

The State Board of Regents met at Iowa State University, Ames, Iowa, on Thursday, January 20, 1983. Those present were:

Members of the State Board of Regents:

Mr. Brownlee, President	All Sessions
Mrs. Anderson	All Sessions
Dr. Harris	All Sessions
Mrs. Jorgensen	All Sessions
Mr. McDonald	All Sessions
Mrs. Murphy	All Sessions
Mr. Neu	Excused
Mr. Nolting	All Sessions
Mr. Wenstrand	All Sessions

Office of the State Board of Regents:

Executive Secretary Richey	All Sessions
Director Barak	All Sessions
Director McMurray	All Sessions
Director Sonnenschein	All Sessions
Director Wright	p.m.
Assoc. Director Huber	p.m.
Ms. Peters, Secretary	All Sessions

State University of Iowa:

President Freedman	All Sessions
Vice President Bezanson	All Sessions
Vice President Remington	All Sessions
Associate Vice President Small	All Sessions
Acting Associate Vice President Mahon	All Sessions
Assistant to President Mears	All Sessions
Director Jensen	All Sessions

Iowa State University:

President Parks	All Sessions
Vice President Christensen	All Sessions
Vice President Hamilton	All Sessions
Vice President Moore	All Sessions
Assistant Vice President Madden	All Sessions
Assistant to President Crawford	p.m.

University of Northern Iowa:

President Kamerick	All Sessions
Provost Martin	All Sessions
Vice President Stansbury	All Sessions
Vice President Voldseth	All Sessions
Director Kelly	All Sessions

Iowa School for the Deaf:

Superintendent Giangreco	Exc. 11:25 a.m.
Business Manager Kuehnhold	Exc. 11:25 a.m.

Iowa Braille and Sight Saving School:

Superintendent DeMott	Exc. 11:23 a.m.
Business Manager Berry	Exc. 11:23 a.m.

GENERAL

The following business pertaining to general or miscellaneous items was transacted on Thursday, January 20, 1983.

APPROVAL OF MINUTES. The minutes of the University of Iowa Academic Seminar, September 21-22, 1982, were approved as distributed. Mr. Richey noted that two corrected pages had been distributed for the minutes of the December 16, 1982, board meeting. With the inclusion of these corrections, the minutes were approved by general consent of the board.

INTERINSTITUTIONAL COMMITTEE ON EDUCATIONAL COORDINATION. Departmental Name Change - University of Northern Iowa. It was recommended that the board approve the change in departmental name from School Administration and Personnel Services to Educational Administration and Counseling.

At the December board meeting the board referred this proposed change to the Interinstitutional Committee on Educational Coordination and the Board Office for review and recommendation. The Interinstitutional Committee had reviewed this request and recommended approval.

The Board Office explained that, since the establishment of the Department of School Administration and Personnel Services eleven years ago, the division of university Administrative Services which deals with employee benefits, income tax withholding, and the like was named Personnel Services. Although the Personnel Services Office of Administrative Services and the department within the College of Education serve significantly different functions, there had been some confusion caused by the similarity in the two names. In addition, the term "personnel services" does not communicate to some students their primary function in the program, i.e., counseling. As a result of these factors, the term "counseling" appears to be appropriate in the departmental name.

According to the university, there were no fiscal or major programmatic changes resulting from this name change.

MOTION:

Mr. Wenstrand moved that the board approve the change in departmental name from School Administration and Personnel Services to Educational Administration and Counseling at the University of Northern Iowa. Mr. Nolting seconded the motion and it passed unanimously.

REPORT ON COOPERATIVE STUDY WITH THE DEPARTMENT OF PUBLIC INSTRUCTION ON ARTICULATION. It was requested that the board approve a proposal to establish a joint committee on instructional development and academic articulation in Iowa.

At its June 17, 1982, meeting the board directed the Board Office, the Committee on Educational Coordination, and the Committee on Educational Relations to work with the Department of Public Instruction and the secondary schools in Iowa to study methods by which instruction and articulation might be improved. The committees on Educational Coordination and Educational Relations met on September 1, 1982, and voted to submit a proposal to the Board Office for further exploration with the Department of Public Instruction. The consultation with the Department of Public Instruction had taken place, and a proposal had been drafted for joint adoption by the State Board of Regents and the State Board of Public Instruction. Mr. Barak told board members that the State Board of Public Instruction had reviewed this proposal at a meeting last week and had approved it.

The Board Office memorandum noted the following purpose, processes, and tasks:

Purpose:

To explore cooperatively ways and means to facilitate the continued development of instruction and articulation in the schools and public universities of Iowa.

Processes:

1. Appoint and convene a joint task force with 13 members composed as follows:
 - (1) a local school superintendent (1)
 - (2) a local school principal (1)
 - (3) a guidance counselor (high school level) (1)
 - (4) two local school teachers (preferably in the academic areas of primary concern) (2)
 - (5) a dean of education from a college or university (1)
 - (6) an academic vice president (or equivalent) from a college or university (1)
 - (7) two college-university-level instructors (preferably from an area related to the concerns to be addressed) (2)
 - (8) a representative of the Area Schools' superintendents (1)
 - (9) a representative of each of the two state board staffs (2)
 - (10) a representative of the proprietary/specialized schools (1)

In appointing these persons, consideration will be given to achieving a mix of public and private institutions, as well as sex and race. A chairperson will be appointed jointly by the two boards.

2. The joint committee will be empowered to impanel subgroups as appropriate.

Mr. Barak noted that this provision would probably be used because there were various disciplines that would need to be studied individually.

3. Conduct a study, or studies, with recommendations for the future.
4. Progress report - July 1, 1983.

Tasks:

The joint task force is charged to:

1. Identify particular issues and specific problems of articulation and instruction.
2. Suggest procedures to effect a resolution of the issues and problems as identified.
3. Recommend long-range and short-range responsibilities and activities.
4. Suggest a format for continuing cooperation and development.

The Board Office said that, if approved by both boards, it was expected that the chairperson and members of the task force would be appointed by the boards. It was suggested that the task force report to both the Board of Regents and the Board of Public Instruction.

Mr. Richey noted that this is a matter of national concern. Many similar studies are being conducted, and the committee would have the advantage of getting reactions from other states.

President Brownlee said he was confident the Regent institutions would be adequately represented for input and monitoring. Regent McDonald commented that he had helped institute this study and he was certainly in favor of the proposal.

MOTION:

Mr. McDonald moved that the board approve the proposal to establish a joint committee on instructional development and academic articulation in Iowa. Mrs. Murphy seconded the motion and it passed unanimously.

REPORTS ON GOVERNOR'S EXECUTIVE ORDERS ON AFFIRMATIVE ACTION AND LAND USE.
It was recommended:

1. That the board adopt the resolution relating to affirmative action, and
2. That the Regent institutions develop in conjunction with the Board Office land use policies pursuant to Governor Ray's Executive Order Number 48 for consideration by the board at its September 1983 meeting.

In supporting information, the Board Office explained that on December 21, 1982, Governor Ray issued Executive Order Number 46 relating to improvements in affirmative action and equal employment opportunity in state government.

Within the order there are obligations and responsibilities assigned to agencies, boards, and commissions, individually and collectively. The Board of Regents has a policy of non-discrimination which is articulated in the Board of Regents Procedural Guide. The Board of Regents also has a policy/procedure relative to affirmative action programs.

The Board Office said that given that there is in place an affirmative action program at each Regent institution, it would appear that the board already had incorporated the major thrust of the order. It has been the previous posture of the board to be a leader in the development of non-discrimination and affirmative action programs as evidenced by the existence of board policies in these areas. However, the presence of the order indicates a felt need on the part of the Governor to insure that the state "serve as a model for business, industry, labor, and education" in addressing the issue of affirmative action.

The adoption of the Resolution would meet the Governor's objectives in Executive Order Number 46 and was recommended by the Board Office.

Concerning the second part of the recommended action, the Board Office explained that on January 3, 1983, Governor Ray issued Executive Order Number 48 relating to land use. The order states that it is the policy of the state and its agencies to provide for the orderly use and development of land and related natural resources for residential, commercial, and recreational purposes; to preserve private property rights; to protect natural and historic resources and fragile ecosystems; to promote the creation and maintenance of wildlife habitat; to consider the protection of soil from wind and water erosion; and to preserve the availability and use of agricultural land for agricultural production.

The Governor has ordered each state agency to provide a draft of the agency's land use policy statement by October 1, 1983, for review by the Interagency Resources Council.

Mr. Richey said that Governor Ray issued both of these orders just before he went out of office, in consultation with then Governor-elect Branstad. The Board Office had been consulted closely and many of its suggestions were included in both orders, and this opportunity was appreciated.

MOTION:

Mr. Nolting moved (1) that the board adopt the resolution relating to affirmative action, and (2) that the Regent institutions develop in conjunction with the Board Office land use policies pursuant to Governor Ray's Executive Order Number 48 for consideration by the board at its September 1983 meeting. Mr. McDonald seconded the motion and it passed unanimously.

R E S O L U T I O N

STATE BOARD OF REGENTS

WHEREAS, Governor Ray has issued Executive Order Number 46 proclaiming that all agency heads, members of governing boards and commissions, and other public officers and employees are committed to improvement in affirmative action; and

WHEREAS, the Board of Regents has a policy establishing affirmative action programs in each of the Regent institutions (Regents Procedural Guide, 5.01(C), P. V-2); and

WHEREAS, the Board of Regents desires to acknowledge its commitment to affirmative action pursuant to Governor Ray's Executive Order Number 46;

NOW, THEREFORE, BE IT RESOLVED that the Board of Regents does direct the institutions which it governs to maintain affirmative action programs designed to eliminate any existing and continuing discrimination, to remedy any lingering effects of past discrimination, and to maintain procedures to prevent future discrimination of persons protected from discrimination by federal and state laws.

To this end, the Board of Regents requests that the necessary steps to insure compliance with this resolution be undertaken as follows:

1. The Executive Secretary or his designee shall maintain contact with the State Affirmative Action Administrator attached to the Iowa Civil Rights Commission in order to make input on behalf of the Regent institutions into the proposed affirmative action planning standards.

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2. The Executive Secretary or his designee shall coordinate a review of the existing affirmative action programs in Regent institutions, shall report to the board the adequacy of those programs relative to the uniform affirmative action planning standards and Board of Regents policies and procedures, and shall recommend to the Board of Regents any changes in either the board's affirmative action policy or the affirmative action programs of the Regent institutions.

3. The Executive Secretary or his designee shall request the Regent institutions to provide a summary as to what affirmative action training has taken place at each institution and shall make recommendations for future training.

Adopted by the Board of Regents
this 20th day of January, 1983.

R. Wayne Richey, Executive Secretary

EXECUTIVE SESSION. President Brownlee stated that the board needed to enter into executive session for the purpose of discussion of a real estate matter at the University of Iowa under Chapter 28A.5(1)(j) of the Code of Iowa. Public session would be resumed after the lunch break.

On a roll call vote as to whether to enter into executive session, the following voted:

AYE: Anderson, Harris, Jorgensen, McDonald, Murphy, Nolting, Wenstrand,
Brownlee

NAY: None

ABSENT: Neu

The board, having voted by at least a two-thirds majority, resolved to meet in executive session beginning at 11:50 a.m. and arose therefrom at 12:15 p.m.

LEGISLATIVE REPORT--1983 SESSION. The 1983 Legislative Session convened January 10, with the first few days of the session spent in organization.

On Tuesday, January 11, Governor Ray gave his final Condition of the State message. He stated in that message, "If your interest is education, consider the findings of the Governor's Science Advisory Council regarding science and mathematics instruction. Prepare to receive the report of the Foreign Language Task Force, chaired by President Freedman of the University of Iowa. And, recall how plans for a new law school at Iowa got shelved in the final hours of last year's session. I urge you to consider the Regents bonding proposal."

The Board Office said that approximately 100 bills had been introduced in the first three days of the session. Mr. Richey told board members that the Board Office would follow the usual procedure of studying and analyzing these bills to determine which would affect the Regents. The campuses would be informed immediately of bills that would affect them. If the board has had a consistent policy in the past, that would be used for guidance in taking a position on a bill. If there is a question, Mr. Richey said he would consult with President Brownlee and board members to be sure of the board's position.

Mr. Crawford commented briefly on current developments in the legislature. He noted a change in the membership of the Appropriations Subcommittee for Education.

Mr. Richey presented dates for the various budget hearings. President Brownlee asked board members to inform the Board Office of any problems with these hearing dates.

UNI PRESIDENTIAL SEARCH. It was recommended that the board:

1. Authorize selection and contract with an executive search firm upon approval of the President of the Board of Regents.
2. Create a committee at the University of Northern Iowa to aid in the presidential search .

3. Instruct the Board Office to develop criteria for the presidency of the University of Northern Iowa and report to the board for its consideration at its February 1983 meeting.
4. Direct the University of Northern Iowa to establish a fund to pay the expenses of the presidential search.
5. Authorize the President of the board to supervise the search process.

In its memorandum, the Board Office stated that the following criteria would seem to apply to a process to be selected by the Board of Regents for a presidential search:

1. The process must be consistent with the board's statutory responsibility to appoint a president and provide for regental control of the search, screening, and selection process.
2. The process must provide for the maximum maintenance of confidentiality of the candidates provided under Iowa's open records law and the Open Meetings Act.
3. The process must provide for meaningful institutional input with respect to the criteria to be used for presidential selection and in the review of the final candidates.
4. The process must be one that can be accomplished within a six-month period of time.
5. The process should provide for the optimization of affirmative action/equal employment opportunity procedures.

Given the criteria noted above; the various types of search, screening, and selection groups noted earlier; and the unique circumstances surrounding the University of Northern Iowa and the open records law; President Brownlee and the Board Office proposed a process to meet the board's needs.

It was proposed that the Board of Regents engage the services of an executive recruiting firm to provide the initial search and screening functions based on criteria developed by the Board of Regents. Advice on the criteria would be sought from a university search advisory committee, consisting of representatives of the various constituencies of the university. The search process would include the usual national advertisements, requests for applications and nominations, and affirmative search by the recruiting firm to identify outstanding candidates. Nominations of qualified persons could be made by interested persons directly to the executive search firm. After completion of the search and screening process, the executive recruiting firm would provide a list of five or six candidates.

It was proposed that this list be provided to the advisory committee at the University of Northern Iowa, composed of six faculty, and representatives of the student body, alumni, administration, professional and scientific, merit, and general services staff. This committee of eleven persons would review the credentials of the candidates, interview the candidates, and provide advice to the board regarding the six individuals without ranking them. The board would then have a list of individuals who

have been screened on the basis of the board's criteria and the advice of an institutional advisory committee, which has interviewed the candidates. The board would then hold its own interviews and do what other activities are necessary to identify an individual to be appointed as president of the University of Northern Iowa. The recruiting firm would provide assistance, as needed, to both the internal search committee and the Board of Regents.

The Board Office said that this suggested procedure, while new to the Board of Regents, is not an unusual one in higher education. According to the Association of Governing Boards of colleges and universities (AGB), 20 percent of the respondents in a 1979 survey employed professional firms or individual consultants to assist in the presidential search process. It is likely that the use of such consultants has even increased in more recent years. The use of such consultants is more prevalent when expanded to include other senior college and university administrative positions.

The Board Office felt that the services of an executive search firm could provide a real contribution to the quality of the UNI presidential search by providing the board with objective and professional search and screening experience. Since the criteria to be used by the executive search firm would have been developed in consultation with the board and the internal search committee, any lack of knowledge about the university that the firm might have should be minimized. The costs of using a search firm will vary depending upon which firm is selected and the specific services requested; however, they are not expected to exceed the costs of recent board presidential searches and those nationally. In fact, when board and internal committee member time is taken into consideration, the cost may well be less. The proposed process would also provide for a maximum degree of confidentiality for the candidates, consistent with Iowa law.

The following time schedule was suggested:

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| 1. Assignment of person to assist from Attorney General's Office | 1/10/83 |
| 2. Develop process, criteria, and timetable | 1/10/83 |
| 3. Board of Regents develop and approve the above and establish a fund for screening and search activity | 1/20/83 |
| 4. Public announcement regarding the process to be followed in selection of next president | 1/20/83 |
| 5. Selection of the UNI advisory committee | 2/1/83 |
| 6. Selection of recruiting firm/approving the contract | 2/1/83 |
| 7. Development of a set of criteria for selection of the president based on criteria developed by the board and based on advice from the UNI advisory committee | 2/17/83 |
| 8. Recommendations of the recruiting firm | 4/ /83 |
| 9. UNI committee interviews of candidates | 5/ /83 |

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10. UNI committee provides advice to the Board of Regents 6/1/83
11. Board of Regents begin interviews with finalists 6/1/83
12. Selection of a new president for the University of Northern Iowa by the Board of Regents 6/ /83

President Brownlee introduced Julie Pottorf, Assistant Attorney General, who was at the meeting to answer any questions about legal matters. He said she had been helpful in advising the Board Office and him on how to proceed, observing the statute regarding the board's authority and the Open Meetings Law.

Regent Jorgensen had been concerned for campus input and felt that concern had been adequately addressed.

Regent Murphy asked how the search firm would be selected. President Brownlee said a great deal of time had been spent by the Board Office in narrowing down the list. There seemed to be a few accepted firms in the field of education and it would be a matter of selecting one of those. President Brownlee would make the final selection.

Regent Anderson was concerned whether the timetable was realistic. She noted that the university committee would need time for the development of criteria and wondered if this could be done without holding up the recruiting firm. Mr. Barak had asked search firms whether this timetable was realistic; they felt that it was. Mr. Richey said it was hoped the committee could meet at least twice before the next board meeting in order to develop criteria.

Regent Jorgensen asked if there was a median number of candidates in situations such as this. Mr. Richey believed five or six was an average number, and he felt the board should have a minimum of six for consideration. Regent Anderson asked if the campus committee would change that number or whether it would simply comment on each person it interviewed. President Brownlee suggested the committee not be restricted in any way in how it functioned or how it conveyed its opinions to the board. In answer to a question from Regent Murphy, President Brownlee said the board would prefer that the campus committee not rank candidates. Regent Anderson added that even if the committee ranked the candidates, the board would interview them all.

Mr. Richey noted that others in the university besides the committee could make nominations. Regent Anderson felt there should be some clear way known to the campus on how they could make nominations. Mr. Richey said it would be most effective if such nominations were made directly to the search firm. This was necessary if the Regents were to have viable candidates.

Regent Anderson asked if the Board Office was totally satisfied that the affirmative action procedures of the search firms was adequate. Mr. Barak said this was one of the questions he had asked when checking references

for the firms under consideration. He was convinced that any firm selected by the board would be satisfactory in this respect. In answer to questions from Regent Anderson, Mr. Barak said these firms have women on their staffs and utilize them on their search teams. President Brownlee said that universities who have been served by these firms would testify to this. Regent Harris thought a firm could not be successful without a good record in affirmative action. He felt the whole proposal was very well worked out and that board discussion supported this.

MOTION:

Dr. Harris moved that the board (1) authorize selection and contract with an executive search firm upon approval of the President of the Board of Regents; (2) create a committee at the University of Northern Iowa to aid in the presidential search; (3) instruct the Board Office to develop criteria for the presidency of the University of Northern Iowa and report to the board for its consideration at its February 1983 meeting; (4) direct the University of Northern Iowa to establish a fund to pay the expenses of the presidential search; and (5) authorize the president of the board to supervise the search process. Mr. Nolting seconded the motion.

Vice President Martin noted a concern with the timetable. According to the schedule, the candidates would be on campus for interviews by the UNI committee in the middle of May. At this time, 98 percent of students and faculty might be absent, which would be an unsatisfactory situation. He thought it would be better if this interviewing were set for an earlier or later time. President Brownlee said to move it later would cause problems for the board. Therefore, he hoped this could be done at an earlier time.

VOTE ON MOTION:

The motion passed unanimously.

President Brownlee said he would be going to Cedar Falls after the board meeting to visit with faculty to discuss this process.

APPEAL BY STAFF MEMBER, UNIVERSITY OF NORTHERN IOWA. It was recommended that the board deny the request of Dr. Paul O. Tenney, D.O., for review of the final decision of President John Kamerick which denied Dr. Tenney's request for repurchase of his TIAA contract and denied that the university had failed to provide Dr. Tenney with accurate, timely, and full disclosure of the options available to him for a retirement program.

As background, the Board Office said Dr. Tenney was appointed to the medical staff in May 1971, effective July 1971. He indicated that at the time of his original appointment it was his understanding that as "an officer of the administration" he was required to take the IPERS option for retirement.

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However, he indicated that the staff of the personnel office persuaded him to take the TIAA alternative even though it was his understanding that such alternative was available only to actively serving academic staff.

In late 1973, following consultations with his accountant and attorney on estate planning, Dr. Tenney requested clarification of the annuity policy from Don Walton, then of the staff personnel office. Throughout 1974 there were communications between Dr. Tenney, Vice President Hansmeier, and Mr. Walton in the form of oral conversations, memos, and letters, attempting to clarify the university's position relative to his then current TIAA contract and the process to which he had been exposed in making his 1971 selection of TIAA. In January of 1975 Dr. Tenney tendered his resignation from the university's medical staff and subsequently "repurchased" his TIAA contract. The Board Office memorandum noted that it appeared to Board Office staff that at this point in the sequence of events Dr. Tenney knew or should have known that at the time of his employment in 1971 he could have chosen either TIAA or IPERS.

In the fall of 1975 Dr. Tenney returned to the university in a part-time capacity and returned to the staff as a full-time employee in July 1976. At the beginning of this second and current period of employment, Dr. Tenney reported that he again was told that he must participate in TIAA and that there was no alternative to this participation. In July 1981 Dr. Tenney enrolled in IPERS. He discontinued contributions to TIAA and again wished to "repurchase" his TIAA annuity contract.

President Kamerick, in his various responses to Dr. Tenney over the past year, has indicated that he believed the record showed that at the time Dr. Tenney was employed by the university a second time (1976) he knew that he could have chosen either TIAA or IPERS for a retirement program under Board of Regents policy. University staff have indicated that both by written materials and meetings conducted for new staff there was complete information available regarding the alternatives available to staff in the area of retirement programs.

On October 28, 1982, Dr. Tenney entered his request for review with President Kamerick. Dr. Tenney contended that he was not provided with accurate, timely, and full disclosure of the options legally available to him in his selection of a retirement annuity program and that such information as was provided at his request was erroneous, misleading, and convincing to the extent that he was caused to be a deceived and unwilling participant in a retirement annuity contract detrimental to his best interest.

Reviewing the documents submitted by Dr. Tenney for Dr. Kamerick's review during this process, the Board Office stated in its memorandum that it was difficult to draw an unequivocal conclusion as to what Dr. Tenney knew, should have known, or did not know about the alternatives available to him in July of 1976. However, in looking at the documents available at the university, the thoroughness of the dissemination of information claimed by the university, and the factors which were evident in Dr. Tenney's first period of employment with the university, the Board Office felt it was

difficult to accept that a person in Dr. Tenney's position did not know that he could have chosen between IPERS and TIAA.

Because of the fact that the retirement annuity contract is between Dr. Tenney and TIAA, the university is not a principal in the contract; and because it cannot be ascertained that the university did not clearly articulate the alternatives for retirement programs to Dr. Tenney in a manner calculated to be understood by him at the time he had to choose a retirement program, denial of his request for review was recommended.

Mr. Richey told board members that the material submitted to them was as complete a written record as could be provided. The Board Office recommendation was on the basis of this written material. Regent Wenstrand commented that he felt the board had received a very in-depth background on this matter.

MOTION:

Mr. Wenstrand moved that the Board of Regents deny the request of Dr. Paul O. Tenney, D.O., for review of the final decision of President John Kamerick in which President Kamerick denied Dr. Tenney's request for repurchase of his TIAA contract and denied that the university had failed to provide Dr. Tenney with accurate, timely, and full disclosure of the options available to him for a retirement program, said request for review having been filed by Dr. Tenney pursuant to Section 4.25 of the Board of Regents Procedural Guide. Mrs. Murphy seconded the motion and it passed unanimously.

REVISED PURCHASING POLICY PROPOSAL FOR THE REGENTS PROCEDURAL GUIDE. It was recommended that the attached revised Chapter VIII, "Purchasing," be approved for inclusion in the Regents Procedural Guide in place of the current purchasing chapter except that the existing sections in Chapter VIII on purchasing insurance be retained pending further review.

The Board Office reported that the proposed revision is a continuation of an ongoing process of review and oversight of Regent purchasing responsibilities.

In 1980 the Board of Regents approved the preparation of two special studies. The first, a report on the avoidance of conflict of interest in procurement, resulted in a revised Regent policy approved in November 1981. The second, a comprehensive field survey of purchasing policy and operations at Regent institutions, was reported to the board in February 1982. Included in the recommendations of that report is the following:

That the Ad Hoc Committee on Purchasing undertake in cooperation with the Board Office a comprehensive review of existing Regent procurement policy for operations. The objective would be to

assure comprehensiveness, adherence to current public procurement principles and state statutes while continuing to allow Regent institutions the opportunity to manage the process in support of institutional missions.

The proposed revision is a direct result of this recommendation. Regent purchasing directors, in cooperation with institutional business officers and Board Office staff, agreed to draft a basic revision to the current purchasing policy chapter in May 1982. The outline selected included those functions normally associated with the purchasing process which should make the purchasing policy statement a more useful reference.

The proposed revision incorporates all basic policies found in the current purchasing policy statement with the exception of the following: (1) Policy for Sales of Services and Products; and (2) Policy for the Purchase of Insurance. The former will be relocated in the Regents Procedural Guide, Chapter 7, "Business Procedures." The latter was undergoing review. Upon completion of this review, it would be included in the Competitive Conditions section.

The Board Office reported that those items in the current policy that have been edited for inclusion in the proposal had been edited for clarification. Some extraneous information had been removed and outdated information had been updated. In most cases statements of new policy are more an updating formality reporting what is not only the basis for generally accepted purchasing practice but what Regent institutions have been following for some time.

The following commentary describes briefly what has occurred in each major component of Regent purchasing policy as delineated in the proposed revision.

Authority. Regent Purchasing authority is found in the general powers of the Regents and a specific exemption from central purchasing authority within the Code of Iowa. The Iowa Administrative Code confirms that purchasing authority is delegated by the board to the chief executive officers of each institution with certain noted exceptions.

Organization and Responsibilities. The additions in almost all cases tend formally to confirm long-standing policy. Thus, the new statement that the Board of Regents shall establish policy and maintain oversight of all procurement functions and that the Board Office and institutions shall meet regularly to ensure coordination of purchasing policy and procedures is hardly new.

The revised policy statement delegates central purchasing authority to each institution and allows each institution to further delegate that authority to separate organizations as needed. For example, library acquisitions at the university, while under Regent and institutional purchasing policy, are located and have staff apart from the central purchasing office.

Qualified Suppliers. Qualified suppliers are recognized as responsible in terms of their financial ability to perform. They are also recognized as to responsiveness on how they perform, ranging from adhering to specifications bid through service follow-up requirements.

Regent institutions maintain qualified vendor lists including thousands of potential suppliers. Continuous purging of these lists is required so that efficient solicitation on the part of the institutions may proceed. There are two new reasons for removal from Regent supplier lists: illegal purchasing practices and no bids or orders issued for two consecutive years. The proposed policy statement is revised to provide that removal for cause is not to exceed three years except upon specific authorization of the board. Reinstatement as a qualified supplier requires application to the institution. Previously the board had no policy statement on this subject.

The appeal process for vendors removed from the qualified suppliers list shall be through the Board Office after all administrative remedies at the institutional level have been exhausted. The new policy statement prescribes that the executive secretary shall establish a review procedure on such requests and make recommendations to the board for action.

Competitive Conditions. The Board Office reported that the proposed policy, while reaffirming that the best interests of the state and Regent institutions are served through a full and free competitive purchasing system, recognizes negotiated, noncompetitive, and sole-source purchases as proper procurement practices under given conditions.

The proposed purchasing policy confirms existing bidding practice on the part of Regent institutions; that is, the use of formal sealed bids and informal solicitation of bids or quotations.

Withdrawal of bids and bid security were added to Regent purchasing policy for operations. Bids shall not be withdrawn without penalty after the time for receipt of bids. Under certain circumstances where there is an obvious and documented error, a withdrawal of bid may be made but only upon the recommendation of the institution and under procedures approved by the executive secretary.

Bid security is established as discretionary for purchasing supplies and equipment. It was proposed that Regent institutions use bid security as an incentive to suppliers to meet contractual requirements. The institutions are expected to establish a common set of conditions under which bid security is appropriate. When bid security is utilized, the same conditions will hold for supplies, equipment, and capital construction contracts.

Regent purchasing policy now includes a reference to existing state law relating to purchases from Iowa State Industries (prison industries).

A new policy statement on service contracts encompassed a broad range of services. The proposed policy statement calls for the establishment of procedures and guidelines at each campus that ensure adequate administrative review both before and after entering into a service contract.

Regent guidelines governing purchase and disposal of motor vehicles established in December 1981 were acknowledged in the proposed purchasing policy statement.

A revised purchasing policy for coal was proposed. In addition to acknowledging that coal shall be purchased under the appropriate provisions of the Iowa Code, guidelines are established that authorize Board Office participation in the purchasing process that begins with the executive secretary's approval of coal specifications. This is a continuation of existing board policy. It continues with the executive secretary's review of institutional plans for coal purchases after the receipt of bids with the opportunity to comment on the intended award of the contracts. The executive secretary may docket a proposed award when deemed appropriate. Contracts shall be filed with the Board Office. Any proposed changes to the contracts or purchases outside of the base contract shall follow the same procedures used in developing the base contract.

Specifications and Standards. Concerning the use of brand names and numbers, the proposed revision included the following terminology: "If brand names are used, the specification shall contain an 'or acceptable alternate' clause." According to the Board Office, this will avoid some of the confusion caused by the old terminology "or equal" associated with the use of brand names.

The proposed policy incorporated existing law relating to life cycle costs and energy efficiency analysis as criteria in developing standards and specifications for energy consuming products. The policy notes an additional requirement of the law related to purchasing American made products from American based businesses if the life cycle costs are comparable to those products of foreign businesses.

Over a period of years, Regent institutions have moved towards standardizing terms and conditions on basic purchasing documents. This has been an unwritten policy. The proposed revision publicized a policy already in operation.

Inspection and Testing. Regent Institutions are expected to test products when practical and feasible. The proposed chapter would authorize the results of independent research laboratories or governmental testing reports in evaluating products in lieu of direct testing.

Cooperative Purchasing. The Board of Regents has long encouraged cooperative purchasing among its own institutions and between its institutions and other state agencies. The proposed revision confirmed the scope of existing policy.

Code of Ethics. Regent purchasing directors belong to professional associations including the National Association of Education Buyers. It was proposed that the Regent institutions adhere to the professional ethics embodied in the code of that organization.

Review and Documentation. This section lists existing reports, record keepings, and associated requirements.

The Board Office said that an item still under consideration is that of establishing a special review process for proposed additions of data processing and other specialized equipment. The scope of a special review and the identification of any new policy, either as a purchasing policy or a business procedure, need to be determined.

Surplus Property Disposal. This new policy statement confirmed generally accepted surplus property disposal procedures.

The Board Office stated that, in summary, the proposed revision of the chapter on purchasing in the Procedural Guide had as its objectives the development of a more useful reference document for use by the institutions, the editing and updating of existing policy, the recording of acknowledged purchasing policy followed by Regent institutions and, to a lesser extent, the filling in of certain gaps in Regent policy.

Mr. Richey added that purchasing had been a major issue in the Governor's Economy Committee 1979 recommendations. This caused the Regents to take a detailed look at what should be changed to be sure they had the best possible policy. In this major revision, the Board Office and the institutions had consulted extensively. Much of the language used is that suggested by the institutions.

President Brownlee noted that this policy does provide for the continuation of purchasing at the institutions with some monitoring on the part of the board. Regent Wenstrand said the board realized the necessity for review, yet did not want to hinder individual policies and practices. Mr. Richey thought the proposed policy fulfilled this requirement.

Regent Murphy commented that, as a new board member, she appreciated having the policy clearly stated.

Mr. Richey commended Lyle Sonnenschein of the Board Office for his diligence in the preparation of this revised purchasing policy. He noted that a further installment of these revisions (on insurance) would come to the board in February.

President Brownlee asked if the institutions had further comments on the proposal; there were none.

MOTION:

Dr. Harris moved that the revised Chapter VIII, "Purchasing," be approved for inclusion in the Regents Procedural Guide in place of the current purchasing chapter except that the existing sections on purchasing insurance be retained pending further review. Mrs. Anderson seconded the motion and it passed unanimously.

ADDITION TO EXECUTIVE COUNCIL GUIDELINES ON CASUALTY LOSSES. It was recommended that the board approve an addition to Section 7.12 of the Procedural Guide, Casualty Loss Claims, dealing with the Executive Council's allowing claims on crop losses resulting from natural phenomena and the procedures for processing such claims.

Mr. McMurray reported that the Executive Council adopted guidelines for processing and making payment on 29C.20 claims in January 1980. Those claims are made against the state contingent fund and, in the case of the Regent institutions, almost exclusively involve casualty losses. Later in 1980, the board submitted for payment several crop losses occurring at research farms operated by the Agriculture Experiment Station. Those crop losses were disallowed on the recommendation of the state auditor because crop losses were not specifically covered in the Executive Council guidelines. Those particular losses were then referred to the Legislature for action but were not funded by the 1981 Session.

Recently, the Board Office and Iowa State University renewed its request that the Executive Council amend its guidelines and specifically address the processing of claims on crop losses. The Executive Council at its meeting of December 27, 1982, adopted the following amendment:

Claims on crop losses resulting from natural phenomena, defined as wind, hail, or rain, will be allowed. The determination of the extent of a loss shall use the Agricultural Stabilization Conservation Society Yield/acre for each farm as a base. Such yields are based on a three-year average, as determined from Corn Stability Reading, average rainfall, and state average. An initial loss estimate will be established within 30 days of the loss. Losses shall be covered in a manner similar to the meaning of "all risk" coverage by private carriers. Losses early in the season may be established as the cost of replanting and resultant yield loss due to lateness of the season, while late season losses will be established as actual loss per acre. The percent of loss for each claim will be determined through use of an independent third party trained adjuster.

Any single loss occurrence of \$5,000 or less shall be absorbed until the aggregate of all such loss exceeds \$15,000 per Board of Regents higher education institution in any fiscal year. All crop loss claims occurring after the annual aggregate is reached may be submitted during the remainder of the fiscal year for the amount exceeding the \$15,000 aggregate.

The Board Office called the attention of the board to the double deductible policy. The first deductible is absorption or nonsubmittal of any claim for a single loss which does not exceed \$5,000 per loss (which will be interpreted as meaning "per farm"). Second, there is an institutional deductible for nonsubmitted losses of \$15,000 per fiscal year. Each loss above \$5,000

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per farm will be submitted as it occurs. All losses (regardless of amount) will be submitted after the fiscal year aggregate deductible of \$15,000 is reached.

The determination of amount of loss and use of independent third-party trained adjusters to determine percent of loss should be done on any and all losses eligible for submittal so there is a clearly defined track record on how the \$15,000 aggregate was reached as well as determination of losses estimated to exceed \$5,000 per occurrence.

The Board Office said crop losses will be treated separately from any other type of loss eligible for submittal under 29C.20 funds. A crop loss will not be additive in any way to other types of losses sustained at the same time, such as wind or fire damage to a barn.

This policy does not apply to any crop losses occurring at the special schools. The Executive Council limited application of the policy to "higher education institutions."

The policy was effective on January 1, 1983. No retroactive crop loss claims prior to January 1, 1983, will be allowed.

The Board Office reported that the primary influence for favorable Executive Council action was the strongly held belief by several council members that the deletion of these funds from the budget of the research farms could cut seriously into the future research efforts on crops.

Mr. Richey said the Regents owed thanks to former State Treasurer Maurice Baringer for his assistance and understanding of this issue. He had worked on it for several years, and just before he went out of office brought it to conclusion with the Executive Council. Mr. Richey added that Mr. McMurray had worked long and hard with Mr. Baringer.

President Parks commented that Iowa State was grateful for this progress.

MOTION:

Mrs. Jorgensen moved that the board approve an addition to Section 7.12 of the Procedural Guide, Casualty Loss Claims, dealing with the Executive Council's allowing claims on crop losses resulting from natural phenomena and the procedures for processing such claims. Mr. Nolting seconded the motion and it passed unanimously.

NEXT MEETINGS. President Brownlee had established the schedule of future meetings through March 1984. Although the third Thursday is shown as the normal meeting date, board members and institutional executives were reminded to keep the third Wednesday open also in case a two-day meeting is required. Mr. Brownlee had shown that a two-day meeting is needed in April and in June of this year.

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President Brownlee asked that he be notified of any problems with the proposed meeting schedule.

February 17		Des Moines
March 17	Iowa State University	Ames
April 20, p.m.	University of Iowa	Iowa City
April 21	Iowa Braille and Sight Saving School	Vinton
May 19	University of Northern Iowa	Cedar Falls
June 15-16		Des Moines
July 21	Iowa State University	Ames
August	NO MEETING	
September 15	University of Iowa	Iowa City
October 20	Iowa School for the Deaf	Council Bluffs
November 17		Des Moines
December 15	University of Northern Iowa	Cedar Falls
January 19, 1984	Iowa State University	Ames
February 16		Des Moines
March 15	Iowa State University	Ames

President Brownlee then asked board members and institutional executives if there were any additional items to be raised for discussion pertaining to the general docket. There were none.

EXECUTIVE SESSION. President Brownlee requested that the board meet in executive session to discuss collective bargaining strategy under Chapter 20.17(3) of the Code of Iowa. He stated that there would be no more public sessions at this meeting. On a roll call vote as to whether to enter into executive session, the following voted:

AYE: Anderson, Harris, Jorgensen, McDonald, Murphy, Nolting, Wenstrand, Brownlee
NAY: None
ABSENT: Neu

The board having voted by at least a two-thirds majority, resolved to meet in executive session at 2:45 p.m. and arose therefrom at 3:21 p.m.

STATE UNIVERSITY OF IOWA

The following business pertaining to the State University of Iowa was transacted on Thursday, January 20, 1983.

REGISTER OF PERSONNEL CHANGES. The actions reported in the Register of Personnel Changes were ratified by general consent of the board.

OTHER PERSONNEL TRANSACTIONS. The board was requested to approve the following:

Appointments:

Alvin U. Seals as Director, University Placement Office, effective January 31, 1983, at an annual salary of \$38,000.

James R. Wagner as the Director of the Information Systems Department, University of Iowa Hospitals and Clinics, at an annual salary of \$41,000 effective January 20, 1983.

Thomas Pogue as chairman of the Department of Economics in the College of Business Administration for a one and one-half year term effective January 1, 1983.

Resignation:

Leonard Brcka, Controller and University Secretary, due to retirement, effective June 30, 1983.

President Freedman told the board Mr. Brcka had been with the university for 35 years. He had rendered splendid service and his retirement would be a great loss for the university. President Brownlee expressed the board's appreciation for Mr. Brcka's long service to the university.

MOTION:

Dr. Harris moved that the board approve the appointments of Messrs. Seals, Wagner, and Pogue; and that the board accept the resignation of Mr. Brcka. Mr. Nolting seconded the motion and it passed unanimously.

DEVELOPMENTAL ASSIGNMENTS FOR 1983-84 ACADEMIC YEAR. It was recommended that the board approve the faculty developmental assignments for the University of Iowa for the 1983-84 academic year.

The university requested approval of developmental assignments for 126 faculty members. All of the assignments were for one semester. Material analyzing the requests since 1974-75 showed that the total number of assignments continues to increase but does include 21 Faculty Scholars (15 continuing, 6 new). As noted in previous requests, the Faculty Scholars Program provides for faculty developmental assignments in each of three consecutive years and is intended to provide opportunities for faculty in relatively early stages of their careers.

The Board Office memorandum said it should be noted that the University of Iowa has returned to the board with a supplemental request for each of the past five years. If this pattern were followed for 1983-84, the total number of developmental assignments requested would exceed 126. Vice President Remington said it was anticipated that the supplemental roster this year would be substantially shorter than in the past; the list would remain essentially as submitted.

For 1983-84, 71 (56 percent) of the assignments were for full professors, 50 (40 percent) were for associate professors, and 5 (4 percent) were for assistant professors. The proportion of assignments requested for full professors remained high despite the Faculty Scholars Program objective of providing opportunities for persons early in their careers. Regent Murphy asked for more information about this. Vice President Remington thought the percentage for assistant professors would probably continue to be low because those individuals were at a probationary stage in their careers. He said there is a very selective use of developmental assignments. It is those persons on the verge of tenure that receive the grants. Developmental assignments for associate or full professors give them opportunities to hone their skills and catch up with developments in their fields.

The Board Office reported that the proportion of assignments requested for women increased to 19 percent for 1983-84 compared to 17 percent in 1982-83.

The estimated net replacement cost of the requested developmental assignments was \$140,900. Last year's estimated cost for 123 assignments was \$151,285. The actual cost for 84 leaves in 1980-81, the most recent year for which a report was available, was reported to be \$98,400.

MOTION:

Mr. Nolting moved that the board approve the faculty developmental assignments for the University of Iowa for the 1983-84 academic year. Dr. Harris seconded the motion and it passed unanimously.

SUPPLEMENTARY POST-AUDIT REPORT. It was recommended that the board receive the supplementary post-audit report on the Ph.D. in Genetics at the University of Iowa.

As background, the Board Office said in 1975 the board approved a proposal by the University of Iowa to establish a Ph.D. degree in Genetics. In 1979

the post-audit report was prepared on this program. Although at that time it appeared that the Genetics Ph.D. program was successful in meeting its stated objectives, the university was unable to respond to a portion of the post-audit review questions, due to the fact that there had been no graduates from the program at that time. Consequently, it was recommended that the university report back on this program to provide answers to the questions that were unanswered. This supplementary report by the university was in answer to that request.

The Board Office stated that from the report submitted by the university it appeared that the post-graduate experience of the Ph.D. recipients in Genetics has been a successful one. Three students have completed the program. All three students have obtained appointments as post-doctoral research fellows in laboratories subsequent to their graduation. All three are still in post-doctoral positions, which is typical in this field where three to six years of post-doctoral research training generally occurs before a person takes a more permanent position. The Board Office believed it significant that the three post-doctoral fellowships were obtained by these graduates at the laboratories of their choice.

MOTION:

President Brownlee stated that the supplementary post-audit report on the Ph.D. in Genetics at the University of Iowa was received by general consent of the board.

ESTABLISHMENT OF OFFICE OF OCCUPATIONAL HEALTH SERVICES. It was recommended that the board approve the establishment of the Office of Occupational Health Services and the appointment of James A. Merchant as the Acting Director, effective January 20, 1983, with no change in salary.

The university reported that the proposal to establish an Office of Occupational Health Services resulted from recommendations made by various university groups and committees. Efforts to protect students, faculty, and staff and to ensure compliance with the standards of various agencies and accrediting bodies concerning health and safety in the work environment currently were being done on an ad hoc basis. The establishment of a university Office of Occupational Health Services would make those efforts more efficient and effective.

The university proposed to establish the office with a budget of \$102,500 for the remainder of the fiscal year and \$218,000 for 1983-84 and reported that the office could be budgeted within existing resources.

The university further proposed that Dr. James Merchant be appointed acting director of the office until a permanent director was selected. At the request of Vice President Priestestersbach, Dr. Merchant had reviewed the recommendations of various university groups concerning occupational safety and had developed the plan which resulted in the proposed office.

President Freedman said the university intended to begin a national search for a permanent director of this office if the board approved it.

MOTION: Dr. Harris moved that the board approve the establishment of the Office of Occupational Health Services and the appointment of James A. Merchant, M.D., Dr. P.H., as the Acting Director, effective January 20, 1983, with no change in salary. Mr. McDonald seconded the motion and it passed unanimously.

REPORT ON AMENDMENTS TO THE SUI PROFESSIONAL & SCIENTIFIC GRIEVANCE PROCEDURE. It was recommended that the board approve the recommendation and concur with the proposed amendments to the professional and scientific grievance procedure as appended to the university's request.

The Board Office memorandum explained that a number of the proposed changes were simply matters of clarification. Others were proposed to improve the effectiveness of the process and meet concerns of the staff council. None of the proposed amendments substantially change the procedure, and approval was recommended.

MOTION: Mrs. Jorgensen moved that the board approve the recommendation and concur with the proposed amendments to the professional and scientific grievance procedure as appended to the university's request. Mr. Wenstrand seconded the motion and it passed unanimously.

A copy of the university's request and the proposed amendments is on file in the Board Office.

PROPOSED AMENDMENT TO SUI PROFESSIONAL & SCIENTIFIC PERSONNEL POLICIES. It was recommended that the board approve the request to amend the provision for term status appointments in the University of Iowa's personnel policies for professional and scientific staff.

The Board Office explained that the proposed amendment would not extend the total amount of time (six years) that a staff member can serve in term status, but it will provide more flexibility for appointments of varying length within the six-year period.

MOTION: Mrs. Anderson moved that the board approve the request to amend the provision for term status appointments in the University of Iowa's personnel policies for professional and scientific staff, to read as follows: "Term Status. Staff members may be appointed to term status

for a specific term not to exceed three years, in order to accomplish a specific purpose. Reappointments to term status may be made, provided that the total period in term status does not exceed six years." Mr. McDonald seconded the motion and it passed unanimously.

SPECIAL SECURITY OFFICERS. The board was requested to approve the commissioning of Larry W. Maurer and Cindy L. Schooley as permanent special security officers.

Larry W. Maurer has been a full-time patrol officer trainee with the Department of Security and Parking since January 25, 1982. Officer Maurer received 40 hours of classroom basic training and then worked all shifts under the guidance of a shift training sergeant.

Cindy L. Schooley has been a full-time patrol officer trainee with the Department of Security and Parking since March 1, 1982, where she received the same training and experience as Officer Maurer. Prior to her appointment and experience as patrol officer trainee, she was employed by the department as a security guard from January 1979 to December 1980 and as a parking enforcement officer from December 1980 to March 1982.

Officers Maurer and Schooley successfully completed the Iowa Law Enforcement Academy's basic training school on December 17, 1982.

MOTION:

President Brownlee stated that Larry W. Maurer and Cindy L. Schooley were commissioned as permanent special security officers at the University of Iowa by general consent of the board.

REGISTER OF CAPITAL IMPROVEMENT BUSINESS TRANSACTIONS. The Board Office stated that the Register of Capital Improvement Business Transactions for January 1983 had been received, was in order, and was recommended for approval.

The board was requested to ratify executive secretary award of the following construction contracts:

Kinnick Stadium--North End Zone Seating Expansion--Construction Contract
Phase II--Grandstand Construction

Award to: Merit Construction Co., Cedar Rapids, Iowa \$1,135,200.00

This project provides a net increase in Kinnick Stadium seating of 6,638 seats. Total project budget is \$1,975,000. The construction estimate portion of that was \$1,600,000. Associate Vice President Mahon noted that the awards had come in under the budget (a total of \$1,431,675 to date).

<u>Medical Laboratories--Air Condition Rooms 270-272</u>	
Award to: Universal Climate Control, Inc., Iowa City, Iowa	<u>\$46,700.00</u>
<u>Medical Laboratories--Animal Care Unit Remodeling, Fourth Floor, East Wing</u>	
Award to: Frantz Construction Co., Inc., Iowa City, Iowa	<u>\$448,800.00</u>
<u>Memorial Union--Iowa House Guest Room Renovation--Light Fixture Installation and Electrical Revisions</u>	
Award to: Shay Electric Service, Inc., Iowa City, Iowa	<u>\$37,500.00</u>
<u>University Hospitals--Otolaryngology-Maxillofacial Support Areas Expansion</u>	
Award to: Tricon, Iowa City, Iowa	<u>\$62,000.00</u>
<u>Engineering Building--Remodel 1403, 1404 for Computer-Aided Design Center</u>	
Award to: Frantz Construction Co., Inc., Iowa City, Iowa	<u>\$139,450.00</u>

The Board Office noted that the original construction budget to remodel 4,080 square feet was \$47.55 per square foot. Excellent bids received enabled the award to be made at a cost of \$33.50 per square foot.

The board was requested to approve the following revised or amended project budgets:

Communications Facility and University Theatre addition

The university submitted revised preliminary budgets on both of these 1982 academic revenue bond funded projects. In the case of the Theatre Addition, the budget was revised upwards by \$602,375. There were increases in the cost estimates for the theatrical lighting and control system and in the cost of extending electrical services to the addition. The Board Office said design is now virtually complete and the project should go to the market within the next month.

The Communications Facility budget had been approved prior to acceptance of building construction and utility extension bids. The revision adjusts that preliminary budget to reflect actual low bids received and related contingency fund adjustment. The Board Office noted two primary adjustments.

First, a budgetary increase for the University Theatre Addition of \$602,375 was transferred from the Communications Facility budget. Second, a total of \$268,655 was tentatively identified in the revised budget as going for furnishings and equipment. The board was reminded that the equipment list for the project, as presented by the university, totaled \$2,225,000; while the board's capital request was for \$1,500,000, leaving a difference of \$725,000 to be made up by savings in the construction budget on either of the two projects.

Expenditure for furnishings and equipment would not begin until after bids were secured on the University Theatre Addition. While the university felt that the budget for that project, as revised, reflected anticipated costs, the bonding covenant requires that construction for both these projects

be completed within the amount of funds provided in the bonding authority. Therefore, it was probable that there would be another revision in the University Theatre Addition project budget after receipt of bids. At that time the amount actually available for furnishings and equipment could be determined more accurately.

The board was requested to approve the following new projects:

University Hospitals--C-34 Nurse Station Remodeling
Source of Funds: University Hospitals Building Repairs \$43,200.00

The University Architect's Office was selected as architect and inspection supervisor. Because no single portion of construction costs exceeds \$25,000, work would be accomplished by Physical Plant forces, by competitive quotations and purchase orders, or by a combination of these.

University Hospitals--Pediatric Cardiology Remodeling
Source of Funds: University Hospitals Building Repairs \$46,000.00

The University Architect's Office was selected as architect and inspection supervisor. As with the project listed above, because no single portion of the construction cost exceeds \$25,000 work would be accomplished by the Physical Plant Department or by competitive quotations and purchase orders.

Currier and Burge Halls--Elevator Replacement
Source of Funds: Dormitory Improvement Reserve \$224,600.00

The Physical Plant Department was selected as inspection supervisor.

The board was also requested to ratify selection of Gene Gessner, Inc., Iowa City, Iowa, to provide full-range engineering services on this project with fees to be on an hourly rate basis to a maximum of \$10,176 for the design phase and an additional \$11,728 for the construction phase.

Hillcrest Dormitory--Install Storm Windows, North and Center Sections
Source of Funds: Dormitory Improvement Reserves

The Physical Plant Department was selected as engineer and inspection supervisor.

The board was requested to ratify and approve the following additional consultant contracts:

Main Power Plant Boiler Replacement Program--Phase I
Ratify payment of up to \$7,900 to Stanley Consultants, Inc., Muscatine, Iowa, for the purpose of conducting detailed on-site inspection of similar boiler installations to the fluidized bed boiler requested by the board in its current capital request. Five on-site visits would be conducted.

University Hospitals--HVAC Study--West Wing First Floor

Ratify selection of Shive-Hattery & Associates, Cedar Rapids, Iowa, to undertake a study of the HVAC system serving the Pediatrics Nutrition Area on the first floor of the General Hospital. The fee would be on an hourly rate basis to a maximum of \$3,301.07.

Medical Laboratories--Exhaust Stack, East Wing

Ratify selection of Beling Consultants, Moline, Illinois, to conduct a preliminary study on the exhaust stack problem on the main roof of the east wing of the Medical Laboratory Building. The fee would be on an hourly basis to a maximum of \$1,400.

University Theatre Addition--Utility Services

Ratify selection of Shoemaker & Haaland, Coralville, Iowa, to provide detailed engineering services for utility service lines relating to water, sanitary sewer, electric service, and steam service to the University Theatre Addition. The fee would be on an hourly rate basis to a maximum of \$5,926.

University Hospitals--Nursing Administrative Office Relocation

Ratify selection of Miner Consulting Engineers, Rock Island, Illinois, to provide mechanical and electrical engineering services for this project with fees on an hourly basis to a maximum of \$3,877. The board had not approved a project budget to date.

University Hospitals--Psychiatric Hospital Research Relocation

Ratify selection of Miner Consulting Engineers, Rock Island, Illinois, to provide mechanical and electrical engineering services for this project on an hourly rate basis to a maximum of \$1,870. The board had not approved a project budget to date.

Kinnick Stadium--North End Zone Seating Expansion

Approve selection of Thorson Brom Broshar Snyder Architects, Waterloo, Iowa, for additional services in connection with the above project to add contract administration and project quality control during construction of the project. The fee would be on the hourly rate basis established in the original contract to a maximum cost of \$91,600 additional.

South Pavilion--Phase B (John W. Colloton Pavilion)

Approve payment of up to \$92,423 to Hansen Lind Meyer, Iowa City, Iowa to provide additional architectural services on this project. These additional services would be development of add-alternates. Consultation with the university by the Board Office determined that the add-alternate to be developed would be completion of the Radiology Suite on Level Three. Completion of the Radiology Suite had been included in the original proposal as an add-alternate although its 32,000 square feet were included in the 150,000 gross square feet on the total project. Since this add-alternate did not change the approved scope of the project, Mr. McMurray said the Board Office recommended approval of this payment.

MOTION:

Mr. Nolting moved that the board approve the Register of Capital Improvement Business Transactions for January 1983; ratify award of construction contracts made by the executive secretary; approve the revised project budgets; approve the new projects; ratify and approve the consultant contracts; and authorize the executive secretary to sign all necessary documents. Mrs. Anderson seconded the motion and it passed unanimously.

LEASES OF PROPERTY. It was recommended that the board approve (a) the lease with Children's Family Living Foundation, Inc. for the Ronald McDonald House (new) and (b) the lease of office space from T & B Properties (renewal), 312 South Floyd, Room 304, Sioux City, Iowa.

(a). The Board Office explained that a group of parents whose children are being treated at University Hospitals organized the Iowa not-for-profit corporation known as Children's Family Living Foundation, Inc. for the purpose of benefiting parents and children while children are receiving treatment at University Hospitals. One of the chief projects of the foundation is to raise money for and construct a suitable facility designed to accommodate the families of these children. In order to accomplish this project, the foundation proposed to lease from the board a parcel of land upon which to construct a suitable facility.

The foundation is aware of the successful fund-raising efforts of some McDonald restaurant operators in raising moneys to construct similar facilities near children's hospitals in other areas. The foundation initiated a fund-raising campaign with the cooperation of many McDonald's operators in Iowa and Illinois and the national McDonald's office for the purpose of constructing and operating a suitable facility in Iowa City. It is anticipated that the facility will be known as Ronald McDonald House.

The Board Office said the foundation would pay for the cost of all construction. The total cost of constructing a 7,700 square foot facility and placing it in operation was estimated to be \$817,000. The annual operating cost of \$29,080 (1982 projection of expenses) is anticipated to be met by use contributions of approximately \$14,000 with the balance coming from donations and promotions.

Regent Harris asked who would be responsible for the operating costs if the amount needed was not forthcoming as anticipated. Vice President Bezanson said the McDonald Foundation and other contributors make commitments of ongoing funds as well as capital. He felt it highly unlikely that the Regents would have to come up with any operating costs. Associate Vice President Mahon said it was possible that user fees could be raised, but the Foundation would be quite hesitant to do so because it would be contrary to the concept of the program. If the building ceased to function as originally planned, the lease would terminate and the building would revert to the university, but Vice President Bezanson thought this was extraordinarily unlikely to happen.

(b). The space to be leased was the same as used currently by the university for the Sioux City office of the State Cancer Registry of Iowa (SCRI), a program of the university's Department of Preventive Medicine and Environmental Health. SCRI is one of the National Cancer Institute's (NCI) Surveillance Epidemiology and End Results (SEER) registries. Because the program is supported totally by federal funding through NCI, the university reported that this lease renewal was requested for a term of 11 months to be consistent with federal funding commitments.

The Board Office noted that the new rental rate is an increase of 7.7 percent over last year's rental rate. The university had considered vacant school buildings for use in providing this space consistent with Executive Order No. 44 and had found none of the available buildings to be satisfactory for the Sioux City office of the State Health Registry of Iowa.

MOTION:

Dr. Harris moved (a) that the board approve the lease with Children's Family Living Foundation, Inc. (Tenant) which provides that the board (Landlord) lease to the Tenant approximately 40,000 square feet of undeveloped land located west and south of the Carver-Hawkeye Sports Arena (exact description as provided in the lease) for an initial period of 25 years, commencing February 1, 1983, with Tenant having the opportunity to extend the lease for four 5-year terms upon mutual written consent of the parties, at an annual rate of \$1.00 with the Tenant agreeing that all structures and fixtures constructed by Tenant on the leased land shall at once become the property of the Landlord, subject to the Tenant's rights and responsibility under the lease; and (b) that the board approve the lease with Theodore J. Pins and Beverly M. Pins, d/b/a/ T & B Properties, for Room 304 at 312 South Floyd, Sioux City, Iowa, consisting of approximately 216 square feet at a monthly rental of \$140 which is \$1,540 for the term of 11 months, commencing February 1, 1983. Mrs. Jorgensen seconded the motion. Upon the roll being called, the following voted:

AYE: Anderson, Harris, Jorgensen,
McDonald, Murphy, Nolting, Wenstrand,
Brownlee

NAY: None

ABSENT: Neu

President Brownlee then asked board members and institutional executives if there were additional matters to be raised 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 Thursday, January 20, 1983.

REGISTER OF PERSONNEL CHANGES. The actions in the Register of Personnel Changes for December 1982 were ratified by general consent of the board.

FACULTY IMPROVEMENT LEAVES 1983-84. It was recommended that the board approve the requests for faculty improvement leaves for Iowa State University for 1983-84.

The Board Office memorandum stated that the university was requesting approval of leaves for 51 faculty members, with an estimated replacement cost of approximately \$235,800.

Material presented by the Board Office showed that the number of leaves (51) requested for this year as higher than in previous years, although 49 leaves were approved for 1980-81. For 1983-84, the distribution of leaves by rank and sex is very similar to that for leaves approved for 1982-83. Twenty-six (51 percent) of the leaves were for full professors, 16 (31 percent) for associate professors, and 9 (18 percent) for assistant professors. Ten (20 percent) of the requested leaves were for women. The average length of service of faculty members requesting leaves was 12.9 years, with a range of 2 to 48 years. The length of requested leaves varied from 3 to 12 months, with the largest numbers being requested for the fall semester (17) or the academic year (16).

The Board Office noted that the estimated cost of \$235,800 was greater than the estimated additional cost of \$150,000 for 38 leaves in 1982-83, but would provide for 13 additional leaves.

MOTION:

Mr. Nolting moved that the board approve the requests for faculty improvement leaves for Iowa State University for 1983-84. Mr. Wenstrand seconded the motion and it passed unanimously.

REPORT ON FACULTY IMPROVEMENT LEAVES 1981-82. It was recommended that the board accept the report.

For 1981-82, the board had approved 40 leaves, with an estimated cost of \$250,000. The university reported that 35 leaves were actually taken, with a total cost of \$188,657. The Board Office said the annual report suggested that decreased costs resulted from a smaller number of leaves and from the practice of hiring replacements for one semester since conversion to the semester system.

MOTION: President Brownlee stated that the report on faculty improvement leaves for 1981-82 was accepted by general consent of the board.

ELECTRIC INTERCHANGE AGREEMENT. It was recommended that the board receive the university's report on discussions with the city of Ames on purchase of electrical energy and authorize the university in consultation with the Board Office to continue negotiations with the city of Ames or other utilities for the purchase of electrical energy.

As background, the Board Office explained that in September the board authorized the university to enter into agreement with either Iowa Power and Light Company or the city of Ames to purchase up to 7000 megawatts of power. (See minutes pp. 152-153)

The city and the university entered into an interim agreement that expired on December 31. Under the interim agreement, the city of Ames agreed to purchase the 7000 megawatts of power from Iowa Power and Light Company for resale to the university. As a second step, the city would agree to enter into an agreement with the university regarding the transmission of power to the university's facilities.

Discussions on an agreement bogged down when the city proposed to renegotiate the whole electric interchange agreement between the university and the city of Ames rather than amending the existing 1976 interchange agreement. Negotiations ceased when it became apparent that no agreement was possible by the December 31 deadline when the interim service agreement expired.

The university noted that the greatest benefit realized through purchase of power comes during the cooling season when the university's electrical demand exceeds steam loads and the university's cogeneration break-even point. The beginning of the cooling season is generally April 1.

It was recommended that the university, in consultation with the Board Office (who would be in touch with other appropriate state agencies), reopen negotiations with the city of Ames or other utilities for the purchase of electrical energy, and that a further report or a formal interchange agreement be docketed for the March 1983 board meeting. Vice President Moore said there had been a hiatus in the negotiations when the city manager was gone on business. Now the university and city of Ames were ready to meet again, and he felt they would make good progress toward an agreement.

SALE OF LAND. It was recommended that the board approve a real estate contract and interagency transfer of jurisdiction with the Iowa Department of Transportation for sale of 21.58 acres of the Ankeny Farm at an acquisition cost of \$88,320.

The Board Office memorandum explained that the Iowa Department of Transportation (IDOT) has included in its 1983 Transportation Improvement Program a project to relocate Iowa Highway 415 from its junction with Iowa 160 east to U.S. 69. The plans require purchase of 21.58 acres of the Ankeny Farm. The IDOT appraised this property at \$4,000 per acre making a planned acquisition cost of \$86,320. Negotiations with IDOT provided an additional \$2,000 for the relocation costs of the research plots.

Mr. McMurray said the Board Office and university had reviewed the final documents. They were in order and recommended for approval by the board.

MOTION:

Dr. Harris moved that the board approve a real estate contract and interagency transfer of jurisdiction with the Iowa Department of Transportation for sale of 21.58 acres of the Ankeny Farm at an acquisition cost of \$88,320. Mrs. Jorgensen seconded the motion. Upon the roll being called, the following voted:

AYE: Anderson, Harris, Jorgensen,
McDonald, Murphy, Nolting,
Wenstrand, Brownlee

NAY: None

ABSENT: Neu

LEASE OF PROPERTY. It was recommended that the board approve the renewal of the lease for office space for the Sioux City Area Extension Office at West Seventh and Market Streets, Sioux City, Iowa.

The Board Office said the board has leased this space for the Sioux City Area Extension Office for the past five years. The rate of \$13,665.24 per year is a 6.5 percent increase over the preceding five-year lease.

The university considered alternate space in the Benson Building as the next best choice. The alternate space was found not to be more cost effective and hence the university wished to continue its present highly satisfactory arrangement. The university reported that, in accordance with Executive Order No. 44, the Scioux City Community Schools were contacted to determine if there were vacant school buildings which could be leased for this purpose. The smallest space available was 27,000 square feet on a one-year lease. Because this is approximately 10 times the space needed, it could not be utilized.

After discussion with the Board Office, the university agreed that it would add language to the proposed lease that would permit the board to cancel the lease if funding were unavailable for this purpose. The Board Office recommended approval of the lease provided it contained this language.

MOTION:

Dr. Harris moved that the board approve the renewal of the lease agreement with Larry Book for office space in the office building at West Seventh and Market Streets, Sioux city, Iowa, comprising approximately 2,700 square feet at an annual cost of \$13,665.24 (\$5.06 per square foot per year), all other terms and conditions of the lease remaining the same as in the current lease, for five years commencing February 28, 1983. Mr. Nolting seconded the motion. Upon the roll being called, the following voted:

AYE: Anderson, Harris, Jorgensen, McDonald,
Murphy, Nolting, Wenstrand, Brownlee

NAY: None

ABSENT: Neu

IOWA STATE UNIVERSITY
January 20, 1983

REGISTER OF CAPITAL IMPROVEMENT BUSINESS TRANSACTIONS. The Board Office reported that the Register of Capital Improvement Business Transactions for December 17, 1982, through January 20, 1983, had been received, was in order, and was recommended for approval.

The board was requested to ratify award by the executive secretary of the following construction contracts:

Library Addition--Equipment

<u>Contract A:</u>	Library Wood Furniture and Option I, Conference Table: Library Bureau, Inc., Herkimer, New York	<u>\$139,198.50</u>
<u>Contract B:</u>	Option IV, Quad Cluster Media Carrels, and Option V, Installation: Library Bureau, Inc., Herkimer, New York	<u>\$74,956.00</u>
<u>Contract C:</u>	Wieland Lounge Furniture: Midwest Office Systems, Ames, Iowa	<u>\$42,671.80</u>

With these three awards, the board has awarded equipment orders totaling \$1,099,223 of the total project equipment budget of \$1,935,000.

Regent Murphy asked when board members could see the library. President Parks thought that March, when the Regents would again be meeting at Iowa State University, would be a good time for a tour. A formal opening was planned for a little later, but the university would be glad to give the board a preview.

Utilities--Heating Plant Improvements--Phase IV--Heating Plant Addition

Award to: Brad Construction Co., Des Moines, Iowa \$428,680.00

This contract was awarded by the executive secretary utilizing Form B. The irregularity was noted that the apparent low bidder failed to include specified Data Sheets with the bid. The irregularity was waived since the bidding documents were unclear on when the Data Sheets had to be submitted. The apparent low bidder did submit the Data Sheets when requested to do so.

The university also submitted an amended project budget showing this award as well as the previous three and noted that the project budget has a reserve for future contracts of \$259,460.

The board was requested to approve the following new project:

Utilities--Heating Plant Safety Improvements

Source of Funds: Building Repairs \$300,000.00

The board was also requested to ratify an agreement for full-range engineering services on this project with the firm of Burns & McDonald Engineering Co., Kansas City, Missouri. Fees would be on a multiple of direct personnel expense to a maximum of \$19,000. This firm is new to Iowa State University. However, the firm is a large, comprehensive engineering firm

with an excellent reputation. The Board Office felt that the trial use of this firm was a good concept because a fresh look could be given to certain heating plant operations at the university.

The board was requested to approve the following additional consultant contracts:

Hub Renovation

Approve an increase of \$9,400 in the maximum fee payable to the firm of Rudi/Lee/Dreyer to design outside eating areas. The board in September approved the initial contract with this firm with compensation on an hourly rate basis to a maximum of \$24,500. It was stated at the time that a second part of the project would be outdoor improvements. The Class of 1982 Gift Funds are the source of funds for the second phase of the project.

Utilities--Campus Improvements--Steam Tunnel Piping Improvements

Approve an addition to the contract with Brown Engineering Company, West Des Moines, Iowa, to increase the maximum payable on the subject contract from \$24,000 to \$26,400 for services as outlined in material submitted by the university.

MOTION:

Mrs. Jorgensen moved that the board approve the Register of Capital Improvement Business Transactions for the period of December 17, 1982, through January 20, 1983; ratify award of construction contracts made by the executive secretary; approve the amended project budget; approve the new project; ratify and approve the consultant contracts; and authorize the executive secretary to sign all necessary documents. Mrs. Anderson seconded the motion and it passed unanimously.

SUPPLEMENTAL ITEM. Vice President Moore said he wished to inform the board that the architectural selection committee had interviewed candidates for the Agronomy Building and negotiations were almost complete. The university wished to make arrangements to have this approved so work on the building could be started as soon as possible. If arrangements were made as the university hoped, the proposed schedule could begin as early as May. Groundbreaking could take place in the fall.

The work that would be done before the building was funded by the Legislature would be paid for with private donations made for this building. In answer to a question from President Brownlee, Vice President Moore said eventually public funds would be needed. The project schedule would be arranged with stop points. The architect would stop when the schematic is finished unless funding were available.

Mr. Richey noted that the Board Office would look closely to see whether the architect selected is working at one of the other Regent institutions.

IOWA STATE UNIVERSITY
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It would want to determine what effect this would have in terms of the architect's willingness and ability to do the job on time at both institutions.

President Brownlee said that the university would come to the Board Office with a proposal to do this preliminary work. The Board Office would approve it and bring it to the board for ratification. He asked if board members had any objections; there were none.

President Brownlee then asked board members and institutional executives if there were additional matters to be raised 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 Thursday, January 20, 1983.

REGISTER OF PERSONNEL CHANGES. The actions reported in the Register of Personnel Changes were ratified by general consent of the board.

OTHER PERSONNEL TRANSACTIONS. The board was requested to approve the following:

Change of Status:

Dr. Virginia L. Hash, from Acting Associate Director, Continuing Education and Special Programs, and Associate Professor of Education to Associate Dean, Continuing Education and Special Programs, and Associate Professor of Education, effective January 20, 1983.
Salary: \$40,000.00

Resignation:

Dr. Jack A. Fuller, Associate Dean and Coordinator of Graduate Programs, School of Business, effective December 29, 1982.

Appointment:

Dr. Geoffrey T. Mills, Assistant Dean and Coordinator of Graduate Programs, School of Business, effective June 1, 1983. Salary: \$35,400.00.

MOTION:

Mrs. Anderson moved that the board approve the change of status for Dr. Hash and the appointment of Dr. Mills and accept the resignation of Dr. Fuller. Mr. Nolting seconded the motion and it passed unanimously.

REGISTER OF CAPITAL IMPROVEMENT BUSINESS TRANSACTIONS. The Board Office stated that the Register of Capital Improvement Business Transactions for the period of December 1 through December 29, 1982, had been received, was in order, and was recommended for approval.

There were no construction contracts approved or recommended.

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The board was requested to approve a final report submitted by the university on the project, Reconstruct Campus Street and 27th Street (Hudson Road to Campus Street). This was a \$430,333.92 project funded from State Parks and Institutional Roads, Reserve Parking Funds, and Treasurer's Temporary Investment Income. The Board Office said the final report was in order and it recommended approval.

The board was requested to approve the following consultant contracts:

Turbine Generator Plant #2, 7500 KW

Approve payment of \$4,598.55 to Brown Engineering Company, West Des Moines, Iowa, for additional services undertaken at the request of the university on this project, as outlined in material submitted by the university.

General Contract for Engineering Services

Approve a general contract for mechanical and electrical engineering services with Gilmore & Doyle, Ltd., Waterloo, Iowa. This contract uses the Standard Agreement between Owner and Engineer. The university has had similar contracts in the past with engineering firms. There have been two prior contracts with this firm.

The new contract runs one year beginning February 10, 1983. The university memorandum outlined the rates for personnel.

The Board Office said the advantage of these contracts is that the university is given first call on use of the firm when problems arise that internal university staff cannot handle. In each instance, a requisition or purchase order would be docketed on the capital register so the board would approve usage of the firm on an individual project basis.

MOTION:

Mrs. Murphy moved that the board approve the Register of Capital Business Transactions for the period of December 1 through December 29, 1982; approve the final report; approve the consultant contracts; and authorize the executive secretary to sign all necessary documents. Mr. Wenstrand seconded the motion and it passed unanimously.

President Brownlee then asked board members and institutional executives if there were additional matters to be raised for discussion pertaining to the University of Northern Iowa. There were none.

IOWA BRAILLE AND SIGHT SAVING SCHOOL

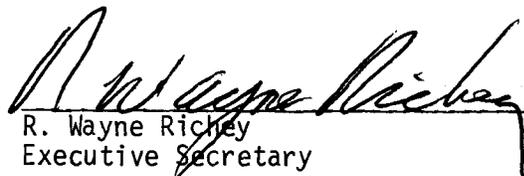
The following business pertaining to Iowa Braille and Sight Saving School was transacted on Thursday, January 20, 1983.

REGISTER OF PERSONNEL CHANGES. The actions reported in the Register of Personnel Changes for November 28, 1982, to December 25, 1982, were ratified by general consent of the board.

REGISTER OF CAPITAL IMPROVEMENT BUSINESS TRANSACTIONS. There were no transactions for the month of December 1982.

President Brownlee then asked board members and institutional executives if there were additional matters to be raised for discussion pertaining to the Iowa Braille and Sight Saving School. There were none.

ADJOURNMENT. The meeting of the State Board of Regents adjourned on Thursday, January 20, 1983, at 2:16 p.m.


R. Wayne Richey
Executive Secretary