

House File 49 - Introduced

HOUSE FILE 49

BY HOLT

A BILL FOR

1 An Act prohibiting tenure systems at the institutions of
2 higher learning governed by the state board of regents, and
3 including applicability provisions.

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

1 Section 1. Section 262.9, Code 2021, is amended by adding
2 the following new subsection:

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

20 Sec. 2. Section 262.12, Code 2021, is amended to read as
21 follows:

22 **262.12 Committees and administrative offices under board.**

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

35 Sec. 3. Section 262.82, subsection 2, Code 2021, is amended

1 to read as follows:

2 2. The board of regents shall also establish a program
3 to create faculty opportunities for women educators at the
4 universities under the board's control. The program shall
5 include but is not limited to the creation of faculty positions
6 in targeted shortage areas. The board of regents shall also
7 develop and implement, in consultation with appropriate faculty
8 representatives, ~~tenure~~, promotion, and hiring policies that
9 recognize the unique needs of faculty members who are principal
10 caregivers to dependents.

11 Sec. 4. APPLICABILITY. The section of this Act amending
12 section 262.9 does not apply to a faculty member who entered
13 into an employment contract with an institution of higher
14 learning governed by the state board of regents prior to July
15 1, 2021, unless such contract is renewed on or after July 1,
16 2021.

17 EXPLANATION

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

20 This bill directs the state board of regents to prohibit the
21 establishment or continuation of a tenure system at the regents
22 universities for any employee of a regents university.

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

1 The provision relating to faculty members employed by
2 regents universities does not apply to a faculty member who
3 entered into an employment contract with a regents university
4 prior to July 1, 2021, unless such contract is renewed on or
5 after July 1, 2021.

6 The bill makes corresponding changes in the Code.