	\$ 5,340,356
Site Development/Land Acquisition	208,000	250,000
Design Services	682,500	797,500
Construction Administration	153,961	188,030
University Services	162,520	266,650
Miscellaneous	20,000	20,000
Landscaping	30,000	40,000
Utility Extensions	199,502	149,502
Fixed Equipment	39,804	40,000
Movable Equipment	3,068	50,000
Building Automation	162,000	162,000
Telecommunications	100,000	100,000
Project Reserve	<u>229,134</u>	<u>195,443</u>
TOTAL	<u>\$ 7,255,471</u>	<u>\$ 7,599,481</u>
Source of Funds:		
74th General Assembly Academic Revenue Bonds	\$ 6,000,000	\$ 6,000,000
72nd General Assembly Capital Appropriation	1,005,471	1,005,471
71st General Assembly Academic Revenue Bonds	<u>250,000</u>	<u>594,010</u>
TOTAL	<u>\$ 7,255,471</u>	<u>\$ 7,599,481</u>

University officials requested approval of a revised budget in the amount of \$7,599,481, an increase of \$344,010, to reflect the addition of the balance of the bond funds from Phase 2 of the project.

The renovation of Gilman Hall is now in the third phase of a four-phase project. Phase 3 provides for renovation of the building central core in the form of upgraded

rest rooms, major ventilation ductwork, and the beginning of the complete renovation of the building's auditorium. This phase also includes the complete renovation of the northeast wing of the facility.

In September 1992, the Phase 2 project was final reported to the Board. At that time, the Board approved transferring \$250,000 of the unspent bond funds to the Phase 3 project to meet high priority needs of the project. The remaining unspent funds were reserved to be applied to other needs authorized in the bond resolution.

University officials wish to apply the remaining balance of the Academic Building Revenue Bonds funds authorized by the 71st General Assembly to Phase 3 of the project. This will allow more flexibility in accomplishing the final stages of the Phase 3 project and will provide a more functional facility until Phase 4 is funded.

ARCHITECT/ENGINEER AGREEMENTS

Armory-Roof and Curtain Wall Replacement \$55,000
Rietz Engineering Consultants, Ames, Iowa

University officials requested approval to enter into an agreement with Rietz Engineering Consultants to provide engineering services for the curtain wall replacement and bidding and construction phase services for the roof replacement project.

As reported in March 1994, Rietz Engineering Consultants provided design services for the roof portion of the project as part of the Armory--Replace Tile Roof project. The construction portion of that project has now been incorporated into the project for the replacement of the roof and curtain wall.

The agreement provides for a fee of \$55,000, including reimbursables.

Iowa State Center-Water Damage 1993 \$5,800
(Scheman Building and C.Y. Stephens Auditorium)
Brown Engineering Company, West Des Moines, Iowa

University officials requested approval to enter into an agreement with Brown Engineering Company to provide design services for this project.

The agreement will provide engineering services for the repair of damaged parking lot lighting systems at the Iowa State Center. The scope of the work includes structural and electrical design to repair the seven, 50 foot light poles, fixtures and wiring identified in the FEMA damage survey report.

The agreement provides for a fee of \$5,800, including reimbursables.

Amendments:

Applied Science Center--Office Building \$4,274
Shiffler Associates, Des Moines, Iowa

University officials requested approval of Amendment #3 in the amount of \$4,274 to provide re-engineering of the footings and foundations for the project. The structural engineer has determined that the foundations should be extended downward to undisturbed earth rather than placed on compacted fill as initially intended.

Amendment No. 3 will not result in an increase in the total project budget.

Hilton Coliseum--Addition for Title IX Compliance \$3,433
Roseland Architects, Ames, Iowa

University officials requested approval of Amendment #3 in the amount of \$3,433 for additional reimbursable expenses for the printing of an increased number of bidding documents which was the result of a large interest by contractors and suppliers in this project.

Amendment No. 3 will not result in an increase in the total project budget.

President Berenstein asked why the Board is asked to amend contracts with architects -- isn't a contract a contract? Vice President Madden responded that in instances where contracts are amended upward it is due to a change in the scope of the work agreed to with the architects. As projects move forward changes are sometimes requested by the occupants and tenants.

Meats Laboratory Addition--Phase I \$79,658
CH2M Hill Central, Inc., Denver, CO

University officials requested approval of Amendment #1 in the amount of \$79,658 to the agreement with CH2M Hill Central for additional site visits and one-site engineering services. These additional services were required due to the unique nature of the

irradiation systems that were installed and the numerous inherent unforeseen difficulties that were encountered. These additional services were authorized in advance of their performance by university personnel, but because of the necessity to solve the problems as they occurred, negotiation of the exact dollar amount was deferred until the project was completed. The university has now completed negotiations with CH2M Hill for an increase of \$79,658, the maximum amount payable under its contract. This represents a 55 percent reduction from CH2M Hill's initial claim for reimbursement.

Amendment No. 1 will result in an increase in the total project budget, which is reflected in the revised project budget presented for Board approval in Section C of this capital register.

Carrie Chapman Catt Hall Remodeling \$5,300
Baldwin White Architects, Des Moines, Iowa

Gilman Hall Renovation--Phase 3 \$7,500
Wehner Pattschull and Pfiffner, Iowa City, Iowa

CONSTRUCTION CONTRACTS

Residence Department Facilities Water and Wind Damage 1993--
Maple-Willow-Larch Commons--Kitchen Walk-In Cooler/Freezer
Replacement \$279,913
Award to: Sande Construction and Supply Company, Inc.,
(3 bids received)

Carrie Chapman Catt Hall Remodeling \$3,006,000
Award to: Harold Pike Construction Company, Inc., Ames, Iowa
(4 bids received)

ACCEPTANCE OF COMPLETED CONSTRUCTION CONTRACTS

Applied Science Center--Office Building--Phase I
Peterson Contractors, inc., Reinbeck, Iowa

Iowa School for the Deaf--Giangreco Hall--Roof Membrane Replacement
and Exterior Repair
Special "T" Roofing Company, Omaha, NE

MOTION: Regent Furgerson moved to approve the Iowa State University capital register, as presented. Regent Johnson-Matthews seconded the motion. **MOTION CARRIED UNANIMOUSLY.**

APPROVAL OF LEASES AND AGREEMENTS. The Board Office recommended the Board approve the following leases and agreements:

With MCI TELECOMMUNICATIONS CORPORATION for its use of 188 square feet of space in the Communications Building on the Iowa State University campus in return for the elimination of local loop charges to the university equal to \$329.95 per month, for the period commencing June 1, 1994, through May 31, 1995;

With LORAN SIMPSON for the university's use of 24,887 square feet of storage and research space located at Highway 30 and Interstate 35 in Ames, Iowa, at the rate of \$4,645.57 per month, for the period commencing July 1, 1994, through June 30, 1995;

With HAWKEYE COMMUNITY COLLEGE for the university's use of 1,800 square feet of space located at 1501 East Orange Road, Waterloo, Iowa, for the university's Northeast Iowa Area Extension Office/Outreach Center, at the rate of \$1,200 per month, for the period commencing July 1, 1994, through June 30, 1999;

With the IOWA STATE UNIVERSITY RESEARCH PARK CORPORATION for the university's use of 3,631 square feet of space located at the ISU Research Park for the Center for Industrial Research and Service at the rate of \$3,025.83 per month, for the period commencing June 1, 1994, through May 31, 1999;

With the MUSCATINE ISLAND TRUCK GROWERS ASSOCIATION for Amendment I to the agreement with the Agriculture and Home Economics Experiment Station extending the agreement for an additional ten years, effective March 1, 1994, through February 28, 2004;

With the NORTHWEST IOWA EXPERIMENTAL ASSOCIATION for Amendment VII to the agreement with the Agriculture and Home Economics Experiment Station deleting 74 acres of farm land from the Northwest Iowa Research Farm.

President Berenstein and Regent Collins indicated that they had potential conflicts of interest with the MCI lease and would abstain from voting.

Regent Dorr stated that he had a potential conflict with the Northwest Iowa Experimental Association agreement and would abstain from voting.

MOTION: Regent Hendricks moved to approve the leases, as presented, except for the lease with MCI Telecommunications Corp. Regent Furgerson seconded the motion, and upon the roll being called, the following voted:
AYE: Berenstein, Collins, Furgerson, Hendricks, Johnson-Matthews, Newlin, Pellett, Tyrrell.
NAY: None.
ABSENT: None.
ABSTAIN: Dorr.

MOTION CARRIED.

MOTION: Regent Hendricks moved to approve the lease with MCI Telecommunications Corp. Regent Furgerson seconded the motion, and upon the roll being called, the following voted:
AYE: Dorr, Furgerson, Hendricks, Johnson-Matthews, Newlin, Pellett, Tyrrell.
NAY: None.
ABSENT: None.
ABSTAIN: Berenstein, Collins.

MOTION CARRIED.

TRAFFIC AND PARKING REGULATIONS FOR 1994-95. The Board Office recommended the Board give preliminary consideration to fee-related changes in traffic and parking regulations for 1994-95 at Iowa State University (final action to be taken at the May Board meeting).

Iowa State University officials requested Board approval of changes in the university's traffic and parking regulations for 1994-95, as required by section 10.07 (C) of the Board of Regents Procedural Guide.

No rate increases were proposed for any permit fees for the next year.

Proposed changes in penalties were:

4.48 Penalties

		Current	Proposed
Revised:	(2)j. Illegal parking (4.29 (4)	\$10.00	\$12.00
	(2)k. Improper parking (4.29 (5)	\$10.00	\$12.00

Iowa State University officials had not yet submitted the university's parking services plans or appropriate justification for the proposed increase. Accordingly, the Board Office made no recommendation at this time.

Next month's docket will include the university's plans for parking improvements and the relationship between projected marginal revenues and expenditures associated with the proposed increase.

Section 262.69 of the Code of Iowa allows the Board to make rules regarding policing, control, and regulation of traffic and parking on the property of any institution under its control. Section 262.9(18) of the Code of Iowa and section 2.09 of the Procedural Guide require notification to students 30 days prior to action by the Board to increase tuition, charges or fees at the Regent institutions.

Per the Procedural Guide, written notification of the amount of these proposed increases and a copy of the docket memorandum were mailed to the student government president of Iowa State University at the student government office as listed in the university directory.

To allow for the required 30-day notification period, final action on the changes in fines will take place at the May Board meeting.

The cost of operating the traffic system and the construction and maintenance of parking lots is funded by permit fees, fines and penalties.

Iowa State University's recommendations received approval from the Transportation Advisory Council and the Iowa State University administration.

ACTION: President Berenstein stated the Board gave preliminary consideration to fee-related changes in traffic and parking regulations for 1994-95 at

IOWA STATE UNIVERSITY
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Iowa State University (final action to be taken at
the May Board meeting), by general consent.

President Berenstein then asked Board members and institutional officials if there were additional items for discussion pertaining to Iowa State University. There were none.

UNIVERSITY OF NORTHERN IOWA

The following business pertaining to the University of Northern Iowa was transacted on Wednesday, April 20, 1994.

RATIFICATION OF PERSONNEL TRANSACTIONS. The Board Office recommended the Board approve the university's personnel transactions, as follows:

Register of Personnel Changes for the month of March 1994 which included promotion and tenure actions.

MOTION: Regent Furgerson moved to ratify the university's personnel transactions, as presented. Regent Johnson-Matthews seconded the motion.
MOTION CARRIED UNANIMOUSLY.

PROPOSED CURRICULAR CHANGES. The Board Office recommended the Board refer the university's request to the Interinstitutional Committee on Educational Coordination and the Board Office for review and recommendation.

University of Northern Iowa officials submitted proposals for program and curricular changes. The proposal included 184 new courses proposed with 108 present courses proposed to be dropped.

New program majors and minors:

College of Humanities and Fine Arts

1. Bachelor of Music, Composition Theory Major
2. Master of Music, Major in Jazz Pedagogy
3. Ethic Minor

College of Natural Sciences

Bachelor of Science with Major in Computer Science

Proposed Majors to be Dropped Include:

College of Natural Sciences

Earth Science Major

College of Social and Behavioral Sciences

Social Science Major

College of Humanities and Fine Arts

1. Philosophy and Religion Major
2. B.A. in Audiorecording Technology Minor.

ACTION: This matter was referred by general consent.

PROPOSED CURRICULAR CHANGES DUE TO SEPARATION OF DEPARTMENTS.

The Board Office recommended the Board refer the proposed curricular changes, due to the separation of a department, to the Interinstitutional Committee on Educational Coordination and the Board Office for review and recommendation.

University of Northern Iowa officials requested approval of curricular changes necessary as a result of the establishment of two separate departments as approved by the Board of Regents in 1992.

One of the tasks associated with the formation of two separate departments has been the appropriate realignment of curricular offerings. This realignment has resulted in the separation of the Master of Arts Degree.

This request was not for a new program but for a separation of programs previously approved, although the possibility that new minors are involved in the request will be explored by the Interinstitutional Committee on Educational Coordination and the Board Office.

ACTION: This matter was referred by general consent.

CONFERRAL OF HONORARY DOCTORATE OF HUMANE LETTERS. The Board Office recommended the Board approve the conferral of an honorary degree of Doctor of Humane Letters upon Dorothy Jean Ray.

Ms. Ray is a 1941 alumna of the university and is recognized as a leading ethno-historian.

Ms. Ray's extensive research and publications previously have been recognized through the conferral of an Honorary Doctor of Letters by the University of Alaska.

Ms. Ray is one of the foremost authorities on Eskimo art.

MOTION: Regent Johnson-Matthews moved to approve the conferral of an honorary degree of Doctor of Humane Letters upon Dorothy Jean Ray. Regent Furgerson seconded the motion. **MOTION CARRIED UNANIMOUSLY.**

REGISTER OF CAPITAL IMPROVEMENT BUSINESS TRANSACTIONS. The Board Office recommended the Board approve the Register of Capital Improvement Business Transactions.

PROJECT DESCRIPTIONS AND BUDGETS

University officials submitted one new project for approval by the Board.

Industrial Technology Research Space \$337,000
Source of Funds: Building Repairs

Preliminary Budget

Contracts/Purchase Orders	\$ 292,000
Consultant and Design Services	30,000
Contingencies	<u>15,000</u>
TOTAL	<u>\$ 337,000</u>

This project will provide for the renovation of existing space and the construction of new space in the Industrial Technology Center. The project will convert existing office and storage space into a wet laboratory, and will add up to 1,500 gross square feet of new space for the laboratory. The project will include general, mechanical and electrical work.

The project will provide space for the research activities of the Industrial Technology Center. The project is consistent with the goals and mission of the Industrial Technology Center.

University officials reported one new project with a budget of less than \$250,000. The title, source of funds and estimated budget for the project was listed in the register prepared by the university.

ARCHITECT/ENGINEER AGREEMENTS

<u>Industrial Technology Research Space</u> Janice E. Sweet and Associates, Iowa City, Iowa	<u>\$28,500</u>
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University officials requested approval of an agreement with Janice E. Sweet and Associates to provide design services for the project. The firm was selected based on its experience in laboratory design and renovation. The firm is familiar with university facilities and project procedures and has the necessary expertise to successfully complete the project.

The agreement provides for a fee of \$28,500, including reimbursables.

Amendments:

<u>Price Laboratory School--Field House Replacement</u> RDG Bussard Dikis, Des Moines, Iowa	<u>\$2,237.41</u>
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ACCEPTANCE OF COMPLETED CONSTRUCTION CONTRACTS

<u>Classroom-Office Building--ISCS Air Conditioning</u> Meyers Sheet Metal Works, Inc., Waterloo, Iowa	<u>\$35,740.00</u>
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FINAL REPORTS

<u>Classroom-Office Building</u>	<u>\$10,200,000.00</u>
<u>Russell Hall--Fire Safety Improvements</u>	<u>\$286,614.50</u>

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MOTION: Regent Johnson-Matthews moved to approve the university's capital register, as presented. Regent Furgerson seconded the motion. **MOTION CARRIED UNANIMOUSLY.**

PROPERTY PURCHASE. The Board Office recommended the Board authorize the University of Northern Iowa to purchase property located at 2211 Merner Avenue, Cedar Falls, Iowa, subject to approval of the Executive Council of Iowa.

University of Northern Iowa officials sought to purchase property located at 2211 Merner Avenue in Cedar Falls from Dean and Gail Steinmeyer.

The property consists of lot 66 feet by 50 feet located north of Bartlett Hall. A small two-story home is located on the property which is used as a college rental house.

University officials proposed to purchase the property for the development of a parking lot.

University officials were not aware of any environmental hazards on the property.

Two appraisals were reviewed and the purchase price for the property was established at \$56,500, which is within Board policy.

Funds for the purchase are available from Treasurer's Temporary Investments.

Approval of the Executive Council is required for the purchase.

President Berenstein asked if university officials had received an environmental survey of the property. Vice President Conner responded that they had not but that it was part of the closing process.

President Berenstein directed that the environmental assessment be included as part of the negotiation process, not the closing process.

MOTION: Regent Hendricks moved to authorize the University of Northern Iowa to purchase property located at 2211 Merner Avenue, Cedar Falls, Iowa, subject to approval of the Executive Council of Iowa. Regent Collins seconded the motion, and upon the roll being called, the following voted:

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AYE: Berenstein, Collins, Dorr, Furgerson,
Hendricks, Johnson-Matthews, Newlin, Pellett,
Tyrrell.
NAY: None.
ABSENT: None.

MOTION CARRIED UNANIMOUSLY.

President Berenstein then asked Board members and institutional officials if there were additional items for discussion pertaining to the University of Northern Iowa. There were none.

IOWA SCHOOL FOR THE DEAF

The following business pertaining to Iowa School for the Deaf was transacted on Wednesday, April 20, 1994.

RATIFICATION OF PERSONNEL TRANSACTIONS. The Board Office recommended the Board approve the personnel transactions, as follows:

Register of Personnel Changes for March 1994 which included three requests for early retirement.

MOTION: Regent Furgerson moved to approve the personnel transactions, as presented. Regent Johnson-Matthews seconded the motion.
MOTION CARRIED UNANIMOUSLY.

ADDITIONAL MEMBER FOR ADVISORY COMMITTEE. The Board Office recommended the Board (1) approve revision to Section 1.16 of the Regents Procedural Guide, "Regent Advisory Committees on Iowa School for the Deaf and Iowa Braille and Sight Saving School" and (2) approve appointment of Mrs. Shirley Hicks to ISD Advisory Committee.

Section 1.16 of the Regents Procedural Guide provides requirements for the Regent Advisory Committees on Iowa School for the Deaf and Iowa Braille and Sight Saving School. Membership of each advisory committee shall consist of six university members, and an outside consultant. The superintendent for each school and a Board Office representative are ex officio members.

The special schools were asked by the deaf and blind communities to nominate an additional member to their committee who shares the disability of interest to that school. A revision to Section 1.16 of the Procedural Guide was proposed to include the additional member.

Superintendent William Johnson proposed the appointment of Mrs. Shirley Hicks, who is deaf, to the ISD Advisory Committee. Mrs. Hicks, an alumna of ISD, has been a faculty member at the School since September 1963 and has represented the school and the deaf community in a variety of activities.

Mrs. Hicks is a past president of the Iowa Association of the Deaf and has served on the Governor's Developmental Disabilities Council.

The nomination for a blind member to the IBSSS Advisory Committee will be provided at a later date.

Superintendent Johnson noted that on Monday of that week the existing advisory committee supported this concept.

MOTION: Regent Furgerson moved to (1) approve revision to Section 1.16 of the Regents Procedural Guide, "Regent Advisory Committees on Iowa School for the Deaf and Iowa Braille and Sight Saving School" and (2) approve appointment of Mrs. Shirley Hicks to ISD Advisory Committee. Regent Newlin seconded the motion. **MOTION CARRIED UNANIMOUSLY.**

REGISTER OF CAPITAL IMPROVEMENT BUSINESS TRANSACTIONS. The Board Office recommended the Board approve the capital register, as presented.

Iowa School for the Deaf officials presented the following project descriptions and budgets for Board approval. All of the projects will be funded by FY 1994 general funds and will be conducted with the assistance of Iowa State University.

Sidewalk Reconstruction and Replacement \$6,500

This project will address the sidewalk replacement needs throughout the campus.

Data Processing, Telecommunications and Central Fire Alarm Panel Area Consolidation \$15,000

The school's main frame computer central processing unit (CPU) will be relocated from the basement of Giangreco Hall to the first floor of the building. The areas housing the central fire alarm panel and the telecommunications switch will be consolidated with the CPU to provide greater security and serviceability. Minor interior refinishing will be included in the project.

Giangreco Hall--Public Rest Room Modifications

\$15,000

This project will provide accessible public rest room facilities as identified in the school's Americans with Disabilities Act (ADA) Transition Plan.

MOTION:

Regent Hendricks moved to approve the school's capital register, as presented. Regent Tyrrell seconded the motion. **MOTION CARRIED UNANIMOUSLY.**

President Berenstein then asked Board members and institutional officials if there were additional items for discussion pertaining to the Iowa School for the Deaf. There were none.

IOWA BRAILLE AND SIGHT SAVING SCHOOL

The following business pertaining to Iowa Braille and Sight Saving School was transacted on Wednesday, April 20, 1994.

RATIFICATION OF PERSONNEL TRANSACTIONS. The Board Office recommended the Board approve personnel transactions, as follows:

Register of Personnel Changes for February 27 through March 26, 1994.

Provided for the Board's information was the resignation of SCOTT HAUSER, Director of Administrative Services, effective May 2, 1994.

MOTION: Regent Furgerson moved to approve personnel transactions, as presented. Regent Johnson-Matthews seconded the motion. **MOTION CARRIED UNANIMOUSLY.**

PUPIL CRITERIA AND ADMISSIONS PROCEDURES. The Board Office recommended the Board approve the policy on admissions.

Iowa Braille and Sight Saving School officials submitted a policy on admissions criteria and procedures for admission to Iowa Braille and Sight Saving School.

The school has been following procedures in the Code of Iowa and the Rules of Special Education, but has not assembled the procedures into one policy to meet the needs of personnel at the Iowa Braille and Sight Saving School.

The policy was reviewed by the Office of the Attorney General and was approved by the Iowa Braille and Sight Saving School Advisory Committee.

The admissions criteria include the following:

Visual function: Pupils enrolled in IBSSS must meet the definition of visual impairment contained in Iowa's Rules of Special Education which states that:

Visual impairment, a physical disability, is characteristic of pupils whose vision deviates from the normal to such an extent that they require special education. Educational functioning and visual and adaptive skills are used in determining needs of pupils with visual impairments.

Age: Enrollment is open to children and youth from age 5 (must turn 5 by September 15 of the current school year) through age 21.

Residency: Enrollment is an option for Iowa children who are eligible for special education services due to visual impairment. Enrollment will be considered on an individual basis consistent with all applicable state and federal laws.

Exception: The Superintendent, with the approval of the Executive Director, may waive or modify admissions criteria or procedures in cases of extreme need and/or emergency, and the Board Office will notify the Board of any significant deviations of policy.

Procedures are included for three types of admission: regular, short-term, and extended evaluation.

ACTION: President Berenstein stated the Board approved the policy on admissions, by general consent.

STUDENT BEHAVIOR POLICY. The Board Office recommended the Board approve the proposed Student Behavior Policy of the Iowa Braille and Sight Saving School.

In July 1990, the Board of Regents adopted a policy for the special schools which prohibits the use of unreasonable force in discipline of a student (Sections 10.14 and 10.15, Procedural Guide)

In the same year the Board approved a policy submitted by Iowa School for the Deaf which included a ban on corporal punishment and unreasonable force and a policy submitted by Iowa Braille and Sight Saving School which indicated that aggressive actions by students can and should be resolved by staff without physical intervention.

This month Iowa Braille and Sight Saving School officials submitted a Student Behavior Policy, which emphasizes desirable behaviors and intervention based on the ability and maturity of each student. The primary goal is for students to practice self-control and good citizenship.

IOWA BRAILLE AND SIGHT SAVING SCHOOL
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The policy states that protection of the rights of each student and respect for the dignity of all individuals are integral to a safe environment.

Students' right of privacy and the right to due process procedures are protected.

The Iowa Braille and Sight Saving School Advisory Committee approved the policy, which was reviewed by the Attorney General's Office.

Regent Hendricks expressed concern about a portion of the policy. Iowa Braille and Sight Saving School officials will revise and resubmit the policy.

ACTION: President Berenstein stated the proposed Student Behavior Policy of the Iowa Braille and Sight Saving School was tabled, by general consent.

WORLD OF WORK: A COOPERATIVE SUMMER PROGRAM. The Board Office recommended the Board receive the report.

Iowa Braille and Sight Saving School in cooperation with the Iowa Department for the Blind will offer a summer work experience program titled "Orientation to the World of Work." The program is designed for students enrolled in public schools who need opportunities to explore a work experience that is already provided for students at Iowa Braille and Sight Saving School.

The Department for the Blind serves as the major funding source with the Iowa Braille and Sight Saving School providing the majority of the trained staff. Iowa Braille and Sight Saving School will provide in-kind matching of time for its 20 percent share of the budget.

The five-week program will be held from July 10 to August 13. Students will be housed on the University of Northern Iowa campus.

Five or six students who are visually impaired or blind and have the potential for adult independent community living and competitive employment will participate.

The World of Work program will provide paid work experience following a period of applying and interviewing for the job.

IOWA BRAILLE AND SIGHT SAVING SCHOOL

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Students will learn and apply skills needed to live in a community—they will shop for groceries, prepare their own meals, open a checking account, find out about community services, and have instruction in traveling in the community.

Nominations have been received from itinerant vision teachers and Department for the Blind counselors for students who will enter the junior or senior year in high school.

ACTION: President Berenstein stated the Board received the report, by general consent.

SUMMER SCHOOL PROGRAMS. The Board Office recommended the Board receive the report on summer school programs proposed for Iowa Braille and Sight Saving School.

Iowa Braille and Sight Saving School officials proposed a summer school session on the campus of the school beginning June 19 and ending July 1, 1994. The format of the session is similar to those scheduled in the past with five or six programs offered during a two-week session.

It was proposed for Summer 1994 that students enroll in one of six programs: Technology, Self Help Skills, Recreation and Leisure, Career/Vocational, Reading, and Reading Readiness.

Summer school has traditionally been attended primarily by students who are enrolled in public school during the normal school year. Often students have their first opportunity to meet and make friends with other children who are blind during a summer session on the Iowa Braille and Sight Saving School campus.

The number of students served is limited by dormitory space and available funding. In 1992 and 1993 summer sessions over 70 students were enrolled. The school anticipates a similar interest in the 1994 summer school session.

Endowment funds and a direct State appropriation of \$50,000 to Iowa Braille and Sight Saving School solely for this purpose covered the total costs of \$135,000 in 1993.

ACTION: President Berenstein stated the Board received the report on summer school programs proposed for Iowa Braille and Sight Saving School, by general consent.

FACULTY REDUCTION IN FORCE. The Board Office recommended the Board approve the reduction in force for faculty at Iowa Braille and Sight Saving School.

Superintendent Thurman recommended elimination of three faculty positions at Iowa Braille and Sight Saving School for FY 1995. The recommendations follow the policy and procedures for a reduction in force approved by the Board of Regents in March 1994.

Under the approved policy, a superintendent may recommend to the Board a reduction in force including

Reasons why the reduction is needed

Identification of the lay-off unit and a plan for ranking teachers within the unit based on the appropriateness of certification and endorsement, seniority, performance, experience at a designated teaching level or area and ability to sponsor extracurricular activities.

Two of the positions identified are secondary teaching positions: Math/Computers and Language Arts/Social Studies. The third position is School Psychologist

The three positions no longer meet the needs of the present student population. Each of the three affected staff members do not have the necessary certifications to move into other positions, therefore, no "bumping" will occur.

There is a lack of work for teachers of students working at or near their grade level. Instead, the school has a greater need for teachers certified in severe/profound/moderate disabilities.

Students who would benefit from instruction in Math/Computers and Language Arts/Social Studies will receive instruction from the Vinton-Shellsburg Community School District.

The school will contract with Grant Wood Area Education Agency for services now provided by the School Psychologist. The services will be provided by annual contract and will be flexible to meet student needs.

An Iowa Braille and Sight Saving School staff member requested an opportunity to address the Board on this policy.

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Superintendent Thurman asked that Bill Martin be allowed to address the Board regarding the proposed reductions in force.

Mr. Martin stated that he is an elementary teacher at Iowa Braille and Sight Saving School. He expressed concerns of faculty about the reductions in force being proposed to the Board for approval including the manner in which staff were selected.

Superintendent Thurman stated that the proposed reductions in force were a matter of great concern to many of the faculty on the Iowa Braille and Sight Saving School campus. He said this was a time of sadness, anger and dispiritedness. He felt that changes such as these could not be handled without having these kinds of feelings arise. Superintendent Thurman feels that the individuals involved were given fair consideration and said he respects them as individuals.

President Berenstein stated that one of the faculty members whose position was being eliminated, Shiela Kielly, had requested a hearing before the Board. The hearing was held earlier in this meeting. With regard to a roll call vote on continuing or discontinuing Ms. Kielly's contract, he said the petitioner was advised of her right to file a brief within 3 days following the hearing. She indicated a desire to file a brief; therefore, no action would be taken at this meeting on whether or not to continue her contract. President Berenstein did not want to preclude anyone's opportunity to pursue all the rights available to them. As a result, a brief will be filed by the faculty member by Monday, April 25 at 5:00 p.m. The Board will then vote by telephone on Wednesday, April 27 at 9:00 a.m. It was his understanding that the "three days" were business days not calendar days. If it is later determined to be calendar days, the Board will have to vote on Monday, April 25. If that is determined to be the case, the brief of the faculty member must be filed by 8:00 a.m. Monday.

Ms. Kielly stated that it was her understanding that if both parties agreed to regard the three days as business days, they could do so. She said she was comfortable with a vote taking place at 8:00 a.m. on Wednesday, April 27.

President Berenstein responded that Ms. Kielly had until Monday, April 25 at 5:00 p.m. in which to file a brief.

MOTION:

Regent Furgerson moved to table action on the continuance or discontinuance of Shiela Kielly's contract. Regent Johnson-Matthews seconded the motion. **MOTION CARRIED UNANIMOUSLY.**

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MOTION: Regent Dorr moved to approve the reduction in force for faculty at Iowa Braille and Sight Saving School. Regent Furgerson seconded the motion, and upon the roll being called, the following voted:
AYE: Berenstein, Collins, Dorr, Furgerson, Hendricks, Johnson-Matthews, Newlin, Pellett, Tyrrell.
NAY: None.
ABSENT: None.

MOTION CARRIED UNANIMOUSLY.

REGISTER OF CAPITAL IMPROVEMENT BUSINESS TRANSACTIONS. The Board Office stated that Iowa Braille and Sight Saving School officials reported no transactions on its Capital Register.

PURCHASE OF VEHICLES THROUGH MASTER LEASE. The Board Office recommended that the Iowa Braille and Sight Saving School be authorized to draw up to \$63,600 under the Norwest Master Lease Agreement to finance the purchase of six vehicles.

The Board has a master lease financing agreement with Norwest Investment Services, which runs through November 25, 1996. This agreement permits a total of \$15 million to be borrowed, of which \$7.3 million remains available.

Iowa Braille and Sight Saving School officials requested use of the master lease to finance the purchase of six vehicles.

The master lease interest rate would be 5.63 percent; term would be four years.

This purchase would establish a self-funding vehicle replacement program to provide a reliable fleet to faculty members who provide orientation and mobility outreach services. The orientation and outreach services are performed statewide under contracts with the Department of Education and Area Education Agencies.

These funding sources would be assessed a vehicle use charge of 21 cents per mile, which is consistent with the Board's reimbursement rate for use of a private vehicle for business related purposes. Of the revenue from the 21 cents per mile vehicle charges, 11.5 cents would be utilized to repay the vehicle loan and 9.5 cents would be utilized for gas and maintenance costs.

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The six new vehicles would be driven until they have a total mileage of approximately 100,000 per vehicle and then sold.

This program will be reviewed annually; continuation beyond FY 1998 will be based on these reviews and consideration by the Board.

Chapter 8.46 of the Code of Iowa requires that before any state agency enters into a contract involving a lease-purchase arrangement in which any part or the total amount of the contract is at least \$50,000, the agency shall notify the Legislative Fiscal Committee of the Legislative Council regarding the contract.

A detailed cash flow statement was provided to the Regents.

Regent Tyrrell asked what vehicles were currently being used. Superintendent Thurman responded that they were using very old school cars, some of which have as much as 120,000 miles on them. The value in those cars was considered as part of the total proposed program.

MOTION:

Regent Furgerson moved that the Iowa Braille and Sight Saving School be authorized to draw up to \$63,600 under the Norwest Master Lease Agreement to finance the purchase of six vehicles. Regent Johnson-Matthews seconded the motion, and upon the roll being called, the following voted:
AYE: Berenstein, Collins, Dorr, Furgerson, Hendricks, Johnson-Matthews, Newlin, Pellett, Tyrrell.
NAY: None.
ABSENT: None.

MOTION CARRIED UNANIMOUSLY.

President Berenstein then asked Board members and institutional officials if there were additional items for discussion pertaining to Iowa Braille and Sight Saving School.

Superintendent Thurman stated that the following morning he would begin interviewing for Director Hauser's replacement. He said he will miss Scott!

ADJOURNMENT.

President Berenstein reminded the Regents that they meet in Cedar Falls next month, in Iowa City in June, and in Ames in July. They will hold a Meet the Regents session at each of the next three meetings since the Regents had agreed to do so once per year at all three universities. He said he would appreciate having the attendance of all Board members who are not on the Banking Committee.

Regent Dorr suggested that the Meet the Regents be scheduled for some time other than when the Banking Committee is meeting.

President Berenstein said that was a good idea and asked that the Meet the Regents meeting be scheduled for some other time than as the Banking Committee meets. They will do that for the next three Meet the Regents sessions.

Regent Furgerson stated that she represents the Board of Regents on the Way Up planning committee. She said the 1994 conference is scheduled to be held on November 10 and 11 in Cedar Rapids. She would like to talk about the conference with the Regents next month when she has additional information about the theme, etc. She said that when the conference began it was intended for women in higher education. The conference addresses issues around gender fairness, and encouragement for women and female students.

President Berenstein then thanked Superintendent Thurman for the wonderful hospitality. Superintendent Thurman responded that it was the staff of Iowa Braille and Sight Saving School who were to be thanked.

Superintendent Thurman asked that the Regents look at Braille Hill on their way out of the building. Iowa Braille and Sight Saving School officials are very proud of the playground. On Monday night a reading event was held at the school. When it was finished approximately 80 students, sighted and visually impaired, ran out the building onto the playground.

IOWA BRAILLE AND SIGHT SAVING SCHOOL
April 20, 1994

The meeting of the State Board of Regents adjourned at 4:59 p.m., on Wednesday,
April 20, 1994.



R. Wayne Richey
Executive Director