A BILL FOR

1 An Act relating to the establishment of tenure systems at
2 public postsecondary educational institutions.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
Section 1. Section 260C.36, Code 2017, is amended by adding the following new subsection:

NEW SUBSECTION. 5. This section shall not be construed to authorize the board of directors of the community college to establish a tenure system for any employee of the community college.

Sec. 2. Section 262.9, Code 2017, is amended by adding the following new subsection:

NEW SUBSECTION. 39. Prohibit, at each institution of higher learning governed by the state board of regents, the establishment or continuation of a tenure system for any employee of the institution. Acceptable grounds for termination of employment of any member of the faculty shall include but not be limited to just cause, program discontinuance, and financial exigency. Each institution of higher learning governed by the board shall adopt a written statement enumerating employment agreements, annual performance evaluations of all faculty members, minimum standards of good practice, standards for review and discipline of faculty members, and policies with regard to dismissal for cause, program discontinuance, and financial exigency. The dean of a college under the authority of the state board of regents and the president of the institution of higher learning governed by the state board shall employ faculty as necessary to carry out the academic duties and responsibilities of the college.

Sec. 3. Section 262.12, Code 2017, is amended to read as follows:

262.12 Committees and administrative offices under board.

The board of regents shall also have and exercise all the powers necessary and convenient for the effective administration of its office and of the institutions under its control, and to this end may create such committees, offices and agencies from its own members or others, and employ persons to staff the same, fix their compensation and tenure and delegate thereto, or to the administrative officers and
1 faculty of the institutions under its control, such part of the 2 authority and duties vested by statute in the board, and shall 3 formulate and establish such rules, outline such policies and 4 prescribe such procedures therefor, all as may be desired or 5 determined by the board as recorded in their minutes. 6 Sec. 4. Section 262.82, unnumbered paragraph 2, Code 2017, 7 is amended to read as follows: 8 The board of regents shall also establish a program to create 9 faculty opportunities for women educators at the universities 10 under the board’s control. The program shall include, but 11 is not limited to, the creation of faculty positions in 12 targeted shortage areas. The board of regents shall also 13 develop and implement, in consultation with appropriate faculty 14 representatives, tenure, promotion, and hiring policies that 15 recognize the unique needs of faculty members who are principal 16 caregivers to dependents.

EXPLANATION

The inclusion of this explanation does not constitute agreement with 19 the explanation's substance by the members of the general assembly.

This bill directs the state board of regents to prohibit 21 the establishment or continuation of a tenure system at the 22 regents universities for any employee of a regents university, 23 and provides that the provision in the Code which authorizes 24 community college administrations to establish quality faculty 25 planning committees shall not be construed to authorize a 26 community college to establish a tenure system for any employee 27 of the community college.

The bill provides that acceptable grounds for termination 29 of employment of any member of a regents university’s faculty 30 shall include but not be limited to just cause, program 31 discontinuance, and financial exigency. Each university is 32 directed to adopt a written statement enumerating employment 33 agreements, annual performance evaluations of all faculty 34 members, minimum standards of good practice, standards for 35 review and discipline of faculty members, and policies with
regard to dismissal for cause, program discontinuance, and financial exigency. The bill provides that each dean of a college at a regents university and the president of the university shall employ faculty as necessary to carry out the academic duties and responsibilities of the college.

The bill makes corresponding changes in the Code.