

Senate File 407 - Introduced

SENATE FILE 407
BY COMMITTEE ON STATE
GOVERNMENT

(SUCCESSOR TO SSB 1163)

A BILL FOR

1 An Act relating to the activities and duties of the state board
2 of regents and the board's administrative office.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 262.1, Code 2013, is amended to read as
2 follows:

3 **262.1 Membership.**

4 The state board of regents consists of nine members, ~~eight~~
5 seven of whom shall be selected from the state at large solely
6 with regard to their qualifications and fitness to discharge
7 the duties of the office. The eighth member shall be selected
8 by the faculty of the institutions of higher learning governed
9 by the board, and the ninth member shall be a student enrolled
10 on a full-time basis in good standing at either the graduate
11 or undergraduate level at one of the institutions listed in
12 section 262.7, subsection 1, 2, or 3, at the time of the
13 member's appointment. Not more than five members shall be of
14 the same political party.

15 Sec. 2. Section 262.2, Code 2013, is amended to read as
16 follows:

17 **262.2 Appointment — term of office.**

18 The members, except for the eighth member who is selected as
19 specified in section 262.1, shall be appointed by the governor
20 subject to confirmation by the senate. Prior to appointing the
21 ninth member as specified in section 262.1, the governor shall
22 consult with the appropriate student body government at the
23 institution at which the proposed appointee is enrolled. The
24 term of each member of the board shall be for six years, unless
25 the ninth member, appointed in accordance with section 262.1,
26 graduates or is no longer enrolled at an institution of higher
27 education under the board's control, at which time the term of
28 the ninth member shall expire one year from the date on which
29 the member graduates or is no longer enrolled in an institution
30 of higher education under the board's control. However, if
31 within that year the ninth member reenrolls in any institution
32 of higher education under the board's control on a full-time
33 basis and is a student in good standing at either the graduate
34 or undergraduate level, the term of the ninth member shall
35 continue in effect. The terms of three members of the board

1 shall begin and expire in each odd-numbered year as provided
2 in section 69.19.

3 Sec. 3. NEW SECTION. 262.3 Board and board office —
4 prohibited activities.

5 1. A member of the state board of regents, the executive
6 director of the board, and professional staff employed for
7 the administration of the board's office shall not have any
8 business or financial relationship with any person employed by
9 an institution governed by the board.

10 2. A person who registers as a lobbyist pursuant to section
11 68B.36 on behalf of a person who is a member of the state
12 board of regents or on behalf of that member's business or
13 employer shall not, within two years after the termination of
14 such service or employment as a lobbyist, become a lobbyist,
15 state relations officer, or governmental liaison for any
16 office, program, or department of an institution governed or
17 administered by the board.

18 Sec. 4. Section 262.6, Code 2013, is amended to read as
19 follows:

20 **262.6 Vacancies.**

21 Vacancies shall be filled in the same manner in which regular
22 appointments are required to be made. ~~If the ninth member~~
23 ~~resigns prior to the expiration of the term, the individual~~
24 ~~appointed to fill the vacancy shall meet the requirements for~~
25 ~~the ninth member specified in section 262.1. Other vacancies~~
26 ~~occurring prior to the expiration of the ninth member's term~~
27 ~~shall be filled in the same manner as the original appointments~~
28 ~~for those vacancies.~~

29 Sec. 5. Section 262.8, Code 2013, is amended to read as
30 follows:

31 **262.8 Meetings — public forums — public readings.**

32 1. The board shall meet four times a year. Special meetings
33 may be called by the board, by the president of the board, or
34 by the executive director of the board upon written request of
35 any five members thereof.

1 2. Each regular meeting of the state board of regents
2 shall begin with at least thirty minutes for public comment if
3 requested by members of the public. A member of the public
4 shall be granted up to five minutes to make comments and may be
5 granted more time by a member of the board.

6 3. At least two members of the state board of regents
7 shall hold public forums at which issues relating to the
8 activities of the board and the institutions the board governs
9 can be discussed and addressed. The forums shall provide
10 the community with opportunities to pose questions, receive
11 answers, and make comments. The board shall divide the state
12 into at least four geographic regions, including but not
13 limited to northwest, southwest, northeast, and southeast Iowa,
14 and shall hold a forum in accordance with this subsection in
15 each region at least quarterly. The forums shall be held
16 outside the metropolitan areas in which institutions of higher
17 learning governed by the state board are located and outside
18 of a metropolitan area within the state that has a population
19 of two hundred thousand or more. Notice of a forum shall be
20 prominently posted on the board's internet site at least two
21 weeks prior to the date of the forum.

22 4. The board shall hold public readings of a proposal at two
23 regular meetings of the board before the board takes action on
24 a proposal before the board if the proposal affects an academic
25 program at an institution governed by the board, or if the
26 estimated cost of the proposal is one hundred thousand dollars
27 or more. A quorum of the board must be physically present at
28 any board meeting that includes a public reading required by
29 this subsection. The affirmative vote of a majority of the
30 membership of the board is necessary for any action to be taken
31 by the board on a proposal subject to this subsection.

32 Sec. 6. Section 262.9C, subsections 2 and 5, Code 2013, are
33 amended to read as follows:

34 2. The target span of control aggregate ratio of supervisory
35 employees to other employees shall be one to ~~fifteen~~ fourteen.

1 The target span of control ratio shall not apply to employees
2 involved with direct patient care, faculty, and employees in
3 other areas of the institutions that must maintain different
4 span of control ratios due to federal or state regulations.

5 5. The state board of regents shall present an interim
6 report to the governor and general assembly on or before April
7 1, 2010, ~~with~~ and annual updates thereafter, detailing the
8 effects of the policy on the composition of the workforce, cost
9 savings, efficiencies, and outcomes. In addition, the report
10 and annual updates shall identify those departments within each
11 institution ~~under the control of~~ governed by the board granted
12 an exception by the board to the policy as provided in this
13 section.

14 Sec. 7. Section 262.12, Code 2013, is amended to read as
15 follows:

16 **262.12 Committees and administrative offices under board.**

17 1. The board of regents shall also have and exercise
18 all the powers necessary and convenient for the effective
19 administration of its office and of the institutions under
20 its control, and to this end may create such committees,
21 offices and agencies from its own members or others, and employ
22 persons to staff the same, fix their compensation and tenure
23 and delegate thereto, or to the administrative officers and
24 faculty of the institutions under its control, such part of the
25 authority and duties vested by statute in the board, and shall
26 formulate and establish such rules, outline such policies and
27 prescribe such procedures therefor, all as may be desired or
28 determined by the board as recorded in their minutes.

29 2. The board of regents shall publish on its internet
30 site specific criteria, including qualification requirements
31 and preferences, for electing a president of any institution
32 of higher learning governed by the board pursuant to section
33 262.9, subsection 2.

34 EXPLANATION

35 This bill relates to activities and duties of the state

1 board of regents, the executive director of the board, and
2 the professional staff employed for the administration of the
3 board's office.

4 Currently, the board consists of nine members appointed
5 by the governor, eight of whom are selected from the state
6 at large, and the ninth is a student enrolled at a regents
7 university. The bill provides that the eighth member shall be
8 selected by the faculty of the regents universities.

9 The bill prohibits a member of the board, the board's
10 executive director, and the board's professional staff from
11 having any business or financial relationship with any person
12 employed by a regents institution.

13 A person who registers as a lobbyist on behalf of a person
14 who is a member of the board or on behalf of that member's
15 business or employer shall not within two years after the
16 termination of such service or employment as a lobbyist become
17 a lobbyist, state relations officer, or governmental liaison
18 for any office, program, or department of an institution
19 governed or administered by the board.

20 Each regular board meeting shall begin with at least 30
21 minutes for public comment if requested by members of the
22 public. A member of the public shall be granted up to five
23 minutes to make comments and may be granted more time by a
24 member of the board.

25 At least two members of the board shall hold public forums
26 in each of at least four geographic regions of the state
27 quarterly. The forums must be held outside of the metropolitan
28 areas in which the regents universities are located, and
29 outside of Des Moines. Notice of a forum must be prominently
30 posted on the board's internet site at least two weeks prior to
31 the date of the forum.

32 If a proposal before the board affects an institution's
33 academic program or if its estimated cost is \$100,000 or
34 more, the bill requires that the board hold public readings
35 of the proposal at two regular meetings of the board before

1 taking action on the proposal. A quorum of the board must be
2 physically present at these meetings, and the proposal must
3 receive the affirmative vote of a majority of the membership
4 for any action to be taken on the proposal.

5 The bill reduces the target span of control aggregate ratio
6 of supervisory employees to other employees at the institutions
7 governed by the board from 1 to 15 to 1 to 14.

8 The board must publish on its internet site specific
9 criteria for electing a president of a regents university.

10 The bill includes conforming changes.