

**REGENTS BOARD[681]**

**Notice of Intended Action**

**Proposing rulemaking related to equal employment opportunity  
and providing an opportunity for public comment**

The Board of Regents hereby proposes to rescind Chapter 7, “Equal Employment Opportunity,” Iowa Administrative Code, and to adopt a new Chapter 7 with the same title.

*Legal Authority for Rulemaking*

This rulemaking is proposed under the authority provided in Iowa Code section 19B.3(2)“j.”

*State or Federal Law Implemented*

This rulemaking implements, in whole or in part, Iowa Code chapter 19B.

*Purpose and Summary*

Iowa Code chapter 19B requires the Board to adopt equal employment opportunity and affirmative action rules in accordance with Iowa Code chapter 17A. The Board proposes rescinding those portions of the chapter that are unnecessary, nonsubstantive, or duplicative of State or federal law.

*Regulatory Analysis*

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on October 15, 2025. A public hearing was held on the following date(s):

- November 4, 2025

*Fiscal Impact*

This rulemaking has no fiscal impact to the State of Iowa.

*Jobs Impact*

After analysis and review of this rulemaking, no impact on jobs has been found.

*Waivers*

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Board for a waiver of the discretionary provisions, if any, pursuant to rule 681—19.18(17A).

*Public Comment*

Any interested person may submit written or oral comments concerning this proposed rulemaking, which must be received by the Board no later than 4:30 p.m. on April 30, 2026. Comments should be directed to:

Aimee Claeys, General Counsel  
Board of Regents  
11260 Aurora Avenue  
Urbandale, Iowa 50322  
Phone: 515.281.6456  
Email: [aimee.claeys@iowaregents.edu](mailto:aimee.claeys@iowaregents.edu)

*Public Hearing*

Public hearings at which persons may present their views orally or in writing will be held as follows:

April 28, 2026  
11 to 11:30 a.m.  
April 30, 2026  
4 to 4:30 p.m.

11260 Aurora Avenue  
Urbandale, Iowa  
11260 Aurora Avenue  
Urbandale, Iowa

Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Board and advise of specific needs.

*Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Rescind 681—Chapter 7 and adopt the following **new** chapter in lieu thereof:

CHAPTER 7  
EQUAL EMPLOYMENT OPPORTUNITY

**681—7.1(262) Definitions.**

*"Affirmative action"* means the same as defined in Iowa Code section 19B.1.

*"Bona fide occupational qualification"* means a qualification reasonably necessary to the normal function of a position in the operation of a particular business. The concept of the bona fide occupational qualification is narrow in scope and will not be applied to include the mere preference or convenience of the employer.

*"Protected class"* shall mean any group that is legally protected from discrimination under Iowa Code chapter 216 or applicable federal law.

**681—7.2(262) Equal employment opportunity.**

**7.2(1) Affirmative action.** The state board of regents and all institutions under the jurisdiction of the state board of regents shall appoint, assign, and advance employees on the basis of merit and fitness. Each institution under the jurisdiction of the state board of regents shall promulgate a written policy of nondiscrimination in employment and shall adopt an affirmative action program that is compliant with Iowa Code chapter 19B. Each institution shall submit its annual affirmative action report to the state board of regents between December 15 and December 31 each year.

**7.2(2) Personnel administration.** The state board of regents office and all institutions under the jurisdiction of the state board of regents shall regularly review its personnel practices and procedures with a view to correcting personnel practices and procedures that may contribute to discrimination in appointment, assignment, or advancement. Each institution shall conduct programs of job orientation and provide training and organizational structure for upward mobility and shall place emphasis upon fair practices in employment. Each institution shall also bar from all employment application forms any inquiry as to protected class except for statistical purposes unless it relates to a bona fide occupational qualification.

**681—7.3(262) Contract compliance.**

**7.3(1) Equal employment opportunity.** The state board of regents and all institutions under the jurisdiction of the state board of regents are responsible for the administration and promotion of equal opportunity in contracts and services and the prohibition of discriminatory and unfair practices within any program administered by institutions under the jurisdiction of the state board of regents receiving or

benefiting from state financial assistance in whole or in part. Every official responsible to the state board of regents who is authorized to make contracts or subcontracts for construction or for goods or services shall cause to be inserted into every such contract or subcontract a clause in which the contractor or subcontractor is prohibited from engaging in discriminatory employment practices in violation of federal and state laws, regulations, and executive orders that pertain to equal employment opportunity.

**7.3(2) Procedures.** Any individual aggrieved by a contractor's alleged noncompliance with the state board of regents equal employment opportunity policy may file a complaint with the institutional office designated for receiving and investigating complaints of discrimination. Complaints shall be investigated in accordance with established institutional policies and procedures.

**7.3(3) Bidding requirement.** All construction specifications shall include, in the "instruction to bidders," the following paragraph: "Bidders shall file with each bid a completed state board of regents equal employment opportunity data reporting form as included in the specifications or certify on the certificate of reporting that they have filed their annual equal employment opportunity data reporting form with the state board of regents equal opportunity compliance office."

These rules are intended to implement Iowa Code chapter 19B.