

REGENTS BOARD[681]

Adopted and Filed

Rulemaking related to equal employment opportunity

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

Legal Authority for Rulemaking

This rulemaking is adopted 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 rules in accordance with Iowa Code chapter 17A. The Board is rescinding those portions of the chapter that are unnecessary, nonsubstantive, or duplicative of State or federal law.

Public Comment and Changes to Rulemaking

Notice of Intended Action for this rulemaking was published in the Iowa Administrative Bulletin on April 1, 2026, as **ARC 0170D**. A public hearing was held on the following date(s):

- April 28, 2026
- April 30, 2026

No one attended the public hearings. No public comments were received.

Since publication of the Notice, 2026 Iowa Acts, House File 2711, has been signed into law. The legislation eliminates certain State requirements related to affirmative action. Therefore, rules related to affirmative action have been removed from this rulemaking.

Adoption of Rulemaking

This rulemaking was adopted by the Board on June 16, 2026.

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 7—Chapter 2504.

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).

Effective Date

This rulemaking will become effective on August 12, 2026.

The following rulemaking action is adopted:

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.

“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) *Nondiscrimination in employment.* 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.

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 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.

[Filed 6/10/26, effective 8/12/26]

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 7/8/26.