

House File 2558 - Reprinted

HOUSE FILE 2558
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO HF 2327)

(As Amended and Passed by the House February 29, 2024)

A BILL FOR

1 An Act relating to higher education, including by modifying
2 the responsibilities of private institutions of higher
3 education, community colleges, the state board of regents,
4 and institutions of higher education governed by the state
5 board of regents, modifying provisions related to diversity,
6 equity, and inclusion policies, tuition, and administrator
7 hiring at state universities, membership of the state board
8 of regents, and student-employer work and tuition programs
9 at state universities and community colleges, and including
10 applicability provisions.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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DIVISION I
SHORT TITLE

Section 1. SHORT TITLE. This Act shall be known and may be cited as the "Higher Education Reform Act of 2024".

DIVISION II
COMMUNITY COLLEGES

Sec. 2. Section 260C.14, Code 2024, is amended by adding the following new subsections:

NEW SUBSECTION. 25. Prior to the beginning of the 2025-2026 academic year, establish a program that satisfies all of the following requirements:

a. Allows students admitted to the community college to complete the community college's associate's degree program while working part-time for an employer registered under the program.

b. Requires the student and a representative of the student's employer to execute an agreement that requires the student to work part-time for the student's employer for at least one calendar year and that describes the rights and responsibilities of the student and the employer under the program.

c. Requires the student's employer to pay all of the tuition and mandatory fees associated with the student's participation in the associate's degree program during the fall and spring semesters.

d. Requires the student's employer to pay the student a rate of compensation that shall not be less than the higher of the applicable federal or state minimum wage.

NEW SUBSECTION. 26. Adopt policies and procedures that require the community college to follow state law, regardless of any rules or directives of any accrediting agency.

NEW SUBSECTION. 27. Adopt policies and procedures that require any strategic plan adopted by the community college to include a description of how the community college will prioritize degree programs that lead to employment

1 in high-demand fields within the state. The policies and
2 procedures shall also require that the community college's
3 current strategic plan be revised to include a description of
4 how the community college will prioritize degree programs that
5 lead to employment in high-demand fields within the state.

6 NEW SUBSECTION. 28. Adopt policies and procedures that
7 prohibit any faculty senate committee or subcommittee from
8 having any governance authority over the community college.
9 The policies and procedures shall provide that the scope of
10 authority of a faculty senate committee or subcommittee is
11 limited to an advisory role.

12 DIVISION III

13 STATE BOARD OF REGENTS

14 Sec. 3. Section 262.1, Code 2024, is amended to read as
15 follows:

16 **262.1 Membership.**

17 1. The state board of regents consists of nine voting
18 members, eight of whom shall be selected from the state at
19 large solely with regard to their qualifications and fitness
20 to discharge the duties of the office. The ninth member shall
21 be a student enrolled on a full-time basis in good standing
22 at either the graduate or undergraduate level at one of the
23 institutions listed in section 262.7, subsection 1, 2, or 3,
24 at the time of the member's appointment. Not more than five
25 members shall be of the same political party.

26 2. In addition to the nine voting members, the membership
27 of the state board of regents shall include two ex officio,
28 nonvoting members of the general assembly, with one member
29 designated by the majority leader of the senate and one member
30 designated by the speaker of the house of representatives. A
31 legislative member serves for a term as provided in section
32 69.16B.

33 Sec. 4. Section 262.2, Code 2024, is amended to read as
34 follows:

35 **262.2 Appointment — term of office.**

1 The voting members shall be appointed by the governor
2 subject to confirmation by the senate. Prior to appointing
3 the ninth member as specified in section 262.1, subsection 1,
4 the governor shall consult with the appropriate student body
5 government at the institution at which the proposed appointee
6 is enrolled. The term of each voting member of the board shall
7 be for ~~six~~ four years, unless the ninth member, appointed in
8 accordance with section 262.1, subsection 1, graduates or
9 is no longer enrolled at an institution of higher education
10 under the board's control, at which time the term of the
11 ninth member shall expire one year from the date on which the
12 member graduates or is no longer enrolled in an institution
13 of higher education under the board's control. However, if
14 within that year the ninth member reenrolls in any institution
15 of higher education under the board's control on a full-time
16 basis and is a student in good standing at either the graduate
17 or undergraduate level, the term of the ninth member shall
18 continue in effect. The terms of ~~three~~ the voting members of
19 the board shall be staggered and shall begin and expire ~~in each~~
20 ~~odd-numbered year~~ as provided in section 69.19.

21 Sec. 5. Section 262.4, Code 2024, is amended to read as
22 follows:

23 **262.4 Removals.**

24 The governor, with the approval of a majority of the senate
25 during a session of the general assembly, may remove any voting
26 member of the board for malfeasance in office, or for any cause
27 which would render the voting member ineligible for appointment
28 or incapable or unfit to discharge the duties of office, and
29 the voting member's removal, when so made, shall be final.

30 Sec. 6. Section 262.5, Code 2024, is amended to read as
31 follows:

32 **262.5 Suspension.**

33 When the general assembly is not in session, the governor
34 may suspend any voting member so disqualified and shall appoint
35 another to fill the vacancy thus created, subject to the

1 approval of the senate when next in session.

2 Sec. 7. Section 262.6, Code 2024, is amended to read as
3 follows:

4 **262.6 Vacancies.**

5 Vacancies shall be filled in the same manner in which
6 regular appointments are required to be made. If the ninth
7 voting member resigns prior to the expiration of the term,
8 the individual appointed to fill the vacancy shall meet the
9 requirements for the ninth voting member specified in section
10 262.1, subsection 1. Other vacancies in the voting members
11 occurring prior to the expiration of the ninth voting member's
12 term shall be filled in the same manner as the original
13 appointments for those vacancies.

14 Sec. 8. Section 262.8, Code 2024, is amended to read as
15 follows:

16 **262.8 Meetings.**

17 The board shall meet four times a year. Special meetings
18 may be called by the board, by the president of the board, or
19 by the executive director of the board upon written request of
20 any five voting members thereof.

21 Sec. 9. Section 262.9, subsection 1, Code 2024, is amended
22 to read as follows:

23 1. a. Each even-numbered year ~~elect~~ nominate, from
24 its members, a president of the board, who is subject to
25 confirmation by the senate and who shall serve for two years
26 and until a successor is ~~elected~~ nominated and ~~qualified~~
27 confirmed.

28 b. Notwithstanding paragraph "a", an individual who has been
29 nominated by the board and confirmed by the senate pursuant
30 to paragraph "a" shall not be required to be confirmed by the
31 senate subsequent to the expiration of the individual's term
32 as president if the board nominates the individual to serve as
33 president of the board subsequent to the expiration of such
34 term.

35 Sec. 10. APPLICABILITY. The following applies to members

1 of the state board of regents appointed by the governor, and
2 not yet confirmed by the senate, on or after the effective date
3 of this division of this Act:

4 The section of this division of this Act amending section
5 262.2.

6 Sec. 11. APPLICABILITY. The following applies upon the
7 expiration of the term of the president of the state board of
8 regents as provided in section 262.9, subsection 1:

9 The section of this division of this Act amending section
10 262.9, subsection 1.

11 DIVISION IV

12 INSTITUTIONS OF HIGHER EDUCATION GOVERNED BY THE STATE BOARD
13 OF REGENTS

14 Sec. 12. Section 262.9, subsections 2, 3, and 22, Code 2024,
15 are amended to read as follows:

16 2. a. Elect a president of each of the institutions of
17 higher learning; a treasurer and a secretarial officer for each
18 institution annually; professors, instructors, officers, and
19 employees; and fix their compensation.

20 b. (1) When electing a president of an institution of
21 higher learning, the board shall use a presidential selection
22 committee that shall provide the board with recommendations
23 related to the best candidate for the position. The board
24 shall not elect a president of an institution of higher
25 learning unless the presidential selection committee
26 recommended the election of the president to the board.

27 (2) Only members of the board shall serve as members of the
28 presidential selection committee.

29 (3) In carrying out its duties under this paragraph, the
30 presidential selection committee may do any of the following:

31 (a) Contract for and use the services of any person engaged
32 in the business of placing highly qualified job candidates in
33 leadership positions.

34 (b) Use moneys allocated to the committee by the board.

35 (4) The identity of a candidate for president of an

1 institution of higher learning being considered by the
2 presidential selection committee shall be confidential and
3 shall not be a public record subject to disclosure under
4 chapter 22, unless the identity of the candidate is revealed
5 pursuant to the terms of a written agreement entered into
6 between all members of the presidential selection committee.

7 3. Make rules for admission to and for the government of
8 said institutions, not inconsistent with law. The rules shall
9 require the institutions of higher learning under its control
10 to incorporate the classic learning test, developed by classic
11 learning initiatives, into the regent admission index prior to
12 the beginning of the 2025-2026 academic year.

13 22. a. Develop a policy and adopt rules relating to the
14 establishment of tuition rates which provide a predictable
15 basis for assessing and anticipating changes in tuition rates.

16 b. The rules shall provide that the amount of resident
17 tuition and mandatory fees charged by an institution of
18 higher education under the board's control to an undergraduate
19 student who began the baccalaureate program on or after the
20 2025-2026 academic year shall not increase during the student's
21 first four full consecutive academic years of participation
22 in the baccalaureate program. This paragraph shall not be
23 construed to prohibit the board from increasing the amount of
24 resident tuition and mandatory fees for incoming classes by
25 an amount not to exceed three percent of the total amount of
26 resident tuition and mandatory fees the institution charged
27 to undergraduate students during the immediately preceding
28 academic year.

29 c. (1) Notwithstanding paragraph "b", the rules developed
30 by the board shall authorize institutions of higher education
31 under the board's control to increase the total amount of
32 resident tuition and mandatory fees associated with the
33 baccalaureate program for all of the following students:

34 (a) Students who take more than four full consecutive
35 academic years to complete the baccalaureate program.

1 (b) Students who have attained a sufficient amount of
2 semester hours of undergraduate credits prior to the student's
3 date of admission such that the student is able to complete
4 the remaining semester hours of credits associated with the
5 baccalaureate program in less than four full consecutive
6 academic years, but the student fails to do so.

7 (2) If an institution of higher education increases the
8 total amount of resident tuition and mandatory fees associated
9 with the baccalaureate program pursuant to this paragraph, the
10 institution shall not increase the total amount of resident
11 tuition and mandatory fees to an amount that is greater than
12 the amount of tuition and mandatory fees charged to the most
13 recent incoming class.

14 Sec. 13. Section 262.9, Code 2024, is amended by adding the
15 following new subsections:

16 NEW SUBSECTION. 39. *a.* Direct the institutions of higher
17 education under its control to adopt policies and procedures
18 that prohibit the institutions from creating any new position
19 for an administrator, unless the board approves the creation of
20 the new position.

21 *b.* The policies and procedures adopted pursuant to paragraph
22 "a" shall not prohibit an institution of higher education under
23 the control of the state board of regents from filling an open
24 administrator position with an administrator who is currently
25 employed by the institution of higher education.

26 *c.* For purposes of this subsection, "administrator" means an
27 employee who serves in the role of vice president, assistant
28 vice president, or associate vice president.

29 NEW SUBSECTION. 40. Direct the institutions of higher
30 education under its control to establish, prior to the
31 beginning of the 2025-2026 academic year, a program at each
32 institution that satisfies all of the following requirements:

33 *a.* Allows students admitted to the baccalaureate degree
34 program at the institution to complete the baccalaureate degree
35 program while working part-time for an employer registered

1 under the program.

2 *b.* Requires the student and a representative of the
3 student's employer to execute an agreement that requires the
4 student to work part-time for the student's employer for at
5 least one calendar year and that describes the rights and
6 responsibilities of the student and the employer under the
7 program.

8 *c.* Requires the student's employer to pay all of the tuition
9 and mandatory fees associated with the student's participation
10 in the baccalaureate degree program during the fall and spring
11 semesters.

12 *d.* Requires the student's employer to pay the student a rate
13 of compensation that shall not be less than the higher of the
14 applicable federal or state minimum wage.

15 NEW SUBSECTION. 41. Direct the institutions of higher
16 education under its control to structure university-wide
17 diversity, equity, and inclusion offices to prohibit any
18 diversity, equity, and inclusion function that is not necessary
19 for compliance with federal or state laws or accreditation.
20 The institutions of higher education shall make the support
21 services that are provided by such offices broadly available to
22 all students and employees, subject to applicable federal and
23 state eligibility requirements.

24 NEW SUBSECTION. 42. Direct the institutions of higher
25 education under its control to regularly do all of the
26 following:

27 *a.* Review the services provided by offices that support
28 diversity or multicultural affairs in other divisions of the
29 institution to ensure that such services are available to all
30 students, subject to applicable federal or state eligibility
31 requirements.

32 *b.* Update promotional and informational materials and
33 internet sites to clarify that the mission of offices that
34 support diversity or multicultural affairs in other divisions
35 of the institution is to support success broadly.

1 NEW SUBSECTION. 43. Direct the institutions of higher
2 education under its control to take reasonable steps to assure
3 all of the following:

4 *a.* That an employee, student, applicant, or campus visitor
5 is not required to submit a diversity, equity, and inclusion
6 statement, or be evaluated based on participation in a
7 diversity, equity, and inclusion initiative, unless required
8 for compliance or accreditation related to diversity, equity,
9 and inclusion.

10 *b.* That an employee, student, applicant, or campus visitor
11 is not compelled to disclose the employee's, student's,
12 applicant's, or campus visitor's preferred pronouns.

13 NEW SUBSECTION. 44. Develop a policy that each
14 institution of higher education under the control of the board
15 shall approve, institute, and enforce, that prohibits the
16 consideration of race and other protected class characteristics
17 during the admissions process that is consistent with current
18 federal and state law.

19 NEW SUBSECTION. 45. Develop a policy that each institution
20 of higher education under the control of the board shall
21 approve, institute, and enforce, that contains guidance for
22 employees of each institution related to the separation of
23 personal political advocacy from the employee's job duties and
24 the business of the institution.

25 NEW SUBSECTION. 46. Direct the institutions of higher
26 education under its control to adopt policies and procedures
27 to advance the diversity of intellectual and philosophical
28 perspectives in faculty and staff applicant pools.

29 NEW SUBSECTION. 47. Provide an annual notice to the
30 institutions of higher education under its control concerning
31 the board's policy related to institution statements on matters
32 of public concern.

33 NEW SUBSECTION. 48. Direct the institutions of higher
34 education under its control to follow state law, regardless of
35 any rules or directives of any accrediting agency.

1 NEW SUBSECTION. 49. *a.* Direct the institutions of higher
2 education under its control to adopt policies that require
3 all undergraduate students admitted on or after the 2025-2026
4 academic year to complete a three-credit-hour course devoted to
5 American history and civics prior to graduation.

6 *b.* Direct the institutions of higher education under its
7 control to develop the curriculum and materials related to the
8 American history and civics course, subject to the approval
9 of the board. The curriculum shall focus on the founding of
10 the United States and shall emphasize the federalist papers,
11 the United States Constitution, and the three branches of
12 government.

13 *c.* Direct the institutions of higher education under
14 its control to develop policies that allow undergraduate
15 students to fulfill the requirements described in paragraph "a"
16 through semester hours of credit attained at other educational
17 institutions.

18 NEW SUBSECTION. 50. Direct the institutions of higher
19 education under its control to adopt policies that authorize
20 the president of the institution to initiate a post-tenure
21 review of any employee of the institution at any time.

22 NEW SUBSECTION. 51. Direct the institutions of higher
23 education under its control to adopt policies that require
24 any strategic plan adopted by the institution to include a
25 description of how the institution will prioritize degree
26 programs that lead to employment in high-demand fields within
27 the state. The policies and procedures shall also require that
28 the institution's current strategic plan be revised to include
29 a description of how the institution will prioritize degree
30 programs that lead to employment in high-demand fields within
31 the state.

32 NEW SUBSECTION. 52. Prohibit the institutions of higher
33 education under its control from allowing any Confucius
34 institute, or any other educational institute funded in whole
35 or in part by the People's Republic of China, to be located on

1 any property owned by the institution of higher education.

2 NEW SUBSECTION. 53. Direct the institutions of higher
3 education under its control to adopt policies and procedures
4 that prohibit any faculty senate committee or subcommittee
5 from having any governance authority over the institution of
6 higher education. The policies and procedures shall provide
7 that the scope of authority of a faculty senate committee or
8 subcommittee is limited to an advisory role.

9 NEW SUBSECTION. 54. In a timely manner, respond to and
10 fulfill any request for information submitted to the board by a
11 member of the general assembly or the governor.

12 Sec. 14. INSTITUTIONS OF HIGHER EDUCATION GOVERNED BY THE
13 STATE BOARD OF REGENTS — REQUIRED REVIEWS.

14 1. On or before December 31, 2024, each institution of
15 higher education governed by the state board of regents shall
16 do all of the following:

17 a. Review all college, department, and unit-level
18 diversity, equity, and inclusion positions to determine whether
19 diversity, equity, and inclusion-specific job responsibilities
20 are necessary for compliance with federal or state law,
21 accreditation, or for the provision of student or employee
22 support services.

23 b. Adjust or eliminate any diversity, equity, and inclusion
24 position that is not necessary for those purposes described in
25 paragraph "a".

26 c. Review all employee position names and working titles to
27 ensure that the position names and working titles appropriately
28 reflect the employee's responsibilities.

29 2. Each institution of higher education governed by the
30 state board of regents shall initiate and conduct a review of
31 general education categories related to diversity, equity, and
32 inclusion and update such categories to accurately reflect the
33 array of options students may select in order to satisfy the
34 requirements associated with such categories and to ensure a
35 breadth of offerings.

1 Sec. 15. INSTITUTIONS OF HIGHER EDUCATION GOVERNED BY THE
2 STATE BOARD OF REGENTS — REQUIRED DEVELOPMENT OF NEW ACADEMIC
3 PROGRAM. Prior to the November 2024 meeting of the state board
4 of regents, each institution of higher education governed by
5 the state board of regents shall develop and submit to the
6 state board of regents, the general assembly, and the governor,
7 a proposed baccalaureate degree program that requires a student
8 to complete no more than ninety semester hours of classroom
9 work. This section shall not be construed to require an
10 institution of higher education governed by the state board of
11 regents to implement the proposed baccalaureate degree program.

12 Sec. 16. COMPREHENSIVE STUDY — REDUCTION OF COSTS. Each
13 institution of higher education governed by the state board of
14 regents shall do all of the following:

15 1. Conduct a comprehensive study related to how to
16 reduce costs, maintain close to current levels of tuition
17 and mandatory fees, and maintain noninstructional costs
18 below ten percent of the average annual total of the moneys
19 appropriated to the institution by the general assembly and the
20 institution's revenue generated by tuition and mandatory fees.

21 2. Prior to the November 2024 meeting of the state board
22 of regents, each institution of higher education governed by
23 the state board of regents shall develop and submit to the
24 state board of regents, the general assembly, and the governor
25 a report detailing the results of the comprehensive study
26 described in subsection 1.

27 Sec. 17. INSTITUTIONS OF HIGHER EDUCATION GOVERNED BY
28 THE STATE BOARD OF REGENTS — EDUCATION AND RESEARCH ON FREE
29 SPEECH AND CIVIC EDUCATION PROPOSAL. Prior to the November
30 2024 meeting of the state board of regents, each institution
31 of higher education governed by the state board of regents
32 shall develop and submit to the state board of regents, the
33 general assembly, and the governor, a proposal related to the
34 establishment of a center or institute that is dedicated to
35 expanding opportunities for education and research concerning

1 freedom of speech and civic education.

2 DIVISION V

3 CLOSURE OF PRIVATE INSTITUTIONS OF HIGHER EDUCATION

4 Sec. 18. NEW SECTION. 261J.1 Closure of private
5 institutions of higher education.

6 1. An accredited private institution shall provide notice
7 to the department of education immediately upon a vote of the
8 accredited private institution's governing board to close the
9 institution.

10 2. Within five business days after providing notice
11 under subsection 1, an accredited private institution shall
12 provide the department of education with copies of all of the
13 following:

14 a. Teachout plan.

15 b. The notice to faculty, staff, and students that the
16 institution will close.

17 c. Plans to coordinate alternative program options.

18 d. A comprehensive student directory with contact
19 information and information related to each student's current
20 status at the institution as of the date the institution will
21 close.

22 e. The institution's plan to provide transitional support.

23 f. The institution's transcript retention plan.

24 g. The process and contact person for student concerns,
25 complaints, and questions related to the closure of the
26 institution, both before and after the institution closes.

27 3. For purposes of this section, "*accredited private*
28 *institution*" means the same as defined in section 256.183.