CHAPTER 1 – THE BOARD OF REGENTS AND BOARD OF REGENTS OFFICE

The Board of Regents, State of Iowa, has broad statutory authority, as outlined in Iowa Code, to exercise all the powers necessary and convenient for the effective administration of its office and the institutions under its control. The governance provided includes but is not limited to the following: establishes the missions, adopts strategic plans, makes educational policy, appoints presidents and other institutional officials, reviews and approves budgets for submission to the Governor and General Assembly, establishes and oversees annual operating budgets and personnel policies, pursues public policy and budget priorities, reviews and approves academic programs, and adjudicates disputes.

The Board governs and coordinates the operations of the Regent institutions under all applicable Iowa Code and Iowa Administrative Rules provisions.

The intent of this policy manual is to augment the Iowa Code and Administrative Rules to provide additional detail and direction not specifically provided by Iowa Code and Administrative Rules.

1.1 Board Officers

A. The officers of the Board of Regents shall consist of the president (Iowa Code §262.9(1)) and a president pro tem and the Executive Director. The president and the president pro tem may collectively be referred to as “Board Leadership” throughout this policy manual.

In April of even-numbered years, a president and a president pro tem shall be elected by the Board of Regents from its members for a two-year term to commence on May 1.

B. The president of the Board shall preside at all meetings of the Board; shall appoint members of all committees; with the Executive Director of the Board, execute such instruments and contracts as may be required by law, policy, or Board action; and shall perform such duties as usually pertain to this office and such other duties as may be assigned by the Board.

C. In the event of a vacancy in the office of president, the president pro tem shall serve as president until such time as a new president is elected by the Board to fill the unexpired term. If a vacancy occurs in the office of president pro tem, a successor shall be elected as soon as practicable.

D. In the event of an emergency situation in which the institutional head of a Regent institution is judged by the President of the Board of Regents as being incapacitated and unable to perform normal duties of the office, the Board President, in consultation with the Executive Director, may name an “acting President/Superintendent” until such time as the Board is able to ratify the appointment of an “Interim President/Superintendent”

E. The President of the Board of Regents is authorized to determine a state of emergency exists at one or more of the institutions under the jurisdiction of the Board of Regents.
based upon circumstances that pose an imminent threat to the health or safety of persons or property at the affected institution(s). In the event of an emergency, the President is authorized to take such action as may be necessary to safeguard persons or property at the affected institution(s); including, but not limited to, suspension or waiver of all or any portion of the Board of Regents Policy Manual and administrative rules. The President shall seek Board of Regents ratification of any actions taken pursuant to this subsection at the earliest practical time, but in no event later than the next regularly scheduled meeting of the Board of Regents.

1.2 Board of Regents Committees

A. Appointment and Authority of Committees and Subcommittees
   i. The Board of Regents has standing committees, as identified in subsection D. Their purpose is to support the mission and goals of the Board. Standing committee appointments and designation of committee chairs are made by the Board President, subject to ratification by the Board of Regents.
   ii. The President of the Board or a majority of the Board members may establish a time-limited ad hoc committee or a task force to undertake a specific mission. Ad hoc committee or task force appointments and designation of chairs are made by the Board President, subject to ratification by the Board.
   iii. The President of the Board may establish subcommittees, make appointments to subcommittees and designate chairs. Subcommittees may be standing, ad hoc, or a task force, as determined by the Board President. Subcommittees shall report as determined by the Board President. All actions taken by the Board President with regard to the establishment of a subcommittee are subject to Board ratification.
   iv. Committees and subcommittees of the Board are considered advisory and/or working groups of the Board.
   v. A member of the Board of Regents serving as Board President, President Pro Tem, or Chair of the Investment and Finance Committee shall not be eligible for appointment to the University of Iowa Strategic Initiatives Fund Board of Directors during the term of their appointment as President, President Pro Tem, or Chair of the Investment and Finance Committee.

B. General Committee and Subcommittee Responsibilities

Each committee, within its designated area of jurisdiction, is responsible for the following activities:
   i. Preparing an annual committee plan that defines the scope of the committee work, establishes benchmarks, and identifies performance indicators of committee progress.
   ii. Gathering information on issues and policies pertinent to the committee’s work, which may include directing the work and considering the reports of special and
inter-institutional committees of the Board of Regents.

iii. Developing short-term and long-term recommendations to the Board of Regents or designated Standing Committee after thoughtful consideration of relevant issues and policies.

iv. Regularly reporting to the Board of Regents or another entity or group as determined by the Board regarding the status of the Committee or Subcommittee's assignments and accomplishments.

C. Operation of Committees and Subcommittees

In order to conduct business, a quorum of the committee must be in attendance. A quorum of a committee consists of a majority of the committee members. Each committee of the Board of Regents shall follow Roberts Rules of Order.

D. Standing Committees of the Board of Regents

Academic Affairs. Primary responsibilities of this committee include the following:

i. Providing oversight and policy recommendations for the universities and special schools related to:
   a. academic affairs-and student achievement
   b. intercollegiate athletics
   c. faculty activities
   d. university admissions standards and processes
   e. new, revised, suspended or closed academic programs
   f. academic and service delivery at the special schools

ii. Monitoring and developing appropriate responses to state, regional and national policy initiatives regarding higher and special education

iii. Establishing positive, collaborative relationships with other education sectors

iv. Ensuring University, college, and department accreditation is in good standing

v. Ensure innovative programs and program delivery to meet the needs of the state with excellence

vi. Receiving progress updates and evaluation reports on delivery of academic programming and student success benchmarks

vii. Addressing diversity and inclusion in academic policies, procedures and programs
**Audit/Compliance.** This committee is primarily responsible for:

i. Receiving and reviewing information about internal and external audit functions related to the operation of all Regent institutions

ii. Evaluating the annual audit plans proposed by internal auditors, with emphasis on financial control systems, mitigation of major risks, operational efficiencies, and compliance matters

iii. Reviewing all reports prepared by internal auditors of the Regent institutions

iv. Assuring continued evaluation, improvement, and adherence to all Board and institutional policies, procedures, and practices

v. Facilitating an open avenue of communication among the independent auditors, state auditors, financial and senior management, internal auditors, the Committee, and the Board of Regents

**Campus and Student Affairs.** Primary responsibilities of this committee include the following:

i. Providing oversight and policy recommendations for universities and special schools related to:
   a. Student life and student development
   b. Campus safety and security
   c. Fraternity and sorority life
   d. Student financial aid
   e. Career development

ii. Monitoring and reviewing campus safety and security reports

iii. Encouraging and monitoring strategies to address student diversity and inclusion priorities

iv. Monitoring and developing responses to state, regional and national trends in support of students outside the classroom

**Free Speech.** The committee is primarily responsible for:

i. Receiving and reviewing complaints filed under Board Policy Manual Chapter 4.2 Freedom of Expression.

ii. Annually reviewing all free speech policies and procedures of the Board and universities to assure cross-institutional consistency and compliance with the law.

iii. Annually reviewing university First Amendment training to assure compliance with Board policy and identify areas for improvement.
iv. Biannually surveying all university faculty, staff, and students on First Amendment matters.

v. Monitoring state, regional, and national strategies and best practices for fostering free expression on college and university campuses, and providing guidance to the universities on implementing those strategies.

**Governance and Evaluation.** The committee is primarily responsible for:

i. Create evaluation structure (Presidents, CEO, COO)
   a. Strategic plan progress
   b. Goals
   c. Performance
   d. Professional growth (aligned with goals and performance)

ii. Plan professional development (Board, Presidents, CEO, COO)

iii. Formulate strategic plan direction

iv. Perform Board self-evaluation

v. The Evaluation Committee meets monthly to assess strategic plan progress and monitor evaluation and professional development.

**Investment and Finance.** The committee is primarily responsible for:

i. Ensuring the preservation of principal, sufficient liquidity for anticipated needs, and maintenance of purchasing power of investable assets

ii. Monitoring institutional investment and treasury management practices and performance

iii. Reviewing investment reports

iv. Ensuring compliance with Board investment policy

v. Developing the broad investment strategy to be followed and the general limitations on the discretion granted to internal and external investment managers

vi. Making recommendations to the Regents on the hiring, retention, and review of investment advisors and managers

vii. Appropriation Requests

viii. Tuition proposals

ix. TIER/CQI

xi. Budget Management
Property and Facilities. This committee is primarily responsible for:

i. Receiving, reviewing and making recommendations to the Board regarding institutional requests for approval of:
   a. The purchase and sale of property including any necessary financing
   b. The disposal, transfer and sale of buildings; and
   c. Leases and easements
   d. Naming of campus facilities

ii. Receiving, reviewing and commenting upon institutional long-range development plans for the campus in total or specific areas and master plans for specific campus enterprises, such as residence systems, student service facilities and utilities. Receiving and making recommendations to the Board on all institutional capital register items.

viii. Receiving the Facilities Governance Report and the Institutional Roads program and special reports regarding property and facilities, including those on the status of major capital projects and annual capital plans, and Five Year Building Programs, including capital appropriations requests.

ix. Monitoring institutional design guidelines and space standards and developing Board standards, as appropriate.

x. Evaluating the financing for construction, and operation and maintenance of capital projects.

xi. Examining current processes or bidding and award of construction contracts and possible alternative construction delivery systems.

xii. Monitoring capital issues including fire and environmental safety and deferred maintenance deficiencies and energy conservation opportunities.

xiii. Reviewing and making recommendations regarding the duties of the Board, Board Office and institutions for capital improvement projects.

xiv. Fostering institutional cooperation and coordination among the institutions in facilities management.

University of Iowa Hospitals and Clinics. This committee is primarily responsible for:

i. Providing strategic direction and focus to the UIHC

ii. Fostering cooperation and coordination with open communication and input from multiple constituencies

iii. Evaluating and providing an appropriate level of oversight of the UIHC
iv. Monitoring planning, opportunities, and achievements

v. Reviewing, monitoring, and recommending long-range capital plans

vi. Assessing recommendations related to the UIHC
1.3 Conflict of Interest Policy – Duty of Loyalty

A. The Board of Regents, State of Iowa ("Board"), recognizes that members of the Board, employees of the Board, and employees of institutions governed by the Board, are required to comply with Iowa Code § 68B.2A: Conflicts of Interest. To further enhance the credibility and accountability of the Board, the Board requires that all Regents and institutional officials promote at all times the best interests of the Board and its institutions consistent with policies, rules, regulations, and laws governing the Board, academic institutions, and academic freedom. The duty of loyalty requires Regents to exercise their powers and duties in the interests of the Board and its institutions and not in the Regent's own interest or in the interest of another person or organization.

B. Regents and institutional officials must endeavor to remain free from the influence of, or appearance of, any conflicting interest in acting on behalf of the Board or a Regent institution. Actual or potential conflicts of interest for a Regent or institutional official may arise from the interests of the individual or the individual's spouse, significant other, or a family member. Such interests may include, but are not limited to, employment, ownership of, or service on the board of directors of an organization that has or may have relationships with the Board or a Regent institution.

C. Each Regent shall disclose on an annual basis any interests that may create an actual or potential conflict of interest and shall supplement the disclosure as new interests may appear. Each Regent shall consult with the Board office on managing identified conflicts. For some interests, disclosure alone may be sufficient. Others may require recusal from participation on certain matters, or, in very unusual situations, divestiture of the interest or resignation from a conflicting position.

D. When a Regent has an interest, direct or indirect, in an entity proposing to offer a product or service to the Board or an institution under its jurisdiction, the Regent shall not have access to any information regarding the proposed transaction or any competing entity that is not otherwise available to the public and/or all entities competing under the proposed transaction. In the event of any dispute concerning the foregoing, the matter shall be referred to the Office of the Board of Regents who may consult with Office of the Attorney General as necessary.

E. Regent institutions shall have Conflict of Interest policies in place for institutional employees not subject to this policy. Such institutional policies shall not be inconsistent with this policy.

F. By its requirement that there be a student member of the Board, the Legislature is deemed to have determined that a student's interest in Board determinations of tuition policy and the like do not constitute an impermissible conflict of interest.

G. The following procedure shall be followed in the event a question arises within the Board of Regents regarding a conflict of interest:
i. In all instances where a Regent has a question as to whether he or she may have a conflict of interest in a specific matter, such question shall be referred to the Board office for evaluation. The Board office will consult with the Office of the Attorney General of the State of Iowa as necessary and appropriate to determine whether a conflict of interest is present and the manner in which it should be managed. The Board member shall act in accordance with the determination of the Board office and/or Attorney General.

ii. If a Regent has a question about whether another Regent has a conflict of interest on a specific matter, the procedure noted above shall be followed, and the Regent having the alleged conflict shall be notified about the question at the time it is referred to the Board office.

1.4 Meetings (Iowa Code § 262.8)

A. Regular Meetings

i. The Board shall meet at least four times a year.

ii. Meetings shall be held at sites designated by the Board Office.

B. Special Meetings

Special meetings may be called by the Board, by the President of the Board, or by the Executive Director.

C. Agendas

The Executive Director, in conjunction with the Board President and President Pro Tem, shall be responsible for determining all matters to be brought before the Board. The Board Office, in consultation with the institutions, shall be responsible for preparing the agenda and gathering all necessary documentation and supporting material. The Board Office shall establish a schedule for submission of agenda items and materials. Each institution will prepare its own portion of the agenda and forward the same, with all supporting material, to the Executive Director in accordance with the schedule for submission.

i. The agenda of Board meetings will be made available to students, faculty, staff, and the general public through the Board Office, its website, and the public information officer at each institution prior to the Board meeting at which the agenda is to be considered.

ii. Legislators, the majority and minority leadership in both houses, the Governor’s office, state department heads, and members of the press are provided notification
concerning the availability of agenda materials on the Regent website. This release of information is sent as soon as practicable and at least 24 hours prior to the Board meeting.

D. Conduct of Meetings

Six members of the Board shall constitute a quorum (Iowa Code § 17A.2(1)). The number of votes required to constitute a majority for a given purpose shall be a majority of those present, assuming a quorum. Except where otherwise required by statute, the Board shall conduct its meetings according to Robert's Rules of Order.

The Board of Regents shall comply with Iowa Code § 21 OFFICIAL MEETINGS OPEN TO PUBLIC.

E. Board Procedures for Holding a Closed Meeting

i. The Board may hold a closed session as permitted by law. The procedure for calling a closed session will begin with the president of the Board determining whether a suggested topic is a proper one for a closed session.

ii. The president will notify the Board in public session that such a request has been made and will identify by letter or topic the specific exemption for holding a closed session and then request a roll call vote which, in accordance with the law, will require an affirmative vote of two-thirds of the Board or all of the members present before the closed session can be approved.

iii. At the beginning of the closed session, the president will inform the Board more specifically of the topic of the session. The minutes of the regular Board meeting will reflect the roll call vote for the closed session and the time at which the closed session began and ended.

F. Public Attendance at Board Meetings

i. Members of the public are welcome to attend Board meetings. All sessions of the Board are open to the public except for those authorized by law to be conducted in closed session (see 1.7E of this Policy Manual for details).

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

b. The Board reserves the right to supplement these rules of conduct upon announcement at any meeting.

G. Presentations to the Board

i. The business of the institutions shall be presented to the Board by the institutional executives. The university presidents are authorized and encouraged to utilize appropriate faculty, students, and staff representatives as institutional resource persons at each meeting when, in their judgment, it is desirable.

ii. Any person (petitioner) may request to make a written or oral presentation to the Board. All such requests must be in writing and state the specific subject to be discussed and the reasons why a personal appearance is necessary. Requests may be submitted directly to the Executive Director at any time in advance of the Board meeting at which the petitioner requests to make a written or oral presentation. Requests must be accompanied by any supporting documentation or evidence that the petitioner wishes the Board to consider. The Executive Director shall cause the subject matter of the request to be investigated, including soliciting institutional comment as necessary. The Executive Director will determine, in his/her discretion, whether a request is to be granted and whether such a request for oral presentation is relevant to the business before the Board. The Executive Director may defer ruling on a request until the next regularly scheduled meeting of the Board if there is insufficient time to adequately investigate the matter and make a determination as to its appropriateness for Board consideration. If a request is granted, the Executive Director shall notify the petitioner of his/her tentative place on the Board’s agenda, the prescribed manner of the presentation and what written materials, if any, the petitioner should provide for Board consideration. Priority may be given to requests from students, faculty, staff, or representatives of campus constituencies.

H. Public Comment

i. A public comment period will be held at regularly scheduled, in-person meetings of the Board. There will not be public comment at telephonic meetings or special meetings called by the Board.
   a. Students, faculty, parents, alumni and citizens have an opportunity to provide comments on any issue affecting the Board of Regents, with priority given to presenters with subjects that relate to agenda items for the current Board meeting.
   b. The Board will allow for up to 30 minutes in total for public comment. An individual will be permitted up to three minutes to speak. This will be tracked by a timekeeper.
   c. When the Board’s docket for a regularly scheduled, in-person meeting is made public, all persons requesting to speak must register by completing an online form. A link to the sign-up portal will be available when the docket for that meeting is public.
d. Registered requests to present to the Board must be received no later than 48 hours prior to the meeting.

e. Presenters will be organized by the Board Office, and confirmed speakers will be contacted via e-mail no later than 24 hours prior to the meeting.

f. Handouts are allowed to be distributed to the Board. Presenters should bring 20 copies of materials for the Board to receive. Materials will be distributed to the Board during the speaker’s comments.

g. Public commenters are subject to the rules governing public attendance at Board meetings (Board Policy Manual 1.4.F).

h. The public comment rules may be adjusted at the discretion of the Board President.

1.5 Record Retention Policy

A. Definition and Identification of Records

i. Records are anything containing information which is made, produced, executed, or received in connection with the transactions and official activities of the Board of Regents or executed in the conduct of Board of Regents business. Examples include documents, books, paper, electronic records, photographs, videos, sound recordings, databases, and other data compilations that are used for multiple purposes, or other material, regardless of physical form or characteristics.

ii. Records can be divided into two categories: 1) Official, and 2) Transitory/Convenience.

B. "Official records" are:

i. records having the legally recognized and judicailly enforceable quality of establishing some fact, policy, or institutional position or decision.

ii. the single official copy of a document maintained on file at the Board of Regents Office, but not always, the original.

iii. subject to the records retention requirements included in the Board of Regents Records Retention Schedule.
C. “Transitory/convenience records” are:

   i. duplicate copies of official records.

   ii. extra copies of documents or records created or preserved for convenient access and/or for reference, including computer backups and duplicate computer files.

   iii. miscellaneous correspondence without official significance.

      a. versions or drafts of reports, memos, word processing files, letters, messages, or communication (electronic or otherwise) that are used to develop a final official document.

      b. records that do not carry a requirement for retention and should be destroyed when they cease to be useful (using secure destruction methods if they contain confidential information).
## Board of Regents Records Retention Schedule

<table>
<thead>
<tr>
<th>Official Record Category</th>
<th>Official Record Title</th>
<th>Official Record Description</th>
<th>Regent Retention Guideline (5 Years, 10 Years or Permanent)</th>
<th>Confidential* *(Yes/No)</th>
<th>Official Files Maintained By</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administrative Records</td>
<td>Board of Regents Meeting Docket/Agenda Materials and Annual Reports</td>
<td>Required information, annual reports and other reports of secretarial officers (as required by Iowa Code 262.25) provided by to the BOR office.</td>
<td>10 years</td>
<td>No</td>
<td>Board of Regents Office</td>
</tr>
<tr>
<td>Administrative Records</td>
<td>Board of Regents Policy Manual, Institutional policies and related procedures, or policy manuals</td>
<td>Policies and related procedures (internal or external), etc. that are used in the administration and management of the Board Office and Institutions department should be memorialized.</td>
<td>5 Years</td>
<td>No</td>
<td>Board of Regents Office</td>
</tr>
<tr>
<td>Administrative Records</td>
<td>Personnel Files</td>
<td>Materials provided and generated in the review of the Executive Director, Institutional Leadership and Staff.</td>
<td>Permanent</td>
<td>Yes</td>
<td>Board of Regents Office</td>
</tr>
<tr>
<td>Administrative Records</td>
<td>Litigation Files</td>
<td>Materials provided and generated in response to litigation or administrative actions filed against or by the Board of Regents</td>
<td>5 Years</td>
<td>Yes</td>
<td>Board of Regents Office</td>
</tr>
<tr>
<td>Administrative Records</td>
<td>Strategic Plan - Board of Regents</td>
<td>The current and previous strategic plan of the Board of Regents.</td>
<td>10 Years</td>
<td>No</td>
<td>Board of Regents Office</td>
</tr>
<tr>
<td>Administrative Records</td>
<td>Contracts</td>
<td>Materials provided or generated regarding contracts</td>
<td>10 Years</td>
<td>Yes</td>
<td>Board of Regents Office</td>
</tr>
</tbody>
</table>
1.6 Fees and Charges

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

B. Each proposed increase in student charges is generally presented to the Board twice — first for preliminary consideration and public notice requirements and second for final approval.

C. State law (Iowa Code § 262.9.19 and 681 IAC 9.6(1)) requires the Board to:

   i. Notify the presiding officers of the student government organizations not less than thirty days prior to action to increase charges, including a copy of the related docket memorandum; and

   ii. Make the final decision on tuition and mandatory fees for the next academic year at a regular meeting, which is to be held in one of the three university cities but not held during a university holiday or break.

D. The Administrative Code (681 IAC 9.6(2)) requires, that if an increase is proposed from the initial amount to increase a tuition, fee, or charge is increased, the docket is to be resent to student leaders and an additional 30-day notice period is to be given prior to Board approval.

E. The distribution of Board docket materials relating to the proposed increases shall be sent to the person identified by each institution as the student government president and mailed or emailed to the student government office listed in each university directory.

F. Tuition

   i. Tuition Policy

      Iowa law (Iowa Code §262.9.24) requires the Board to adopt a policy for establishment of tuition rates that provide some predictability for assessing and anticipating changes.

   ii. Classifications of Residents and Nonresidents for Tuition

      General

      The rules for classification of a student as a resident or nonresident for tuition and fee purposes are found in The Administrative Code (681 IAC 1.4). Those rules include general residency guidelines, with specific discussion of military personnel, American Indians, refugees, and immigrants. The rules for classification are extended to be in full compliance with Section 702 of the Veterans Access, Choice, and Accountability Act of 2014 (Choice Act).
iii. Graduate Assistants and Spouses

a. Nonresident students with graduate assistantships of 1/4-time or more retain their nonresidency classification, but are assessed Iowa resident tuition and fees as long as the graduate assistantship is continued.

b. The spouse of a nonresident 1/4-time or more graduate assistant is eligible for Iowa resident tuition during the period of the assistantship appointment. Iowa residency is not granted. When the graduate assistantship ends, the resident tuition assessment for the spouse is terminated.

iv. Principles for Setting Tuition and Related Fees

The following principles will be used to set tuition and related fees at the three public universities governed by the Board:

Tuition Categories:

a. Resident Undergraduate Students

b. Resident Graduate Students

c. Nonresident Undergraduate Students

d. Nonresident Graduate Students

e. Resident Professional Students

f. Nonresident Professional Students

v. On an annual basis, the Board of Regents will consider tuition and fee proposals suggested by each university president for the following academic year at their university.

vi. Within each tuition category, each university president will have sufficient flexibility, with appropriate justification, to recommend differential levels of tuition and fees for all students at their university or for subcategories of students, consistent with Regent and institutional strategic goals, based on student classification level, program of study, or other relevant criteria.

vii. The Board will use, as a benchmark in evaluating university-proposed tuition and fee increases, an inflationary percentage range of the projected HEPI (Higher Education Price Index) as determined by the University of Iowa’s Institute for Economic Research, in consultation with economists at Iowa State University and the University of Northern Iowa.
viii. University Tuition and Fee Proposals

Prior to submitting tuition and fee proposals to the Board Office for review and analysis, each university president must:

a. Ensure that tuition and fee proposals are discussed on campus with the elected leadership of faculty, staff, and student organizations.

b. Keep the other two university presidents fully informed throughout the development process of tuition and fee requests. Use the HEPI benchmark as a guide to Board expectations for rates increases, absent adverse changes in the overall fiscal environment for the university.

c. Provide clear explanation and justification for all tuition and fee requests.

d. Any mandatory fee proposal higher than the median of the HEPI range and earmarked for specific non-academic student benefits should also include the endorsement of students and identification of the specific uses and duration of the fee.

e. Provide specific documentation of the university strategic goals and objectives related to the tuition and fee proposals.

f. Tuition for nonresident undergraduate students should, at a minimum, cover the full cost of their education at each Regent university.

g. Provide student financial aid to meet enrollment and tuition cost calculated as a minimum of 15% of tuition revenues.

h. Prohibit the designation of a portion of the tuition moneys collected from resident undergraduate students by institutions of higher education governed by the board for use for student aid purposes. However, such institutions may designate that a portion of the tuition moneys collected from nonresident students be used for such purposes. Iowa Code § 262.9(19) (2013).

i. All initial proposed tuition increases, changes in mandatory student fees, and tuition-related miscellaneous charges must be submitted and presented for the Board’s consideration at the same Board meeting.

ix. Tuition for Students

a. Undergraduate Part-Time Tuition -- Resident Rates

1) A per credit charge for credits 1 through 11.

2) A fixed amount for 12 credits per term and over as established by the Board of Regents. An additional tuition fee will not be charged for any overload credits taken by a full-time student at a Regent university.
b. Undergraduate Part-Time Tuition -- Nonresident Rates

1) Rates may range from the resident rates for 0 through 4 credits per term of each program up to the corresponding nonresident/international rates.

2) Follow the above pattern for undergraduate resident rates for 5 credits per term and over as established by the Board of Regents.

x. Graduate Part-Time Tuition

a. A per credit charge for credits 1 through 8.

b. A fixed amount for 9 credits per term and over as established by the Board of Regents.

c. Rates for nonresident students may range from the resident rates for 0 through 4 credits of each program up to the corresponding nonresident/international rates.

xi. Guidelines for counting post-baccalaureate students as graduate students or special students

a. Count as graduate students only those students who meet the academic requirements (e.g., rank in class, grade point average, subject matter background, standardized test scores, etc.) and are admitted to the Graduate College (ISU, SUI). (See [c] for special conditions relative to UNI.)

b. Do not permit students to register for more than 15 credits per term for graduate degrees.

c. Establish a category of students called special student (or some appropriate equivalent) that includes students with a baccalaureate degree not admitted to the graduate college. This category does not include professional students (medicine, dentistry, law, nursing, pharmacy, veterinary medicine). At the University of Northern Iowa, all students with baccalaureate degrees are classified as graduate students upon admission and may be classified subsequently as degree candidates with departmental and graduate college approval.

d. Charge special students the same tuition as is charged undergraduate students.

e. Recognize that unusual situations may occur and allow deviations from the guidelines set forth above only under conditions as established by the academic vice presidents so that a level of excellence in all programs will be maintained.

xii. Reciprocal Tuition Agreements

Institutions under the control of the Board of Regents may enter into reciprocal tuition agreements. Agreements require the approval of the Executive Director, who shall consult with Board Leadership prior to approval.
G. Mandatory Fees

i. General Policy

a. Mandatory fees, charged to each student, provide a distinct resource to respond to specific needs of students. Each institution must seek Board approval for any new mandatory fees or changes in mandatory fees.

b. For a new mandatory fee to be established, a university must:

1) Disclose origination of proposed fee (i.e. by student request or a need identified by the university).

2) Identify the basis for the fee (i.e. services to be provided by fee and related costs of those services).

3) Consult with students regarding the proposed expenditures of the newly available revenues.

4) Obtain documentation from the recognized student body governments indicating the extent of student support for new fee.

c. For proposed increases in mandatory fees above inflation, a university must follow the steps outlined for a proposed new fee.

d. Annually, during the discussion of tuition and mandatory fees, the universities must:

1) Report to the Board on revenues and expenditures for all fees generated by the mandatory fees (including the disposition of unallocated funds);

2) Unexpended funds from mandatory fees must be spent for the purposes for which the fee was originally implemented.

3) Address the applicability of mandatory fees for part-time students, off-campus students, and summer session students.

e. Each university must establish formal policies and procedures for assessing each mandatory fee and for granting exemptions.

ii. Mandatory Fees for Part-Time Students

The institutions must submit any changes regarding assessment of mandatory fees to part-time students to the Board for approval during the annual discussion of tuition and mandatory fee
iii. Exemptions

The universities may grant exemptions from mandatory fees to extension and study abroad students and other off-campus groups, such as student teachers, co-op students, internship students, and practicum students. University exemption policies should consider the student's access to campus services and physical proximity to campus. University policies should include definitions and criteria for judging access to institutional facilities and should be consistent with related bond covenants.

H. Common and University/Program Specific

i. Consistency Among Universities

a. The three universities are to continue to work together to establish common titles and charges for common and university/program specific fees.

b. Some differences in fee titles and charges may remain because of the unique nature of some programs and services at each institution.

ii. Institutional or College-Wide Fees Board approval is required for:

a. All new institutional or college-wide fees.

b. All institutional or college-wide fees of over $1 per semester and all departmental fees over $10 per semester.

These fees do not include course fees for payment for materials used, fees that represent returnable deposits, fees assessed for damage or breakage by individual students, and fees assessed to pay for services external to the university.

iii. Types of Fees

a. Fees are categorized as either common or university/program specific. Students pay only the fees that apply to their programs, interests, or needs.

b. Common and university/program specific fees are presented with the Board's annual discussion of tuition and mandatory fees. These fees may be brought to the Board for revision following initial adoption should the actual costs differ from the original estimates.

I. Allocation of Mandatory Student Fees

i. State law (Iowa Code 262.34B) provides procedures for changing allocations of student fees.

a. A student fee committee at each university, composed of five students and five university employees, makes recommendations for the student fee allocations to the university president by April 15 for the subsequent academic year.
b. The university president forwards the student fee committee recommendations and provides a recommendation to the Board for consideration.

c. The Board makes the final decision on changes to student fees.

ii. Prior to the approval of changes in room and board rates, the universities are to provide the following to the Board:

a. Annual reports that provide detailed information on various aspects of the residence systems for the previous fiscal year and include the most current residence system information such as enrollments, occupancy, and financial and bonding data.

b. Five year plans that provide projected trends in total enrollment, housing design capacity, housing occupancy, and occupancy ratios, capital renewal plans, and financial forecasts for the next decade.

iii. State law (Iowa Code §§262.68-.69) allows the Board to make such rules as necessary to provide for traffic control and parking. Those rules are detailed in 681 IAC 4 and provide definitions, general traffic directives, vehicle registration information, parking facilities guidelines, parking privileges, and consequences for violations of parking rules.

1.7 Appeals to the Board

1. Jurisdiction. The Board of Regents, State of Iowa (Board) considers appeals from final actions or decisions of an institution under its jurisdiction. The Board considers appeals as follows:

A. Mandatory Appeals. The Board will consider, as a matter of right, the following:

i. An appeal from an employee disciplinary matter where termination is the final institutional sanction.

ii. An appeal from a student disciplinary matter where expulsion is the final institutional sanction.

iii. An appeal from a denial of tenure as further defined and specified in section 10.04.A.

B. Appeals or Grievances Governed by Contract, Policy, Rule, or Statute. These appeal procedures shall not apply to a dispute that is governed by a separate appeal or grievance process established by a contract, policy, rule, or statute. Examples of such disputes include, but are not limited to, the following:
i. An appeal arising out of a contested case proceeding, as that term is defined in Iowa Code Chapter 17A.

ii. Matters that are covered by a collective bargaining agreement, except to the extent such agreement explicitly provides a right to appeal subject to this policy.

iii. Regent Merit System appeals

iv. An appeal from a decision to terminate a teacher contract that is subject to Iowa Code Chapter 279.

v. An appeal of a Purchasing matter covered by Section 2.2.6.C(xii) of this Policy Manual.

C. Discretionary Appeals. All other matters will be considered discretionary and will be docketed for consideration by the Board only if a right of review is granted at the sole discretion of the Executive Director.

2. General Provisions and Definitions. The following shall apply to all matters appealed to the Board of Regents.

A. Standing. Any individual or entity who participated or had a right to participate as one of the parties to a proceeding or action at an institution under the jurisdiction of the Board has standing to appeal the final institutional decision.

B. Burden of Proof. The Appellant shall have the burden of proof on appeal. The Appellant must show that the final institutional decision was:

i. Not supported by substantial evidence in the record

ii. Arbitrary and capricious; and/or

iii. Unconstitutional or otherwise contrary to law, including procedural irregularities or deficiencies materially prejudicial to the Appellant.

C. Parties Defined. As used in these appeal procedures, “Parties” shall mean only the following, with their respective meanings stated below:

i. “Appellant” shall mean each person or entity initiating the appeal

ii. “Institution” shall mean the institution under the jurisdiction of the Board of Regents from which appeal is taken

iii. “Respondent” shall mean each person or entity who participated or had a right to participate as one of the Parties during the institutional review process but is not the one initiating the appeal
D. **Representation by Counsel.** Parties may be represented by legal counsel during the appeal process.

E. **Single Appeal.** Only one appeal of the same or substantially similar subject matter and/or Parties shall be considered by the Board. The Executive Director may, in his/her sole discretion, reject or consolidate appeals that arise out of the same subject matter. The Executive Director may, in his/her sole discretion, sever multiple claims brought as a single appeal.

F. **Counting Days.** “Days” shall mean consecutive calendar days. If the last day of the counting period falls on a day when the Office of the Board of Regents is closed, the counting period shall be extended to the next business day.

G. **Time Limits.** Unless otherwise approved in writing by the Executive Director, all time limits identified in this Chapter expire at the close of business for the Office of the Board of Regents. The time limits specified in this Chapter may be extended at the discretion of the Executive Director.

H. **Timeliness of Appeal.** When one of the Parties fails to timely exercise the appeal rights under this policy, they shall be deemed to have accepted the final institutional decision and to have waived the right to contest the matter further.

I. **Filing and Service.** Documents may be filed with the Executive Director or such other person as designated by the Executive Director and simultaneously served on all Parties using any of the following methods: personal delivery, United States mail, fax, electronic mail, or any other method approved by the Executive Director. A document is considered filed on the date and time when it is received by the Office of the Board of Regents.

J. **Prohibited (Ex Parte) Communications.** Except for inquiries regarding procedural or scheduling matters, none of the Parties shall communicate with a member of the Board of Regents or an employee of the Office of the Board of Regents regarding an appeal without notice to all Parties and an opportunity for all Parties to participate.

K. **Written Transcripts.** If a hearing was conducted and audio recorded, any of the Parties to an appeal may request that a written transcript be prepared. If a request is made, a written transcript will be prepared and copies will be provided to all Parties and the Office of the Board of Regents. Expenses shall be the responsibility of the one requesting it, unless otherwise ordered by the Executive Director. The Executive Director may request that a transcript be prepared at the expense of the institution.

L. **Confidentiality.** All submissions to the Board of Regents on appeal (including, but not limited to, written argument of the Parties and the record) are to be kept confidential. Dissemination of items submitted outside of this appeal process, other than as a part of another legal or administrative proceeding or process, is prohibited. The expectation of confidentiality shall not extend to documents that any party holds or has a right to access independent of the institutional and Board of Regents investigation, review, and appeal proceedings.
3. Appeals Other Than Tenure Appeals

A. Notice of Appeal. An appeal may be initiated by filing a written Notice of Appeal with the Executive Director within ten (10) days of the date of the final institutional action from which appeal is taken. The Executive Director shall promptly forward a copy of the Notice of Appeal to the Institution and all Parties with a statement certifying the date the Notice of Appeal was filed.

The Notice of Appeal must include the following:

i. Identification of the Appellant(s);

ii. Identification of Counsel for Appellant(s), if any;

iii. Identification of the Institution and all Respondents, if known;

iv. The decision or action from which appeal is taken;

v. If the appeal is discretionary, a statement as to why the appeal should be heard;

vi. Identification of the basis or bases of appeal;

vii. The specific relief or remedy requested;

viii. If a stay or suspension of final institutional action is requested, the nature and reasons for such a request;

ix. If consolidation or severance is requested, the reasons for such a request;

x. A request for oral argument, if desired.

Failure to identify or raise any of the items listed in sections 3.A.i, 3.A.iii, and 3.A.iv may, in the sole discretion of the Executive Director, serve as grounds for dismissing the appeal. Failure to raise any of the items listed in sections 3.A.v through 3.A.x may, in the sole discretion of the Executive Director, serve as a waiver of the right to pursue that item or issue further.

B. Filing of Written Responses to the Notice of Appeal. Within twenty (20) days of the date the Notice of Appeal is filed, the Institution and all Respondents may file a Response to the Notice of Appeal with the Executive Director, and shall serve a copy of the same on all Parties. Failure to submit a Response to the Notice of Appeal by either the Institution or a Respondent shall not be deemed a waiver of the right to participate in the appeal or contest the matter further.
The Response shall include the following:

i. Identification of the Institution or Respondent(s), as applicable;

ii. Identification of Counsel for the Institution or Respondent(s), if any;

iii. If the appeal is discretionary, a statement as to why it should or should not be heard;

iv. A brief response to Appellant’s stay request, if any. The Executive Director may, in his/her sole discretion, request that a response to a request for stay be submitted separately and in advance of the deadline for filing the Response;

v. A request for, or a response to Appellant’s request for consolidation or severance with requested, the reasons for the institution’s position;

vi. A request for oral argument, if desired.

C. Filing of the Record. Within twenty (20) days of the date the Notice of Appeal is filed, the Institution shall file a complete copy of the Record with the Executive Director, and serve a copy of the same on all Parties.

The Record shall include the following:

i. Copies of institutional policies and procedures directly relevant to the appeal;

ii. All official communications between the Institution and the Appellant and/or Respondent(s) regarding the appeal, including all official decisions and recommendations issued at each stage of institutional review;

iii. A statement of charges or complaint documents provided to Appellant, if applicable;

iv. An audio recording or written transcript of any hearings, if available;

v. Copies of all exhibits received by the hearing officer or reviewer at each stage of institutional review;

vi. All additional, non-privileged materials considered by the institutional decision-maker at each stage of institutional review.

D. Acceptance of Discretionary Appeal. If the matter is considered a Discretionary Appeal the Executive Director will issue a decision on whether the matter will be accepted for consideration by the Board within fourteen (14) days of the filing of the Record and all Responses to the Notice of Appeal. If accepted, the Appeal shall proceed under the procedures contained in sections 1.7.3.E through 1.7.3.H10.
E. **Ruling on Request for Stay, Consolidation or Severance.** The Executive Director shall issue a ruling on any request for stay, consolidation or severance within fourteen (14) days from the date the Record and all Responses to the Notice of Appeal are filed. The Executive Director may, in his/her sole discretion, issue a ruling on a request for stay sooner if circumstances warrant.

F. **Objections and Requests to Supplement the Record.** Within fourteen (14) days from the date the Record is filed, the Executive Director shall issue a schedule for filing objections to the Record and/or requests to supplement the Record.

G. **Schedule for filing Written Briefs.** The Executive Director shall issue a schedule for filing written briefs. Written briefs shall be limited to twenty double-spaced pages, exclusive of attachments, unless an exception is granted in writing by the Executive Director.

   i. The Appellant shall have twenty (20) days from the date of the Executive Director’s scheduling order to file a written brief with the Executive Director, with a copy served on the Institution and all Respondents.

   ii. The Institution and all Respondents shall have twenty (20) days from the date Appellant’s brief is filed to file a responsive brief with the Executive Director, with a copy served on all Parties.

   iii. The Parties may not raise factual or legal issues or arguments before the Board that were not previously raised during any stage of institutional review.

   iv. No further written arguments will be accepted from any of the Parties unless requested or approved by the Executive Director.

H. **Docketing and Board Review.** At the earliest practical time, the Executive Director shall notify the Parties in writing of the tentative date and location of the Board meeting at which the appeal will be considered and whether any request for oral argument is granted. Following review of the appeal, the Board may affirm, modify, remand or reverse all or any part of the final institutional decision. The Board shall give due regard to the fact finder’s opportunity to observe witnesses and the Parties. The decision of the Board of Regents represents final agency action.

4. **Tenure Appeals**

A. **Tenure Appeal Defined.** Tenure Appeals are faculty appeals related to the granting of tenure, non-renewal during the probationary period, promotion, and post-tenure review. The Board will accept as a Mandatory Appeal only: i) a final determination not to grant tenure arising out of a regularly scheduled tenure review that is required or mandated under institutional policies, and ii) non-renewal during probationary period and iii) a dismissal resulting from a post-tenure review. Early consideration for tenure and a review occurring after the granting of tenure, including, but not limited to, promotion decisions, are considered discretionary appeals.
B. **Notice of Appeal.** An appeal may be initiated by filing a written Notice of Tenure Appeal with the Executive Director within ten (10) days of the date of the final institutional decision. The Executive Director shall promptly forward a copy of the Notice of Appeal to the institution with a statement certifying the date on which the Notice of Appeal was filed.

The Notice of Appeal must include the following:

i. Identification of the Appellant;

ii. Identification of Counsel for the Appellant, if any;

iii. The decision or action from which appeal is taken;

iv. Identification of the basis or bases of appeal

v. The specific relief or remedy requested;

vi. If the appeal is discretionary, a statement as to why the appeal should be heard;

vii. If a stay or suspension of final institutional action is requested, the nature and reasons for such a request;

viii. A request for oral argument, if desired.

C. **Filing of the Written Response and Record.** Within twenty (20) days of the date the Notice of Appeal is filed, the Institution shall file a concise Response to the Notice of Appeal and the Record with Executive Director, and shall serve a copy on the Appellant subject to the requirement in section 1.7.4D.

The Response shall include the following:

i. Identification of the Institution;

ii. Identification of Counsel for the Institution, if any;

iii. If the appeal is discretionary, a statement as to why it should or should not be heard;

iv. A brief response to Appellant’s stay request, if any. The Executive Director may, in his/her sole discretion, request that a response to a request for stay be submitted separately and in advance of the deadline for filing the Response;

v. A request for oral argument, if desired.
The Record shall include the following:

i. Copies of all institutional policies and procedures directly relevant to the appeal;

ii. Copies of all materials contained in the Appellant’s personnel file that is at issue (e.g., the tenure file in a tenure denial case);

iii. All recommendations or reviews that were part of the employment decision at issue;

iv. All official communications between the Institution and the Appellant regarding the employment decision and appeal, including all official decisions and recommendations issued at each stage of institutional review;

v. Copies of all exhibits and documents received by the reviewer or institutional decision-maker at each stage of institutional review;

vi. An audio recording or written transcript of any hearings, if available.

D. Confidential or Privileged Records. The Board recognizes that given the nature of employment decisions, particularly tenure decisions, certain documents or materials contained in the Record may be considered confidential or privileged. The Institution must clearly identify records or documents, in whole or in part, for which a claim of privilege or confidentiality is made. The Institution may serve the Appellant with a copy of the Record from which confidential or privileged records or documents have been redacted or withheld. The Institution shall include with the Record a list of documents and records that have been redacted or withheld. The list must be written in a manner that provides Appellant with notice of the general nature of the documents or records for which a claim of confidentiality or privilege is made, while preserving the confidential nature of the documents or records.

E. Acceptance of Discretionary Tenure Appeal. If the matter is considered a Discretionary Tenure Appeal, the Executive Director will issue a decision on whether the matter will be accepted for consideration by the Board within fourteen (14) days of the filing of the Record and the Response. If accepted, the appeal shall proceed under the procedures contained in sections 1.7.4.F through 1.7.4.H.

F. Ruling on Request for Stay. The Executive Director shall issue a ruling on any request for stay within fourteen (14) days from the date the Record and all Responses to the Notice of Appeal are filed. The Executive Director may, in his/her sole discretion, issue a ruling on a request for stay sooner if circumstances warrant.

G. Objections and Requests to Supplement the Record. Within fourteen (14) days of the date the Record is filed, the Executive Director shall issue a schedule for filing objections to the Record and/or requests to supplement the Record.
H. Schedule for filing Written Briefs. The Executive Director shall issue a schedule for filing written briefs. Written briefs shall be limited to twenty-five pages, unless an exception is granted in writing by the Executive Director.

i. The Appellant shall have twenty (20) days from the date of the Executive Director’s scheduling order to file a written brief with the Executive Director, with a copy served on the Institution.

ii. The Institution shall have twenty (20) days from the date Appellant’s brief is filed to file a responsive brief with the Executive Director, with a copy served on the Appellant.

iii. The Parties may not raise legal or factual issues or arguments before the Board that were not previously raised during any stage of institutional review.

iv. No further written argument will be accepted from either of the Parties unless requested or approved by the Executive Director.

I. Docketing and Board Review. At the earliest practical time, the Executive Director shall notify the Parties in writing of the tentative date and location of the Board meeting at which the appeal will be considered and whether any request for oral argument is granted.

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

1.8 Appeals to the Merit System Director

A. Merit Classification Appeals. If an employee or department head is not satisfied with the Merit System Director’s decision on a position classification review (681 IAC 3.127), that person may appeal the decision in writing within seven days of the Merit System Director’s decision to a qualified classification appeal committee appointed in accordance with the following procedure:

i. The classification appeal committee is comprised of (i) a human resources professional who will serve as the chair, (ii) a human resources job analyst from another Regents institution, and (iii) a Merit employee from the requested classification. The classification appeal committee will conduct such investigation as it deems necessary to determine the proper allocation of the position and will notify the Merit System Director of its decision within 45 calendar days after the committee receives the appeal.

ii. An appeal will be considered on the basis of duties and responsibilities assigned at the time of the original classification review, and in no case will the assignment of
additional duties and responsibilities following the resident director’s investigation of
the original request be considered during the process as outlined above.

iii. A new classification review will not be allowed for one year following the final
decision on a request for review unless there have been substantial changes in the
duties and responsibilities of the position.

1.9 Board Office

The Board of Regents office is the staff arm of the Board of Regents, State of Iowa, and is
responsible for protecting the academic integrity and autonomy of the institutions, while
maintaining institutional accountability. In executing its duties, the Board Office adopts and
embraces the mission, vision, values, and culture expounded by the Board of Regents.

1. Board Office Statement of Mission

A. The Board Office provides administrative and professional support to the Board of
Regents. The Board Office has diverse responsibilities, which include review, analysis,
and policy recommendations on all matters coming before the Board. The Board Office
coordinates the distribution of information to the Board of Regents. Representative
responsibilities of the Board Office include the following:

i. Arranges for Board meetings, prepares Board agenda and materials;

ii. Monitors and interprets Board policy for the Regent institutions;

iii. Maintains oversight on Regent enterprise-wide policy and operations priorities;

iv. Administers the Regent Merit System;

v. Coordinates collective bargaining;

vi. Conducts studies, either alone or in association with the institutions and/or other
agencies, and reports findings and recommendations;

vii. Conducts special investigations as directed by the Board;

viii. Monitors institutional planning and analyses to support the Board’s strategic planning
efforts;

ix. Coordinates and advises the Board regarding enterprise-wide projects and initiatives;

x. Assists the Board in institutional head searches;

xi. Monitors and coordinates legislative matters and interactions with other state
agencies;
xii. Coordinates public affairs activities;

xiii. Coordinates economic development efforts by the Regent institutions;

xiv. Coordinates communication activities and processes;

xv. Coordinates legal activities

xvi. Provides information analyses on key issues

xvii. Performs others duties as determined by the Board of Regents or the Executive Director.

B. The Executive Director and the Board Office serve as an important extension of the Board Regents. The Board considers a request from the Board Office to the institutions to be a request from this Board and expects that such requests will be responded to accurately and in a timely manner. In addition, the Board expects to be kept informed of critical and important happenings at the institutions through timely reporting to the President of the Board and the Executive Director.

C. These roles the Board has defined for itself and its Executive Director, Chief Academic Officer and Chief Operating Officer are the keystones for facilitating the Board’s strategic plan and for achieving the Board’s goal of being a national leader in the governance of public higher education.

2. Executive Director

The Executive Director is the Chief Executive Officer of the Board of Regents, State of Iowa. The Executive Director reports directly to the Board of Regents. The Executive Director is empowered to take all action reasonably necessary and proper in the performance of those functions customary to the role of Chief Executive Officer; including, but not limited to, the following:

A. Perform all duties and functions necessary for the prompt and effective execution of all resolutions, policies, rules, regulations and actions adopted by the Board of Regents.

B. Negotiate and execute all notes, bonds, deeds, contracts, leases, agreements and other documents of an official nature on behalf of the Board of Regents, unless otherwise prescribed by law, policy or Board action.

C. Take those actions necessary for the proper administration of the Board office and its functions, as identified further in this Policy Manual.

D. Act as the lawful custodian of the records of the Board of Regents.
E. Delegate authority granted to the Executive Director to the Chief Operating Officer (COO), the Chief Academic Officer (CAO), or other Board office staff as necessary and appropriate.

F. Hire, supervise, evaluate, and provide leadership for the COO and the CAO, and other Board Office staff as necessary.

G. Develop strategic and collaborative relationships with the heads of the Regent institutions including regular contact and timely communication on key issues and actions.

H. In collaboration with the COO and the CAO, work with Regents’ legislative liaisons, Board of Regents leadership, the Governor, Legislators and other agencies in establishing institutional legislative priorities including the system budget.

3. Chief Operating Officer

The Chief Operating Officer shall be responsible for coordinating and implementing Board policies and managing board office staff in the areas of business, purchasing, facilities, human resources, information technology, state relations and other areas as may be assigned by the Executive Director. The Chief Operating Officer shall report directly to the Executive Director.

4. Chief Academic Officer

The Chief Academic Officer shall be responsible for coordinating and implementing Board policies and managing board office staff in the areas of academics, student affairs and support, admissions, financial aid, faculty affairs, campus safety and other areas as may be assigned by the Executive Director. The Chief Academic Officer shall report directly to the Executive Director.

5. Responsibilities of the Board Office

The Board Office shall provide the general staff work necessary to assist the Board in arriving at sound decisions on policies, procedures, and future plans. This includes, among other activities, the preparation of surveys, reports, recommendations and other necessary research. The Board Office shall perform all duties as directed by the Executive Director and the COO and CAO.

6. State Relations

State Relations Officers are employees of the Board, reporting directly to the Executive Director/Chief Operating Officer. The Executive Director/Chief Operating Officer will consult with the institution heads relating to the duties and responsibilities of the State Relations Officers. The State Relations Officers are responsible for transmitting and explaining policies of the Board of Regents and information from the institutions to the General Assembly and other state officials.
Only the Board of Regents, State of Iowa, can make legislative policy for the Regent institutions. In carrying out this responsibility, the Board will consult with the institution heads on policy setting responsibilities. The development of legislative strategy is the responsibility of the Board and the Board president in consultation with the Executive Director/Chief Operating Officer, and the institution heads.

Each year prior to the beginning of the General Assembly the Executive Director, in consultation with the Board Leadership shall determine and transmit the names of those who may lobby on behalf of the Board of Regents.

1.10 Sports Wagering

1. Scope. This policy shall only apply to members of the Board of Regents during their term(s) on the Board, and employees of the Office of the Board of Regents during the term(s) of their employment.

2. Definitions. The following definitions apply to this Chapter 1.9 – Sports Wagering:

   A. Bookmaking Activities – accepting the bets or wagers of others on the outcome of a contest.

   B. Regent Athletic Event – any practice, single-game competition, or tournament-level (single-game) competition in which a Regent NCAA Team is a participant.

   C. Regent NCAA Team – any athletic team of a University under the jurisdiction of the Board of Regents for which eligibility requirements for participation by a student athlete are established by the National Collegiate Athletics Association or other national association that promotes or regulates collegiate athletics.

   D. Wagering – any activity in which an individual pays money or another item of value to participate in a game of chance, with an uncertain outcome, which entitles the winner to money or another item of value.

3. Policy. Members of the Board of Regents and employees of the Office of the Board of Regents are prohibited from all of the following:

   a. Wagering on any Regent Athletic Event, Regent NCAA Team, or Regent NCAA Team’s coach(es) or student-athlete(s) at any casino, pari-mutuel racetrack enclosure, excursion gambling boat, gambling structure, or other entity licensed by either (i) the Iowa Racing and Gaming Commission or (ii) the applicable regulatory body or commission of a State outside of Iowa.

   b. Wagering on any Regent Athletic Event, Regent NCAA Team, or Regent NCAA Team’s coach(es) or student-athlete(s) at any casino, pari-mutuel racetrack
enclosure, excursion gambling boat, gambling structure, or other entity operating pursuant to the Indian Gaming Regulatory Act.

c. Wagering on any Regent Athletic Event, Regent NCAA Team, or Regent NCAA Team’s coach(es) or student-athlete(s) on any internet site, mobile application, or similar electronic platform sponsored, owned or operated by an entity licensed as provided in subsections 3.A and B of this policy.

d. Providing information about a Regent NCAA Team or a Regent NCAA Team’s coach(es) or student-athlete(s) which is not otherwise generally available to the public to individual(s) or entities involved in Wagering or Bookmaking activities.

4. Exceptions. Subsections 3.A – C of this policy shall not apply to a “fantasy sports contest” or “internet fantasy sports contest” as those terms are defined in Iowa Code Chapter 99E.

5. Any employee of the Office of the Board of Regents found to be in violation of this policy may be subject to appropriate discipline.