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**From:** David W. Miles [mailto:miles.david.w@gmail.com]  
**Sent:** Wednesday, April 30, 2008 9:29 AM  
**To:** 'Gartner, Michael'; bobd@mearndonlaw.com; 'bonnie campbell'; 'craig lang'; 'jack evans'; 'Jenny Rokes'; vasquez.rose@principal.com; 'Ruth Harkin'  
**Cc:** sally-mason@uiowa.edu; 'Geoffroy, Gregory L [PRES]'; 'Ben Allen'; abaumert@iastate.edu  
**Subject:** RE:

Michael,

I visited with President Mason and she reports as follows:

The policy in question is a very narrow one that affects 9-month tenure-track faculty ONLY, and that as such the University's research suggested provost approval was sufficient. [Most tenure-track faculty are committed to the serve the University 9-months during the "academic year"; anything that they might do during the Summer would additional; staff and some tenure-track faculty have 12-month commitments.]

The rationale for the policy is that, unlike staff and faculty appointed to 12-month positions, 9-month tenure-track faculty are not eligible for vacation leave per se (which is what 12-month faculty and staff use when faced with need for parental leave). The policy does NOT grant time off with pay; indeed, it provides assignment flexibility, such that faculty faced with a need for parental leave can opt to spend more time doing research and/or service in place of the teaching, which typically needs to be scheduled at regular intervals (MWF, TH) to accommodate student schedules.

The provost approved this policy after extensive due diligence, consultation and in direct response to recommendations that came from the gender equity task force report commissioned by President Skorton. The policy is modeled after similar policies at Michigan and Indiana and is meant to keep the University of Iowa competitive with its peers.

The provost consulted widely across campus on possible implications with regard to other faculty and staff. The U of I Staff Council and HR agreed that because this was narrowly defined for the 9-month tenure-track faculty only, it has no bearing on other categories of employees. It has not been an issue on the campus since those discussions.

President Mason reports that possible application to other Regent institutions was not considered, largely because the University was responding both to its own gender equity report and to the need to remain competitive with peer institutions as I mentioned above.

Your citations of Board authority are certainly accurate, and would, I suspect, authorize us to require any number of policy questions to be reserved for our judgment. Whether - in light of its limited scope - this is one of those policy items, I am uncertain about.

In any case, I am happy to docket this item for the June meeting and will do so unless I hear otherwise from you.

Thanks for taking an interest in this.

Regards,

Dave

-----Original Message-----

From: Gartner, Michael [mailto:MichaelG@iowacubs.com]

Sent: Monday, April 28, 2008 2:03 PM

To: bobd@mearndonlaw.com; bonnie campbell; craig lang; dave miles; jack evans; Jenny Rokes; vasquez.rose@principal.com; Ruth Harkin

Cc: sally-mason@uiowa.edu; Geoffroy, Gregory L [PRES]; Ben Allen;

abaumert@iastate.edu

Subject:

Hi Dave -

As I mentioned to you the other day, I read in a recent Register article that the University of Iowa is implementing a new policy to give new parents one semester off from teaching duties, at full pay. That was the first I had heard about it.

Apart from the merits of this policy - be they good or bad - I would like to raise the issue of process: Should a far-reaching policy such as this first be approved - or at least discussed - by the Board of Regents? The Iowa Code - Sections 262.9 (2) and 262.9 (3) - mandates that the Board of Regents "make rules for admission to and for the government of said institutions, not inconsistent with law," which would seem to say the Board should at least pass on such a "governing" policy. The Code further says the Board should "elect a president of each of the institutions of higher learning; a superintendent of each of the other institutions; a treasurer and a secretarial officer for each institution annually; professors, instructors, officers, and employees; and fix their compensation." This new policy is clearly a part of "compensation."

Further, the policy could have an impact far beyond its intended reach. If the University of Iowa puts in such a policy, what are the implications for the faculties at Iowa State University and the University of Northern Iowa? In addition, with AFSCME seeking a law (now on the Governor's desk) to allow for bargaining on issues other than wages, what are the implications of this policy on future labor negotiations? In other words, what is the potential financial and personnel impact on the system as a whole?

As I said, I am not taking a stand on the merits of this policy - be they good or bad - but rather I am raising an issue about the process under which the policy came about and any impact it might have beyond its intended impact. Let me add that this seems to me to be more important than, say, parking rates.

I realize the agenda for Thursday is full, but I would like to see this discussed at the following meeting, if you agree.

Thanks,

5/5/2008

Michael