

## II. MEETINGS

### 2.01 Regular Meetings ~~(I.C. §262.8)~~

- A. The Board shall meet four times a year. ~~(Code 262.8)~~
- B. Meetings shall be held on the third Wednesday and Thursday of each month unless otherwise designated by the Board.
- C. Meetings shall be held at either a ~~Regent member~~ institution or as otherwise designated by the Board, the Board Office, The Board shall approve the place of each meeting to be agreed upon at least one month in advance. ~~(Board of Regents Minutes September 13-14, 1951, p. 11)~~

### 2.02 Special Meetings ~~(I.C §262.8)~~

Special meetings may be called by the Board, by the president of the Board, or by the executive director of the Board upon written request of any five members of the Board. ~~(Code 262.8)~~

### 2.03 Subject of Meetings

At all meetings, ~~the Board may it shall be valid to~~ act on any subject within ~~its~~the powers and according to its statutory authority of the Board, except that whenever anything is proposed which is in the nature of innovation, either in course of study or in the general policy of an institution, the matter may be The Board may, however, referred for further study and reporting ~~ing~~ back to the Board for action at a subsequent meeting, any matter, especially proposals, which are in the nature of innovation, either in course of study or in the general policy of an institution. ~~(Board of Regents Minutes March 13, 1912, p. 286)~~

### 2.04 Dockets

- A. ~~Dockets containing all matter The executive director Board Office shall be responsible for assembling all matters~~ to be brought before the Board, together with all supporting material, ~~will be assembled by the executive director. Such dockets~~ These matters

are commonly referred to as the Board's "dockets" and will be indexed and included in a binder for Board easy reference.

1. Each institution will prepare its own portion of the docket and forward same, with all supporting material, to the executive director at least 16-12 working days prior to the Board meeting, on a schedule provided by the Board Office. Docket materials are would be due in the Board Office by noon of this the scheduled day. ~~(Board of Regents Minutes May 19, 1993, p. 801)~~
  2. ~~Information regarding~~ The executive director shall establish and inform the institutions of the size, composition, and format of all docket materials. ~~will be forwarded to the institutions by the executive director.~~
- B. Assembled dockets will be mailed to members of the Board at least by the end of the work day on Wednesday one week prior to a Board meeting. ~~assuming the Board meeting is on Wednesday. (Board of Regents Minutes May 19, 1993, p. 801)~~
- C. No matter which is not included in the docket will be brought before the Board, unless such matter is of an urgent and compelling nature. Institutions may, however, keep Board members informed on recent developments affecting docket items.
- D. Nothing in these instructions will be construed as preventing direct communication by the presidents with the Board.
- E. 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 offices at each institution prior to the Board meeting at which the agenda is to be considered. ~~(Board of Regents Minutes April 12-13, 1951, p. 234; September 13-14, 1951, p. 11; September 12-13, 1968, p. 67; October 7-9, 1970, p. 1223; February 21, 1990, p. 440)~~
- ~~F. United Students of Iowa shall be provided a copy of the docket on Friday ahead of each meeting of the Board. (Board of Regents Minutes February 21, 1990, p. 440)~~
- ~~G. A copy of the docket shall be mailed on Friday ahead of each meeting of the Board to the elected president of the student government organization at each Regent university. (Board of Regents Minutes February 21, 1990, p. 440)~~
- HF. Legislators, ~~from the communities in which Regent institutions are located,~~ the majority and minority leadership in both houses, the Governor's office, state department heads, and legislators in the community where the Board of members of the press are sent notification via e.mail concerning the availability of docket materials on the Regent website. This release of information is sent by 11:00 a.m. the Wednesday prior to the Board meeting. ~~Regents meeting is to be held will be~~

~~provided a copy of the Board's agenda five days in advance of the meeting. (Board of Regents Minutes February 21, 1990, p. 440)~~

## 2.05 Conduct of Meetings

- A. The business of the institutions shall be presented by the institutional executives to the Board. (~~Board of Regents Minutes January 12-13, 1967, p. 317~~)
- B. Six members of the Board shall constitute a quorum (~~Code I.C. Chapter~~ 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.
- C. Open Meetings

The following language excerpts and paraphrases key provisions applying to the Board as found in Chapter 21 of the Code of Iowa I.C. Chapter 21.

1. All actions and discussion at meetings of the Board of Regents, committees formally and directly created by the Board of Regents, and those multi-membered bodies to which the Board or a president of a university has delegated the responsibility for the management and control of intercollegiate athletic programs, whether formal or informal, shall be conducted and executed in open session, except for the reasons specifically provided in IC Chapter 21 the act for holding a closed session.

"Meeting" means a gathering in person or by electronic means, formal or informal, of a majority of the members of the Board or its subunits-committees where there is deliberation or action upon any matter within the scope of the body's policy-making duties. Meetings shall not include a gathering of members of the Board or its subunits-committees for purely ministerial or social purposes when there is no discussion of policy or no intent to avoid the purposes of this chapter.

"Open session" means a meeting to which all members of the public have access.

2. Meetings of such bodies, as mentioned above, the board or committees shall be preceded by a public notice of the time, date, and place of each meeting and a tentative agenda in a manner reasonably calculated to apprise the public of that information. Such notice includes advising news media who have filed a request for notice with the Board or committee and shall be given at least 24 hours prior to the commencement of any meeting. The manner of notice and site for the

~~board meeting shall be as outlined in IC §21.4, posting the notice on a bulletin Board or other prominent place which is easily accessible to the public and clearly designated for that purpose at the principal office of the body holding the meeting or, if no such office exists, at the building in which the meeting is to be held.~~

~~Such notice shall be given at least 24 hours prior to the commencement of any meeting, unless for good cause such notice is impossible or impractical; in which case as much notice as is reasonably possible shall be given. Each meeting shall be held at a place reasonably accessible to the public and at a time reasonably convenient to the public, unless for good cause such a place or time is impossible or impractical. Special access to the meeting may be granted to handicapped or disabled individuals. When it is necessary to hold a meeting on less than 24 hours notice or at a place that is not reasonably accessible to the public or at a time that is not reasonably convenient to the public, the nature of the good cause justifying departure from the normal requirements shall be stated in the minutes.~~

Any formally constituted **subunit committee** of the Board may conduct a meeting without notice as required in the law during a lawful meeting of the Board of Regents, a recess in that meeting, or immediately following the meeting, if the meeting of the **subunit or** committee is publicly announced at the Board meeting and the subject of the meeting reasonably coincides with the subjects discussed or acted upon by the Board.

3. The Board and every ~~committee affected by the act~~ **committee governed by Iowa's Open Meetings law IC Chapter 21** shall keep minutes of each of its meetings showing the date, time, place, members present, and the action taken at each meeting. The minutes shall show the results of each vote taken, and the vote of each member present shall be made public at the open session. The minutes shall be public records open to public inspection.

D. Closed Session

1. The Board and ~~subunits covered under the act~~ **committees governed by Iowa's Open Meetings law** may hold a closed session only by affirmative public vote of either two-thirds of the members of the body or all of the members present at the meeting. The Board or **subunit committee** may hold a closed session only to the extent a closed session is necessary for any **reason defined in IC §21.5 of the following reasons:**
  - a. ~~To review or discuss records which are required or authorized by state or federal law to be kept confidential or to be kept confidential as a condition~~

~~for that governmental body's possession or continued receipt of federal funds.~~

- ~~b. To discuss application for letters patent.~~
  - ~~c. To discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent and disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation.~~
  - ~~d. To discuss the contents of a licensing examination or whether to initiate licensee disciplinary investigations or proceedings, if the governmental body is a licensing or examining board.~~
  - ~~e. To discuss whether to conduct a hearing or to conduct hearings to suspend or expel a student, unless an open session is requested by the student or a parent or guardian of the student, if the student is a minor.~~
  - ~~f. To discuss the decision to be rendered in a contested case conducted according to the provisions of I.C. Chapter 17A of the Code of Iowa.~~
  - ~~g. To avoid disclosure of specific law enforcement matters, such as current or proposed investigations, inspection or auditing techniques, or schedules, which, if disclosed, would enable law violators to avoid detection.~~
  - ~~h. To avoid disclosure of specific law enforcement matters, such as allowable tolerances or criteria for the selection, prosecution, or settlement of cases, which, if disclosed, would facilitate disregard of requirements imposed by law.~~
  - ~~i. To evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session.~~
  - ~~j. To discuss the purchase of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property.~~
2. In addition to ~~the above~~ reasons defined by IC §21.5 for holding a closed session, negotiating sessions, strategy meetings of public employers or employee organizations, mediation, and the deliberative process of arbitrators shall be exempt from the provisions of Chapter 21. However, the employee organization shall present its initial bargaining position to the public employer at the first bargaining session. The public employer shall present its initial

bargaining position to the employee organization at the second bargaining session, which shall be held no later than two weeks following the first bargaining session. Both sessions shall be open to the public and subject to the provisions of the open meetings law. Hearings conducted by arbitrators shall be open to the public. (~~I.C. §Section 20.17[3], Code of Iowa~~)

3. The vote of each Board member on the question of holding the closed session and the reason for holding the closed session by reference to a specific exemption under the law shall be announced publicly at the open session and entered into the minutes. The ~~governmental body~~ Board shall not discuss any business during a closed session ~~which that~~ does not directly relate to the specific reason announced as justification for the closed session.
4. Final action by ~~the Board any governmental body~~ on any matter shall be taken in an open session unless some other provision of the ~~Code of Iowa I.C.~~ expressly permits such actions to be taken in closed session.
- ~~5. ———~~ 5. The Board and ~~subunits committees~~ shall keep detailed minutes of all discussions, persons present, and action occurring in a closed session and shall also tape record all of the closed session. The detailed minutes and tape recording of a closed session shall be sealed and shall not be ~~public records~~ open to public inspection.

~~However, upon order of the court in an action to enforce this law, the detailed minutes and tape recordings shall be unsealed and examined by the court in camera. The court shall then determine what part, if any, of the minutes should be disclosed to the party seeking enforcement of the law for use in that enforcement proceeding. In determining whether any portion of the minutes or recordings shall be disclosed to such a party for this purpose, the court shall weigh the prejudicial effects to the public interest of this disclosure of any portion of the minutes or recording in question against its probative value as evidence in an enforcement proceeding. After such a determination, the court may permit inspection and use of all or portions of the detailed minutes and tape recording by the parties seeking enforcement of the law. The governmental body shall keep the detailed minutes and tape recording of any closed session for a period of at least one year from the date of the meeting. A special provision exists, however, for the minutes and tape recording of a session closed to discuss the purchase of real estate; these recordings and minutes shall be available for public examination when the transaction discussed is completed.~~

The Board shall keep the detailed minutes and tape recording of any closed session for a period of at least one year from the date of the meeting. A special provision exists, however, for the minutes and tape recording of a session closed

to discuss the purchase of real estate. These recordings and minutes shall be available for public examination when the transaction discussed is completed.

E. Board Procedures for Holding a Closed Meeting

The procedure for calling an executive session will begin with the president of the Board determining whether a suggested topic is a proper one for an executive session in accordance with the reasons given for holding such a session, as detailed above. 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 executive session can be approved.

At the beginning of the executive session, the president will inform the Board more specifically of the topic of the session. The topic will not be considered in executive session if one-third of the Board members present object. The minutes of the regular Board meeting will reflect the roll call vote for the executive session and the time at which the executive session began and ended. If the same topic is continued at another executive session during the same regular monthly Board meeting, or prior to the next meeting of the Board of Regents, the president may announce it as a continuation and not require another roll call vote.

F. Electronic Meetings

1. The Board ~~or affected subunits~~ may conduct a meeting by electronic means as provided by law, only in circumstances where a Board meeting in person is impossible or impractical and only if the Board or its committees complies with all of the following:

- ~~a. The governmental body provides public access to the conversation of the meeting to the extent reasonably possible.~~
- ~~b. The governmental body complies with the other requirements on public notice, as stated above. For the purpose of this paragraph, the place of the meeting is the place from which the communication originates or where public access is provided to the conversation.~~
- ~~c. Minutes are kept of the meeting.~~
- ~~d. The minutes state why a meeting in person was impossible or impractical.~~

- ~~2. A meeting by electronic means may be conducted without complying with public access requirements, if it complies with all requirements for a closed session, as stated earlier.~~

## 2.06 Attendance at Meetings

- A. The ~~executives~~ institutional heads of all the institutions shall be present at Board meetings unless specifically excused by the president of the Board. ~~The executive director is authorized to excuse the executives of the Iowa School for the Deaf and the Iowa Braille and Sight Saving School. (Board of Regents Minutes September 8-9, 1960, p. 57)~~

- ~~B. Resource persons, when requested by an institution to attend a Board meeting, are to receive their established rate of compensation and travel allowance. Persons not requested by an institution to attend as resource persons are neither eligible for travel allowances nor for compensation, except as compensation for a day's vacation at the discretion of the institution. (Board of Regents Minutes September 8-9, 1960, p. 583 (This is incorrect citation; think should be what I've noted in above paragraph); April 12-13, 1973, p. 7002)~~

## 2.07 Presentations to and Hearings Before Board

- A. Any person may ~~request to make a petition for a~~ written or oral presentation or have a hearing before the Board. All such requests ~~for hearings~~ must be in writing and state the specific subject to be discussed and the reasons why a personal appearance is necessary, ~~if one is requested. The Board will determine, in its discretion, whether a hearing is to be granted and whether such a request for hearing is relevant to the business before the Board. Requests for hearing must be accompanied by any supporting documentation that the petitioner wishes the Board to consider. If a hearing is granted, fifteen copies of each document to be considered must be submitted to the Board Office at least seven days prior to the Board meeting.~~

- ~~1. 1. a.~~ Students, faculty, and other employees of Regent institutions ~~under the control of the Board~~ must route their petitions through the chief executive officer head of the institution concerned. The ~~chief executive officer~~ institutional head will forward the request petition, with comments, to the executive director of the Board. The executive director of the Board will docket the item for consideration by the Board.

- ~~b.~~ Employees aggrieved of a final institutional decision will have their appeal considered pursuant to Chapter 4.25 of this manual.



~~2. — 2. — a.~~ All other persons may ~~make requests~~ ~~hearings~~ by written petition directly to the executive director of the Board. The executive director shall cause the subject matter of the petition to be investigated and make a determination as to its appropriateness for Board consideration. ~~and make a written report to the Board. The executive director of the Board will docket the item for consideration by the Board.~~

b. Individuals, including corporations, aggrieved by business decisions of the Regent institutions or the Board shall have their appeal considered pursuant to appropriate chapters of this manual.

B. If the Board grants a hearing, it shall be conducted in the manner prescribed by the Board. (~~Board of Regents Minutes November 13-15, 1958~~5, p. ~~136~~43; ~~November 8-10, 1967, p. 174; August 14-15, 1969, p. 2~~)

#### 10.02 2.08 Communications of Students, Faculty, and Staff with Board

A. 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.

B. Students, faculty, and staff may request an opportunity to appear before the Board to discuss matters of interest and may request that an item be included on the docket. Such requests should be made in writing to the president of the Board with a copy to the president of the university concerned. The request should include a statement as to the reason why a personal appearance is desired or why an item should be included on the docket. A statement as to the exhaustion of local campus remedies, including specific persons or groups approached and their disposition of the matter, should also be included in the request. The president of the Board is empowered to permit such person or persons to appear or an item to be docketed, if, in the president's judgment, it is appropriate or unless there are unusual circumstances.

The president of the Board shall report to the full Board all requests made for permission to appear or to include an item on the docket, whether or not the request was granted.

The procedure set forth in this section does not replace, alter, or supersede the procedures for formal appeals to the Board by students or employees who feel aggrieved by any final adjudicatory order or rule-making decision as set forth in Section 4.25 of this Guide Manual or in other rules and regulations of the Board.

C. Representatives of appropriate campus constituencies may seek permission to comment on a given item on the agenda during a Board meeting by oral request to

the president of the university and upon authorization of the president of the Board of Regents.

D. The president may, on rare occasions, recognize an individual seeking, without advance written or oral notice, to comment during deliberations on a docketed item.

E. Board members will plan to meet informally throughout the year with students, faculty, and staff to discuss problems of mutual interest. Members of these groups are encouraged to contact Board members and to develop plans for informal meetings.

F. The presidents of the universities should continue to forward without editing, change, or delay, all communications or reports to the Board from faculty, students, and staff members.

G. Faculty, students, and staff are welcome to attend Board meetings. All sessions of the Board are public except for those authorized by law to be considered in executive session (see Section 2.05D of this [GuideManual](#) for details). The Regents have no objection to the appointment of representatives by the various university constituencies to attend meetings of the Board as observers.

H. The Board will attempt to give advance notice on any issues to be considered by the Board at a later date so that students, faculty, and staff will have the opportunity to seek to be heard if they so desire.

I. The agenda ~~or docket~~ for each Board meeting will be available for review at the Board Office, ~~and the university relations information offices at each university, special schools, and AFTER 11:00 a.m. Wednesday preceding the Board meeting on the Regent website (www.state.ia.us/educate/regents) at 1:00 p.m. Monday preceding each meeting so that~~ interested parties will have ample opportunity to review items of particular concern to them. Upon request, copies may be made available at cost to interested parties. ~~at this time.~~

J. The presidents of the universities are urged to report to the Board the views of faculty, staff, and students, where pertinent and to the extent known, on any matter before the Board for consideration.

It is the Board's expectation that the policies set forth above will be administered to the end that the Board understands the viewpoints of faculty, students, and staff and that these groups understand the viewpoints of the Board.

## **2.08 ~~Per Diem and Expenses of Board Members~~**

~~A. All claims for the actual necessary expenses of the Board and of its committees . . . shall be filed with and allowed by the director of Revenue and Finance in the~~

same manner as may now or hereafter be required in the case of claims for similar expenses by state officers. (Code I.C. §262.29)

- ~~B. The following rules have been established either by the Board or by the director of the Department of Revenue and Finance, the Executive Council of Iowa, and the General Assembly.~~
- ~~1. All Board members are entitled to per diem of \$50.00 plus expenses for each day of attendance during Board meetings. (S.F. 532, 73rd G.A.)~~
  - ~~2. If, because of distance from home to meeting, a Board member is in transit during the day prior to or subsequent to a Board meeting, the Board member is entitled to one half per diem of \$25.00 plus expenses for each of those days.~~
  - ~~3. If a Board member lives near enough to the place of meeting to reach the meeting by travel on the same day of the meeting, but chooses to leave home during the day prior to the meeting or return on the day after the meeting, the Board member is entitled to expenses, but no per diem for each of those days.~~
  - ~~4. In the case of special occasions at the institution which involve Board members, Board members may charge per diem for serving as a speaker if representing the Board and also are entitled to expenses for such an appearance.~~
  - ~~5. In the case of Board members attending meetings in the institutions or state agency meetings as the result of their appointment by the Board or other state authority, the Board member may charge expenses on the same basis as their own Board meetings. Per diem may also be charged with payments to be made either from the funds of the state agency involved, if that agency has funds appropriated for per diem payments, or from Board appropriations.~~
  - ~~6. When attending out of state conferences, such as the Association of Governing Boards, a Board member may charge expenses only, but no per diem.~~
  - ~~7. In special circumstances not covered by the previously stated conditions permitting payment of expenses and per diem, the Board as a whole may vote to pay expenses or per diem or both, as warranted by unusual but necessary Board obligations, e.g., study group visiting with other institutions or projects relative to housing, Board organization, etc.~~
  - ~~8. The deadline for submitting out of state travel requests to the Executive Council shall be at least two council meetings prior to the convention or meeting, except where same is called on short notice, in which case the circumstances should be stated in the request.~~

- ~~9.~~ All travel by air shall be made at tourist or coach class when available, rather than first class; and those traveling by car shall be limited to the equivalent of tourist class fare or mileage reimbursement at the currently approved rate, whichever is lower.
- ~~10.~~ The mileage reimbursement rate for use of private automobiles shall include all expenses of the automobile such as tolls, parking, etc., other than stated below.
- ~~10.1.~~ Parking will be allowed for state and private cars at an airport during the employee's flight.
- ~~11.2.~~ Expenses for lodging and meals while traveling out of state will be limited to those incurred during the meeting and one day prior to or one day after the meeting.
- ~~12.3.~~ Receipts must be provided when claiming reimbursement for airline, hotel, special conveyances, parking, and registration fees.
- ~~14.~~ Noon lunches are eligible for reimbursement.
- ~~13.5.~~ Effective January 1, 1975, all meal reimbursements paid to an employee while not in a travel status (no overnight lodging involved anytime in the travel) constitute taxable income.
- ~~14.6.~~ Claims for both per diem and expenses should be submitted at the end of each month on separate forms provided by the Board Office.
- ~~15.7.~~ 14. If claims are over 3 months old, they may be paid with special processing. In some cases, they must be presented to the Appeal Board. I.C. §421.38 No claim shall be allowed by the Department of Revenue and Finance when such claim is presented after the lapse of three months from its accrual. (Code 421.38; Executive Council Policy, March 6, 1979; Departmental Rules, 1973, pp. 209-210; Board of Regents Minutes September 9-10, 1965, p. 78; Departmental Rules, December 4, 1974)

## **2.09 Meeting to Consider Tuition (I.C. §262.9[17])**

- ~~Not less than 30 days prior to action by the Board on any proposal to increase tuition, fees, or charges at one or more of the institutions of higher education under its control, the Board of Regents shall send written notification of the amount of the proposed increase and a copy of the docket memorandum relating to the proposed increase to the elected president of the government of the student body at the~~

~~affected institutions. The materials shall be sent to the person identified by each institution as the student government president and mailed to the student government office listed in each university directory. (Board of Regents Minutes March 22, 1984, pp. 503-504; February 21, 1990, p. 440; June 27, 1990, p. 717)~~

~~The final decision on the increase in tuition for a fiscal year shall be made no later than the regular meeting held in November of the preceding fiscal year. The regular meeting held in November shall be held in Ames, Cedar Falls, or Iowa City and shall not be held during the period in which classes have been suspended for Thanksgiving vacation. (Code, 262.9 [17]); Board of Regents Minutes December 17-18, 1986, pp. 520-28-532; Senate File 511, July 8, 1987, pp. 24-25)~~

~~If a proposal to increase tuition, fees, or charges at one of the universities is increased over the previous month, or a new fee or charge is proposed, student leaders shall be sent copies of the docket materials and an additional 30 days notice to students will be scheduled prior to Board action on that portion of the proposal. (Code I.C. C chapter 262 and Iowa Code I.C. Supplement section 262.9(18); Board of Regents Minutes February 21, 1990, p. 440; June 27, 1990, p. 717)~~